

ACTS

OF THE

Fiftieth General Assembly

OF THE

STATE OF NEW-JERSEY,

AT A SESSION BEGUN AT TRENTON, THE TWENTY-FIFTH
DAY OF OCTOBER, ONE THOUSAND EIGHT
HUNDRED AND TWENTY FIVE.



TRENTON,

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1825.



ACTS

OF THE

FIFTIETH GENERAL ASSEMBLY

OF THE

STATE OF NEW-JERSEY.

AN ACT for the relief of the Trustees of the First Presbyterian Church in Newark.

WHEREAS, certain lands, situate in Newark, were granted by the proprietors of East New-Jersey, on or about the tenth day of December, in the year one thousand six hundred and ninety-six, for a parsonage and burying place, the title to which parsonage lands, and part of the burying place, is vested in the Trustees of the First Presbyterian Church in Newark ;—and

Preamble.

WHEREAS, the said trustees have, heretofore, in pursuance of the views and wishes of the congregation, gratuitously set apart or appropriated a certain portion of the said parsonage lands, or the income and profits thereof, for the use and benefit of the Episcopal congregation, in the town of Newark, and another portion thereof for the use and benefit of the Presbyterian congregation in the township of Orange, and another portion of the said parsonage land, and a portion of the burying ground, for the use and benefit of the Second Presbyterian Church in Newark, and another portion thereof, for the use and benefit of the Third Presbyterian Congregation in Newark, for the support of the gospel, in the said congregations respectively. But as the Trustees of the First Presbyterian Church in Newark, are advised, and believe they cannot make any valid legal conveyance of the fee of the said lands, without authority from the Legislature, and have petitioned for a law for that purpose—THEREFORE,

Trustees empowered to convey, &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 it shall and may be lawful for the Trustees of the First Presbyterian Church in Newark, to grant and convey, in fee-simple or otherwise, in as full and ample a manner as they have a title thereto, unto the Rector, Church Wardens, and Vestry-men of Trinity Church, at Newark, and unto the Trustees of the first Presbyterian Church in Orange, and to the Trustees of the Second Presbyterian Church in Newark; also to the Trustees of the third Presbyterian Congregation in Newark, respectively, such parts or portions of the said lands, granted as aforesaid, for a parsonage and burying ground, to which the Trustees of the First Presbyterian Church in Newark have title, as aforesaid, as have heretofore been, or may be set apart or designed for the use and benefit of the said congregations, or religious societies, respectively, as aforesaid; which conveyance shall vest in the grantees, respectively, such right, estate and interest in the granted premises, as such grantors now have therein, and as they shall choose to express in and pass by such conveyances, and the grantees, respectively, shall be entitled thereto in severalty; but the same shall be held solely and for ever for the support of the gospel, in the said congregations, or religious societies, respectively, and for no other use or purpose.

C. Passed November 4, 1825.

AN ACT authorizing the building of a bridge over Great Timber Creek, in the county of Gloucester.

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 board of chosen freeholders of the county of Gloucester to order to be built a good and substantial bridge over Great Timber Creek, at the place where the road, lately laid out, leading to Cooper's ferry, crosses said creek: *Provided*, That a majority of the board of chosen freeholders of said county, at their annual or adjourned meeting, think it expedient to build said bridge at the place aforesaid;—and if the said board think it expedient to build said bridge, it shall be so constructed as to create as little obstruction and inconvenience to the passage of boats and vessels with strike-masts as is practicable.

C. Passed November 12, 1825.

A FURTHER SUPPLEMENT to the act entitled,
 "An act respecting the office of Treasurer."

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 Secretary of State shall, in addition to what is required of him by the third section of the act entitled, "A supplement to the act entitled, an act respecting the office of Treasurer," which supplement was passed the twenty-seventh day of November, one thousand eight hundred and twenty-one, keep an accurate account of all and every check or checks countersigned by him as Secretary aforesaid, in a book for that purpose, and shall each and every year, lay said book before such committee, as shall be appointed to settle and audit the accounts of the Treasurer.

C. Passed November 11, 1825.

A FURTHER SUPPLEMENT to the act entitled,
 "An act for the punishment of crimes," passed March
 eighteenth, one thousand seven hundred and ninety-
 six.

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 person shall be arrested, for stealing the money or personal goods and chattels of another, under the price or value of twenty dollars, or for committing in the day or night time, any of the offences specified in the fifty-ninth section of the act, to which this is a supplement, under the value of twenty dollars as aforesaid, such person or persons may be tried, convicted, and punished by two justices of the peace, in the manner prescribed by the existing laws of this state, if he or she elect so to be tried, although such person or persons may not have been committed to jail for such offence, any law, usage, or custom to the contrary notwithstanding.

Specified offences may be tried by two justices.

2. *And be it enacted*, That the act entitled, A further supplement to the act entitled "an act for the punishment of crimes, passed March eighteenth, one thousand seven hundred and ninety-six," which said supplement was passed the twelfth of February, one thousand eight hundred and eighteen, be, and the same is hereby repealed.

What repealed.

A. Passed November 7, 1825.

A SUPPLEMENT to the act entitled, "An act to incorporate a company for carrying on the whale and seal fisheries from the port of Perth-Amboy, and for banking purposes."

BE IT ENACTED *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That so much of the act to which this is a supplement, as authorizes and compels the President and Directors of the Commercial Bank of New-Jersey to set apart and employ part of the capital stock in prosecuting and carrying on, from the port of Perth-Amboy, the fishing for whales, seals, and sea-fish, in the Atlantic and Pacific oceans, be, and the same is hereby repealed: *Provided always,* That it shall and may be lawful for the President and Directors of the Commercial Bank of New-Jersey aforesaid to employ any ship or vessel, now owned by them, and hitherto employed in prosecuting the fisheries aforesaid, in such way as they may deem most for the interest of the company, for the term of one year after the passing of this act, and no longer.

A. Passed November 8, 1825.

AN ACT to enable the inhabitants of the township of Newark, in the county of Essex, to raise money by tax.

WHEREAS, the inhabitants of the township of Newark, in the county of Essex, are desirous of being enabled, by law, to raise money, by tax, to improve a lot belonging to them, situate in the village of Newark, adjoining the Broadstreet, by erecting a town-house thereon—**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 the inhabitants of Newark, in the county of Essex, at their next annual town-meeting, or at any subsequent annual town-meeting, to vote for raising, by tax upon the inhabitants of the said township, any sum or sums of money, for the purpose of erecting a townhouse upon the said lot of ground; which sum or sums of money, so to be voted, shall be assessed and collected as other moneys are or shall be assessed and collected which are raised for the use of the said township, by vote or authority of town-meetings held therein.

C. & A. Passed November 9, 1825.

AN ACT authorizing Joseph Ogden, Nicholas Justice, esquire, and others, to embank a tract of meadow, in the county of Gloucester.

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 meadow and marsh, lying and being on the westerly side of Rackoon Creek, in the township of Woolwich, in the county of Gloucester, beginning at the westerly end of the cross bank, belonging to Nicholas Justice, esquire, thence along said bank to the creek, thence up the said creek, the several courses, to the fast land at Nicholas Justice' landing, to be formed into a company, and known by the name of "The Upper Meadow Company on Rackoon Creek."

Name of the company.

2. *And be it enacted,* That every owner of meadow, marsh or swamp, within the bounds of said company, shall, at all times hereafter, make and maintain, at their own costs, all the banks belonging to such meadow or marsh, and that all sluices now laid, or which may hereafter be laid, by virtue of this act, with two rods of the bank over each sluice, shall be laid and maintained at the expense of all the owners, according to the quantity of acres which may be obtained by the said sluices, and all necessary watercourses shall be opened and kept clean by the persons through whose land they may pass.

Duty of the owners, &c.

3. *And be it enacted,* That a meeting of the owners in said company, shall be held on the first Monday in April, in each year; the first meeting to be held at the house now occupied by Nicholas Justice, esquire, and afterwards, at such time and place as the said meeting may direct, and then and there, by plurality of voices, to choose one or more managers for the ensuing year, as they may think best and proper, each to be an owner of at least three acres of meadow within the said company; that Nicholas Justice shall be manager until the annual meeting next after the passing of this act, and in case any omission to choose a manager or managers at any annual meeting, the old manager, or managers, shall be continued until others are chosen, and in case of neglect to choose a manager, or managers, or in case of the death, refusal, or imbecility of any person chosen, it shall be lawful for either of the managers, or any three of the owners, to call a meeting of the said company, by advertisements, to be set up in three of the most public places in the said township of Woolwich, and when met to choose a manager, or managers, as the case may require, who

Annual meetings to be held, &c.

shall be vested with all the powers, and subject to the same penalties, as if chosen at the annual meeting.

4. *And be it enacted,* That if any owner or possessor shall neglect to repair his bank, or to open his watercourse, in case of bank, for ten days, and in case of a watercourse, in twenty days, after notice being given or left at his place of abode, for the time aforesaid in writing, by either of the managers, it shall and may be lawful for the said managers, or either of them, to enter upon the said premises of the delinquent, and cause such work to be done, observing also, in cleaning of line-ditches, to draw the mud equally on both sides, and in repairing or throwing a new bank, they shall take mud or earth, any where on the premises of the person to whom the bank may belong, as also for the repairing of sluices and dams on any part of the said bank inclosing said meadow; and in case any owner or possessor may not reside in the township of Woolwich, nor any person to represent him lawfully, who will make up and keep his share of bank in good and substantial repair, so as to effectually exclude the tide from running over or through the same—or who shall neglect or refuse to clean out the watercourse which may pass through or by his meadow, after six days' notice being given by the manager of said company, then it shall and may be lawful for the managers, or either of them, to proceed to the said premises, and repair, or throw a new bank, and open and clean out the watercourse of said delinquent; and for the labor so performed, and money expended, the said manager shall present his account to the said delinquent owner or possessor forthwith, and on the neglect or refusal of the said owner or possessor to discharge the same, it shall and may be lawful for the said manager to advertise for sale the meadow of the said owner or possessor, so refusing, or neglecting to pay, in three of the most public places in the said township, for the space of twenty days, and to sell the herbage thereon; but if the herbage be considered insufficient to pay the debt and costs which have accrued thereon, then to sell and to execute a lease for the said meadow, for so long a time, and no longer, as will be sufficient to discharge all the expenses which may have thereon accrued, and the sale and lease so made, to be considered good and effectual in law. And it shall be lawful for either of the managers, at any time within six months after such work has been done by them, for any owner residing in said township, to present to the owner so residing, an account of the expenses thereof so incurred, which shall be attested on the oath or affirmation of the the said manager presenting the same, if required, and if the same shall not be paid unto the manager as aforesaid, in ten days after the

Penalty on neglect of making banks, &c. &c.

Penalties on delinquents, &c.

account shall have been rendered, the manager or managers, after giving ten days' notice by advertisements, in three of the most public places in said township, may sell for any term of years, so much of the meadow, marsh or swamp, to which the said bank or watercourse may belong, as may be sufficient to pay the said expense and costs of sale, with the commissions due on the same, constituted by this act; and they are authorized to make and execute a lease to the purchaser, for such meadow, and for such time, as the same may be bid off at; and such lease shall be as good and effectual in law, as if made and executed by the owner; but if hay, grass, or grain, belonging to such delinquent, more than sufficient to pay the demand, shall be found on the meadow, it shall be the duty of the manager or managers, instead of selling off a lease on the soil, to sell as much of the grass, grain or hay, as may pay the sum demanded, and the costs of sale, with the commissions due thereon, giving notice of the time and place of sale, as before described; and the managers shall render a true account of the sale, and pay the overplus, if any, to the owner of the property so sold.

5. *And be it enacted*, That it shall be the duty of the owners of meadow and marsh, within said company, to cut and keep open all watercourses and leak-water drains through their respective meadows, and in such places as the owners may direct; and in case of neglect in opening of the same, for ten days after notice from either of the managers, it shall be lawful for either of the managers to enter upon the premises, and cause the necessary work to be done: also, it shall be the duty of the owners, to cause their banks to be mown and cleared of all rubbish, twice in every year, once between the tenth day of June, and the first day of July, and once between the first day of September and the first day of October; and if neglected ten days after that time, the managers, or either of them, are required to enter upon the banks, and cause the work to be done, and they are authorized to recover the amount of the expenses which may accrue, as directed in the fourth section of this act.

Banks to be
mown, &c.

6. *And be it enacted*, That if any of the owners or possessors of said meadow may have a desire to improve his meadow, by letting in the tide, he may do so, provided he cuts his bank any time between the first and twentieth days of December, yearly and every year: *And provided also*, that the said owner or possessor stops the same places where he cuts, on or before the first day of April ensuing after cutting the said bank;—and if any owner or possessor shall neglect to stop and repair the said bank so cut, it shall be the duty of the manager or managers to enter on

the same, and stop said places so cut, and repair the same, without giving notice to the owner or possessor; and the owners of the said bank shall be at all the expense of stopping said places so cut, to be recovered as is directed by the fourth section of this act.

Penalty on managers, &c.

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

Assessment of taxes, &c.

8. *And be it enacted*, That it shall be lawful for the managers to make assessments, and receive such sums of money as may be found necessary for the use of the said company, by tax upon all the meadow, marsh, and swamp which may be improved within the said company, and shall produce the duplicates containing their assessment to the annual meeting, and, at the same time, render a true account of all moneys by them received and expended for the use of the company, for settlement, and shall pay the balance, if any be found in his or their hands, to the succeeding managers, who are authorized, on failure of payment, to sue for and recover the same, by action of debt, in any court having cognizance thereof, with costs of suit: and the managers shall provide a book, in which shall be entered the proceedings of the annual and other meetings, and in which shall be recorded all judgments which may be rendered under the fourth section of this act.

Meadows liable, &c.

9. *And be it enacted*, That all the meadow, marsh, and swamp within the said company shall be held liable for all the money which may be assessed thereon for the use of the said company; and all the meadow, marsh, and swamp of any individual shall be held liable for the payment of any money which may be expended by the managers on the banks or watercourses belonging thereto, agreeably to the directions of this act, any sale or alienation thereof notwithstanding; and the managers shall be entitled to receive ten per cent. upon all sums assessed and collected for the use of said company, and the same commissions upon all sums by them expended for the use of individuals, pursuant to the directions of this act.

Dimension of line-ditches.

10. *And be it enacted*, That all line or division ditches between owners shall be considered as watercourses, and being nine feet wide at the top, and four and a half feet wide at bottom, and three feet deep, lying upon a mud or

miry bottom, shall be taken and esteemed to be lawful fences within the said company, and for all trespasses done over or through them damage shall be recoverable, as if done over any other lawful fence.

C. & A. Passed November 11, 1825.

AN ACT to enable the administrators of the estate of William Sharp, deceased, to make and execute title to certain real estate.

WHEREAS William Sharp, deceased, was, in his lifetime, by virtue of a deed of conveyance from under the hand and seal of Benjamin Wilkins, then sheriff of the county of Gloucester, bearing date the twelfth day of May, one thousand eight hundred and twenty-four, seized of certain real estate, herein after described, situated in the said county of Gloucester, viz. one certain tract of land, containing two thousand one hundred and eighty-nine acres, be the same more or less; and also, one equal undivided third part of a tract of land, and saw-mill, pond, and buildings thereon, containing about seventy acres of land, more or less, as by said deed, or the record thereof, in the clerk's office in the county of Gloucester, in lib. M. M., folio 302 to 307, will appear.—AND WHEREAS the said William Sharp, deceased, by one other deed of conveyance from under the hand and seal of Samuel Haines, then sheriff of the county of Burlington, bearing date the third day of October, one thousand eight hundred and twenty-one, became seized of a tract of land, situate in the county of Burlington, containing twelve hundred acres, be the same more or less, in one tract, and one equal eighth part of a saw-mill and pond and thirteen acres of land, in one other tract, as reference to said deed being had will fully appear.—AND WHEREAS the amount of the consideration money paid for the several tracts of land and premises aforesaid was paid to the said sheriffs, before named, by Benjamin B. Cooper, of Gloucester aforesaid, and, at his request, the conveyances of the said land and premises were made to the said William Sharp, in his lifetime, under the special agreement and trust, that the said William Sharp would sell and dispose of the said land and premises to the best advantage, but for the sole use and benefit of the said Benjamin B. Cooper, as appears by two receipts from the said William Sharp to the said Benjamin B. Cooper, one of which bears date the

fourteenth day of December, one thousand eight hundred and twenty-two, and the other bears date the fifteenth day of May, one thousand eight hundred and twenty-four.—AND WHEREAS the said William Sharp, in his lifetime, in pursuance to said trust, did sell and convey a part of said premises, and pay over the proceeds thereof to the said Benjamin B. Cooper, after which the said William Sharp suddenly died, without conveying the remainder of said lands and premises to or for the use of the said Benjamin B. Cooper, or without making any will or provisions for the conveying or disposition thereof for his benefit; all which premises particularly appear by a declaration of trust or instrument in writing, dated the sixth day of October, one thousand eight hundred and twenty-five, and signed by Elizabeth Sharp, widow of the said William Sharp, and by Franklin Sharp and Eli Sharp, who are the administrators of the said William Sharp, deceased, as aforesaid.—AND WHEREAS application hath been made to this legislature, to authorize a conveyance to be made to the said Benjamin B. Cooper of all such part of the real estate aforesaid as remains unconveyed by the said William Sharp, in his lifetime, which appearing to the legislature just and reasonable—THEREFORE,

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 said Elizabeth Sharp, Franklin Sharp, and Eli Sharp, administrators, as aforesaid, of the said William Sharp, deceased, be, and they are hereby authorized to execute, in due form of law, a deed of conveyance in fee-simple, to the said Benjamin B. Cooper and his heirs and assigns, of and for all such part of the above mentioned real estate as remained unsold or unconveyed by the said William Sharp, in his lifetime.

2. *And be it enacted,* That the said deed, so to be made, shall convey and vest in the said Benjamin B. Cooper, his heirs and assigns, all the estate, right, title, and interest of the said William Sharp, deceased, of and in the said real estate, and shall be as valid and effectual for that purpose as if made, executed, and acknowledged by the said William Sharp, during his lifetime: *Provided however,* that the said deed of conveyance shall not in any wise affect any legal claim or demand, if any such there be, of any person or persons whatever, other than the said William Sharp, deceased, and his heirs, and all persons claiming under him or them.

C. Passed November 11, 1825.

AN ACT authorizing the inclosure of a certain tract of land, situate in the township of Caldwell, in the county of Essex, called "The Little Piece."

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 Little Piece; which said lands are included in the following boundaries, to wit: beginning at a stump, a corner of Richard Jacobus' and William Crane's land, on the east side, on the bank of the river Passaic; thence running (1) north fifty-three degrees and thirty minutes east, fourteen chains along said Richard Jacobus' line; (2) thence south seventy-five degrees east, ten chains and fifty links, along the Horse Neck road; (3) thence south seventy-six degrees east, eleven chains along said road; (4) thence south fifty-five degrees east, twenty chains and ninety links along said road, to a corner of David Jacobus' land; (5) thence, along his line, south sixteen degrees west, nine chains and seventeen links; (6) thence, along his line, south sixty-two degrees and thirty minutes east, five chains; and twenty-two links, to a line of John Coles' land, being the easterly line of the Little Piece; thence, along the same, (7) south seventeen degrees west, thirty-two chains; (8) thence south seventy-five degrees east, four chains and fifteen links; (9) thence north seventeen degrees and thirty minutes east, three chains and fifty-three links; (10) thence south seventy-three degrees east, ten chains and fifty-seven links; (11) thence south forty degrees east, thirteen chains and eighteen links; (12) thence south forty-four degrees west, six chains, to the river; thence down the same, the several courses thereof, to the place of beginning; to erect such fences and swing-gates, as by the managers herein after named, to make the assessment from time to time, as may be deemed proper to inclose the same; and that from and after inclosing the same, as aforeaaid, 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, or the cattle, horses, sheep or hogs of any other person, to run on any part of the said tract already inclosed by him, her, or them, or which may hereafter be inclosed, so long as the same shall be inclosed by him or them by a lawful fence.

Boundaries of
lands to be in-
closed, &c.

Proviso:

2. *And be it enacted*, That if any person or persons, whatsoever, shall drive or let in any horses, cattle, sheep,

Penalties for violations of the first section.

or hogs, within the said tract, after it shall have been inclosed as aforesaid, except as specified in the first section, with an intention to run at large, such person or persons shall forfeit and pay the sum of ten dollars; or if they should pull down any fence, or designedly leave open any swing-gate longer than to pass through, and not immediately put up said fence, and shut up said swing-gate, shall forfeit and pay the sum of five dollars for each offence, to be recovered in an action of debt, with cost of suit, by any person prosecuting for the same.

When cattle, &c. may be turned in.

3. *And be it enacted*, That the owners and possessors of said tract may turn into pasture on said tract, horses and cattle, (sheep and hogs excepted) one month in every year, between the first day in October, and the first day in November, not exceeding two creatures to three acres of land.

Managers, their powers, &c.

4. *And be it enacted*, That Peter Speer, Thomas D. Gould, and Richard Cole, be managers, and to continue in office until the first annual meeting, whose duty it shall be to erect fences and swing-gates, or cause them to be made, as shall be lawful, and most convenient to the said company to inclose the same, and they and their successors in office, shall from time to time make such assessments, and make and repair the fences and swing-gates, as shall be necessary to keep the said tract inclosed in good and lawful fence, and superintend the expenditure of all money to be received and paid for the purposes aforesaid.

Annual meetings to be held, &c.

5. *And be it enacted*, That the first annual meeting of the owners and possessors of said tract shall be on the last Monday in March, one thousand eight hundred and twenty-six, at the house of Richard Speer, in Caldwell, when an election will be held for the choice of three managers, who shall be owners or possessors in said tract, between the hours of twelve and three o'clock in the afternoon; and an election for that purpose shall be held on the last Monday in March, in each year afterwards, at such place 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 and possessor shall be entitled to one vote, and no more; and there shall be elected, at the same time, three persons, owners in the said tract, who shall be a committee to settle with the managers annually, all their accounts, and report the same to the company at their annual meeting.

Cattle, running at large, when to be impounded, &c.

6. *And be it enacted*, That if any horses, cattle, sheep, or hogs, shall be found running at large on any part of the said tract inclosed as aforesaid, excepting as specified in the first section of this act, it shall and may be lawful for any owner or 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 taken running at large in the said tract, and in such affidavit shall state a description of the horses, cattle, sheep or hogs so taken, which affidavit shall be delivered to the poundkeeper, where the horses, cattle, sheep or hogs are impounded, and the person impounding the said horses, cattle, sheep or hogs, shall be entitled to receive for every head so taken and impounded, the sum of thirty-seven cents, for every head so taken and impounded, if not exceeding four, if more than four, then for every head so taken and impounded the sum of twenty-five cents; except in regard to sheep, the damages of which shall in no case exceed twelve cents per head, to be collected by the poundkeeper, of the owner, or from the sale of the said horses, cattle, sheep or hogs, which shall be the measure of damage to be paid on such occasion, and the poundkeeper is directed to receive such beast, and to proceed in the same manner after the receipt of the same, as is directed in the case of distress for damage feasant in the act entitled, "An act regulating fences," passed the twenty-second day of January, one thousand seven hundred and ninety-nine, and 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.

7. *And be it enacted*, That the managers elected as aforesaid shall by virtue of this act, be authorized to make an estimate of the part of the tract benefited by such inclosure, 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 inclosure, either by actual survey or otherwise, as shall be agreed on by a majority of the owners or possessors when met at their first or any subsequent meeting; which estimate, when made, shall, by the persons so elected as aforesaid, be fairly entered in a book to be kept for that 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 inclosing of the said tract, which book shall be kept by the person 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 said tract.

Estimate of property inclosed, to be made, and entered in a book.

Assessment &c.

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

How to be collected.

of the family 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 person making it, unless otherwise interested, it shall be lawful for 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, together with cost of prosecuting for the same, before any court having cognizance of the same.

Penalty of defaulter.

9. *And be it enacted*, That the persons so elected shall annually account to the owners for all moneys which have come into their hands as aforesaid, and pay over all balances remaining in their hands, if any, to their successors, and deliver over 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, with cost of suit, and to be applied by them, when recovered, to the purpose of making and mending the fences on said tract.

C. & A. Passed November 9, 1825.

A SUPPLEMENT to an act entitled, "An act to incorporate the Salem Steam-Mill and Banking Company."

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 corporate name and style of the company incorporated by an act entitled, "An act to incorporate the Salem Steam-Mill and Banking Company, in the county of Salem," passed the sixth day of November, one thousand eight hundred and twenty-two, be, and the same hereby is altered and changed; and the said corporation shall hereafter be known by the name of "The Salem Banking Company," and by that name shall have the same succession, the right to make and have a common seal, and all the rights, privileges, and powers to which the said corporation is entitled under the name of "The Salem Steam-Mill and Banking Company:" *Provided always*, that the said corporation shall in no wise be exonerated by this act from the performance of all contracts entered into, or from the payment of notes issued or to be issued, in the name of "The Salem Steam-Mill and Banking Company;" and suits may be instituted by the said corporation against its debtors, and also against the said corporation, upon all contracts made and entered into before the passing of this act,

in the name of "The Salem Steam-Mill and Banking Company," this act to the contrary notwithstanding.

2. *And be it enacted*, That the said corporation shall have one year to dispose of the steam-mill and its appurtenances: *Provided always*, that after the expiration of one year, as aforesaid, the said corporation shall in no case be owners of any steam-mill or mills, or deal or trade in any thing except bills of exchange, promissory notes, gold or silver bullion, stock of the United States, goods, wares, merchandise, and effects, as shall be truly pledged to them by way of security for debts due, owing, or growing due to the said corporation, or purchased to secure such debts, or on the sale of goods which shall be the produce of its lands.

A. Passed November 11, 1825.

AN ACT for the relief of John Walker.

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 brigade paymaster of the county of Gloucester for the time being, shall and is hereby required, quarter yearly, to pay to John Walker of said county, formerly of Captain Samuel W. Harrison's volunteer company of artillery, who was wounded at the regimental training at Chew's Landing in June last, fifteen dollars out of any money in his hands belonging to said board unappropriated, from and after the passing of this act, during the lifetime of said John Walker, and the receipt of said John Walker shall be a sufficient voucher to the brigade board, in settlement of his account, for such sum or sums as shall be paid.

C. Passed November 12, 1825.

AN ACT to amend the act entitled, "An act to authorize the executrix of Robert Fulton, deceased, to sell and convey certain real estate."

WHEREAS the legislature of this state, by the second section of an act passed on the fifteenth day of December, in the year of our Lord one thousand eight hundred and

Preamble.

twenty-four, did thereby authorize Charles Augustus Dale and Harriet his wife to sell and convey certain land and premises, situate, lying, and being in the town of Jersey, in the county of Bergen, and state of New-Jersey, commonly called Powlies Hook, that were granted and conveyed by the Associates of the Jersey Company to Cadwallader D. Colden, and Robert Fulton, deceased, by indenture bearing date the thirteenth day of February, in the year of our Lord one thousand eight hundred and twelve.—AND WHEREAS, by the sixth section of the same act, it is enacted, “That no deed of conveyance of the residue of such real estate, made by the said Charles Augustus Dale and Harriet his wife shall be valid, unless it be certified in or upon such deed or conveyance, by William S. Pennington, Theodore Frelinghuysen, and Elias Van Arsdalen, or any two of them, or the survivor or survivors of them, that such sale was made bona fide and for the highest price that could be reasonably obtained for such real estate, at the time of the sale.—AND WHEREAS it satisfactorily appears, by the petition of the said Charles Augustus Dale and Harriet his wife, and of Cadwallader D. Colden, that a bona fide sale of the said property had taken place, and a deed executed therefor and delivered; and by the representations of the said William S. Pennington, Theodore Frelinghuysen, and Elias Van Arsdalen, who have certified, that, in their opinion, the said sale was made bona fide and for the highest price that was offered, or could be reasonably obtained for the said premises, at the time of the sale: but that there was a mistake made in the law, to which this act is an amendment, in reciting the date of the deed from the Associates of the Jersey Company to Cadwallader D. Colden and Robert Fulton; and that, in truth and in fact, the said deed is dated the thirtieth day of November, in the year one thousand eight hundred and twelve, instead of the thirteenth day of February, one thousand eight hundred and twelve, as is stated in the act passed the fifteenth day of December, one thousand eight hundred and twenty-four, to which this act is an amendment—and all which appears on the exhibition of the original documents;—and the said parties having prayed, that an act be passed confirming the sale so made, as aforesaid, to the said Cadwallader D. Colden—
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 deed made and executed by the said Charles Augustus Dale and Harriet his wife to the said Cadwallader D. Colden, bearing date the eleventh day of

January, one thousand eight hundred and twenty-five, for the land and premises in the town of Jersey, in the county of Bergen, and state of New-Jersey, shall be good and valid in law, and shall vest in the said Cadwallader D. Colden, his heirs, and assigns, for ever, the land and premises therein and thereby granted and conveyed, or meant, mentioned, or intended so to be, subject, however, to all the provisos, covenants, conditions, and agreements in the said deed from Charles Augustus Dale and Harriet his wife to the said Cadwallader D. Colden, specified and contained.

Former deed
made valid.

A. Passed November 15, 1825.

AN ACT to enable the administrators of Peter Vankirk, deceased, to convey a certain lot of land therein mentioned.

WHEREAS Peter Vankirk, late of the township of Freehold, in the county of Monmouth, deceased, in his lifetime, entered into a verbal agreement with William I. Conover, to sell and convey to him, in fee-simple, a certain lot of land, situate in the township and county aforesaid, containing three acres and twenty-six-hundredths of an acre, for the sum of two hundred and eighty-five dollars, to be paid to the said Peter Vankirk, the one half thereof on the delivery of the deed, and the other half in six months thereafter, and delivered possession of the said lot of land to the said William I. Conover, in pursuance of said agreement, but was prevented, by sudden indisposition and death, from executing a deed of conveyance for the same.—AND WHEREAS the parties interested have presented their petition, praying that the administrators of the said Peter Vankirk, deceased, may be authorized to convey the same, so as to carry into effect the said agreement—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 Elias I. Conover and John Schenck, administrators of Peter Vankirk, deceased, be, and they are hereby authorized to execute and deliver to the said William I. Conover a deed of conveyance for the said lot of land; which shall vest in the said William I. Conover, his heirs, and assigns, all the right, title, estate, and interest of the said Peter Vankirk, at the time of his death, in and to the said lot of land, and to receive, from the said

Administrators
authorized to
convey, &c.

William I. Conover, payment for the same, to be disposed of according to law: but nothing in this act contained shall in any manner interfere with the lawful claims of any person whatever to the said land and premises, except the heir or heirs of the said Peter Vankirk, deceased.

C. Passed November 21, 1825.

AN ACT to incorporate the Paterson and New-Prospect Turnpike Company.

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 Jeremiah H. Pierson, James B. Larue, Brant Van Blarcom, Peter Jackson, Robert Morrill, Philemon Dickerson, James Van Blarcom, and Michael Salyer, be authorized to receive subscriptions for erecting a turnpike road, four rods wide, to begin at or near the town of Paterson, at the Bergen county line, on the north-east side of the Passaic river, at some point between the house belonging to Brant Van Blarcom, in the county of Bergen, and the street commonly called Parke street, in the town aforesaid, in Essex county, to intersect the Franklin turnpike at such place, at or near its southern termination in Franklin township, in the county of Bergen, as the commissioners herein after appointed shall think most equitable and just, having due regard to the situation and nature of the ground, and the interest of the stockholders.

Capital stock,
shares, &c.

2. *And be it enacted*, That the capital stock of said company shall not exceed four thousand dollars, for each mile of said road; that the capital stock shall be subscribed in shares of twenty-five dollars each, and that one dollar and fifty cents shall be paid on each share at the time of subscribing—and, as soon as one hundred shares shall be subscribed, the said Jeremiah Pierson, James B. Larue, Brant Van Blarcom, Peter Jackson, Robert Morrill, Philemon Dickerson, James Van Blarcom, and Michael Salyer, shall call a meeting of the stockholders, to be held at Paterson, after four weeks notice being given in a newspaper printed in Paterson, to choose five directors, designating one of that number, who shall be president, three of whom shall be a board to transact business, and a treasurer, to continue in office until the first Tuesday in May then next ensuing, on which day, and also on the first Tuesday in May, annually thereafter, there shall be a choice of officers for one year, at such place as the stockholders shall have, at their last

Officers chosen
annual

meeting, appointed; that each stockholder may vote in person or by proxy, and shall have one vote on each share, until the number of ten, and one vote for every five shares thereafter; that the said president and directors shall be called and known by the name of "The President and Directors of the Paterson and New-Prospect Turnpike Company," and shall have all the powers, rights, and privileges incident to a body politic or corporate for the purposes herein mentioned, for the term of ninety-nine years; and also, that they and their successors, by the same name and style, shall be, in law, capable of suing and being sued, and of purchasing, holding, and conveying any estate, real or personal, for the use of said company: *Provided*, that the real estate so holden shall be such only as may be requisite to promote and attain the objects of this incorporation, and may be relative thereto; which objects are hereby declared to be—the erecting and maintaining a good and sufficient turnpike road from Paterson to New-Prospect, aforesaid.

Manner of voting, &c.

Style of the corporation.

Powers, privileges, &c.

3. *And be it enacted*, That the president and directors aforesaid shall have the power to appoint the time and place of all their meetings, and to appoint all such agents and servants as they shall deem necessary for carrying into effect the powers vested by this act in said company; and if any vacancy or vacancies shall at any time happen in the said office of president, or among the directors, by death, removal, resignation, or otherwise, such vacancy or vacancies shall be filled, for the remainder of the year in which they may happen, by such person or persons as the directors for the time being, or a majority of them, may appoint; and that the said president and directors may make such by-laws and regulations relative to their concerns as they may deem expedient: *Provided* the same shall not be repugnant to the constitution and laws of this state or of the United States, or the provisions of this act; which ordinances, by-laws, and regulations, together with all accounts, shall be submitted to the stockholders, at their annual meetings.

Vacancies to be supplied.

By-laws.

4. *And be it enacted*, That Peter Sip, Nathaniel Board, and Garret Van Houten, be commissioners to lay out a turnpike road, to begin at or near the town of Paterson, at the Bergen county line, on the north-east side of the Passaic river, at some point between the house belonging to Brant Van Blarcom, in the county of Bergen, and the street commonly called Parke street, in the town of Paterson, in Essex county, to intersect the Franklin turnpike road at such place, at or near its southern termination in Franklin township, Bergen county, as they shall think most equitable and just, having due regard to the situation

Commissioners,

their duty.

and nature of the ground, public convenience, and the interest of the stockholders; said road shall not pass through or cross over any burying ground, or place of worship, or dwellinghouse, without the consent of the owner or owners thereof, in writing; nor shall it pass through any out building, of the value of three hundred dollars, without such consent, in writing; and the said commissioners, or a majority of them, shall, within six months thereafter, cause an accurate survey of the line of said road, and a map or plot of said survey, to be correctly laid down on a scale of four inches to the mile, and certify the same under their hands, which they shall file in the secretary's office of this state, to be entered of record in the said office;—a certified copy of said record shall be sufficient evidence of said road—all reasonable charges by the said commissioners, for time and expenses, shall be paid by said company, and the said commissioners shall, before they enter upon the duties of their office, take and subscribe an oath or affirmation, to perform the same without favor or partiality, which oath or affirmation shall also be filed in said office.

Good road and bridges to be made, and kept in good order.

5. *And be it enacted*, That in the middle of said road shall be formed a space, or artificial road, not less than twenty-eight feet in breadth, which shall be raised in the middle at least fifteen inches, and decrease the sides thereof, so as to form a gradual arch, and shall form a firm and even surface, so as to secure a good and sufficient road at all seasons of the year; and said road shall be sufficiently drained by ditches and subterraneous passages, and in its progress no part shall rise above four degrees on a parallel with the horizon; and that the said directors shall cause good and sufficient bridges to be erected, where necessary on the line of said road, to be constructed not less than twenty feet in breadth, which road and bridges shall be kept in good and sufficient repair by said company; and in case they shall not be so kept, said corporation shall be liable to be proceeded against, as in the case of overseers of the highways for neglect of duty; and when the said road, in passing over low grounds, is raised so much at the margin, or side of the travelling path, as to render carriages passing thereon liable to upset, the said company shall cause a good and sufficient railing to be erected and maintained on the sides, so as to prevent horses and carriages from running off.

Infringement of the preceding section, how to be rectified.

6. *And be it enacted*, That, in addition to the provision contained in the preceding section, if the said company shall not keep the said road and bridges in good repair, and complaint thereof shall be made to any justice of the peace in the county where the cause of complaint may arise, who may be disinterested, the said justice shall immediately

appoint, by writing, under his hand and seal, three of the township committee of the township wherein the cause of complaint arose, or if it be on the line of any two townships, or either of said townships, which three persons, being disinterested in the said road, or a majority of them, on notice being given to the keeper of the nearest gate, shall meet at such time and place as the said justice may appoint, and, having taken the oath or affirmation to act impartially, shall proceed to examine the said road so complained of, and report to the said justice, in writing, under their hands and seals, or under the hands and seals of any two of them, whether it be in such a state as the law requires it to be kept; and if the report be unfavorable to the said road, the said justice shall immediately, in writing, under his hand and seal, order the keeper of said gate to keep open the same until otherwise ordered; and if the said keeper shall, notwithstanding the order of the justice to open said gate, exact toll from travellers, he shall, for each offence, forfeit and pay twenty dollars, to be sued for by any person that will prosecute for the same, in an action of debt, with cost of suit; and the said justice shall be allowed for his services fifty cents, and the persons so appointed, one dollar each, to be paid by the turnpike company; and it shall be the duty of the persons so appointed, or a majority of them, on application from said turnpike company, again to view said road, and report, as aforesaid, their opinion to said justice, who shall, if authorized by the report of said persons, or any two of them, by license, under their hands and seals, directed to the tollgatherer, permit the gates to be shut, and the toll to be collected as before, and the same fees shall be allowed and paid as before directed; but if on the first view, as before mentioned, the report of the persons appointed shall be in favor of the said company, the same fees shall be allowed as before prescribed, and paid by the persons instituting the complaint; and, in case three of the township committee aforesaid are not disinterested, the said justice shall appoint, in the manner above described, one or more respectable freeholders in the township or townships, who may be disinterested, to serve in the place and stead of any member or members of the township committee so disqualified.

7. *And be it enacted*, That full power and authority be given to the said commissioners, and the said corporation, and to their agents and servants, and all persons employed by or under them, for the purpose contemplated in this act, from time to time, to enter upon and make use of any land which shall be deemed necessary for laying out or making said road, and for carrying into effect the objects of this law, and also to carry away stone, gravel, or sand for the use of said road, subject always to make compensation for

Commissioners,
their power, &c.

all damages thereby occasioned, either by agreement of the said parties, or by judgment of independent men, chosen by said company and the person who shall have sustained such damages, or as is herein after mentioned.

Grievances,
how to be re-
dressed.

8. *And be it enacted*, That if any of the owners of land through which the said road shall pass, shall conceive themselves injured thereby, and having settled the same agreeably to the provisions of the seventh section of this act, and it shall be lawful for such owners to meet at New-Prospect, on thirty days notice being given, by advertisement, set up in four of the most public places in the township through which the said road may run, and also in the Paterson newspaper and one of the newspapers printed in New-York, to choose six respectable freeholders in the county of Bergen, not interested, and the said corporation shall also choose six respectable freeholders in said county, not interested; which twelve persons shall, after having taken an oath or affirmation to act impartially and to the best of their knowledge, three fourths of them agreeing, determine, at the expense of the turnpike company, the amount of compensation which shall be paid by the said company to such of the applicants, respectively, as they shall conceive to be injured; on which payment the said company shall become seized of the same estate in the lands, tenements, and hereditaments, which the owner or owners held in the same; but if the owner or owners of any land through which the road shall pass will not agree to any of the provisions heretofore mentioned, or refuse or neglect to join in any such choice, or shall be feme covert, under age, non compos mentis, or out of the state, or in case twelve freeholders, chosen as above, or three-fourths of them, do not decide thereon, then it shall be lawful for one of the justices of the Supreme Court, upon the application of either party, and at the cost and charges of the said corporation, to direct a special jury of the freeholders of any of the townships of said county through which the said road shall not run, to be struck before such justice, in the manner such juries are usually struck, who shall view, examine, and survey the said lands, tenements, and hereditaments, and estimate the injury or disadvantages sustained as aforesaid, and shall make an inquisition thereof, under their hands and seals, to be returned to the said justice of the Supreme Court by the sheriff of the county of which said inquisition was taken; and it shall be the duty of such sheriff to attend, with his book of freeholders, at such place as the said justice shall appoint, upon ten days notice being given him, for the purpose of striking said jury, and also, upon like notice, to have said jury upon the premises at the time mentioned in said notice, and to administer the oath or affirmation to the said jurors; and the said sheriff and jurors shall be entitled

to such fees for their services as are allowed by law in the cases of special juries; and, upon the coming in of such report or inquisition, and the confirmation thereof by the court, and the said directors paying the owners, respectively, the sum mentioned in such report, in full compensation for said lands, tenements, and hereditaments, privileges and appurtenances, or for the injury sustained as aforesaid, as the case may be; and, upon such payment, the said company shall become seized in the same estate, in the lands, tenements, and hereditaments aforesaid, which the said owner held in the same, and which they shall have taken possession of and paid for, as aforesaid; and they, and all who have acted under them, shall be freed and acquitted from all responsibility for and on account of such injury: *Provided*, that females covert, persons under age, and non compos mentis, shall not bear any part of the expenses: *Provided also*, that the payment, or security for the payment and damages aforesaid, for lands through which the said road may be laid out, to the satisfaction of the person or persons, be made before the company, or any person under their direction or in their employ, enter upon or break ground in the premises, except surveying and laying out said road, unless the consent of the owner or owners of such land be first obtained in writing.

Compensation,
how to be made.

Proviso.

9. *And be it enacted*, That it shall and may be lawful for the said directors to call and demand from the stockholders, respectively, all such sum or sums of money by them subscribed, at such time and in such proportion as they shall see fit, not exceeding five dollars on each share at any one time, under pain of forfeiture of their shares, and all previous payments made thereon to the said company.

Shares, how forfeited.

10. *And be it enacted*, That as soon as the said company shall have completed said road, then it shall be lawful for the directors to give notice to the governor, or the person administering the government of the state, who shall forthwith nominate and appoint three commissioners, who shall, at the expense of the corporation, view the same, and report to him, in writing, whether the said road has been executed in a workmanlike manner, according to the true intent and meaning of this act; and if the said commissioners, or any two of them, report in the affirmative, then it shall be the duty of the governor, by license under his hand, to permit the said directors to erect turnpike gates across the said road, subject to be removed at pleasure; and to demand and receive toll at the same, for each mile of said road, after the following rates, viz.

Governor to appoint commissioners to inspect the road, &c.

Gates erected and toll collected.

For every score of sheep, hogs, or calves, one cent,
and so, in proportion, for a greater or less number.

For every score of cattle, horses, or mules, two cents,
and so, in proportion, for a greater or less number.

For every sleigh or sled, drawn by one beast, one cent;
for every additional beast, one cent.

For every horse and rider, or led horse or mule, one cent.

For every carriage drawn by one beast, one cent;
for every additional beast, one cent.

And it shall be lawful for every tollgatherer to stop any person or persons leading or driving any horses, cattle, mules, calves, sheep, or hogs, or carriages of burthen or pleasure, from passing through the said gates or turnpikes until they shall have respectively paid their toll, as above specified: *Provided*, that nothing in this act shall be construed so as to entitle the said company to demand or receive toll of or from any person or persons passing with their horses or carriages to or from public worship, or any person to or from any mill to which he may resort for the grinding of grain for his family's use, or persons passing to or from a funeral, or any person passing to or from his common business on his farm, or any militiaman passing to or from training on a muster day appointed by law.

11. *And be it enacted*, That no tollgate shall be erected, or any obstructions placed on such part of said road as is at present a public highway.

12. *And be it enacted*, That before said company shall receive toll for travelling said road, they shall cause mile-stones, or posts, or iron slabs, to be erected, and continue one for each and every mile, and on each stone, or post, or iron slab, shall be legibly marked the distance the said stone, or post, or iron slab, is from Paterson, and shall cause to be fixed, and always to be kept up, at the gate or gates aforesaid, in some conspicuous place, a printed list of the rates of tolls which may be lawfully demanded, and also a board, on which shall be printed, in large letters, "Keep to the right, as the law directs."

Penalty for injuries, &c.

13. *And be it enacted*, That if any person shall wilfully break down or deface any of the mile-stones, posts, iron slabs, or rates of tolls, so erected on said road, or shall wilfully cut, break down, destroy, or otherwise injure, any gates, turnpikes, or bridges, that shall be erected in pursuance of this act, or shall forcibly pass the same without having paid the legal toll at such gate or turnpike, such person or persons shall forfeit and pay a fine not exceeding twenty dollars, besides being subject to an action of damages for the same, to be recovered by the corporation, to their use, with costs of suit; and if any person shall, with his team, carriage, or horses, turn out of said road to pass a gate or gates on private ground adjacent thereto, and

shall again enter on said road with intent to avoid the toll due by virtue of this act, such person or persons shall forfeit and pay three times as much as the legal toll would have been for passing through said gate or gates, to be recovered by the said corporation, for the use thereof, before any justice of the peace, in an action of debt, with costs of suit.

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

15. *And be it enacted*, That the shares in said turnpike road shall be taken, deemed, and considered as personal property, and be transferred in such manner as the directors shall appoint: *Provided*, that if the said company shall not commence making the said road within five years after the passing of this act, and shall not within two years thereafter complete one half of said road, or within the term of five years complete the whole of said road, according to the true intent and meaning of this act, then, and in either of these cases, this act shall cease and be of no effect.

Shares personal property.

To be completed in five years.

16. *And be it enacted*, That all drivers of carriages, sleighs, or sleds, of all kinds, and all persons on horseback, using the said road, shall keep their horses, carriages, sleighs, or sleds, on the right hand of the said road, while passing each other, leaving the other side of the road free and clear for other carriages and persons on horseback to pass; and if any person shall offend against this provision, such person, beside being liable for all damages, shall forfeit and pay the sum of two dollars to any person or persons who shall be obstructed in their passage, and will sue for the same—to be recovered in an action of debt, with costs of suit, in any court where the same may be cognizable.

Travelling regulations.

17. *And be it enacted*, That at the end of every ten years an account of the expenditures of said road, and the profits arising therefrom, shall be laid before the legislature, and after the expiration of ninety-nine years from the passing of this act, the said road shall become the property of the state of New-Jersey, and be under the control of the legislature thereof, any thing in this act contained to the contrary notwithstanding.

Account to be laid before the legislature, &c.

C. Passed November 22, 1825.

AN ACT to authorize the laying out a public road over the lands belonging to this State, at Paterson.

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 surveyors of the highways are authorized to lay out a public highway, not more than four rods wide, over that part of the state land at Paterson, situate below said town, and next to the Passaic river, to commence with High street, and lead thence to said river, any thing in the act passed the third day of November, eighteen hundred and fourteen, entitled, "An act to prevent public or private roads being laid out or opened on or through lands belonging to this state," to the contrary notwithstanding.

C. Passed November 23, 1825.

AN ACT to incorporate the Paterson and New-Antrim Turnpike Company.

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 Garret W. Hopper, Isaac I. Bogert, John Ward, John A. Van Voorhies, James L. Ackerman, Peter B. Westervelt, Brant Van Blarcom, and Philemon Dickerson, be authorized to receive subscriptions for erecting a turnpike road, four rods wide, to begin at or near the town of Paterson, at the Bergen county line, on the north-east side of the Passaic river, and running thence, in as straight a course as the nature of the ground will admit of, through the townships of Saddle River and Franklin, to such place at or near the point where the boundary line between the states of New-Jersey and New-York intersects the Franklin turnpike at its northern termination, near the house of Christian A. Wanmaker, in Franklin township, in the county of Bergen, as the commissioners herein after appointed shall think most equitable and just, having due regard to the situation and nature of the ground, and the interest of the stockholders.

Width of the road, and course thereof.

Capital stock, shares, &c.

2. *And be it enacted,* That the capital stock of said company shall not exceed four thousand dollars, for each mile of said road; that the capital stock shall be subscribed in shares of twenty-five dollars each, and that one dollar and fifty cents shall be paid on each share at the time of subscribing—and, as soon as two hundred shares shall be sub-

scribed, the said Garret W. Hopper, Isaac I. Bogert, John Ward, John A. Van Voorhies, James L. Ackerman, Peter B. Westervelt, Brant Van Blarcom, and Philemon Dickerson, shall call a meeting of the stockholders, to be held at Paterson, after four weeks notice being given in a newspaper printed in Paterson, to choose five directors, designating one of that number, who shall be president, three of whom shall be a board to transact business, and a treasurer, to continue in office until the first Tuesday in May then next ensuing, on which day, and also on the first Tuesday in May, annually thereafter, there shall be a choice of officers for one year, at such place as the stockholders shall, at their last meeting, have appointed; that each stockholder may vote in person or by proxy, and shall have one vote on each share, until the number of ten, and one vote for every five shares thereafter; that the said president and directors shall be called and known by the name of "The President and Directors of the Paterson and New-Antrim Turnpike Company," and shall have all the powers, rights, and privileges incident to a body politic and corporate for the purposes herein mentioned, for the term of ninety-nine years; and also, that they and their successors, by the same name and style, shall be, in law, capable of suing and being sued, and of purchasing, holding, and conveying any estate, real or personal, for the use of said company; *Provided*, that the real estate so to be holden shall be such only as may be requisite to promote and attain the objects of this incorporation, and may be relative thereto; which objects are hereby declared to be—the erecting and maintaining a good and sufficient turnpike road from Paterson to the place aforesaid.

Officers chosen annually.

Manner of voting, &c.

Style of the corporation.

Powers, privileges, &c.

3. *And be it enacted*, That the president and directors aforesaid shall have the power to appoint the time and place of all their meetings, and to appoint all such agents and servants as they shall deem necessary for carrying into effect the powers vested by this act in said company; and if any vacancy or vacancies shall at any time happen in the said office of president, or among the directors, by death, removal, resignation, or otherwise, such vacancy or vacancies shall be filled, for the remainder of the year in which they may happen, by such person or persons as the directors for the time being, or a majority of them, may appoint; and that the said president and directors may make such by-laws and regulations relative to their concerns as they may deem expedient: *Provided* the same shall not be repugnant to the constitution and laws of this state or of the United States, or the provisions of this act; which ordinances, by-laws, and regulations, together with all accounts, shall be submitted to the stockholders, at their annual meetings.

Vacancies to be supplied.

By-laws.

4. *And be it enacted*, That Charles Board, James R. Mullany, and Robert W. Rutherford, be commissioners to lay out a turnpike road, to begin at or near the town of Paterson, at the Bergen county line, on the north-east side of the Passaic river, and running thence, in as straight a course as the nature of the ground will admit of, through the townships of Saddle River and Franklin, to such place at or near the point where the boundary line between the states of New-Jersey and New-York intersects the Franklin turnpike at its northern termination, near the house of Christian A. Wannaker, in Franklin township, Bergen county, as they shall think most equitable and just, having due regard to the situation and nature of the ground, public convenience, and the interest of the stockholders; said road shall not pass through or cross over any burying-ground, or place of worship, or dwellinghouse, without the consent of the owner or owners thereof, in writing; nor shall it pass through any outbuilding, of the value of three hundred dollars, without such consent; and the said commissioners, or a majority of them, shall, within six months thereafter, cause an accurate survey of the line of said road, and a map or plot of said survey, to be correctly laid down on a scale of four inches to the mile, and certify the same under their hands, which they shall file in the secretary's office of this state, to be entered of record in the said office;—a certified copy of said record shall be sufficient evidence of said road—and all reasonable charges by the said commissioners, for time and expenses, shall be paid by said company, and the said commissioners shall, before they enter upon the duties of their office, take and subscribe an oath or affirmation, to perform the same without favor or partiality, which oath or affirmation shall also be filed in said office.

Good road and
bridges to be
made, and kept
in good order.

5. *And be it enacted*, That in the middle of said road shall be formed a space, or artificial road, not less than twenty-eight feet in breadth, which shall be raised in the middle at least fifteen inches, and decrease to the sides thereof, so as to form a gradual arch, and shall form a firm and even surface, so as to secure a good and sufficient road at all seasons of the year; and said road shall be sufficiently drained by ditches and subterraneous passages; and in its progress no part shall rise above four degrees on a parallel with the horizon; and that the said directors shall cause good and sufficient bridges to be erected, where necessary on the line of said road, to be constructed not less than twenty feet in breadth, which road and bridges shall be kept in good and sufficient repair by said company; and in case they shall not be so kept, said corporation shall be liable to be proceeded against, as in the case of overseers of the highways for neglect of duty; and when the said road, in passing over low grounds, is raised so much at the mar-

gin, or side of the travelling path, as to render carriages passing thereon liable to upset, the said company shall cause a good and sufficient railing to be erected and maintained on the sides, so as to prevent horses and carriages from running off.

6. *And be it enacted*, That, in addition to the provision contained in the preceding section, if the said company shall not keep the said road and bridges in good repair, and complaint thereof shall be made to any justice of the peace in the county where the cause of complaint may arise, who may be disinterested, the said justice shall immediately appoint, by writing, under his hand and seal, three of the township committee of the township wherein the cause of complaint arose, or if it be on the line of any two townships, or either of said townships, which three persons, being disinterested in the said road, or a majority of them, on notice being given to the keeper of the nearest gate, shall meet at such time and place as the said justice may appoint, and, having taken the oath or affirmation to act impartially, shall proceed to examine the said road so complained of, and report to the said justice, in writing, under their hands and seals, or under the hands and seals of any two of them, whether it be in such a state as the law requires it to be kept; and if the report be unfavorable to the said road, the said justice shall immediately, in writing, under his hand and seal, order the keeper of said gate to keep open the same until otherwise ordered; and if the said keeper shall, notwithstanding the order of the justice to open said gate, exact toll from travellers, he shall, for each offence, forfeit and pay twenty dollars, to be sued for by any person that will prosecute for the same, in an action of debt, with cost of suit; and the said justice shall be allowed for his services fifty cents, and the persons so appointed, one dollar each, to be paid by the turnpike company; and it shall be the duty of the persons so appointed, or a majority of them, on application from said turnpike company, again to view said road, and report, as aforesaid, their opinion to said justice, who shall, if authorized by the report of said persons, or any two of them, by license, under their hands and seals, directed to the tollgatherer, permit the gates to be shut, and the toll to be collected as before, and the same fees shall be allowed and paid as before directed; but if on the first view, as before mentioned, the report of the persons appointed shall be in favor of the company, the same fees shall be allowed as before prescribed, and paid by the persons instituting the complaint; and, in case three of the township committee aforesaid are not disinterested, then the said justice shall appoint, in the manner above described, one or more respectable freeholders in the township or townships, who may be disin-

Infringement of the preceding section, how to be rectified.

terested, to serve in the place and stead of any member or members of the township committee so disqualified.

Commissioners,
their power, &c.

7. *And be it enacted*, That full power and authority be given to the said commissioners, and the said corporation, and to their agents and servants, and all persons employed by or under them, for the purpose contemplated in this act, from time to time, to enter upon and make use of any land which shall be deemed necessary for laying out or making the said road, and for carrying into effect the objects of this law, and also to carry away stone, gravel, or sand for the use of said road, subject always to make compensation for all damages thereby occasioned, either by agreement of the said parties, or by the judgment of independent men, chosen by the said company and the person who shall have sustained such damages, or as is herein after mentioned.

Grievances,
how to be re-
dressed.

8. *And be it enacted*, That if any of the owners of land through which the said road shall pass, shall conceive themselves injured thereby, and not having settled the same agreeably to the provisions of the seventh section of this act, and it shall be lawful for such owners to meet at New-Antrim, on thirty days notice being given, by advertisement, set up in four of the most public places in the townships through which the said road may run, and also in the Paterson newspaper and one of the newspapers printed in New-York, to choose six respectable freeholders in the county of Bergen, not interested, and the said corporation shall also choose six respectable freeholders in said county, not interested; which twelve persons shall, after having taken an oath or affirmation to act impartially and to the best of their knowledge, three-fourths of them agreeing, determine, at the expense of the turnpike company, the amount of compensation which shall be paid by the said company to such of the applicants, respectively, as they shall conceive to be injured; on which payment the said company shall become seized of the same estate in the lands, tenements, and hereditaments, which the owner or owners held in the same; but if the owner or owners of any land through which the road shall pass will not agree to any of the provisions heretofore mentioned, or refuse or neglect to join in any such choice, or shall be feme covert, under age, non compos mentis, or out of the state, or in case twelve freeholders, chosen as above, or three-fourths of them, do not decide thereon, then it shall be lawful for one of the justices of the Supreme Court, upon the application of either party, and at the cost and charges of the said corporation, to direct a special jury of the freeholders of any of the townships of said county through which the said road shall not run, to be struck before such justice, in the manner such juries are usually struck, who shall view, examine, and survey

the said lands, tenements, and hereditaments, and estimate the injury or disadvantages sustained as aforesaid, and shall make an inquisition thereof, under their hands and seals, to be returned to the said justice of the Supreme Court by the sheriff of the county of which said inquisition was taken; and it shall be the duty of such sheriff to attend, with his book of freeholders, at such place as the said justice shall appoint, upon ten days notice being given him, for the purpose of striking said jury, and also, upon like notice, to have said jury upon the premises at the time mentioned in said notice, and to administer the oath or affirmation to the said jurors; and the said sheriff and jurors shall be entitled to such fees for their services as are allowed by law in the cases of special juries; and, upon the coming in of such report or inquisition, and the confirmation thereof by the court, and the said directors paying the owners, respectively, the sum mentioned in such report, in full compensation for said lands, tenements, and hereditaments, privileges and appurtenances, or for the injury sustained as aforesaid, as the case may be; and, upon such payment, the said company shall become seized in the same estate, in the lands, tenements, and hereditaments aforesaid, which the said owner held in the same, and which they shall have taken possession of and paid for, as aforesaid; and they, and all who have acted under them, shall be freed and acquitted from all responsibility for and on account of such injury: *Provided*, that females covert, persons under age, and non compos mentis, shall not bear any part of the expenses: *Provided also*, that the payment, or security for the payment and damages aforesaid, for lands through which the said road may be laid out, to the satisfaction of the person or persons, be made before the company, or any person under their direction or in their employ, enter upon or break ground in the premises, except surveying and laying out said road, unless the consent of the owner or owners of such land be first obtained in writing.

Compensation,
how to be made:

Proviso.

9. *And be it enacted*, That it shall and may be lawful for the said directors to call and demand from the stockholders, respectively, all such sum or sums of money by them subscribed, at such time and in such proportion as they shall see fit, not exceeding five dollars on each share at any one time, under pain of forfeiture of their shares, and all previous payments made thereon to the said company.

Shares, how forfeited.

10. *And be it enacted*, That as soon as the said company shall have completed said road, then it shall be lawful for the directors to give notice to the governor, or the person administering the government of the state, who shall forthwith nominate and appoint three commissioners, who shall, at the expense of the corporation, view the same, and re-

Governor to appoint commissioners to inspect the road, &c.

Gates erected
and toll collect-
ed:

port to him, in writing, whether the said road has been executed in a workmanlike manner, according to the true intent and meaning of this act; and if the said commissioners, or any two of them, report in the affirmative, then it shall be the duty of the governor, by license under his hand, to permit the said directors to erect turnpike gates across the said road, subject to be removed at pleasure, and to demand and receive toll at the same, for each mile of said road, after the following rates, viz.

For every score of sheep, hogs, or calves, one cent,
and so, in proportion, for a greater or less number.

For every score of cattle, horses, or mules, two cents,
and so, in proportion, for a greater or less number.

For every sleigh or sled, drawn by one beast, one cent;
for every additional beast, one cent.

For every horse and rider, or led horse or mule, one cent.

For every carriage drawn by one beast, one cent;
for every additional beast, one cent.

And it shall be lawful for every tollgatherer to stop any person or persons leading or driving any horses, cattle, mules, calves, sheep, or hogs, or carriages of burthen or pleasure, from passing through the said gates or turnpikes until they shall have respectively paid their toll, as above specified: *Provided*, that nothing in this act shall be construed so as to entitle the said company to demand or receive toll of or from any person or persons passing with their horses or carriages to or from public worship, or any person to or from any mill to which he may resort for the grinding of grain for his family's use, or persons passing to or from a funeral, or any person passing to or from his common business on his farm, or any militiaman passing to or from training on a muster day appointed by law.

11. *And be it enacted*, That no tollgate shall be erected, or any obstructions placed on such part of said road as is at present a public highway.

12. *And be it enacted*, That before said company shall receive toll for travelling said road, they shall cause mile-stones, or posts, or iron slabs, to be erected, and continue one for each and every mile, and on each stone, or post, or iron slab, shall be legibly marked the distance the said stone, or post, or iron slab, is from Paterson, and shall cause to be fixed, and always to be kept up, at the gate or gates aforesaid, in some conspicuous place, a printed list of the rates of tolls which may be lawfully demanded, and also a board, on which shall be printed, in large letters, "Keep to the right, as the law directs."

13. *And be it enacted*, That if any person shall wilfully break down or deface any of the mile-stones, posts, iron slabs, or rates of tolls, so erected on said road, or shall wilfully cut, break down, destroy, or otherwise injure, any gates, turnpikes, or bridges, that shall be erected in pursuance of this act, or shall forcibly pass the same without having paid the legal toll at such gate or turnpike, such person or persons shall forfeit and pay a fine not exceeding twenty dollars, besides being subject to an action of damages for the same, to be recovered by the corporation, to their use, with costs of suit; and if any person shall, with his team, carriage, or horses, turn out of said road to pass a gate or gates on private ground adjacent thereto, and shall again enter on said road with intent to avoid the toll due by virtue of this act, such person or persons shall forfeit and pay three times as much as the legal toll would have been for passing through said gate or gates, to be recovered by the said corporation, for the use thereof, before any justice of the peace, in an action of debt, with costs of suit.

Penalty for injuries, &c.

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

15. *And be it enacted*, That the shares in the said turnpike road shall be taken, deemed, and considered as personal property, and be transferred in such manner as the directors shall appoint: *Provided*, that if the said company shall not commence making the said road within five years after the passing of this act, and shall not within two years thereafter complete one half of said road, or within the term of five years complete the whole of said road, according to the true intent and meaning of this act, then, and in either of these cases, this act shall cease and be of no effect.

Shares personal property.

To be completed in five years.

16. *And be it enacted*, That all drivers of carriages, sleighs, or sleds, of all kinds, and all persons on horseback, using the said road, shall keep their horses, carriages, sleighs, or sleds, on the right hand of the said road, while passing each other, leaving the other side of the road free and clear for other carriages and persons on horseback to pass; and if any person shall offend against this provision, such person, beside being liable for all damages, shall forfeit and pay the sum of two dollars to any person or persons who shall be obstructed in their passage, and will sue for the same—to be recovered in an action of debt, with costs of suit, in any court where the same may be cognizable.

Travelling regulations.

Account to be
laid before the
legislature, &c.

17. *And be it enacted*, That at the end of every ten years an account of the expenditures of said road, and the profits arising therefrom, shall be laid before the legislature, and after the expiration of ninety-nine years from the passing of this act, the said road shall become the property of the state of New-Jersey, and be under the control of the legislature thereof, any thing in this act contained to the contrary notwithstanding.

C. Passed November 26, 1825.

A SUPPLEMENT to an act entitled, "An act to authorize the Governor of this State to incorporate a company for erecting a Bridge over the river Delaware, at or near Trenton," passed March the third, one thousand seven hundred and ninety-eight.

Penalty for driving
faster than
a walk, &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 from and after the passing of this act, it shall not be lawful for any person or persons to drive any kind of carriage, wagon, cart, sled, or sleigh, or ride any horse or mule over the Trenton Delaware Bridge at a faster gait than a walk, or to cut, break, deface, or injure the said bridge, or any part thereof, or to smoke any pipe or segar thereon, or to carry fire thereon for any other purpose except that of lighting the lamps, and every person wilfully so offending shall forfeit and pay to the president, managers, and company of said bridge the sum of twenty dollars, to be recovered by action of debt, with costs of suit, in any court having competent jurisdiction thereof: *Provided always*, that this act shall not be construed to prevent any physician or midwife, or person or persons going for such physician or midwife, or returning from said errand, riding express by order of any public officer of this state or of the United States, or pursuing a fugitive from justice, runaway servant or apprentice, from driving or riding over said bridge at a faster gait than a walk.

Proviso.

C. Passed November 23, 1825.

AN ACT to repeal an act therein named, and for other purposes.

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 entitled, "An act to incorporate the New-Jersey Protection and Lombard Bank," passed the twenty-ninth day of December, eighteen hundred and twenty-four, be, and the same is hereby repealed.

2. *And be it enacted,* That William Pennington, Peter Kean, and Caleb S. Riggs, or a majority of them, be, and they are hereby constituted and appointed 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 of accounts, securities for money, evidences of debts, and all property of every nature and description belonging to the said New-Jersey Protection and Lombard Bank, at the time of the passing of this act, and to sell and convey all the personal estate of the said corporation, and pay into the Court of Chancery the moneys and securities for moneys arising from the sale of property, or otherwise, of the said company, to be disposed of under the order of the chancellor, equitably amongst the creditors of said company, first making to the trustees such reasonable compensation as he may deem just.

3. *And be it enacted,* That the said trustees, or any two of them, are hereby authorized and empowered to call to their assistance the sheriff of the county of Bergen, or other civil officer or officers, or other person or persons, citizens of this state, and to take immediate, and if necessary, forcible possession, of the banking house of the said company, and of any other property, real or personal, belonging to them in this state; and if the said trustees, or any two of them, shall suspect or believe that any property of said company is concealed in any dwellinghouse, or other place whatever, they are authorized to enter and search the same, and to take and remove the said property, if any shall be found; but if such dwellinghouse or other place, or any chest, trunk, or other receptacle of such property, or suspected so to be, shall be locked, it shall be the duty of the said trustees to demand admittance into such dwellinghouse or other place, or that such chest, trunk, or other supposed receptacle of such property shall be opened before they shall break open the same.

4. *And be it enacted,* That it shall be the duty of the said trustees, or a majority of them, as soon as they conveniently can, after taking possession of said property, to lay before the chancellor of this state a complete inventory of

the property of said bank, its nature and probable value, and an account of the debts due from the same, as far as they can be ascertained, and a duplicate statement shall be laid before the legislature, if then in session; and they shall also lay before the legislature an account of their proceedings in the premises at its next session, and at every future session until the business hereby intrusted to them shall be closed.

C. & A. Passed November 23, 1825.

A FURTHER SUPPLEMENT to the act entitled, "An act to incorporate the Medical Society of New-Jersey."

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 physicians who have heretofore been presidents of the Medical Society of New-Jersey, the physician who now is, and all physicians who may hereafter be presidents of said society, shall rank as fellows of the Medical Society of New-Jersey, and be entitled to all the rights and privileges (for life) of delegated members.

Rank, &c.

Authorized to
confer degrees.

2. *And be it enacted,* That the Medical Society of New-Jersey (including both fellows and delegates) are hereby authorized to institute regulations, which shall again be approved by a majority of the whole number of fellows, acting separately, according to which regulations the said Medical Society of New-Jersey may confer the degree of Doctor of Medicine.

A. & C. Passed November 24, 1825.

AN ADDITIONAL SUPPLEMENT to "An act for the preservation of sheep," passed the ninth day of June, eighteen hundred and twenty.

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 fourth and sixth sections of the act to which this is a supplement, shall hereafter extend to, and be in force in the counties of Sussex and Warren.

2. *And be it enacted*, That so much of the act entitled, "A supplement to the act entitled, an act for the preservation of sheep," passed the sixteenth day of November, eighteen hundred and twenty, as contravenes this act, or declares, that the said fourth and sixth sections of the act to which this is a supplement, shall not extend to, or in any manner affect the county of Sussex, be, and the same is hereby repealed.

A. Passed November 28, 1825.

A FURTHER SUPPLEMENT to the act entitled, "An act to issue commissions for the examination of witnesses, and to take their depositions in certain cases," passed the eighteenth day of February, one thousand seven hundred and ninety-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 if a material witness in any action, suit, or controversy, in any of the Orphans' Courts of this state, reside out of this state, or, if in this state, be ancient or very infirm, or be sick, or bound on a voyage, or about to go out of this state, it shall and may be lawful for the said court in which such action, suit, or controversy is depending, on affidavit or proof thereof to the satisfaction of said court, and upon motion made by or in behalf of either party in open court, and upon such terms as such court shall direct, to award and issue, under the seal of the said court, a commission to such person or persons as the said court may think fit, authorizing such person or persons to proceed in taking such depositions, in the same manner as is directed in the act to which this is a supplement, for commissioners appointed by the Supreme Court; and every thing therein contained respecting taking depositions to extend in as full and ample a manner, in all cases, to the several Orphans' Courts of this state as is therein directed to the Supreme Court.

C. Passed November 26, 1825.

A SUPPLEMENT to an act entitled, "An act to ascertain the times and place of holding the Court of Appeals," passed the twenty-ninth day of January, one thousand seven hundred and ninety-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 word *two*, in the proviso of the second section of the act to which this is a supplement, be, and the same is hereby repealed, and the word *one*, be substituted therefor.

A. Passed November 30, 1825.

AN ACT to amend an act entitled, "An act to incorporate the Weehawk Banking Company," passed the twenty-eighth day of December, in the year of our Lord one thousand eight hundred and twenty-four.

1. BE IT ENACTED, *by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same,* That it shall be lawful for the "Weehawk Banking Company," located at Weehawk, to change the name and location of their incorporation to the "Washington Banking Company," and to be located at Hackensack, in the county of Bergen, and by that name, and with that location, to be hereafter called and known in all places, and in all matters and things, wheresoever and whatsoever, any thing in the said act hereby amended to the contrary thereof notwithstanding.

2. And be it enacted, That all the clauses, sections, and provisions of the act hereby amended, shall be and remain in force, and apply to the said "Washington Banking Company," (except only as the same may be repugnant to this act) in all respects as if the said "Weehawk Banking Company" had been originally created under the said name of the "Washington Banking Company."

A. Passed November 30, 1825.

AN ACT to incorporate "The Salem Steam-Mill and Manufacturing Company," in the county of Salem.

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 N. Jeffers, Daniel Garrison, Morris Hancock, James Newel, Joseph Kille, Samuel Clement, John Tuft, Thomas Cave, Thomas W. Cattell, Daniel L. Miller, and David B. Smith, be, and are hereby appointed commissioners to receive subscriptions for a capital stock of fifty thousand dollars, to be employed solely in the manufacturing of cotton, wool, or flour; and such subscriptions shall be received at such times, in such places, and under such regulations as the said commissioners, or a majority of them, shall direct; and the subscribers to the capital stock shall be, and they and their successors and assigns are hereby made and declared to be a corporation and body politic, by the name of "The Salem Steam-Mill and Manufacturing Company," and by that name shall have continual succession, may make and have a common seal, and shall be able to sue and be sued, implead and be impleaded, in all courts of record and elsewhere, and to purchase, have, hold, and receive, possess, retain, and enjoy, to them and their successors and assigns, lands, tenements, hereditaments, goods, chattels, and effects of any kind, nature, or quality whatsoever, and the same from time to time to sell, grant, demise, alien, or dispose of at pleasure, to make by-laws, not contrary to the laws and constitution of this state or of the United States, and also to appoint such officers, agents, and servants as shall be necessary, and to allow them such compensation as shall be right and proper, which, together with all other expenses, shall be defrayed out of the corporation fund.

Style of incorporation, powers, privileges, &c.

2. *And be it enacted*, That the capital stock of the said corporation shall consist of fifty thousand dollars, divided into shares of twenty-five dollars each; and every person subscribing to the said capital stock shall, at the time of his subscription, pay to the commissioners five dollars on each and every share of the said capital stock, and the residue of the said capital stock shall be paid, by the several and respective subscribers, into the hands of the treasurer of the said corporation.

Amount of capital stock, &c.

3. *And be it enacted*, That the affairs, property, and concerns of the said corporation shall be conducted by five directors, to be chosen annually by the stockholders; and when twenty-five thousand dollars of the said capital stock shall be subscribed, the commissioners, or a majority of them, shall call a meeting of the stockholders, by giving ten days public notice in a newspaper printed in this state,

Directors to be chosen annually &c.

Vacancies, how
to be filled.

circulating in the county of Salem, for the purpose of organizing the said company and electing five directors, who shall serve for one year, or until others shall be elected; and the stockholders shall annually thereafter, on the same day, meet and elect directors of the said corporation. Should a vacancy at any time happen among the directors, by death or otherwise, the remaining directors shall elect, by ballot, a director to fill such vacancy until the next annual election; and the said directors shall, as soon as convenient after their election, assemble and choose by ballot one of their members as president.

Duties of directors, &c.

4. *And be it enacted*, That the board of directors for the time being shall have power to elect a president and appoint a treasurer, and all such other officers, agents, and clerks, to employ such workmen, artificers, manufacturers, and laborers as shall be necessary for carrying on the steam-mill in the town of Salem, and erecting the manufactory to be connected therewith, and executing all the powers by this act granted to the said corporation.

Quorum.

5. *And be it enacted*, That the president shall preside at all meetings of the directors, and, in case of sickness or absence, his place may be supplied by any other director whom the directors present may nominate; two directors, of whom the president shall be one, may form a board for the transaction of the ordinary concerns of the company. The stated meeting shall be held at such times as may be ordained by the by-laws of the company.

Judges of election, &c.

6. *And be it enacted*, That, for the well ordering and conducting of the election first to be held, the commissioners shall appoint three persons, who shall be judges of election, and annually thereafter the electors shall appoint three persons to be judges of election, who shall conduct the same. Stockholders shall and may vote either in person or by proxy, and each stockholder shall be entitled to one vote for each share of the capital stock by him, her, or them held in the said corporation. The capital stock of the said company shall be transferable upon the books of the said company, agreeably to the by-laws; which books shall be open to the inspection of the stockholders at all times.

Power of directors.

7. *And be it enacted*, That the directors shall have power to exact and take from their officers and agents bonds and security, in such sums as they shall deem proper for the faithful execution of their duties, and for the due and faithful performance of their contracts.

Capital stock to be deemed personal estate, &c., but no part thereof, to be divided, &c.

8. *And be it enacted*. That the capital stock of the said corporation shall be deemed personal estate, and dividends of so much of the profits of the said corporation, as shall appear advisable to the directors, shall be made and paid to the stockholders at such stated periods as the directors shall determine, but no part of the capital stock shall be

divided during the continuance of this charter; and in case they shall divide any part of the capital stock, as aforesaid, the directors under whose administration it shall happen shall be liable for the same, in their natural and private capacities, and an action of debt may be brought against them, their heirs, executors, and administrators, in any court of record in this state, by any stockholder or creditor of said company, any condition or agreement to the contrary notwithstanding; and such of the said directors who may have been absent, or may have dissented from the resolution declaring the same, may exonerate themselves from being so liable, by forthwith giving public notice of the same to the stockholders.

9. *And be it enacted*, That the said directors of the said corporation shall take of "The Salem Banking Company" the steam-mill belonging to the said company, in the town of Salem, with the steam engine and the lands and tenements, buildings, wharves, and improvements thereunto belonging, at a price to be agreed upon by the directors of the said corporations; and if the said corporations cannot agree upon the price or value of the same, then the said corporations shall respectively choose each a disinterested and impartial person, which said two persons shall choose a third judicious person, and the three thus chosen shall proceed to value the said steam-mill, premises, and improvements aforesaid, and shall report to each company their valuation in writing, and thereupon the directors of the company hereby incorporated shall pay the amount of the said valuation to "The Salem Banking Company," or shall duly make and execute, under their common seal, and deliver to "The Salem Banking Company" a mortgage upon the said premises, upon such terms and conditions as may be agreed upon by the directors of the said corporations respectively.

10. *And be it enacted*, That the funds hereby created, or intended to be raised by the said steam-mill and manufacturing company, shall not, in any way whatever, either directly or indirectly, be applied, used, or employed in banking operations; but shall be exclusively appropriated for the purposes herein designed, of working and manufacturing cotton, or wool, or flour, according to the true intent and meaning of this charter.

11. *And be it enacted*, That the said company shall be allowed to take and receive, for the grinding of grain, the toll allowed by law, and no more.

12. *And be it enacted*, That this act shall be and continue in full force, for and until the first day of January, in the year of our Lord one thousand eight hundred and forty-six.

C. & A. Passed November 30, 1825.

AN ACT to dissolve the marriage contract between Selah Covill and Eliza his wife.

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 of Selah Covill and Eliza Covill be, and the same is hereby dissolved, as fully as if they had never been joined in matrimony: *Provided*, that any issue had of the said marriage, shall not be by this act rendered illegitimate.

C. Passed November 17, 1825.

AN ACT to dissolve the marriage contract between Richard H. Mount and Susan Mount his wife.

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 Richard H. Mount, of the county of Middlesex, and Susan his wife be, and the same is hereby declared to be dissolved to all intents and purposes whatsoever; and the said Richard H. Mount and Susan his wife, are hereby declared to be set free from their matrimonial contract, as fully as if they had never been joined in matrimony.

C. Passed November 25, 1825.

A SUPPLEMENT to the act entitled, "An act relative to Queen's College."

WHEREAS the trustees of Queen's College, in New-Jersey, have represented to the legislature, that certain amendments to their charter would be conducive to their convenience—and, moreover, requesting that the name by which said Institution is known may be changed—
THEREFORE,

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 trustees of said college be, and they are hereby authorized to hold their annual commence-

ment for the Institution over which they preside, on such day and at such time as they may think proper to appoint for that purpose, any thing in their charter of incorporation contained to the contrary notwithstanding.

2. *And be it enacted*, That the said trustees be, and they are hereby authorized to meet for the transaction of any business, either upon adjournment or otherwise, upon such day and at such time or times as they may appoint, without the necessity of advertising such meeting in any public newspaper, as heretofore, any provision in their charter of incorporation contained, or of any supplement or amendment thereto, to the contrary notwithstanding.

3. *And be it enacted*, That the name of "Queen's College," in their charter of incorporation contained, be, and the same is hereby changed to that of "Rutgers College," and that the said corporation shall, from and after the passing of this act, be known and designated by the name and style of "The Trustees of Rutgers College in New-Jersey": *Provided nevertheless*, that nothing in this act contained shall be construed to affect or in any wise impair any contract, specialty, deed, mortgage, or other instrument of writing heretofore made, had, or given to, by, or from the said "Trustees of Queen's College in New-Jersey."

C. Passed November 30, 1825.

AN ACT to enable the General Synod of the Reformed Protestant Dutch Church to take, hold, and convey real estate in the state of 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 General Synod of the Reformed Protestant Church, as a corporate body of the state of New-York, and their successors, shall be, and they are hereby enabled to take real estate within this state, either by devise, descent, or purchase, and to hold and dispose of the same, in like manner as natural born citizens; and the title to any lands, tenements, or hereditaments heretofore devised to, or purchased, or acquired by them, or which may hereafter be devised to, or purchased, or acquired by them and their successors, shall not be impeached or defeated by reason of their being a corporation of the state of New-York, but the same is hereby declared to be vested in the said General Synod of the Reformed Protestant Dutch

Church and their successors, in like manner as real estate is vested in natural born citizens of this state: *Provided always*, that the annual value of the same shall not exceed twenty thousand dollars.

C. Passed November 30, 1825.

A SUPPLEMENT to an act entitled, "An act to authorize Conrad Konnight, the father of Martin Konnight, deceased, to fulfil a certain contract for the sale of land made by the said Martin Konnight with James Lincrom," passed December first, one thousand eight hundred and twenty-four.

WHEREAS it appears, that since the passing of the said act to which this is a supplement, the said Conrad Konnight executed and tendered to the said James Lincrom a deed of conveyance under the authority of the said act, but that the said James Lincrom refused to receive the said deed, and pay the consideration money, and that the said James Lincrom has since absconded from this state, and the said contract remains unfulfilled—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 if the said James Lincrom shall neglect or refuse, for the term of three months from the first day of January next ensuing the passing of this act, to comply with the requisitions of the first (and only) section of the act to which this is a supplement, that then (and in such case) it shall and may be lawful for the said Conrad Konnight to sell and convey the said lot of land to any person or persons whatsoever, and to execute sufficient conveyances for the same, and to apply the proceeds of such sale towards the payment of the debt due to the said Peter Perry: *Provided however*, that if no purchaser or purchasers can be obtained by the first day of May next ensuing the passing of this act, that then (and in such case) the title of the said lot of land and premises shall be vested in the said Conrad Konnight, on his paying and discharging the said debt due to the said Peter Perry, subject however to the proviso of the said first section of the act to which this is a supplement.

C. Passed December 1, 1825.

AN ACT to establish a new township in the county of Bergen, to be called the township of Lodi.

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 New-Barbadoes, in the county of Bergen, which lies within the boundaries and description following, to wit: beginning at the mouth of Saddle river, where it empties into Passaic river, on the easterly side thereof, and thence up the middle line of said Saddle river to the easterly end or foot of a bridge across the Saddle river, and on the road leading from Passaic river aforesaid to Hackensack; thence down along the middle line of said road until it intersects the Pollifly road near the house of Stephen Demarest; and from thence, in a straight line, to the westerly corner of the Bergen turn-pike bridge across the Hackensack river, near what was formerly called Little Ferry; thence down along the Hackensack river to the Newark bay; thence along said bay and line of the county of Bergen, to the mouth of Passaic river; thence up the said Passaic river, on the boundary line of the county of Bergen, to the mouth of Saddle river, and place of beginning, shall be, and hereby is set off from the said township of New-Barbadoes, in the county of Bergen, to be called and known by the name of the township of Lodi: *Provided*, that this act shall not take effect and be in force until from and after the first day of March next, and not before.

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

3. And be it enacted, That the inhabitants of the township of Lodi shall hold the first town-meeting at the inn of John Kip, in the said township of Lodi, on the day appointed by law for holding the annual town-meetings in the other townships in the county of Bergen.

4. And be it enacted, That the town-committees of the townships of New-Barbadoes and Lodi shall meet on the Monday next after the annual town-meetings in the said townships of New-Barbadoes and Lodi, at the inn of Mrs. Jane Campbell, in Hackensack, at ten o'clock in the forenoon, and shall there and then proceed, by writing, signed

by a majority of those present, to allot and divide between the said townships, all property and moneys on hand or due, in proportion to the taxable property and ratables, as taxed by the assessor within their respective limits, at the last assessment; and the inhabitants of the township of Lodi shall be liable to pay their just proportion of the debts, if any there should be; and if any of the persons comprising either of the town-committees should neglect or refuse to meet as aforesaid, those assembled may proceed to make the said division, and the decision of a majority of those present shall be final and conclusive.

A. Passed December 1, 1825.

A FURTHER SUPPLEMENT to an act entitled, "An act to empower the Governor of this State to incorporate a company to improve the North Branch of Rancocus Creek," passed March sixteenth, one thousand seven hundred and ninety-five.

Preamble.

WHEREAS John Black, Anthony S. Earle, and others, have by their petition set forth, that the company incorporated in pursuance of the provisions of the above act, did proceed to improve the navigation of the said creek, by the erection of several locks, but, before the same were completed, they were abandoned and given up, and the locks so erected have been suffered to decay and rot down, and that the said petitioners, among whom are the owners of all the mills and iron-works upon the said creek, and many of the original stockholders of the said company, are of opinion that the said creek might be improved at a small expense, without the least injury to private property, and that the advantages to be derived therefrom, not only to those that own property upon the said creek, but to the public generally, will be very great, by opening a safe and easy water communication of upwards of thirty miles through the centre of the county of Burlington; and further, that the said company have ceased to act, or make any improvement whatever for the last twenty-five years, and in fact have abandoned the same; and that the said charter has been forfeited by non-user, and praying the legislature will incorporate a new company with the same or similar powers granted in the former act, to improve the navigation of the North Branch of Rancocus Creek; which appearing to be true—

—THEREFORE,

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 Black, Anthony S. Earle, Samuel W. Budd, John Dobbins, and Abraham Brown, or any three of them, be, and they are hereby appointed commissioners to do and perform the several duties hereafter mentioned, that is to say: they, or any three of them, shall and may, on or before the first day of May next, procure a book or books, and therein enter as follows: "We whose names are hereunto subscribed do promise to pay unto the president and managers for the improvement of the North Branch of Rancocus Creek, forty dollars for every share of stock in the said company, set opposite our respective names, in such manner and proportions, and at such times as shall be determined by the said president and managers, in pursuance of an act of the legislature of New-Jersey entitled, "An act to empower the governor of this state to incorporate a company to improve the navigation of the North Branch of the Rancocus Creek, and the several supplements thereto;" and that for that purpose they are vested with all the powers and authority given to the commissioners named in the act to which this is a supplement, and are directed to proceed in the same manner, perform the same duties, and be subject to the same penalties and liabilities.

Commissioners,
their duties, &c.

2. *And be it enacted,* That all and singular the several sections contained in the act to which this is a supplement, and of the act entitled, "A supplement to the act entitled, an act to empower the governor of this state to incorporate a company to improve the navigation of the North Branch of Rancocus Creek, passed February twenty-sixth, one thousand seven hundred and ninety-six," be, and the same are hereby revived and continued in full force and effect, as if the said company had not forfeited their charter by non-user, and that when the governor of this state shall issue his letters patent pursuant to the provisions of the second section of the act to which this is a supplement, the president, managers, and company, for the improvement of the navigation of the North Branch of Rancocus Creek, shall be vested with all the powers, privileges, and franchises given by the act to which this is a supplement, and subject to all the pains, penalties, limitations, and restrictions created thereby, and may do and perform all acts and things prescribed thereby, in as full and ample manner, to all intents and purposes, as if the said charter had not been forfeited by non-user.

Former act re-
vived, &c.

3. *And be it enacted,* That so much of the act to which this is a supplement as is repugnant hereto, be, and the same is hereby repealed.

What part of
the original act
repealed.

C. Passed December 3, 1825.

AN ACT to incorporate the Rahway Steam-Boat Company.

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 Alstone Marsh, Henry Mundy, Joseph O. Lufberry, Jacob Flatt, and Jonathan B. Marsh, and such other persons as hereafter shall be associated with them, and their successors and assigns, be, and they hereby are ordained, constituted, and declared to be a body corporate and politic, in fact and in name, by the name of the "Rahway Steam Boat Company," for the term of twenty years from and after the first day of May next, and by that name they and their successors shall and may have succession, and shall be persons in law capable of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended, in all courts and places whatsoever, and in all manner of actions, suits, complaints, matters, and causes whatsoever, and that they and their successors may have a common seal, and may change and alter the same at their pleasure, and that they and their successors, by the name of "The Rahway Steam-Boat Company," shall, in law, be capable of purchasing, holding, and conveying any lands, tenements, hereditaments, and real or personal estate whatsoever, necessary for the objects of this corporation.*

Style of the company, powers, and privileges.

Amount of capital stock, &c.

Restrictions.

2. *And be it enacted, That the capital stock of the said incorporation shall not exceed twenty thousand dollars; that the stock of said company shall be deemed and considered personal property; and that nothing herein contained shall authorize and empower the said company to carry on banking business, or to use, or to employ their funds, or any part thereof, or to permit the same to be used or employed in the purchase of the stock of any bank in the United States, or any other public stock, or for any other purpose, or in any manner whatsoever, not herein expressly authorized.*

Number of shares.

Books to be opened.

3. *And be it enacted, That the capital stock of the said company shall be divided into four hundred shares, of fifty dollars each, and that a book to receive subscriptions for the same shall be opened at the house of Smith Freeman, in Rahway, on Tuesday the third day of January next, by Alstone Marsh, Jacob Parker, and Henry Mundy, who are hereby appointed commissioners for that purpose, they first giving four weeks notice of the time, place, and purpose of opening such book, in the "Advocate" newspaper, published at Rahway. If more than four hundred shares should be subscribed on the said third day of January, the same shall be deducted ratably and proportionably from the per-*

sons who have subscribed, according to the number of shares they have subscribed, as near as may be; and if a less number than four hundred shares should be subscribed on the said third day of January, the commissioners above named may open the book at such other time and place as they may deem proper, on giving two weeks notice thereof in the "Advocate" newspaper aforesaid.

Commissioners
to advertise

4. *And be it enacted*, That the first payment to be made on each share of stock in the said company, shall be five dollars, to be paid to the commissioners at the time of subscribing; and that the remaining forty-five dollars on each share shall be called for in such instalments; and at such times, as the directors of the said company may determine, they giving three weeks notice in the New-Jersey Advocate, or any other paper published at Rahway, and one newspaper published in the city of New-York; and a failure by any stockholder to pay any instalment so called for by the directors, shall forfeit the share or shares on which such failure has taken place, and all previous payments made thereon, to the said company, and for their use.

Shares may be
forfeited.

5. *And be it enacted*, That the capital stock of this company, or so much thereof as shall be deemed necessary, and as shall be called in, shall be employed and vested in the purchase or building of one or more steam-boats, and in their repair and navigation to and from some suitable landing place on Rahway river to New-York, and in the purchase, repair, and building of suitable landing places, wharves, and storehouses, and for such other purposes as may be indispensably necessary to the establishing a safe and convenient steam-boat navigation between some of the upper landings on Rahway river and the city of New-York.

Capital stock
may be employ-
ed in building
steam-boats, &c.

6. *And be it enacted*, That annual dividends of the profits arising from the investment and employ of the capital stock of this company shall be made; but no dividend shall be made to impair or lessen the capital.

7. *And be it enacted*, That this company shall be under the government of five directors, to be chosen annually by the stockholders at a general meeting; the first choice of directors to be made at a general meeting of the stockholders, to be called by the commissioners within two weeks after the stock is subscribed, upon public notice being given, and the directors to appoint the time and place of the next annual meeting; and also, to appoint their own president, secretary, and treasurer, and such other officers and servants as the business of the company may require; and the directors so chosen, or a majority of them, and their successors in office shall have power, from time to time, to

Five directors
to be chosen an-
nually.

make, constitute, ordain, and establish all by-laws, rules, and regulations for the transacting of the business of the said company, and the better regulation and government thereof, not repugnant to the constitution and laws of the United States, or of this state, or the provisions of this act. All contracts and responsibilities entered into on the part of the said company, by the directors, or a majority of them, and signed by their president, shall be binding on the said company, in like manner as any contract would be if made and entered into by any individual.

8. *And be it enacted*, That immediately upon the appointing of a treasurer by the board of directors, as is provided for in the preceding section, the commissioners above named shall pay over to the said treasurer the amount of subscription money received by them, and hand over to the president the subscription book and any other books, papers, and memorandums relative to the business of the said company; and forthwith their duties as commissioners shall cease.

Books of account to be kept at their office, and be always accessible to the stockholders.

9. *And be it enacted*, That the said company shall cause to be kept at their office proper books of account of all the transactions of the company; which books, together with the stock and transfer books, shall at all times be open to the inspection of the stockholders.

C. Passed December 3, 1825.

AN ACT for the relief of Durey Bromley, and others.

Preamble.

WHEREAS it is represented to this legislature, that Abijah Dodd, and Mary his wife, of the county of Essex, did by deed, bearing date the first day of February, one thousand eight hundred and six, sell and convey unto Durey Bromley, and Thomas Oakes, certain real estate, situated in the township of Bloomfield, in the said county of Essex, in the said deed mentioned and particularly described; which deed is recorded in book L of deeds of said county, in pages three hundred and thirty-three, three hundred and thirty-four, three hundred and thirty-five, and three hundred and thirty-six; and also that the said Abijah Dodd, and Mary his wife, did, by deed bearing date the eleventh day of September, one thousand eight hundred and ten, sell and convey unto the said Durey Bromley, and Thomas Oakes, certain other real estate, situated in the township of Bloomfield aforesaid, and the same is recorded in book R of deeds for said county, in pages five hundred and fourteen, five hundred and fifteen, and five

hundred and sixteen; and also that Joel Williams, administrator of Jotham Williams, deceased, of the said county, did, by deed bearing date the fifteenth day of October, one thousand eight hundred and eleven, sell and convey unto the said Durey Bromley, and Thomas Oakes, certain other real estate, situated in the township aforesaid, in the said deed mentioned and particularly described; which deed is recorded in book T of deeds for said county, in pages one hundred and ninety-seven, and one hundred and ninety-eight; and whereas the said Durey Bromley, and Thomas Oakes, by virtue of the said deeds, held the said real estate therein described as joint-tenants, and the said Thomas Oakes, having since died, all the said real estate has become vested in the said Durey Bromley as the survivor; and whereas Jotham Williams did, by deed bearing date the twentieth day of April, eighteen hundred and ten, convey unto the said Thomas Oakes, certain real estate situated in the township aforesaid, in the said deed mentioned and described; which deed is recorded in book R of deeds for said county, in pages five hundred and thirteen, and five hundred and fourteen. *And also*, that Nathan Squire, did, by deed bearing date the twelfth day of September, one thousand eight hundred and eighteen, convey to the said Thomas Oakes, certain other real estate, situated in the township aforesaid, particularly mentioned and described in the said deed, which is recorded in book K 2, of deeds for said county, in pages one hundred and two, and one hundred and three; and whereas the said Thomas Oakes hath died intestate, leaving five infant children, his heirs at law—to wit: David Oakes, Joseph Kingsland Oakes, Sarah Oakes, John Oakes, and Mary Oakes, to whom the real estate herein before mentioned, as conveyed to the said Thomas Oakes has descended; and whereas the said Durey Bromley, and Thomas Oakes, were equally interested in the acquisition and purchase of all the said real estate, and equally possessed and enjoyed the same until the death of the said Thomas Oakes, and it was intended that they should be entitled to equal undivided moieties thereof; but the legal title to the said premises by reason of the death of the said Thomas Oakes, is vested in such a manner, that partition thereof cannot be made, but by the interposition of the legislature.—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 all the right, title, interest and estate, in and to the lands, tenements, hereditaments, and premises described and conveyed to the said Durey Bromley, and Thomas Oakes, or to the said Thomas Oakes, by the sev-

eral deeds of conveyance in the preamble to this act, mentioned and referred to, be and the same is hereby vested in the said Durey Bromley, and the said David Oakes, Joseph Kingsland Oakes, Sarah Oakes, John Oakes, and Mary Oakes, that is to say: the one equal moiety thereof in the said Durey Bromley, his heirs and assigns, and the remaining equal undivided moiety thereof in the said David Oakes, Joseph Kingsland Oakes, Sarah Oakes, John Oakes, and Mary Oakes, their heirs and assigns, as tenants in common—saving and reserving nevertheless, the right, title, claim and demand of every other person to the same, or any part thereof.

C. Passed December 3, 1825.

AN ACT to authorize the chosen freeholders of the county of Monmouth, to build a bridge over the North branch of Neversink river.

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 chosen freeholders of the county of Monmouth, or a majority of them, to erect, or cause to be erected, a good and convenient bridge over the North branch of Neversink river, beginning at or near the house of Samuel Hubbard, esquire, commonly called Smock's Point, or near the house of Josiah Vanscoick, or from Joseph Smith's Point, to the opposite shore.

2. *And be it enacted*, That when the said board of chosen freeholders, or a majority of them may think the said bridge necessary, and shall order the same to be erected, they shall also order a draw to be made in the said bridge, of sufficient width so as to admit of the easy passage of such vessels as usually navigate said river, and the same to be under such regulations, as they, or a majority of them may think will be most accommodating to the public.

C. Passed December 3, 1825.

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 November seventeenth, one thousand eight hundred.

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 corporate name of the said company shall be, and is hereby altered and changed into "The Salem Creek Canal Company," by which name they shall sue and be sued, plead and be impleaded, and shall possess all the powers and privileges granted to the said company by the said act, under the name of "The President, Managers, and Company to cut a Canal to shorten the navigation of Salem creek, in the county of Salem, and state of New-Jersey."

The corporate name altered.

2. And be it enacted, That after the next annual meeting of the said company, the annual meetings shall be on the first Monday in May, at such place as shall be fixed on by the rules of the said company, at their annual meeting.

3. And be it enacted, That when the said company shall have so far completed the said canal, as that the water can be conveyed through the same from the creek to the river Delaware, then they may enter upon the lands and marsh vested in the said company, and dig and remove the earth and mud, and make banks, dams, and other waterworks, obstruct, and stop the creek below the said canal, in such manner as to force the water through the said canal: *Provided* the navigation of said creek shall not thereby be obstructed sooner than the twenty-fifth day of December, and shall be open and free for the passage of sloops and other craft, on or before the first day of March, in each and every year, until the said canal shall be sufficiently open for a vessel drawing five feet water to pass from Salem creek to the river Delaware.

Privileges of the company.

4. And be it enacted, That when said dam, bank, or other waterworks shall have been made and completed across said creek, it shall not be lawful for the surveyors of the highways of the county of Salem to lay any road, either public or private, over the said dam, bank, or other waterworks, or any of them, unless a fair and equitable purchase be first made from the said company by the persons who may apply for such road.

Conditions on which a road may be laid.

5. And be it enacted, That the said company may purchase land not exceeding two acres, at the place where the road now leading from Salem to Pedricktown crosses said canal,

and that it may be lawful for them to locate the bridge to be built over said canal at that place, instead of the place where the said road formerly crossed the canal; and in case the president and managers of the said company cannot agree with the owner or owners for said land, that a jury may be struck and summoned to value the said lands, in the mode prescribed in the act to which this is a supplement; and on the said company paying to the owner or owners the sum at which the jury shall value the said lands, or bring the same into the office of the clerk of the Supreme Court, the said company shall be entitled to the said lands, to hold them, and their successors for ever.

Struck jury to
value land, &c.

6. *And be it enacted.* That the said company may, at their annual meeting, choose, by ballot, ten managers, with such other officers as they shall think necessary to conduct the business of the company, who shall hold their respective offices for one year, and until others are elected in their place; and in case of vacancy in any of said offices by death, resignation, or otherwise, it shall be the duty of the president and managers, at a meeting to be called by the president for that purpose, to fill up said vacancy.

Managers to be
chosen annually.

7. *And be it enacted,* That the president and managers of said company may require and take from the treasurer and collectors, and other officers, if they think necessary, bonds, with such security as they may approve, conditioned for the faithful performance of the trust reposed in them respectively, and for the payment over to their successor or successors all moneys which shall or may be in his or their hands, and for the delivery over to the president and managers of said company of all books, vouchers, and other papers and things belonging to said company: *Provided nevertheless,* that nothing in this act contained shall be construed to affect, or in any wise impair, any writing, contract, agreement, or liability whatsoever, heretofore made, had, or given, by, to, or from "The President, Managers, and Company to cut a Canal to shorten the navigation of Salem creek, in the county of Salem, and state of New Jersey."

Treasurer, &c.
to give bond.

Proviso.

C. & A. Passed December 5, 1825.

AN ACT to incorporate the Reliance Fire Engine Company of Salem.

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 Samuel Clement, Hedge Thompson, Thomas Sinnickson, Edward Smith, and James Vainwright, and all such other persons not exceeding seventy-five, as now are, or hereafter shall become associates of the Reliance Fire Engine Company of Salem, be, and they are hereby constituted and declared to be a body corporate and politic in fact and in law, by the name of "The Reliance Fire Engine Company of Salem," and by such name they shall have succession, and be persons, in law, capable of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended, in all courts of jurisdiction whatsoever; and that they and their successors may have a common seal, and shall have power to make, change, and alter the same at their pleasure; and by their name as aforesaid, and under their common seal, may make, enter into, and execute any contracts or agreements touching and concerning the objects of said corporation, and shall have full power and authority to make, form, and adopt such by-laws and regulations for their government, not inconsistent with the laws of this state or of the United States, as they shall think proper.

Style of the company, powers, and privileges.

2. *And be it enacted*, That the capital stock of the said company shall not exceed the sum of two thousand dollars, which shall be solely and exclusively applied to procuring, maintaining, and repairing such engines, hose, reservoirs of water, ladders, buckets, fire-hooks, engine houses, and other implements and machines, and to such other incidental expenses as shall to the said company appear best calculated to secure the property of their fellow townsmen from injury or destruction by fire.

Amount of capital stock, &c.

3. *And be it enacted*, That the said company shall have power to elect annually a president out of their own body, and such other officers and assistants as they shall find necessary for conducting their affairs, according to their constitution, and that the said president shall keep in his custody the common seal of said company, and at the expiration of his term of office shall deliver it over to his successor.

Election.

4. *And be it enacted*, That it shall be lawful for the Council and General Assembly of this state, at any time hereafter to amend, repeal, or modify this act as they shall think fit.

C. Passed December 6, 1825.

AN ACT to incorporate "The Allowaystown Manufacturing Company."

Preamble.

WHEREAS Josiah M. Reeve, Stacy Lloyd, Samuel Kean, Israel S. Read, John Powell, and others, associated under the name and style of "The Allowaystown Manufacturing Company," by their petition presented to the legislature, have prayed to be incorporated as a company and body corporate.—AND WHEREAS it appears to the legislature that the granting of this act will protect and encourage American manufacturers, and stimulate the laudable enterprize of said company, and enable them to compete with foreign manufactures, and thereby be conducive to public good—THEREFORE,

Style of the incorporation, powers, and privileges.

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 such persons as shall become stockholders of said company, and their successors, be, and they are hereby created a body corporate and politic, by the name of "The Allowaystown Manufacturing Company," for the sole purpose of manufacturing cotton, wool, or flax, and by that name, they and their successors shall be persons, in law, capable of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended, in all courts and places whatsoever, in all manner of actions, suits, complaints, matters, and causes whatsoever, and they and their successors may have a common seal, and make, change, and alter the same at 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, that may be necessary or useful for the said corporation to carry on the manufacturing operations above mentioned, and for no other purpose; and also, that the president and directors of said company for the time being, or a majority of them, shall have power to make, establish, and enforce such by-laws, rules, and regulations, from time to time, as they may deem necessary for the government of said corporation: *Provided* such by-laws, rules, and regulations shall not be repugnant to the constitution and laws of the United States or of this state.

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 from the first Tuesday of October in every year; and that the said directors shall be elected on the last Tuesday of September

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 of the newspapers printed nearest the place where such election shall be held; and the election shall be made by such of the stockholders as shall attend for that purpose, either in person or by proxy; and all elections shall be by ballot, and each stockholder shall be entitled to as many votes as he shall hold shares of the capital stock of the said company, and the persons having the greatest number of votes, being stockholders, shall be the directors; and if it shall happen, at any election of directors, that two or more persons shall have an equal number of votes, in such manner that a greater number than five shall, by plurality of votes, appear to be chosen as directors, then the said stockholders herein before authorized to vote at such elections, shall proceed to ballot a second time, and, by plurality of votes, determine which of the persons so having an equal number of votes shall be director or directors, so as to complete the whole number of five; 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 their 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 among the directors elected by the stockholders, by death, resignation, removal, or otherwise, such vacancy or vacancies shall be filled, for the remainder of the year in which they may happen, by such person or persons as the remainder of the directors, or a majority of them, shall appoint; and that the first directors shall be, Josiah M. Reeve, Stacy Lloyd, Samuel Kean, Israel S. Read, and John Powell, who shall hold their offices until the first Tuesday in October, one thousand eight hundred and twenty-six.

Annual election
to be previously
advertised.

To vote by bal-
lot for directors.

Vacancies, how
filled.

3. *And be it enacted*, That the capital stock of said corporation shall not exceed one hundred thousand dollars, and shall be divided into shares of twenty-five dollars each; but it shall nevertheless be lawful for the said company, when, and so soon as twenty-five thousand dollars of the said capital stock shall have been subscribed and paid for, 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 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 previ-

Amount of capi-
tal stock, &c.

Stockholders
may forfeit, &c.

ous 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 in the county where such payment shall be required to be made.

Capital stock
personal estate.

Proviso.

4. *And be it enacted*, That the shares of capital stock of said corporation shall be deemed personal estate, and be transferable in such manner as shall be prescribed by the by-laws of the said corporation: *Provided always*, that no dividends shall be made to and amongst the stockholders, except from and out of the profits of the said corporation: *And further provided*, that for all debts which, in case of the dissolution of the said corporation, shall then be due and owing by the said corporation, the stockholders for the time being shall be responsible, in their individual and private capacities, to the extent of their respective interests in the corporate property of the said corporation, and no further, in any suit or action to be brought or prosecuted after such dissolution of the said corporation.

Election, &c.

5. *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 be for that cause deemed to be dissolved, but it shall and may be lawful to hold such election on such other day, in the manner aforesaid, as shall be prescribed by the by-laws and ordinances of the said corporation.

6. *And be it enacted*, That no transfer of stock of the said company shall be valid or effectual until such transfer be entered or registered in a book or books, to be kept for that purpose by the directors of said corporation.

Books of account always
be accessible to
the stockholders.

7. *And be it enacted*, That the directors shall at all times keep, or cause to be kept, at their manufactory, proper books of account, in which shall be regularly entered all the transactions of said corporation, which books shall at all times be open to the inspection of the stockholders of the said company.

8. *And be it enacted*, That the said corporation shall be located at or near Allowaystown, in the county of Salem.

9. *And be it enacted*, That the funds of said corporation, or any part thereof, shall not be applied, used, or employed, at any time, in banking operations.

C. Passed December 6, 1825.

AN ACT to regulate the fees to be paid in the discharge of insolvent debtors.

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 proceedings under the act of the legislature of this state entitled, "An act for the relief of persons imprisoned for debt," passed the eighteenth day of March, one thousand seven hundred and ninety-five, and the several supplements thereto, by any person or persons who now are, or who may hereafter be in confinement for debt in any of the jails in this state, applicants for the benefit of said act, the officers and persons in said act named shall be entitled to demand and receive of each insolvent debtor, for the services herein after mentioned, the following, and no other fees:—

To clerk, for filing and reading petition and schedule, eighteen cents.

Administering every oath or affirmation, eight cents.

To the court hearing the application, one dollar.

Order of discharge, or signing the same, thirty cents.

To clerk, drawing up assignment and discharge, fifty cents.

Filing and recording the same, forty-eight cents.

To cryer, for fees, ten cents.

Certificate of clerk, under seal of office, twenty-five cents.

C. Passed December 6, 1825.

AN ACT to provide for the safe-keeping of the records in the Surveyor-General's office of the Eastern and Western divisions of this State.

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 Irick, Joshua Sharp, and Joshua S. Earle, or any two of them, be, and they are hereby appointed commissioners, with the authority to purchase a convenient lot of land in the city of Burlington, the title whereof shall be vested in the state of New-Jersey, and to erect thereon a building, of materials not liable to be destroyed by fire, of such dimensions as may be necessary, for the safe-keeping of the records of surveys and other instruments of writing, maps, and drafts, belonging to the

office of the surveyor-general of the western division of this state.

2. *And be it enacted*, That a sum not exceeding six hundred dollars, be, and the same is hereby appropriated for the purpose of purchasing the said lot of land, and erecting thereon the building aforesaid, to be paid by the treasurer of this state, on warrant from the governor, out of any moneys in the treasury not otherwise appropriated.

3. *And be it enacted*, That as soon as the said building shall be completed, and notice thereof, in writing, given by the said commissioners, or any of them, to the surveyor-general of the said western division, it shall be the duty of the said surveyor-general to remove to the said building, all the books of record and papers belonging and appertaining to the office of surveyor-general of the said division, and to keep the same therein. And if the said surveyor-general shall neglect or refuse, for the space of thirty days after notice as aforesaid, to remove to the said building all the books of record and papers belonging and appertaining to his said office, he shall forfeit and pay, for each and every day he shall so neglect or refuse, the sum of fifty dollars, to be sued for and recovered by the treasurer of this state for the time being, for the use of the state.

4. *And be it enacted*, That James Parker, Oliver W. Ogden, and Charles Carson, or any two of them, be, and they are hereby appointed commissioners, with authority to purchase a convenient lot of land in Perth-Amboy, in the county of Middlesex, the title whereof shall be vested in the state of New-Jersey, and to erect thereon a building, of materials not liable to be destroyed by fire, of such dimensions as may be necessary for the safe-keeping of the records of surveys and other instruments of writing, maps, and drafts, belonging to the office of surveyor-general of the eastern division of this state, at Perth-Amboy.

5. *And be it enacted*, That the same appropriation, limitation, and restriction, as is set forth in the second and third sections of this act, be extended and enjoined upon the commissioners and surveyor-general of the eastern division of this state, as is enjoined on the commissioners and surveyor-general of the western division.

C. Passed December 6, 1825.

AN ACT for the relief of Mrs. Hannah Kinney, widow of Abraham Kinney, late of the county of Essex, deceased.

WHEREAS Doctor William Burnet, the father of the said Hannah Kinney, in the title of this act named, in and by his last will and testament, did devise a certain share or portion of his real and personal estate to the Reverend Doctor M^cWhorter, John Chetwood, and Elias Boudinot, esquires, the survivors and survivor of them, and the heirs of such survivor, in trust, to pay the rents, issues, and profits thereof, yearly and every year, to the sole receipt and order of the said Hannah Kinney, during her natural life, and it appearing that Mrs. Susan V. Bradford, heir-at-law of the said Elias Boudinot, deceased, with whom the trust now vests, is desirous of being relieved from said trust—**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 Joseph C. Hornblower and William Pennington, of the county of Essex, be, and they are hereby substituted trustees, in the place and stead of the said Susan V. Bradford, of the real and personal estate so as aforesaid descended to her in trust, under the will of the said William Burnet, deceased; and the said Susan V. Bradford is hereby discharged from the said trusts; and the title of the said estates, real and personal, so held by her in trust, as aforesaid, is hereby vested in the said Joseph C. Hornblower and William Pennington, and the survivor of them, and the heirs of such survivor, in and upon the same trusts in the said will created and expressed.

C. Passed December 3, 1825.

AN ACT to divorce Thomas Whitenack from his wife Mary Whitenack.

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, the marriage of Thomas Whitenack, of the county of Somerset, and Mary Whitenack, be, and the same is hereby dissolved, annulled, and made of no effect, 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 be considered legitimate.

C. Passed December 6, 1825.

**AN ACT to divorce Susan Chidester from her husband
Stephen Chidester.**

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 Chidester be, and she is hereby divorced from her husband Stephen Chidester, and that the marriage contract heretofore existing between the said Stephen Chidester and Susan his wife, be, and the same is hereby dissolved, as fully as if they never had been joined in matrimony: *Provided nevertheless,* that the issue of said marriage shall not be deemed illegitimate.

C. Passed December 7, 1825.

**AN ACT to incorporate the "Union Fire Company of
Salem," New-Jersey.**

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 Josiah Miller, William T. Mulford, Oliver B. Stoughton, Jacob W. Mulford, Richard P. Thompson, William G. Beesley, John Patterson, William A. Baker, Sinnickson C. Tuft, John Corcoran, Isaac Z. Peterson, and all such other persons, not exceeding one hundred in number, as now are, or hereafter shall become associates of the Union Fire Company of the town of Salem, and their successors, be, and they are hereby constituted and declared to be a body politic and corporate, in fact and in law, by the name of "The Union Fire Company of Salem."

Style of incorporation.

Its powers and privileges:

2. And be it enacted, That the said corporation, by such name, shall have perpetual succession, and be a body politic and corporate, in law, capable of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended, in all courts of judicature whatsoever, and that they and their successors, respectively, may have and use a common seal, and have power to make, change, and alter the same at their pleasure, and, by their common seal, may make, enter into, and execute any contracts or agreements touching and concerning the objects of said corporation, and shall have full power and authority to make, form, and adopt such by-laws and regulations for their government, not inconsistent with the laws of this state or the United States, as they shall think proper.

3. *And be it enacted*, That the capital stock of said company shall not exceed the sum of one thousand dollars, which shall be solely and exclusively applied to the procuring, repairing, and maintaining the engine, hose, reservoirs of water, ladders, buckets, fire-hooks, and other implements and machines, and to such other incidental expenses as shall to the said company appear best calculated to secure the property of the citizens of Salem from injury or destruction by fire.

Amount of capital stock, and how to be applied.

4. *And be it enacted*, That the said company shall have power to elect annually a president out of their own body, and such other officers and assistants as they shall find necessary for conducting their affairs, according to their constitution, and that the said president shall keep in his custody the common seal of the said company, and, at the expiration of his term of office, shall deliver it over to his successor.

5. *And be it enacted*, That it shall be lawful for the Council and General Assembly of this state, at any time hereafter, to amend, modify, or repeal this act, as they shall think proper.

A. Passed December 7, 1825.

AN ACT for the better regulating of the fishing in Newark Bay, and in the Passaic and Hackensack rivers.

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, no person or persons shall, at any time between the first day of April and the first day of June, set, affix, or fasten any net or nets, device or devices, in any part of Newark Bay, except on the easterly shore thereof, extending from the said shore not more than one-fourth of the way across, or which shall extend into the main channel running from the Hackensack river through the said bay, or in any wise to obstruct the navigation thereof.

2. *And be it enacted*, That no person or persons shall, within the time mentioned in the first section of this act, set, affix, or fasten, any net or nets, device or devices, in any part of the Passaic or Hackensack river, or on the bridge across said river, excepting along the shore of Hackensack river, and not to extend to more than one-fifth part of the width of said river, from the shore thereof.

3. *And be it enacted*, That nothing in this act contained shall be so construed as to prevent any person or persons from drawing or sweeping with seines or nets, as heretofore, or to authorize placing any obstructions contrary to the provisions of the foregoing sections of this act, in the rivers or bay aforesaid, which will interrupt the navigation thereof.

4. *And be it enacted*, That if any person or persons shall offend against the provisions of this act, he, she, or they, shall, on conviction thereof as aforesaid, pay the sum of twenty dollars for every such offence, to be sued for and recovered, with costs of suit, in any court having cognizance thereof, by an action of debt, by any person or persons who shall sue for the same, and to be applied to his or her own use, and, on conviction as aforesaid, if the owner or owners shall not, as soon as can be thereafter, remove the said net or nets, device or devices, so fixed contrary to this act, it shall be lawful for any person, or persons, for his, her, or their own use, to take and remove the same: *Provided* the same be done without violence, and not contrary to the peace of this state.

5. *And be it enacted*, That all and every act or acts, and every part of an act heretofore passed and coming within the purview, and contrary to the provisions of this act, be, and the same is hereby repealed.

A. Passed December 7, 1825.

AN ACT to revive the act entitled, "An act to authorize a turnpike road to be made from Deckertown, in the county of Sussex, to the Delaware, nearly opposite to Milford, in the state of Pennsylvania," passed November twenty-eighth, one thousand eight hundred and nine.

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 entitled, "An act to authorize a turnpike road to be made from Deckertown, in the county of Sussex, to the Delaware, nearly opposite to Milford, in the state of Pennsylvania," passed November twenty-eighth, in the year of our Lord one thousand eight hundred and nine, be, and the same is hereby revived, re-enacted, and continued in full force, the same as if it were passed section by section, excepting such alterations as shall be herein after made.

2. *And be it enacted*, That the said turnpike road shall be made and completed within six years from the passing of this act, or the privileges hereby granted shall cease and be void.

3. *And be it enacted*, That the proviso in the fifth section of the act hereby revived, be, and the same is hereby repealed.

C. Passed December 7, 1825.

AN ACT for the protection of the minor children of persons who abscond or absent themselves from this State.

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 citizen of this state has, or shall hereafter abscond or absent himself from this state for the term of two years, leaving, in this state, any child or children under the age of twenty-one years, without any competent and suitable provision for their maintenance and education, it shall and may be lawful for the Orphans' Court of the county where such child or children reside, on application of the said child or children, or of his, her, or their next of kin, to appoint a guardian for such child or children, in the same manner as guardians are now appointed by said court, and to vacate, annul, and revoke said appointment, as the said court shall see occasion; which guardian shall have the same authority over the said child or children as guardians have in other cases, until the revocation of his or her authority as aforesaid, notwithstanding any right or claim of authority of the said parent; and may lawfully do all acts for the maintenance and education of the said child or children, and the disposition of his or her time and services which the said parent could lawfully do.

C. Passed December 7, 1825.

AN ACT to incorporate "The Neptune Fire Company of Bridgeton," in the county of Cumberland.

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 Doctor William Elmer, Doctor Isaac H.

Style of the incorporation, powers, and privileges.

Hampton, Doctor Ephraim Buck, John Sibly, esquire, David Lupton, esquire, William Bevan, Oliver Lindsay, Timothy Elmer, James B. Potter, R. H. Merseilles, J. D. Westcott, junior, L. M'Bride, Hiram Paul, Jacob N. Woodruff, A. M'Calla, L. H. Jarmon, Joseph Riley, William Brown, R. B. Potter, James Riley, and William Riley, and all such other persons as shall hereafter become and continue members of the corporation hereby created, be, and they are hereby ordained, constituted, and declared to be a body corporate and politic, in fact, in name, and in law, by the name of "The Neptune Fire Company of Bridgeton," and by such name, they and their successors may have perpetual succession, and shall have power to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in all courts and places whatsoever, and in all manner of actions, suits, complaints, matters, and causes whatsoever, and may have a common seal, and may change, alter, and renew the same at pleasure, and by the same name shall be, and are hereby made capable in law, under the said common seal, of making, entering into, and executing any contracts or agreements touching and concerning the objects of said corporation, and of purchasing, holding, and conveying any such estate or property, real or personal, for the use of said corporation, as is herein after specified; and shall have full power and authority to make, form, adopt, and establish such by-laws, for their good government, not inconsistent with this act, or the other laws or the constitution of this state, or the laws or constitution of the United States, as they shall think proper.

Amount of capital stock, &c.

2. *And be it enacted*, That the capital stock of said corporation shall not exceed the sum of three thousand dollars, and shall be solely and exclusively applied to procuring, maintaining, and repairing such engines, hose, reservoirs of water, wells, pumps, ladders, fire-hooks, buckets, and implements, apparatus, machines, and houses in which to keep the same, and to such other incidental expenses as shall to the said corporation appear best calculated to secure or save the property of the inhabitants of the town of Bridgeton aforesaid, and its vicinity from injury or destruction by fire: *Provided*, that this act shall not be construed to prevent said corporation from receiving, holding, or disposing of and conveying any other estate or property, either real or personal, which may be devised, or otherwise given to said corporation, for their use, as aforesaid, or such as shall have been bona fide pledged, mortgaged, sold, conveyed to it by way of security for contracts, or in full or in part satisfaction for debts previously contracted in the effecting, by the said corporation, of the objects of the same, or of damages or costs which may be due to them.

for or on account of any trespass upon, or injury to, the property or rights of said corporation, committed or done by any person or persons, or by any body politic or corporate: *Provided also*, that said real or personal estate, so held, shall not at any time exceed the annual value of one thousand dollars.

3. *And be it enacted*, That at no time shall the members of said corporation consist of more than fifty persons to each engine furnished with fifty buckets, and thirty persons to each hose carriage with one hundred feet of hose; or such other machines, implements, or apparatus aforesaid equivalent thereto, all of which shall be owned, possessed, and kept in good order by said corporation, and be ready for use in case of fire at Bridgeton or in its immediate vicinity, and to work and manage the same.

Members not to exceed fifty.

4. *And be it enacted*, That the said corporation shall have power to elect annually, on the first Saturday in January in each year, (and for which purpose the members thereof shall meet at such place in Bridgeton as may be designated, according to the by-laws of said corporation, at three o'clock in the afternoon of said day, in each year) one president, one secretary, and one treasurer, and such other officers as the said members may deem necessary for conducting the affairs of said corporation according to the by-laws, out of the said members, in such manner as may be provided by the said by laws, who shall serve the ensuing year; and in case of vacancy, by the death, removal, resignation, or expulsion, of any officer, or otherwise, during the said term, the said members may elect, at such time and in such manner as may be designated by the by-laws of said corporation, any other member to fill the same in his place, for the remainder of said term.

Election, &c.

5. *And be it enacted*, That the first meeting of said corporation shall be on Saturday, the seventh day of January next, at the courthouse in Bridgeton, at two o'clock in the afternoon, at which time and place the persons above named, or such of them as shall then and there attend, shall elect the officers aforesaid for the year succeeding that day, and shall also adopt such by-laws as they may deem necessary, in doing which a majority of the persons above named shall govern; and no alteration or amendment to said by-laws shall be afterwards made, nor any part of the same annulled or suspended, except with the consent of three-fourths of the members of said corporation, which number shall be present at the meeting of said corporation when the same shall be proposed for adoption, and vote for the same.

By-laws may be made.

6. *And be it enacted*, That each and every member of said corporation shall pay the sum of one dollar, annually, to said corporation, for its use as aforesaid, at such time and

Annual payment.

Fines, &c.

Proviso.

in such manner as may be designated by the by-laws thereof, and also such other taxes and assessments as may be levied or assessed by said corporation, and also such fines as shall be imposed by said corporation, as herein after mentioned: *Provided however*, that the said taxes and assessments shall be levied and assessed upon every member of said corporation equally; and also, that no such taxes or assessments shall be made except for the purposes aforesaid, and then only at the annual meeting on the first Saturday in January, in each year, and with the consent of, at least, three-fourths of the members of said corporation, which number shall be then present at such meeting, in order to assess or levy the same.

Powers, &c.

Proviso.

7. *And be it enacted*, That the said corporation shall have power to expel, and thereby deprive any member of his privileges, and his interest and right in the property, funds, and estate of said corporation, or impose a fine upon any member who shall be guilty of any violation of the by-laws of said corporation, in such manner as may be prescribed by said by-laws: *Provided however*, that the fines against one member of said corporation shall not exceed the sum of five dollars annually, nor shall any fine be imposed upon any member, except in the manner prescribed by the by-laws, nor shall any member be expelled as aforesaid, except by the votes of two-thirds of the other members of said corporation, which number shall be present, and vote for his expulsion.

Minors, how admitted, &c.

8. *And be it enacted*, That no person shall be a member of said corporation who is under the age of sixteen years, nor shall any person be a member thereof who is under the age of twenty-one years, without the consent, in writing, of his parents, master, or guardian, annexed to his application for admission as a member, in which case said parent, master, or guardian, shall be liable for the payment of his annual dues for the fines, taxes, and assessments, taxed, assessed, and imposed as aforesaid, so long as the said person continues a member of said corporation, and is under the age of twenty-one years: and no person shall be a member of said corporation who is not a resident of Bridgeton or its immediate vicinity; and in case any person who shall be a member shall remove therefrom, to reside permanently, his privileges, as a member, shall cease from the day of his removal, but he shall, nevertheless, be subject to the payment of his arrears due the corporation.

No shares to be transferred.

9. *And be it enacted*, That no member shall transfer, sell, alien, or convey his share, right, interest, or property, or any part of such share, right, interest, or property, of, in, or to any of the funds, property, or estate, of any kind, of the said corporation, to any person whatsoever; and all

such sale, alienation, transfer, or conveyance is hereby declared to be utterly void, and in case any member should be expelled as aforesaid, or remove away, or cease to reside at Bridgeton or in its immediate vicinity, or die, or withdraw from being a member of said corporation, all the right, interest, property, and estate of said member in the funds, property, and estate of said corporation shall revert to the said corporation, and vest and be in the other remaining members of the said corporation, for the uses aforesaid.

10. *And be it enacted*, That it shall be lawful for the Council and General Assembly of this state, at any time hereafter, to amend, repeal, or modify this act, as they shall think fit. May be repealed.

C. Passed December 7, 1825.

AN ACT for the manumission of Robert Gumber.

WHEREAS it is represented, that Robert Gumber, a colored man, by occupation a blacksmith, formerly the slave of Isaac Auten, deceased, late of the township of Bridgewater, and county of Somerset, served a term of years agreed upon between them, a part of the term with his said master, and a part, viz. five years, with Tunis Van Middlesworth, of the same place, and thereby became entitled to his freedom: and as there appears, at this time, no competent authority to manumit him—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 Robert Gumber be, and he is hereby emancipated from the bonds of slavery, and shall be deemed and adjudged to be free; and the estate of the said Isaac Auten, deceased, is hereby exonerated and acquitted from all costs and charges which may arise for the support of the said Robert Gumber.

A. Passed December 8, 1825.

A SUPPLEMENT to the act entitled, "An act to incorporate the Orange and Sussex Canal Company," passed the tenth day of December, eighteen hundred and twenty-three.

Time for opening books extended.

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 for opening the books of subscription for the capital stock of the company intended to be created by the act to which this is a supplement, be, and the same is hereby enlarged and extended unto the first day of April, eighteen hundred and twenty-eight, within thirty days whereafter the said books shall be finally closed; and it shall be lawful for the commissioners appointed by and under the said act, after continuing the said books open for the space of two days, either finally to close the same, or to adjourn and postpone all subscriptions in the said books for such length of time, within the time above limited, as they in their discretion shall think expedient.

A. Passed December 8, 1825.

A SUPPLEMENT to the act entitled, "An act to repeal an act therein named, and for other purposes," passed the twenty-third day of November, one thousand eight hundred and twenty-five.

WHEREAS doubts have arisen touching the powers and duties of the trustees in the second section of the said act named, in respect to the collection of the debts, and enforcing performances of the contracts, claims, and demands existing in favor of the late New-Jersey Protection and Lombard Bank, at the time of the passing of the act above mentioned, and also in respect to the liquidation and settlement of lawful debts, contracts, and demands existing against the said bank, at the period aforesaid; and inasmuch as it was the intention of the said act to preserve uninjured and unimpaired all the then existing rights and responsibilities, whether in favor of or against the said bank—THEREFORE,

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 trustees in the second section of the said act named, are, and from the time of the passing

of the said act, shall be deemed and taken to have been vested as trustees for the creditors of the said bank, and the stockholders thereof existing at the time of passing the said act, with all the estate, real and personal, in law and equity, and with all the credits, rights in action, debts, and demands whatsoever, lawfully belonging to, or vested in the said bank at the time of the passing of the said act, and to hold the same for the uses and purposes in this act and in the act hereby explained and amended, declared and expressed, and with power and authority, whenever they shall deem it proper, to institute suits at law and in equity, in their own names, as trustees of the creditors and stockholders of the New-Jersey Protection and Lombard Bank, for the recovery of any estate, debts, rights in action, damages, and lawful demands, whatsoever and wheresoever existing in favor of said bank, at the time of the passing of the act aforesaid, or accruing subsequent thereto upon any contract then existing, and with power and authority, in their discretion, to compound and settle with any debtors of the said bank, or with persons in any way responsible, in law or equity, to the said bank, at the time of the passing of the act aforesaid, upon such terms, and in such manner as they shall deem just and beneficial, under all the circumstances, to the persons interested in the funds and property of the said bank; and in case of mutual dealings between the said bank and any other person or persons prior to the passing of the act aforesaid, to allow of set-offs in favor of such persons in all cases in which it shall appear to them that the same ought to be allowed according to law or equity.

2. *And be it enacted*, That all moneys to be received by suit, or upon liquidation and settlement, or compromise, as aforesaid, after deducting all just and reasonable costs, charges, and expenses attending the recovery or settlement of the same, or the prosecution of such suits, or any of them, and all other just and reasonable costs and charges attending the execution of this trust (the same being previously allowed by the chancellor) shall be paid into the court of chancery, to be distributed as is provided in and by the act hereby explained and amended.

3. *And be it enacted*, That all the powers and duties created or enjoined by this act and the act hereby explained and amended, may be exercised by a majority of the said trustees who shall act in the premises, and by the survivors or survivor of them, in case of the death of one or more of the said trustees before the said trust shall be completed and ended.

4. *And be it enacted*, That in all suits now pending in any court of law or equity in the name of the said bank, by their corporate name, it shall be lawful for the said

courts, and they are hereby directed, on application of the said trustees, to cause the said trustees to be substituted as plaintiffs in such suits, in the place and stead of the said bank.

C. & A. Passed December 8, 1825.

AN ACT to incorporate the New-Jersey Delaware Oyster Company.

Preamble.

WHEREAS it has been represented to this legislature, that there are certain clam and oyster banks and beds in the Delaware river and bay, and other places within the bounds of the county of Cumberland, belonging to this state—AND WHEREAS it is also represented, that the resident citizens of this state derive but little benefit or advantage therefrom, in consequence of the great waste, injury, and destruction of the same by the citizens of our neighboring states, in violation of the existing laws, made for the protection thereof—AND WHEREAS it appears to this legislature, that the granting of an act of incorporation to our own resident citizens will be the means of effectually protecting the said clams and oysters from further injury or encroachment, and stimulate them to embark in an enterprise so laudable, and conducive to public good, and calculated to confine at home a source of wealth which is now carried into other states—THEREFORE,

Style of incorporation.

Their powers, privileges, &c.

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 such persons, being resident citizens of this state, as shall become stockholders to the capital stock herein after named, their successors and assigns, are, and shall be hereby constituted and made a body politic and corporate, by the name and style of "The New-Jersey Delaware Oyster Company," and by that name shall be known in law, and have power to sue and be sued, plead and be impleaded, answer and be answered unto, and to defend and be defended, in all courts and places whatsoever and wheresoever, in all manner of actions, suits, complaints, matter, or causes whatsoever; and that they and their successors may have a common seal, and may change and alter the same at their pleasure; and that they and their successors, by the name of "The New-Jersey Delaware Oyster Company," shall, in law, have, hold, possess, use, and enjoy the exclusive right, benefit, and emolument of the said

clam and oyster banks and beds within the bounds or jurisdiction of the said county of Cumberland, and all the clams and oysters now growing, or hereafter growing or being thereon, for and during the limitation of this act, (with the exception herein after named) and to gather and take the said clams and oysters from the banks and beds aforesaid, and make sale thereof to any and every person or persons wishing to purchase the same, or otherwise dispose thereof, or convert to their own use, as they and their successors may think proper, and be capable, in law, of purchasing, assigning, transferring, or conveying any lands, tenements, and hereditaments, canoe, flat, scow, lighter, boat, or other vessel, clam-rakes, oyster-rakes, tongs, tackle, furniture, and apparel, or any other real or personal estate whatsoever, necessary for the objects and benefit of this corporation; and to make by-laws, not contrary to law, or the constitution of this state, or the United States, or contrary to the provisions of this act; and, also, to appoint such officers, agents, and servants as shall be from time to time considered necessary to conduct and carry on the business of said corporation, and to allow them such compensation as shall be right and proper, which, together with all other expenses, shall be defrayed out of the corporation fund.

2. *And be it enacted*, That nothing herein contained shall be so construed as to prevent any person or persons whomsoever, being resident citizens of this state, from gathering and taking clams and oysters from the banks, waters, and beds aforesaid, for his or their own consumption, or for sale: *Provided* such sale or sales are made to any person or persons, to be consumed in said state: *And provided also*, that the same is caught, gathered, or taken at such time, and in such manner, as is prescribed by the act entitled, "An act for the preservation of clams and oysters," which last proviso is also to extend to said company.

Resident citizens—their privileges.

Proviso.

3. *And be it enacted*, That Jonathan Dollas, John E. Jeffers, Nathan Leake, Benjamin Thompson, and Seth Lore, or a majority of them, be, and are hereby authorized to open books, one day at Port-Elizabeth, one day at Cedarville, one day at Bridgeton, and at such other place or places as they, or a majority of them, may or shall appoint, to receive subscriptions to the capital stock of said company, giving notice, for at least six weeks, in two or more newspapers, printed in this state, and circulating in the counties of Salem, Cumberland, and Cape-May, of the time and place when such books will be open; that the capital stock of said company may be, at present, ten thousand dollars,—and if at any time hereafter the said company shall deem it beneficial to their interests, and that of the public, to extend their capital, the said capital may be in-

Commissioners to open books, &c.

Amount of capital stock may be extended.

Instalments—
how and when
to be paid.

creased as much as may be deemed necessary, not, however, to exceed fifty thousand dollars: that a share of said stock shall be ten dollars—and every person subscribing to said capital stock, shall, at the time of his subscription, pay to the commissioners one dollar on each and every share of the said capital stock, and the residue of the said capital stock shall be paid by the several subscribers, or their legal representatives or agents, into the hands of the treasurer of said company, at such time, and in such instalments as the directors of said corporation shall require, giving at least four weeks notice in two or more newspapers, printed in this state, and circulating within the counties of Cumberland, Salem, and Cape-May, of the time and place at which such instalment is to be paid; failure of the payment at the time and place mentioned in such notice, or within ten days thereafter, of any instalment due on any share, shall incur a forfeiture of such share, and all previous payments made thereon, to the use of said corporation.

Capital stock
deemed personal
property.

4. *And be it enacted*, That the capital stock of said company shall be deemed personal property, and that the original subscription to the capital stock of said corporation, by subscribers, shall not exceed twenty shares each, and be confined to resident citizens of this state; but that all shares of the capital stock of said company shall and may be transferable to and by resident citizens of this state, and them only, according to such rules, and subject to such restrictions and conditions as the by-laws shall ordain; but all debts due or payable to the company, by such stockholder, shall be satisfied before such transfer shall be made: *Provided nevertheless*, that if the said capital stock of ten thousand dollars be not all subscribed by individuals, at the rate of twenty shares each, or a less number, on or before the third day the books may or shall have been kept open for that purpose, then and in that case each and every person or persons, being resident citizens of this state, may subscribe to such number of shares as the commissioners, or a majority of them, shall determine, in order to complete the capital stock of said company, which said subscriptions to stock, as mentioned in this section, may be in person or by proxy; and in case the capital stock be hereafter extended, the directors, or a majority of them, may take subscription of stock in manner aforesaid, as prescribed by the commissioners, they advertising the same as directed by the third section of this act.

Proviso.

Organization of
said company,
&c.

5. *And be it enacted*, That when the whole of the said capital stock of ten thousand dollars shall be subscribed, the commissioners, or a majority of them, shall call a meeting of the stockholders, by giving at least four weeks notice of the time and place of such meeting, in two or more news-

papers printed in this state, and circulating in the counties of Cumberland, Salem, and Cape-May, for the purpose of organizing said company, and electing nine directors, who shall serve for one year, or until others shall be elected; and the stockholders shall annually thereafter, on the same day, meet and elect directors of the said corporation. Should any vacancy at any time happen among the directors, by death or otherwise, the remaining directors, convened at any succeeding stated meeting, may elect, by ballot, a director to fill such vacancy until the next annual election; and the said directors, so elected, shall assemble on the Monday succeeding their election, and choose, by ballot, one of their number as president, who shall serve for one year.

Vacancies, how to be filled.

6. *And be it enacted*, That the board of directors, for the time being, shall have power to elect a president, and appoint a treasurer, and all other officers, agents, and clerks, and to employ such workmen, mariners, and laborers, as shall be necessary for the security of said clams and oysters, building of canoes, scows, boats, flats, lighters, and other vessels, working, manning, and sailing the same, and all other persons necessary to perform and execute the business of said corporation, and to allow them such compensation for their services, respectively, as they may deem reasonable, and shall be capable of exercising such other powers and authorities, and of making, revising, altering, or annulling all such by-laws and regulations for the government of the company, and that of their officers and affairs, as they, or a majority of them, may from time to time think expedient and beneficial to the institution, not contrary to the provisions contained in this act.

Board of directors, their powers, &c.

7. *And be it enacted*, That five directors shall form a board or quorum for the transaction of business; but the common business and concerns of the corporation may be made and done by a board of three directors. The president of the corporation shall preside at all meetings of the directors, but, in case of sickness or absence, his place may be supplied by any other director whom the directors present shall nominate for that purpose. The stated meetings of the directors shall be held at such times as the by-laws shall ordain, and special meetings may be held by particular appointment or upon call of the president and two directors.

Quorum, &c.

8. *And be it enacted*, That, for the well ordering and conducting the election first to be held, the commissioners shall appoint three stockholders to be judges of election; and annually, thereafter, the directors shall appoint three stockholders, not being directors at the time, to be judges of election, who shall conduct and regulate the same, and shall

Judges of elections, &c.

have full power to decide upon the qualification of voters, agreeably to this act.

Votes, how proportioned:

9. *And be it enacted*, That the number of votes of each stockholder in the company shall be estimated according to the number of shares he, she, or they shall hold, in proportion following, to wit: for every share, not exceeding twenty, one vote; every five shares above twenty, and not exceeding fifty, one vote; and for every ten shares above fifty, one vote: stockholders may vote in person or by proxy.

Treasurer to give bond.

10. *And be it enacted*, That the treasurer of the said corporation, and all other officers and persons intrusted with the money concerns of said corporation, shall, before he enters upon the duties of his office or trust, give a bond, with such sureties, and in such sums, respectively, as the directors may from time to time require, with condition for the faithful performance of his duty.

Penalty incurred by non-residents, &c.

11. *And be it enacted*, That it shall not be lawful for any person or persons, who are not at the time an actual inhabitant and resident citizen of this state, to rake, or otherwise gather or take any clams, oysters, or shells, on the banks, beds, or other places in the river, bay, or waters in the Delaware river, or Maurice river, or the cove thereof, in this state, included within the bounds or jurisdiction of the said county of Cumberland, on board of any canoe, flat, scow, boat, lighter, or other vessel, not wholly owned by some person or persons inhabitants of, and actually residing in this state; and every person who shall offend herein shall forfeit and pay fifty dollars, to be recovered, with costs, by action of debt, by said corporation, to the use of said corporation, in any court of record in this state having cognizance of that sum, and shall also forfeit the canoe, flat, scow, boat, lighter, or other vessel, used or employed in the commission of such offence, with all the clams, oysters, shells, clam-rakes, oyster-rakes, tongs, tackle, furniture, and apparel, in and belonging to the same.

Sheriffs and constables—their duty, &c.

12. *And be it enacted*, That it shall be the duty of all sheriffs and constables, and may be lawful for any of the officers of said corporation, or other person or persons under them, or in their employ, to seize and secure any such canoe, flat, scow, boat, lighter, or other vessel, used or employed as aforesaid, and immediately thereafter give information thereof, in writing, to two justices of the peace of the county of Cumberland, who are hereby empowered, authorized, and required, to meet at such time and place as they shall appoint for the trial thereof, and hear and determine the same; and in case the same shall be condemned, it shall be sold by the order, and under the directions of said justices, who, after deducting all legal and reasonable costs and charges, shall pay the proceeds arising therefrom.

to the treasurer of said corporation, to and for the use of said corporation.

13. *And be it enacted*, That if any person or persons on board of any canoe, flat, scow, boat, lighter, or other vessel used, employed, or engaged as aforesaid, shall refuse, and not suffer such officer or persons to enter the same, or resist before or after any of the said officers or other persons entering or seizing the same, or otherwise resist them or any of them, in the lawful seizing of the same, then every person so offending shall, for every such offence, forfeit and pay the sum of thirty dollars, to be recovered with costs, and applied to the use and benefit of said corporation, in manner directed by the preceding section.

Penalty in resisting officers.

14. *And be it enacted*, That if any person or persons, being resident citizens of this state, shall, under any pretence whatsoever, either directly or indirectly, for the purpose of evading the provisions of this act, give, sell, or offer for sale, or otherwise dispose thereof, to any person or persons, not resident citizens of this state, any clams or oysters, gathered or taken from, on, or off, of the said clam or oyster banks or beds, or other places, in the river, bay, or waters of the Delaware river or Maurice river, or the coves thereof, included within the bounds or jurisdiction of the said county of Cumberland, such person or persons, so offending, shall each, for every such offence, forfeit and pay fifty dollars for and to the use of the said corporation, to be recovered, with costs, and applied in manner as directed in and by the eleventh section of this act.

Forfeiture, &c.

15. *And be it enacted*, That the following shall be a fundamental article of the said company or corporation, that is to say:—that it shall not be lawful for any person or persons, who are not, at the time, actual inhabitants and resident citizens of this state, to subscribe, or otherwise, either directly or indirectly, become a stockholder to the capital stock of said company; nor shall any transfer of any share or shares of the capital stock of said corporation be at any time transferred, or made, by, or to others than actual resident citizens and inhabitants of this state; and all and every person or persons who shall offend herein, shall incur a forfeiture of such share or shares, and all previous payments or instalments made thereon, to the use of said corporation, together with all dividends and emoluments in and belonging to the same.

Transfers of stock not to be made to non-resident citizens.

16. *And be it enacted*, That this act and the grants, rights, emoluments, benefits, and penalties herein before mentioned, granted, and given, are upon this express condition—that the sum of one thousand dollars be paid to the treasurer of this state, before said company shall commence their operations, and the further sum of one thousand dol-

Conditions of this incorporation.

lars, on the first day of May, one thousand eight hundred and twenty-seven, and the further sum of two thousand dollars, on the first day of May, one thousand eight hundred and twenty-eight, and the further sum of three thousand dollars, on the first day of May, one thousand eight hundred and twenty-nine, and the further sum of four thousand dollars, on the first day of May, one thousand eight hundred and thirty, and the further sum of five thousand dollars, on the first day of May, one thousand eight hundred and thirty-one, as a consideration for granting the same; failure of the payment of the said sum or sums, at the time herein specified, or any part thereof, or within ten days thereafter, shall incur a forfeiture of their charter, and this act shall cease, and be considered as wholly null and void, as though the same had not been passed.

Limitation of
charter.

17. *And be it enacted*, That this act shall be and continue in force for and until the first day of May, Anno Domini eighteen hundred and thirty-two, and no longer.

Duties of the
corporation.

18. *And be it enacted*, That said corporation shall cause to be kept, at their office, proper and correct books of account, which, together with the stock and transfer books, shall at all times be open to the inspection of the stockholders; and it shall be obligatory on said company to render a fair statement of their accounts to the legislature of this state, within three years from and after the passage of this act, or the privileges granted by this act shall be forfeited.

C. & A. Passed December 8, 1825.

A SUPPLEMENT to an act entitled, "An act to authorize the inclosure of a certain tract of woodland in the county of Bergen," passed the thirtieth January, one thousand eight hundred and eleven.

Lands inclosed:

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 woodland in the county of Bergen, situate, lying, and being between the Fort Lee road on the north, the Hudson river on the east, the Bull's ferry road on the south, and the English Neighborhood and the Bergen turnpike road on the west, to inclose the same by commencing by the English Neighborhood road, at or next the south line of John S. Burdett and Mary Moore, being a southeasterly course to the road under the hill, and

running from thence, along the road that leads from Fort Lee to Bull's ferry, until it comes to the north line of Jeremiah Youmans; thence, in a northwesterly course along the line of the said Youmans, until it comes to the line of George Suckley; thence, along said line, to the line of Doctor Rouse; thence, along the said line, to the parsonage lot; thence, along that line, to the Bergen turnpike road; thence, along the Bergen turnpike road and the English Neighborhood road, to the place of beginning, to inclose the same on the north and south extremes thereof, with a good and lawful fence or fences, strong and sufficient to prevent horses, neat cattle, and sheep, from going through or under the same; and that from and after inclosing the same, as aforesaid, no person or persons whatsoever shall be at liberty to drive or let in any horses, cattle, or sheep, with an intent that they shall run at large in the said tract: *Provided always*, that nothing in this act shall be construed to extend to the lands already inclosed and lying within the said bounds.

Proviso.

2. *And be it enacted*, That so much of the fifth section of the act, to which this is a supplement, as relates to the time and place of holding the annual election of officers, and also that part of the first section of the said act which is contrary to the provisions of this act, be, and the same are hereby repealed.

What part of the former act repealed.

3. *And be it enacted*, That hereafter the election for the appointment of officers shall be held on the second Monday in April, in each year, at the schoolhouse in the English Neighborhood, in the township of Hackensack, between the hours of four and seven o'clock in the afternoon.

Annual meetings, &c.

C. Passed December 8, 1825.

AN ACT to prevent fraudulent elections by incorporated companies, and to facilitate proceedings against them.

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 book or books of any incorporated company in this state, in which the transfer of stock in any such company shall be registered, and the books containing the names of the stockholders in any such company, shall, at all times during the usual hours of transacting business, be open to the examination of every stockholder of such company for thirty days previous to any election of directors; and if any officer having charge of such books, shall,

Books, &c. to be open for examination.

Penalty.

upon demand by any stockholder as aforesaid, refuse or neglect to exhibit such books, or submit them to examination as aforesaid, he shall, for every such offence, forfeit the sum of two hundred dollars, the one half thereof to the use of the state of New-Jersey, and the other moiety to him who will sue for the same, to be recovered by action of debt, in any court of record, together with costs of suit; and further, that the book or books aforesaid shall be the only evidence who are the stockholders of such company entitled to examine such book or books, and to vote in person, or by proxy, at any election for directors of said company.

Candidate for
director ineligible
for judge of
election, &c.

2. *And be it enacted*, That no person who is a candidate for the office of director, in any incorporated company of this state, shall act as judge, inspector, or clerk, or in any other character, as the conductor of any election for directors of such company; and in case any person so acting or conducting at any election, shall be elected a director, his election shall be void, and it shall not be lawful for the directors for the time being to appoint such person to the office of director of such company, within twelve months next succeeding such election.

When company
may not vote.

3. *And be it enacted*, That if any incorporated company in this state shall purchase any of the stock of such company, or take the same in payment or satisfaction of any debt due to them, such company shall not vote in virtue of their stock so purchased or taken, either directly or indirectly, at any election for directors of said company.

Supreme Court
to take cogni-
zance, &c.

4. *And be it enacted*, That it shall be the duty of the Supreme Court, upon the application of any person or persons, or body corporate, who may be aggrieved by, or may complain of any election, or any proceeding, act, or matter, in or touching the same, reasonable notice having been given to the adverse party, or to those who are to be affected thereby, of such intended application, to proceed forthwith, and in a summary way, to hear the affidavits, proofs, and allegations of the parties, or otherwise inquire into the matters or causes of complaint, and thereupon establish the election so complained of, or to order a new election, or make such order, and give such relief in the premises as right and justice may appear to said Supreme Court to require: *Provided*, that the said Supreme Court may, if the case shall appear to require it, either order an issue or issues to be made up in such manner and form as the Supreme Court may direct, in order to try the respective rights of the parties, who may claim the same, to the officer or officers, or franchise in question, or may give leave to exhibit, or direct the attorney-general to exhibit, one or

Proviso.

more information or informations, in the nature of a quo warranto, in the premises.

5. *And be it enacted*, That no by-law of the directors and managers of any incorporated company, regulating the election of directors or officers of such company, shall be valid, unless the same shall have been made thirty days previous to any election of such company, and subject to the inspection of any stockholder, and, in all cases where the right of voting upon any share or shares of stock of any incorporated company of this state shall be questioned, it shall be the duty of the inspectors of the election to require the transfer book of said company, as evidence of stock held in the said company, and all such shares as may appear standing thereon, in the name of any person or persons, shall and may be voted on by such person or persons, directly by themselves, or by proxy, subject to the provisions of the act of incorporation.

Transfer book
to be evidence
of stock held.

6. *And be it enacted*, That if at any time hereafter the election for directors of any bank or other incorporated company of this state, shall not be duly held on the day designated and appointed by the act incorporating such bank or other incorporated company, it shall be the duty of the president and directors of such bank or other incorporated company to notify and cause an election for directors to be held within thirty days immediately thereafter, and, in all cases, no share or shares shall be voted upon, except by such person or persons who may have appeared on the transfer books of said company to have had the right to vote thereon, on the day when, by the act of incorporation of such company, the election ought to have been held, which said right so to vote shall be exercised by the persons so appearing, as aforesaid, upon the transfer books of such company, or any day when such election may be held.

Who are legal
voters.

7. *And be it enacted*, That nothing in this act contained shall apply to any incorporated literary or religious society.

A. Passed December 8, 1825.

AN ACT to incorporate the Bridgewater Copper Mining Company.

WHEREAS Augustus F. Cammann and Goold Hoyt have, in behalf of themselves and their future associates, by their petition, set forth, that they are proprietors, by lease and in fee, of certain tracts of land in the county of Somerset,

Preamble.

and state of New-Jersey, containing mines of copper and other minerals and metals, and have full right, by virtue thereof, to work the said mines, and have requested the legislature to pass an act incorporating the said petitioners and their future associates, for the purpose of enabling them to work the said mines and any other mines they may hereafter possess in said state, and also to manufacture the ores thereof in such manner as they may think proper—THEREFORE,

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 Augustus F. Cammann and Goold Hoyt, and such others as may hereafter be associated with them for the purposes aforesaid, shall be, and hereby are ordained, constituted, and declared to be a body corporate and politic, in fact and in name, by the name of "The President and Directors of the Bridgewater Copper Mining Company," and by that name they and their successors and assigns shall and may have continual succession, and shall be persons, in law, capable of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended, in all courts and places whatsoever, and in all manner of actions, suits, complaints, matters, and causes whatsoever; and that they and their successors may have a common seal, and make, change, and alter the same at their pleasure; and that they and their successors, by the same name and style, shall be capable of purchasing, holding, and conveying any lands, tenements, hereditaments, goods, and chattels, wares and merchandise whatsoever necessary to the object of the incorporation.*

Style of incorporation.

Their powers, privileges, &c.

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

Directors to be elected annually.

Vacancies, how to be filled.

shall at any time happen among the directors elected by the stockholders, by death, removal, resignation, or otherwise, such vacancy or vacancies shall be filled, for the remainder of the year in which they may happen, by such person or persons as the remainder of the directors for the time being, or a majority of them, shall appoint: *Provided always*, that the number of directors shall not exceed seven persons, and the persons so elected shall be citizens of the United States. Proviso.

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

4. *And be it enacted*, That the capital stock of the said corporation shall not exceed the sum of five hundred thousand dollars, and that a share in the said stock shall be five hundred dollars; and it shall be lawful for the president and directors of the said corporation to call for and demand of the stockholders, respectively, all such sums of money as are by them subscribed, at such time and in such proportion as they shall deem fit, under the pain of the forfeiture of their shares, and all previous payments made thereon, to the said corporation, always giving at least thirty days previous notice of such call and demand in the newspapers before mentioned: *Provided* that said capital be employed solely for the purpose of working the copper mines, as set forth in the preamble to this act. Amount of capital stock.

5. *And be it enacted*, That a majority of the directors for the time being shall form a board or quorum for the transacting of the business of the said corporation, and shall have power to make and prescribe such by-laws, rules, and regulations, not repugnant to the constitution and laws of the United States and of this state, as to them shall appear needful and proper touching the management and disposition of the stock, property, estate, and effects of the said corporation—the duties and conduct of the officers, clerks, artificers, servants, and laborers employed by them—the election of directors, and all such other matters as pertain to the concerns of the said corporation, and shall also have power to appoint and employ so many officers, clerks, and servants for carrying on said business, and with such salaries and allowances as to them shall seem meet. Forfeiture, &c.

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

No banking to be done.

Capital stock deemed personal property, and transferable;

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

No transfer valid until registered.

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

Contracts, &c. to be fulfilled.

9. *And be it enacted*, That the contracts entered into by the said Augustus F. Cammann and Goold Hoyt, touching and concerning leases of any part of the said tract of land, shall be, and the same is hereby made obligatory on the president and directors hereafter elected, and their successors, to fulfil the same, as if made by themselves.

10. *And be it enacted*, That this shall be a public act, and shall be judicially referred to by all judges, justices, and others, without being specially pleaded.

C. & A. Passed December 8, 1825.

AN ACT authorizing the inclosure of a certain tract of woodland, situate in the township of New-Barbadoes, in the county of Bergen.

Boundaries of the tract to be inclosed.

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 woodland, situate, lying, and being in the county of Bergen, in the township of New-Barbadoes, which said woodland is included in the following boundary, to wit: beginning at the line of John A. Van Voorhies, on the west side of the Sluckup road, and running thence north, thirty-two degrees east, ten chains and twenty-six links, along the west side of the said road; thence north, forty-eight degrees west, eight chains and thirty-one links; thence north, twenty-four degrees east,

eleven chains and eighty-three links; thence north, fifty-nine degrees west, twenty-seven chains and thirty links; thence north, twenty-four degrees east, two chains and fifty-six links; thence north, sixty-eight degrees west, three chains; thence north, four degrees west, six chains; thence north, four degrees west, six chains and seventy-two links; thence north, twenty-five degrees east, three chains and six links; thence north, twenty-five degrees east, four chains, to the new road leading from Sluckup to Paramus; thence, along the said road, until it comes to the Sprout brook; thence, along the Sprout brook, until it comes to the line of John A. Van Voorhies; thence, along the line of the said Voorhies, south, forty-eight degrees east, ten chains, to the land of Cornelius Bogert; thence, along his south bounds, south, twenty-eight degrees west, three chains and forty-eight links; thence south, forty-eight degrees east, nineteen chains and thirty-six links; thence north, forty-two degrees east, three chains and forty-two links; thence north, forty-eight degrees west, five chains and forty-one links; thence north, twenty-three degrees east, two chains and ninety-eight links; thence south, forty-eight degrees east, thirty-four chains and thirty-three links; thence north, twenty-two degrees east, eighty-eight links; thence south, forty-eight degrees east, five chains and forty-three links, to the place of beginning; and to erect such fences and swinging gates in the lines of the said tract, along the Sluckup road and the new road leading from Sluckup to Paramus, and to make the one half of the fences in the line of partition between the other part of the said tract and the land adjoining the same, as by the persons herein after mentioned, to make the assessments, from time to time may be deemed proper to inclose the same; and that from and after inclosing the same, as aforesaid, no person or persons whatsoever shall be at liberty to drive or let in any horses, cattle, or sheep, 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, or the cattle, horses, and sheep of any other person to run on any part of the said tract already inclosed by him, her, or them, or which may hereafter be inclosed by him, her, or them, by a lawful fence.

2. *And be it enacted*, That if any person or persons whatsoever shall drive or let in any horses, cattle, or sheep within the said tract, after it shall have been inclosed, as aforesaid, (except as excepted in the first section of this act) with an intent to run at large, such person or persons shall be subject to an action of trespass, to be brought in the name of any owner or owners of the said tract, and be liable to pay treble damages, to be assessed by a jury to be summoned in any court having cognizance of the same, and

Trespassers liable to pay, &c.

shall also be liable to pay all costs of suit incurred in the prosecution thereof.

What cattle, &c.
to be impound-
ed.

3. *And be it enacted*, That if any horse or horses, cattle, or sheep, shall be found running at large on any part of the tract inclosed, as aforesaid, (except as excepted in the first section of this act) it shall and may be lawful for any owner or possessor of any part of the said tract, to take and drive the same to any public pound in the township of New-Barbadoes, and shall, as soon as may be, make an affidavit stating that the same were taken running at large in the said tract, and, in such affidavit, shall state a description of the horse or horses, cattle or sheep, so taken, which affidavit shall be delivered to the poundkeeper where the cattle, horses, or sheep are impounded, and the person impounding the said cattle, horses, or sheep, shall be entitled to receive, for every head of cattle, and for every horse, so taken and impounded, the sum of thirty-seven cents, if not exceeding four, if more, then, for every head so taken and impounded, the sum of twenty-five cents, and for every head of sheep, the sum of ten cents, and for driving the same to the pound, the sum of twenty-five cents for each head of cattle and for every horse, and ten cents for each head of sheep, to be collected by the poundkeeper of the owner, or from the sale of the said cattle, horses, or sheep, which said sums shall be the measure of damages to be paid on such occasion; and the poundkeeper is directed to receive such beasts, and to proceed in the same manner after the receipt of the same as is directed in the case of distress for damage feasant, by the twelfth section of 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.

Damages--how
to be collected.

Damages recover-
ed; how to be
appropriated.

4. *And be it enacted*, That all damages recovered by virtue of this act, shall be appropriated and applied from time to time towards making and repairing the fences deemed necessary to inclose the aforesaid tract.

Meeting to be
called, and per-
sons chosen to
make fences,
&c.

5. *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 three of the most public places in the township of New-Barbadoes, at least fourteen days previous to the time of meeting, on which notice being given the owners and possessors of the said tract shall convene at the house of Isaac A. Vanderbeck, in the township of New-Barbadoes, which owners or possessors, or such as shall assemble in pursuance of the said notice, shall, when met, proceed to elect, by a plurality of votes, three persons, being owners of some

part of said tract, to make and repair the fences and swinging gates necessary to inclose the aforesaid tract, and for the purpose of making assessments, and superintending the expenditure of all moneys to be received and paid for the purpose aforesaid, which said persons so elected shall continue in office until the first Monday in February next, when a new election shall take place, between the hours of two and five in the afternoon of that day, and an election for that purpose shall be had on the first Monday in February, in each year thereafter, at such place as shall be agreed upon by a majority of the said owners assembled at a previous annual meeting, between the hours aforesaid.

6. *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 inclosure, 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 inclosure, either by an actual survey or otherwise, as shall be agreed on by a majority of the owners or 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 moneys assessed for making and repairing the fences and the swinging gates as aforesaid, and other of the proceedings relative to inclosing of the said tract, which book shall be kept by the persons elected as aforesaid, or one of them, and all assessments shall be made according to the first estimate, until the same is altered by a majority of the owners and possessors of the said tract.

And to make an estimate of the benefit each owner may receive, to be entered in a book

7. *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 elected as aforesaid, to demand, in writing, from each individual his proportion, either personally or by leaving a statement of the sum he is to pay with some white person above the age of fourteen years, at his or her dwellinghouse, and, on failure of payment thereof for fourteen days after such demand in writing, which shall and may be proved by the oath of the person making it, it shall be lawful for the said persons so elected as aforesaid, to sue for and recover the same, in their own names, from each individual so assessed and notified as aforesaid, together with the costs of prosecuting for the same, before any justice of the peace in the county of Bergen.

Assessment—how to be collected:

8. *And be it enacted*, That the persons so elected shall annually account to the owners for all moneys which may

Moneys received, to be accounted for.

come to their hands as aforesaid, and shall pay over the balance remaining in their hands, if any, to their successors, together with the book directed to be kept by them, immediately on their going out of office, under the penalty of one hundred dollars on the defaulters, to be sued for and recovered by their successors, with costs of suit, and to be applied by them, when recovered, to the purposes contemplated by this act.

C. & A. Passed December 8, 1825.

AN ACT to incorporate the Princeton Fire Company.

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 Peter Bogart, Thomas White, James G. Ferguson, Robert Voorhees, Emley Olden, James S. Green, and all such other persons, not exceeding one hundred in number, as now are, or hereafter shall become associates of the Princeton Fire Engine Company of the borough of Princeton, be, and they are hereby constituted and declared to be a body politic and corporate, in fact and in law, by the name of "The Princeton Fire Company."

Style of incorporation.

Their powers, privileges, &c.

2. And be it enacted, That the said corporation, in the foregoing section mentioned, by such name, shall have perpetual succession, and be a body politic and corporate, in law, capable of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended, in all courts of judicature whatsoever; and that they and their successors, respectively, may have and use a common seal, and have power to make, change, and alter the same at their pleasure; and, by their common seal, may make, enter into, and execute any contracts or agreements touching and concerning the objects of said corporation, and shall have full power and authority to make, form, and adopt such by-laws and regulations for their government, not inconsistent with the constitution and laws of this state, or of the United States, or the provisions of this act, as they shall think proper.

Capital stock, how to be employed.

3. And be it enacted, That the capital stock of said company shall not exceed the sum of one thousand dollars, which shall be solely and exclusively applied to the procuring, repairing, and maintaining the engine, hose, reservoirs of water, ladders, buckets, fire-hooks, and other implements and machines, and to such other incidental expenses as shall, to the said company, appear best calculated to secure

the property of the citizens of Princeton from injury or destruction by fire.

4. *And be it enacted*, That the said company shall have power to elect annually a president, out of their own body, and such other officers and assistants as they shall find necessary for conducting their affairs according to their constitution, and that the said president shall keep in his custody the common seal of the said company, and at the expiration of his term of office, shall deliver it over to his successor. Annual elections, &c.

5. *And be it enacted*, That it shall be lawful for the Council and General Assembly of this state, at any time hereafter, to amend, modify, or repeal this act, as they shall think proper.

C. Passed December 8, 1825.

AN ACT respecting the Militia of the township of Pahaquarry, in the county of Warren.

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 militia of the township of Pahaquarry, in the county of Warren, shall meet for the purpose of training and improving in martial exercise, by company, within the bounds thereof, upon the day appointed by law for company, within the bounds thereof, upon the day appointed by law for company trainings, and on the Saturday preceding the days appointed for the meeting of the battalion and regiment to which they may be attached, instead of meeting with said battalion and regiment.

2. *And be it enacted*, That at the meeting of said company on the Saturday preceding the regimental training, the captain or commanding officer of the company shall make a return of the state of said company, their arms, and equipments, and deliver the same to the brigade major, at the regimental training, to be incorporated in his return of the regiment: and, in all other respects, the militia of said township shall be subject to the laws and regulations provided for the government of the militia generally.

A. Passed December 8, 1825.

AN ACT to raise the sum of twenty thousand dollars, for the year of our Lord one thousand eight hundred and twenty-six.

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 twenty thousand dollars, money of the United States, which sum shall be paid into the treasury of this state, on or before the twentieth day of January, one thousand eight hundred and twenty-seven.

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

The county of Bergen, shall pay the sum of one thousand two hundred and ninety-nine dollars and eighty-three cents.

The county of Essex, shall pay the sum of one thousand nine hundred and eleven dollars and four cents.

The county of Middlesex, shall pay the sum of one thousand six hundred and twenty-six dollars and sixty-nine cents.

The county of Monmouth, shall pay the sum of one thousand eight hundred and sixty-one dollars and eighty-five cents.

The county of Somerset, shall pay the sum of one thousand three hundred and twenty-one dollars and forty-three cents.

The county of Burlington, shall pay the sum of two thousand one hundred and fifty-three dollars and fifty-seven cents.

The county of Gloucester, shall pay the sum of one thousand six hundred and eighty-nine dollars and sixty-one cents.

The county of Cumberland, shall pay the sum of seven hundred and ninety-three dollars and ten cents.

The county of Salem, shall pay the sum of one thousand seventy-eight dollars and thirty-one cents.

The county of Cape-May, shall pay the sum of three hundred and twenty-three dollars and one cent.

The county of Hunterdon, shall pay the sum of two thousand two hundred and sixty-seven dollars and ninety-three cents.

The county of Morris, shall pay the sum of one thousand five hundred sixty-eight dollars and three cents.

The county of Sussex, shall pay the sum of one thousand fifty-two dollars and eighty-one cents.

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

3. *And be it enacted*, That the assessors of the several townships of this state, to raise the sum of twenty 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 six dollars and fifty cents, 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 four cents.

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

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

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

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

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

All gristmills, for each run of stones, any sum not exceeding five dollars.

All cotton manufactories, any sum not exceeding twenty dollars.

All carding machines propelled by water, any sum not exceeding two dollars.

All furnaces, any sum not exceeding eight dollars.

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

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

All papermills, any sum not exceeding eight dollars.

All snuffmills, any sum not exceeding six dollars.

All powdermills, any sum not exceeding ten dollars.

All oilmills, any sum not exceeding six dollars.

All platermills, any sum not exceeding four dollars.

All fullingmills, any sum not exceeding three dollars.

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

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

Every single man, whether he lives with his parents or not, any sum not exceeding one dollar and twenty-five cents: *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, between the ages of fifteen and sixty years, any sum not exceeding seventy-five cents: *Provided*, that 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 twenty-five dollars.

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

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

Every phaeton, coachee, or four-wheeled chaise, with steel or iron springs, any sum not exceeding two dollars and twenty-five cents.

Every four-horse stage-wagon, any sum not exceeding three dollars.

Every two-horse stage-wagon, any sum not exceeding one dollar and seventy-five cents.

Every covered wagon, with a framed or fixed top, any sum not exceeding fifty cents.

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

Every riding chair, gig, dearborn, or pleasure wagon, or sulky, any sum not exceeding fifty cents.

Every printing, bleaching, and dying company, any sum not exceeding three dollars fifty cents.

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

5. *And be it enacted*, That the said sum of twenty 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, 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. Passed December 8, 1825,

AN ACT for erecting the town of Bordentown, in the county of Burlington, into a borough.

WHEREAS the inhabitants of the town of Bordentown have represented, by their petition to the Assembly, that, for the removal and prevention of nuisances, annoyances, and inconveniences, and for other purposes, advantageous to the good order and prosperity of the same, they are desirous that it should be erected into a borough, and have prayed that the said town may be erected into a borough—Preamble. THEREFORE,

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 said town of Bordentown, in the county of Burlington, herein after described, shall be, and the same is hereby erected into a borough, which shall be called "The Borough of Bordentown," the extent of which borough is, and shall be comprised within the following boundaries, to wit: beginning at the junction of Joseph Bonaparte's (commonly called Count de Surveilliers') run with Crosswicks creek; thence, down said creek, to the mouth of Black's creek; thence, up Black's creek, to Benjamin Vanderbeek's lot; thence, along the north-east side of said lot, to the Burlington road; thence, along the north side of said road, to the main street; thence, a north-east course across the main street, to Joseph Bonaparte's (commonly called Count de Surveilliers') run; thence, down said run, to the place of beginning. Boundaries.

2. And be it enacted, That Anthony F. Taylor and Thomas Lawrence be, and they are hereby appointed the present burgesses; and the said Anthony F. Taylor shall be called the chief burgess within the said borough, and William Trout to be high constable, and William Snowden to be town clerk—to continue burgesses, high constable, and town clerk, until the first Tuesday of May, in the year one Officers of the borough.

thousand eight hundred and twenty-six, and from thence until others shall be duly elected and appointed in their place, as herein after described.

Style of incorporation, powers, and privileges.

3. *And be it enacted*, That the said burgesses, freeholders, and inhabitants, within the borough, and their successors hereafter, shall be one body corporate and politic, in deed and in name, and, by the name of "The Burgesses and Inhabitants of the Borough of Bordentown, in the county of Burlington," one body corporate and politic, in deed and in name, are hereby fully created, constituted, and confirmed, and by the same name of "The Burgesses and Inhabitants of the Borough of Bordentown, in the county of Burlington," shall have a perpetual succession, they and their successors, by the name of "The Burgesses and Inhabitants of the Borough of Bordentown, in the county of Burlington," shall at all times hereafter be persons able and capable, in law, to have, get, receive, and possess, lands, tenements, rents, liberties, jurisdictions, franchises, and hereditaments, to them and their successors, in fee-simple, or for term of life, lives, years, or otherwise; and also, goods and chattels, and all other things, of whatever nature and kind soever; and also, give, grant, let, sell, and assign the same lands, tenements, hereditaments, goods, and chattels, and to do and execute all other things about the same, by the name aforesaid; and they shall hereafter be persons able and capable, in law, to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in all or any of the courts within this state or other places, and before any judges, justices, or other persons whatsoever within this state, in all manner of actions, suits, complaints, pleas, causes, and matters whatsoever; and that it shall and may be lawful to and for the said burgesses and inhabitants of Bordentown aforesaid, and their successors hereafter, to have and use one common seal for the sealing of all business whatever touching the said corporation, and the same from time to time, at their will, to change and alter.

Qualifications of electors, and time of holding election.

4. *And be it enacted*, That it shall and may be lawful for the burgesses, constable, and town clerk, together with all such of the white male inhabitants of the said borough above the age of twenty-one years, as shall have resided therein six months next preceding such election, and have paid a tax for the support of said corporation, to vote at such election, as herein after directed, on the first Tuesday of May, one thousand eight hundred and twenty-six, and on the first Tuesday of May of each succeeding year thereafter. The first election shall be held at the house of James Davison, in Bordentown, within the said borough, then and there to nominate, elect, and choose by ballot, two suitable men, inhabitants of said

borough, to be burgesses, one to be high constable, and one to be town clerk of the said borough, and each succeeding election to be held at such time and place as shall be agreed on by a majority of electors present, of which election the said town clerk shall give at least ten days notice, by advertisements posted up at three of the most public places within the borough; but if the said meeting shall at any time neglect or fail to fix on a place for the next election, then the said town clerk shall advertise in manner aforesaid, and shall fix on some convenient place himself, within the said borough, which place shall be specially set forth in said advertisement. The said election shall be taken by the town clerk of the preceding year, in case he be present, if not, then by some person, inhabitant of said borough, to be chosen by the said town meeting at the time. The names of the persons elected shall be certified, under his seal, to the burgesses of the preceding year, within three days after such election, who shall cause the same to be duly and fairly entered and recorded in the books of record of the proceedings of said corporation, and the burgess who shall have a majority of votes shall be called the chief burgess of the said borough; but in case it shall so happen that the said freeholders and inhabitants, as aforesaid, shall neglect or refuse to choose burgesses in the manner aforesaid, then the burgesses and other officers of the preceding year shall continue to hold and exercise their several offices, powers, and authorities for the ensuing year, and until an election shall be duly taken, at the time and in the manner aforesaid, and in case no one of the persons so elected as burgesses shall have a majority of votes, then, who shall be the chief burgess, shall be decided by lot, between those who are equal and highest in votes, which lot shall be taken by the town clerk, and certified as aforesaid, which said burgess, high constable, and town clerk, so elected, shall be and continue the burgess, constable, and town clerk, of the said borough, until the next day of election, and until others shall be elected and qualified in their stead, as herein is directed.

Town clerk to advertise the same, &c.

Officers' names to be registered.

Contingency provided for, &c.

5. *And be it enacted*, That the said burgesses, for the time being, shall be, and are hereby empowered and authorized, by themselves, and upon their own view, or in other lawful manner, to remove all nuisances and encroachments in the streets, lanes, alleys, and highways within the said borough, as they shall see occasion.

Nuisances to be removed.

6. *And be it enacted*, That before any of the said burgesses or other officers shall take upon themselves their respective duties, they shall take and subscribe an oath or affirmation for the due execution of their respective offices, before one of the justices of the peace of the county aforesaid, who are hereby authorized and empowered to administer the same.

Officers to take an oath, &c.

Burgess, penalty for non-acceptance of office.

7. *And be it enacted,* That if any of the inhabitants of said borough shall hereafter be elected to the office of burgess or constable, and having notice of his or their election, shall refuse to undertake and execute the office to which he is chosen, it shall and may be lawful for the said burgesses then acting, upon giving five days notice, in writing, to the person so refusing, to impose such fine on such person or persons so refusing, not exceeding two dollars, as to them shall seem reasonable, to be levied by warrant, under the hands and seals of the said burgesses, who shall impose the said fine or fines, or by any other lawful way or means, for the use of the said borough; and, in such case, the said acting burgesses shall issue their process, directed to the high constable, requiring him to hold an election for the choice of some other fit person or persons in the stead of such as shall so refuse: *Provided,* that the person so fined shall not be required to accept of the said office for twelve months thereafter.

Proviso.

Town meeting authorized to make ordinances, &c.

8. *And be it enacted,* That it shall and may be lawful for the burgesses, freeholders, and inhabitants, as aforesaid, of the said borough, to assemble in town meeting as often as occasion may require, at which meetings they may make such ordinances and rules, not repugnant to, or inconsistent with the constitution or laws of the United States or of this state, as to the greatest part of the inhabitants so assembled, as aforesaid, shall seem necessary and convenient for the government of the said borough, and the same to repeal, alter, or make anew, as occasion may require; which rules and ordinances, so made, as aforesaid, shall be entered and recorded in the books of the proceedings of the said corporation, to be kept by the town clerk, and the said burgesses and high constable shall execute and enforce the same, in such manner as in and by such rules and ordinances shall be provided and directed, and, at such meetings, any fines imposed upon the breakers of the said rules and ordinances may be mitigated, or wholly released, on the submission of the parties; which town meeting shall be assembled by the burgesses aforesaid, at their discretion, who shall require the town clerk to give at least five days public notice of any such intended town meeting, by advertisements fixed up in at least three of the most public places within the said borough, mentioning the time and place, and, as far as possible, the object of the meeting.

and enforce the same, &c.

Annual town meeting, &c.

9. *And be it enacted,* That there shall be an annual town meeting of the inhabitants of the said borough, of which public notice shall be given in the manner before mentioned, on the first Tuesday of May of every year, at which it shall be the duty of the burgesses aforesaid to produce, and lay before the said meeting, a full and clear account of all

the moneys received by them for and on account of said borough, for taxes, fines, or on any other account, and also the manner in which the said moneys have been paid and disbursed, particularly stating each item, and showing the balance, if any, remaining in their hands. And at the said annual meeting, the inhabitants of the said borough shall vote such sum or sums of money, as they may think necessary to be raised for the exigencies of the said borough; which sum shall be assessed upon the inhabitants, by the said burgesses, in the manner, and at the same rates and proportions, in which the township taxes are rated and assessed, and shall be collected by such person as the said burgesses, under their hands and seals, shall authorize and direct to collect the same.

Assessment of
taxes, &c.

10. *And be it enacted*, That this act shall continue in force for five years, at the expiration of which time, nothing in this act shall be so construed as to prevent the repealing the same, and revoking and annulling the powers, privileges, and authorities hereby granted.

Limitation of
charter.

C. Passed December 9, 1825.

A FURTHER SUPPLEMENT to the "Act to regulate the practice of the Courts of Law," passed February fourteenth, one thousand seven hundred and ninety-nine.

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 Inferior Courts of Common Pleas are hereby, respectively, empowered and required to mark and lay out the bounds and rules of the prisons of the several counties, not exceeding eight acres of land, adjoining to such prison.

Extension of
prison bounds.

2. *And be it enacted*, That such parts of the hundredth section of the act to which this is a supplement, that comes within the purview of this supplement, be, and the same is hereby repealed.

Part of hundredth section
repealed.

C. Passed December 9, 1825.

A FURTHER SUPPLEMENT to the act entitled, "An act to ascertain the power and authority of the Ordinary and his Surrogates, to regulate the jurisdiction of the Prerogative Court, and to establish an Orphans' Court in the several counties of this state."

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 a citation or process of attachment shall be duly issued out of the Orphans' Court in any county of this state, against any person or persons who shall reside without said county, and within this state, it shall be the duty of the sheriff or other proper officer of such county, and the said sheriff or other officer is hereby authorized and empowered to serve and execute such citation or process, in the same manner as if the person or persons against whom it may be issued, resided within the county where such citation or process is issued, any law, usage, or custom to the contrary notwithstanding.

C. Passed December 9, 1825.

AN ACT concerning the sureties of Richard Lloyd, late sheriff of the county of Monmouth.

Preamble.

WHEREAS Alexander McGregor, Tunis Forman, Thomas Thompson, Levi Solomon, and Samuel Forman, in behalf of themselves and others, sureties of Richard Lloyd, late sheriff of the county of Monmouth, have, by their petition to the legislature, set forth, that the said Richard Lloyd has collected sundry sums of money by virtue of executions put into his hands, which money he has neglected to pay over to the plaintiffs; but, on the contrary, has appropriated the same to his own use, or expended it in some other way unknown to the said petitioners, for which he has been amerced, his security bonds prosecuted, judgments thereon obtained, and executions levied on the property of his sureties; that he has made no provision for the payment of the said executions, neither has he money or property, as he says, to pay the same; that he has lately been amerced in various other instances, and has become grossly negligent in his business, by reason whereof apprehensions are entertained, that some of his sureties may be greatly injured, if not wholly ruined—
THEREFORE,

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 Richard Lloyd, late sheriff of the county of Monmouth, be, and he is hereby deprived of all further control over all and every writ or writs of execution heretofore issued and delivered to him, as sheriff aforesaid, and now remaining wholly, or in part unexecuted, and his power to receive moneys, or do any other act whatever, in obedience to, or by virtue of the said writs of execution, or any of them, shall henceforth wholly cease and determine, and Alexander M. Gregor, Tunis Forman, and Samuel Forman, of the county of Monmouth aforesaid, are hereby appointed commissioners, with full power and authority to execute all said writs of execution, and to receive any moneys remaining due thereon, and to pay over the same, according to law; and to make sale and disposition of all goods and chattels, lands and tenements, seized or levied on by virtue of the same; and to make good and sufficient titles in the law for such goods and chattels, lands and tenements, and to do all other acts in the premises, as fully, to all intents and purposes, as the said Richard Lloyd might or could lawfully do, by virtue of his said office of sheriff, and of the said writs of execution, or any of them: *Provided*, that nothing in this act contained shall be so construed as to exonerate or discharge any of the sureties of the said Richard Lloyd from any liability or engagement as sureties aforesaid.

Names of commissioners, and their powers.

2. *And be it enacted*, That the said Alexander M. Gregor, Tunis Forman, and Samuel Forman, as commissioners aforesaid, be, and they are hereby made subject, in all respects, to the same penalties, regulations, and restrictions, as he, the said Richard Lloyd, late sheriff as aforesaid, is by law subject to, and that the said Alexander M. Gregor, Tunis Forman, and Samuel Forman, as commissioners aforesaid, are hereby required, and it is their duty to use due diligence to collect all the moneys which he, the said Richard Lloyd, late sheriff aforesaid, had a right to do, by virtue of the authority vested in him by his office, for their own relief and that of the other sureties, which is hereby declared to be the true intent and meaning of this act: *Provided always*, that the said Alexander M. Gregor, Tunis Forman, and Samuel Forman, commissioners as aforesaid, shall pay, or cause to be paid, to the said Richard Lloyd, the one half of all such fees as he shall or might be entitled unto, as late sheriff as aforesaid, upon or by reason of any services to be done by them, as such commissioners as aforesaid, in pursuance of the provisions of this act.

Liable to certain penalties, &c.

3. *And be it enacted*, That it is the true intent and meaning of this act, that the power and authority hereby vested

in the said Alexander M'Gregor, Tunis Forman, and Samuel Forman, commissioners as aforesaid, for the uses and purposes hereby intended, shall be continued until the same shall be fully accomplished, should the death of the said Richard Lloyd happen before the completion of the purposes intended by this act, any thing to the contrary notwithstanding.

To give bonds,
&c.

4. *And be it enacted*, That the said Alexander M'Gregor, Tunis Forman, and Samuel Forman, commissioners as aforesaid, shall, before they enter upon the execution of any of the powers, trusts, and duties, by this act created, file, with the clerk of said county of Monmouth, a writing, signed by them, expressing their acceptance of the powers, trusts, and duties aforesaid, the said writing to be approved of by three judges of the Court of Common Pleas of said county, and filed and recorded by the clerk thereof, and shall jointly enter into bonds to the state of New-Jersey for the faithful discharge of the duties required of them by this act, in the sum of six thousand dollars: *Provided* two or more of the sureties of the said Richard Lloyd, in each year of his office as late sheriff of the county of Monmouth, shall require the same.

A majority may
act.

5. *And be it enacted*, That all the powers and duties vested in the said commissioners by this act, may be exercised by a majority of them, and by the survivors and survivor of them, in case of the death of one or more of them before this trust shall be completed and ended; and it shall be lawful for the said commissioners, under their hands and seals, to appoint a deputy or agent to transact the business hereby intrusted to them, they remaining responsible for all his acts; which deputy or agent, whenever the deed or letter of attorney constituting him agent, shall have been duly proved or acknowledged by said commissioners, and recorded in the Monmouth county record of deeds, shall be capable of exercising all or any of the powers vested in the said commissioners by virtue of this act.

C. & A. Passed December 9, 1825.

AN ACT to incorporate the Paterson Gas Light Company.

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 Colt, John Kear, and Andrew Parsons, and their present and future associates, shall be, and they are hereby created a body politic and corporate, in

fact, by the name of the "Paterson Gas Light Company," and by that name they and their successors may have perpetual succession, and shall, in law, be capable of suing and being sued in any courts and places whatsoever, and may have a common seal, with power to alter the same, and, by the said name, the said corporation shall have power and authority to manufacture, make, and sell gas, to be made of coal, oil, or other materials, for the purpose of lighting the streets, buildings, manufactories, and other places situate in the said town of Paterson, and to enter into and execute contracts, agreements, or covenants in relation to the objects of this incorporation, and of enforcing the same, and be capable of purchasing, taking, and holding, any estate, real or personal, necessary to give effect to the specified purposes of this corporation, and for the accommodation of their business and concerns: *Provided*, that the said real estate shall not exceed what may be absolutely necessary to effect the purposes of said company, and that no public nor private land shall be dug into or any way injured or defaced, without permission being first obtained in writing from the owner or owners thereof.

Style of incorporation.

Their powers, privileges, &c.

2. *And be it enacted*, That the capital stock of said corporation shall not exceed the sum of seventy-five thousand dollars; and that a share in the same shall be five dollars; and the subscriptions to the same, or to such part thereof as from time to time may, by the directors for the time being, be deemed proper and necessary, be opened by the appointment, and under the direction of the directors herein after named, or a majority of them, subject to such rules, limitations, and conditions as they, or the future directors of the said company shall prescribe.

Capital stock.

3. *And be it enacted*, That the stock, property, and concerns of the said corporation shall be ordered and managed under the direction of eleven directors, being stockholders, and six of them residents in the town of Paterson; that they shall hold their offices from the third Monday of January, inclusive, in every year, for one year, and shall be elected on the second Monday of January, in each year, at such time and place in the said town of Paterson as a majority of the directors for the time being may appoint, and that public notice shall be given, in a newspaper printed at Paterson, and one printed in the city of New-York, of the time and place of holding such election; and such election shall be by ballot of the stockholders, or their proxies, allowing one vote for each share which they shall have held in his, her, or their name or names, at least fourteen days before the time of voting; and the persons having the greatest number of votes shall be directors; and if two or more persons have an equal number, the directors for the time

Directors—a majority to be residents of Paterson, &c.

Vacancies, how
to be filled.

being shall, by a plurality of votes, by ballot, decide which of them shall be directors, so as to complete the number, and the directors so chosen at such election shall choose one of their own number, by ballot, for their president; and if any director shall remove out of the town of Paterson, resign, or cease to be a stockholder, his office shall be vacant, and all vacancies shall be filled by the directors, by a majority of votes, until the next election; and Andrew Parsons, John Colt, John Rutan, Mark W. Collet, Daniel Holsman, John Kear, Abraham Godwin, junior, Robert King, Robert Oliver Robertson, James Moore, James Van Blarcom, and Horatio Moses, shall be the present directors, and shall hold their offices until the third Monday of January, in the year one thousand eight hundred and twenty-seven, and until others are chosen in their places; and may choose a president as soon as a majority of them shall so determine.

Elections, &c.

4. *And be it enacted*, That if at any time an election is not held on the day herein appointed, the corporation shall not be dissolved for that cause, but an election shall be held in such manner as is directed by the by-laws, at any time within one year.

Quorum.

By-laws, &c.

5. *And be it enacted*, That the directors for the time being shall form a board, and they, or a majority of them, shall be a quorum for transacting business, and have power to make by-laws, rules, and regulations, not repugnant to the constitution or laws of the United States or of this state, or the provisions of this act, for the government of the said corporation, the management and disposition of the stock, and the property thereof, and the duty of the officers, clerks, and persons employed therein, the election of directors, and all other matters appertaining to their business or concerns; and may appoint as many officers, clerks, and servants, and with such salaries and allowances as shall to them seem necessary.

Payments, &c.

6. *And be it enacted*, That a majority of the directors may require payment of the sum subscribed, at such times, and in such proportions as they shall deem fit, under the penalty of the forfeiture of all previous payments, after giving at least fourteen days notice, in a newspaper published at Paterson, and one newspaper in the city of New-York: *Provided*, that nothing contained in this act shall authorize the said company to use any part of their capital stock for banking purposes.

Stock personal
property.

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

8. *And be it enacted*, That if any person or persons shall wilfully do, or cause to be done, any act or acts whatsoever, thereby to injure any conduit, pipe, cock, machine, or structure whatsoever, or any thing appertaining to the works of the said corporation, or whereby the same may be stopped, obstructed, or injured, the person or persons so offending shall forfeit and pay to the said corporation double the amount of the damage sustained by means of such offence or injury, and the same may be recovered in the name of the said corporation, with costs of suit, by action of debt, brought in any court of this state having cognizance of the same.

Penalties for injuries.

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

Books to be accessible at all times to stockholders.

10. *And be it enacted*, That this act shall continue in force until the first day of January, in the year of our Lord one thousand nine hundred, and no longer, when the rights, powers, and privileges, by this act granted, shall cease and determine.

Limitation of charter.

C. Passed December 9, 1825.

AN ACT to incorporate the Paterson Water Company.

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 Mark W. Collett, John Colt, Daniel Holsman, Robert King, and Robert Robertson, and such other persons as may become interested, shall be, and are hereby constituted a body corporate and politic, in fact and in name, by the style and title of "The Paterson Water Company," and, by that name, shall and may have continual succession, sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in all manner of actions, matters, and causes whatsoever, have a common seal, and make, change, or alter the same at pleasure, and to hold and enjoy such real and personal estate as may be necessary for the object aforesaid; that the stock of the said corporation shall be deemed personal property, and shall consist of two thousand shares, of five dollars each, with the privilege of extending the same to ten thousand shares; that the management of the concerns of the said company shall be intrusted to eleven directors, being stockholders, and inhabitants of the town of Paterson,

Style of incorporation.

Their powers, privileges, &c.

Time of annual meeting.

Elections, &c.

Vacancies, how to be filled.

Names of commissioners, and their powers.

which directors shall hold their offices for one year from the first Wednesday of February in every year; that an election shall be held on the Monday immediately preceding every such first Wednesday of February in every year, at such place in the town of Paterson, and at such hour as the said directors shall from time to time appoint, by notice, to be published in one of the newspapers printed in the said town of Paterson, at least three weeks before such election day; that all elections shall be by ballot, by the stockholders personally or by proxy, under the direction and inspection of three stockholders, not being candidates, each share having a vote, and the eleven persons having the greatest number of votes, shall be directors; that if any two or more persons have an equal number of votes, so as that eleven directors shall not be elected, the stockholders shall, on the ensuing day, at the same place and hour, in like manner, elect, out of the persons so having an equal number of votes, so many as shall complete the number of directors, out of which number they shall proceed, by plurality of votes, to elect one for their president, and in case of vacancy in the office of any of said directors, by death, resignation, or otherwise, others shall be elected by the directors to fill such vacancy; that in case it shall at any time happen that an election of directors shall not be made on the day appointed by this act for that purpose, the said corporation shall not for that cause be deemed to be dissolved, but it shall and may be lawful to hold any election for directors on any other day, in such manner as shall be provided for by the by-laws of said corporation.

2. *And be it enacted*, That John Colt, Mark W. Collet, Daniel Holsman, James Van Blarcom, and Nesbit Taylor, be commissioners to receive subscriptions for the stock, and shall open books for that purpose, at Paterson, on the first Tuesday of January, one thousand eight hundred and twenty-six, having given two weeks previous notice in one or more newspapers printed in the said town of Paterson; that each subscriber, at the time of subscribing, shall pay one dollar on each share, and whenever one thousand shares shall be subscribed, the said commissioners shall call a meeting of the stockholders within ten days thereafter, by public advertisement in one or more newspapers published at Paterson, for the purpose of electing directors, at such place and hour as they may deem proper, and to such directors lawfully elected they shall pay over such money as they shall have received.

3. *And be it enacted*, That it shall and may be lawful for the directors, or a majority of them, to require payment of the stock subscribed, in such proportion, and at such times as they, or a majority of them, think fit, with the penalty of the forfeiture of all previous payments thereon, and that

previous notice of the instalments required, and of the time when the same are to be made, shall be published, at least thirty days, in one or more of the newspapers published at Paterson.

4. *And be it enacted*, That the directors shall be authorized, in their discretion, to appoint a secretary and other officers, agents, and servants, as they shall from time to time deem necessary for carrying into effect the powers vested in said company, to establish rules, regulations, and by-laws, for and concerning the conduct and government of such officers, agents, and servants, and for determining the compensation to which they shall be entitled, and for and concerning the manner of making transfers of the said stock, and the conduct and government of all such persons as shall use the water from their works, so far as respects the preservation of the water furnished by said company, and the use thereof, and to restrain the waste thereof, and by such laws and ordinances, to impose penalties and forfeitures for a neglect or refusal to comply therewith, so as that such penalty and forfeiture in any one case shall not exceed four dollars; which penalties or forfeitures shall be recoverable, in the name of the said corporation, before any justice of the peace of the county of Essex, with costs, in an action of debt; and that for the purpose of effectually supplying the said town and its inhabitants, it shall and may be lawful to and for the said directors and company to lay out and conduct any number of conduits necessary for, and calculated to supply such water through or over lands in the town of Paterson: *Provided*, that the same shall not be done without consent and permission of the owners of property over or through which it may be necessary to pass.

Directors may
make by-laws,
&c.

Penalties for
non-compliance
&c. how recover-
able.

Proviso.

5. *And be it enacted*, That if any person or persons shall wilfully do, or cause to be done, any act or acts whatsoever, whereby the works of the said corporation, or any pipe, conduit, aqueduct, plug, cock, reservoir, or any engine, machine, or structure, or any matter or thing appertaining to the same, shall be stopped, obstructed, impaired, weakened, injured, or destroyed, the person or persons so offending, shall forfeit and pay to the said corporation triple the amount of damages sustained by means of such offence or injury, to be recovered in the name of said corporation, with costs of suit, by action of debt, to be brought in any court in this state having cognizance of the same.

Offences, how
punished.

6. *And be it enacted*, That no part of the capital stock created by this act shall be applied to any other purpose whatever than the supplying the town of Paterson with water, conformably to the provision of this act.

C. Passed December 9, 1825.

AN ACT relative to Wills, Administrations, and Guardianships, proved and granted without this State.

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 the copy of any will, the original of which has been proved and allowed in any probate court, or before any surrogate, in any of the United States or territories thereof, and in any foreign state or kingdom, or when the copy of any letters of administration, or of guardianship, which may have been granted in any of the places aforesaid, out of this state, shall be directed to be filed and recorded in the prerogative office of this state, or in the office of a surrogate, pursuant to this act, the filing and recording thereof shall be of the same force and effect as if the said will had been proved, or the said letters, respectively, had been granted by the ordinary of this state, or the surrogate of a county within the same; and the executor or executors named in such will, or the administrator or administrators, guardian or guardians, named in such letters, may sue and be sued, in their several capacities as aforesaid, and have all such rights, powers, and privileges, in the courts of this state, as by law they might if such will had been proved, or such letters of administration or guardianship had been granted by the ordinary of this state, or a surrogate of the same, as aforesaid.

Copies, &c. to
filed, recorded,
&c.

2. *And be it enacted*, That when the executor or executors named in such will, or the administrator or administrators, guardian or guardians, named in such letters, or any of them, or any person interested in the same, shall produce the copy of such will, with the copy of the probate thereof, or a copy of such letters of administration or guardianship, such copies being certified under the great seal of the state or territory where such will was proved, or letters granted, unto the ordinary of this state, or the surrogate of any county within the same, and shall, in writing, desire of the said ordinary or surrogate, that the same may be filed and recorded in the prerogative office of this state or the office of such surrogate, as the case may be, pursuant to this statute, the said ordinary or surrogate may assign a time and place for taking the same into consideration, and shall cause notice thereof to be given in some newspaper printed in this state, and continued therein for three weeks at least, next before the time assigned for the hearing, to the end, that any person may appear and shew cause against the filing and recording the same; and if at the time assigned no objection is made, or none, in the judgment of the said ordinary or surrogate, as the case may be, sufficient to prevent it, the said ordinary or surrogate may

Copies to be
certified under
great seal before
filing.

Ordinary, &c. to
advertise hear-
ing, &c.

cause the said copy to be filed in the proper office, as aforesaid; and the same shall also be there recorded, which, being done, and not before, such filing and recording shall have the effect mentioned in the preceding section.

3. *And be it enacted*, That if the executor or executors, administrator or administrators, named in such will or letters of administration, at the time of the filing and recording the same, as aforesaid, shall have renounced the execution of such will, or be dead, or shall afterwards die, or the said letters shall be revoked, the said ordinary or surrogate, as the case may be, may grant letters of administration, with the will annexed, or de bonis non, as the case requires, and as if the original will or original administration had been proved or granted by the said ordinary or surrogate.

4. *And be it enacted*, That for all services rendered under this act, the said ordinary and register of the Prerogative Court shall be entitled to the same fees as are allowed by law for similar services in other cases.

A. Passed December 9, 1825.

A FURTHER SUPPLEMENT to "An act appropriating a sum of money for the protection of the oyster beds in Delaware Bay," passed December eleventh, one thousand eight hundred and twenty-three.

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, for the purpose of a final settlement, the sum of three hundred and twenty-six dollars and seventy cents, be, and hereby is appropriated to defray the additional expenses incurred by the inhabitants of Maurice River, and others, in defending the oyster beds in the Delaware Bay, within the bounds of this state, against the depredations and claims of citizens of other states.

2. *And be it enacted*, That the treasurer pay to Israel Stratton, esq. the above sum, to be applied by him for the purposes above mentioned.

C. Passed December 9, 1825.

A SUPPLEMENT to an act entitled, "An act for the preservation of clams and oysters," passed the ninth of June, one thousand eight hundred and twenty.

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 canoe, scow, boat, or vessel, employed in navigating any of the waters, bays, or rivers of this state, shall have on board of the same any instrument called a dredge, for catching or raking oysters or shell-fish; and the master or owner or owners of every such canoe, scow, boat, or vessel, that shall have on board the same any such instrument, shall forfeit the sum of fifty dollars, to be recovered in the manner, and for the use mentioned in the first section of the act to which this is a supplement.

2. *And be it enacted*, That it shall not be lawful for any person, who is not at the time an actual inhabitant and resident of this state, and who has not been for six months next preceding, an actual inhabitant or resident as aforesaid, to rake or gather clams, oysters, or shell-fish, either on his own account and benefit, or on account and benefit of his employer, in any of the rivers, bays, or waters of this state, on board of any canoe, flat, scow, boat, or other vessel; and every person who shall offend herein, shall forfeit and pay twenty dollars, to be recovered and applied in the manner directed by the first section of the act to which this is a supplement: and the said canoe, flat, scow, boat, or other vessel, used and employed in the commission of such offence, with all the clams, oysters, clam-rakes, tongs, tackle, furniture, and apparel, shall be forfeited, and the same seized, secured, and disposed of in the manner prescribed in the seventh and eighth sections of the act to which this is a supplement.

3. *And be it enacted*, That any action under the first section of the act to which this is a supplement, or under the first and second sections of this act, may be commenced by warrant in the court for the trial of small causes, and be proceeded in as in other cases when the same are commenced by warrant, any law, usage, or custom to the contrary notwithstanding.

4. *And be it enacted*, That the sixth section of the act to which this is a supplement, and also the act entitled, "A supplement to an act for the preservation of clams and oysters," which supplement was passed the twenty-fourth of December, one thousand eight hundred and twenty-four, be, and the same are hereby repealed.

C. & A. Passed December 10, 1825.

AN ACT to incorporate and endow the New-Jersey Institution for the Deaf and Dumb.

WHEREAS a number of citizens are desirous to reclaim the deaf and dumb, of whom there are many in this state, to the rank of their species, and render them useful members of society, and for this purpose wish the endowment of an asylum in this state, where the children of the rich, for a moderate compensation; and of the poor, gratuitously, laboring under the privation of the faculty of speech, can be maintained and educated—AND WHEREAS such persons have prayed the establishment of an institution in this state, and to receive from the legislature such pecuniary aid, as, together with the donations that maybe expected from the charitable, will be sufficient to carry on an institution so salutary to the afflicted, so beneficial to the community, and so honorable to the state—

—THEREFORE,

1. *BET ENACTED by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same, That the members of the New-Jersey Institution for the Deaf and Dumb, and all who, according to the constitution and by-laws, shall become members thereof, be, and they are hereby declared to be, a body politic and corporate, by the said name and style, to have perpetual succession, and be capable to take, hold, and enjoy lands, tenements, and hereditaments, to use a common seal, and to break, alter, or renew the same at pleasure: Provided, that the clear yearly value of the real and personal estate by them so held shall not exceed twenty thousand dollars.*

2. *And be it enacted, That the fundamental laws and constitution by which the said institution shall be governed, shall be as follows:—*

CONSTITUTION AND FUNDAMENTAL LAWS OF THE NEW-JERSEY INSTITUTION FOR THE DEAF AND DUMB.

ARTICLE I.

The institution shall be located by the board of directors, and if in the opinion of a majority of the directors it should be thought advisable, they are authorized to establish and locate two schools, or asylums, one in the northern, and one in the southern part of New-Jersey, and to be supported by the annual and life subscriptions of its members, by the donations and legacies of the charitable, by such aid as the legislature may be pleased to afford, and by the money to be received for the education of children whose parents, guardians, or friends are of ability to pay.

ARTICLE II.

The officers of the institution shall be a president, four vice presidents, a treasurer, and recording secretary. They shall be ex-officio members of the board of directors, and their duties shall be such as are implied in their titles, or shall be prescribed by the by-laws. And said officers shall not receive any fee or compensation for their services in performing their several duties, either directly or indirectly, excepting the treasurer and secretary.

ARTICLE III.

There shall be a board of directors, consisting of two persons from each county in this state, members of the institution, who shall annually, at the meeting next succeeding their election, appoint one of their number to act as corresponding secretary; their duties shall be such as shall be defined by the by-laws. There shall also be a committee of six gentlemen and twelve ladies, selected annually in the neighborhood of the school or schools, by the board of directors, at their first meeting, to aid in the management of the asylum, under such provision as may from time to time be prescribed by the by-laws.

ARTICLE IV.

Any person shall be entitled to become a member by paying annually, or in gross, the sum which shall be required by the by-laws for an annual or life subscription.

ARTICLE V.

The members of the institution shall annually meet on the first Wednesday next succeeding the second Tuesday of November, at such hour, and in such place, as the directors may prescribe, for the election of officers and directors and the transaction of other business, and to receive the annual report of the directors. Adjourned and special meetings may be held as shall be provided by the by-laws.

ARTICLE VI.

The right of membership may be relinquished, and the resignation, addressed in writing to the secretary of the board of directors, shall be accepted by them: *Provided* the member shall have discharged all demands due by him or her to the institution.

ARTICLE VII.

The funds of the institution shall be at the disposal, and under the management of the board of directors, subject, however, so far as relates to that part derived from the life subscriptions, to such restrictions as may be imposed by

the by-laws, and subject, also, to such restrictions as may accompany the grant of aid by the legislature. And it shall be the duty of the directors for the time being to present to the legislature, in the month of November, annually, a statement of the funds and expenses of the institution, and of the number of children received and educated therein during the year immediately preceding, and of the parts of the state whence they have come, distinguishing those who have been supported and educated gratuitously.

ARTICLE VIII.

Indigent deaf and dumb children, resident citizens any where within the state, shall be received into the school and asylum, maintained and educated gratuitously, so far as the funds of the institution will admit: *Provided*, that when more children shall be offered for the benefit arising out of this institution than can be received at any one time, the president and directors shall so apportion their number among the several counties of this state, according to their population, when application shall be made, that every county may equally receive the benefits of the same: *Provided also*, that the board of chosen freeholders of the respective counties recommend to the board of directors who are the proper objects of the state's charity.

ARTICLE IX.

The number of officers and directors may be increased or diminished, as convenience shall require, at any annual meeting of the members of the institution, notice of the intended alteration being previously given in one of the newspapers printed in the city of Trenton, and fifteen members, being a majority of the members present, consenting.

ARTICLE X.

And any general meeting shall be competent to make, alter, or repeal by-laws, rules, and regulations, a majority of the members present agreeing to the same.

3. *And be it enacted*, That if any election of officers of the institution be not held at the time herein appointed, the corporation shall not, for that cause, be dissolved; but an election shall be held as soon after as may be, public notice thereof being given, as aforesaid; and, until such election, the officers in place shall continue to act until others are appointed.

4. *And be it enacted* That the following persons shall act as directors of said institution until the annual election, to be holden by its members, in November next, agreeably to the fifth article of the constitution and fundamental laws of this institution:—Charles Board and Henry B. Hagerman, of the county of Bergen; John Mann and John Croes, ju-

nior, of the county of Essex; Sylvester D. Russell and Ephraim Marsh, of the county of Morris; George H. M'Carter and Joseph Chandler, of the county of Sussex; Jacob S. Thompson and Reverend Joseph Campbell, of the county of Warren; Thomas Capner and Asa C. Dunham, of the county of Hunterdon; Reverend Isaac Fisher and James S. Green, of the county of Somerset; James Stryker and James Cook, of the county of Middlesex; John T. Woodhull and James West, of the county of Monmouth; Samuel Black and Isaiah Toy, of the county of Burlington; Benjamin B. Cooper and Charles French, of the county of Gloucester; Robert G. Johnson and Israel R. Clawson, of the county of Salem; William B. Ewing and Edmund Sheppard, of the county of Cumberland; Thomas H. Hughes and Israel Townsend, of the county of Cape-May.

5. *And be it enacted*, That, in order to aid the funds of the said asylum, the governor is hereby authorized and required to draw his warrant on the state treasurer in favor of the president of said institution, for any sum not exceeding one hundred and sixty dollars per annum for every indigent deaf and dumb pupil taught in said school, in quarter yearly payments: *Provided*, that no one scholar shall be taught at the expense of the state more than four years, unless in the opinion of a majority of the board of directors, a longer continuance at the institution is thought advisable: *And provided also*, that the sum so to be drawn from the treasury for such tuition, shall in no one year exceed the sum of three thousand dollars: *And provided further*, that when parents, guardians, or friends, of any such pupils shall be able to pay any part of the said one hundred and sixty dollars, which ability shall be determined by the directors of the county in which the applicant resides, the governor shall, in any such case, draw his warrant on the state treasurer for the balance of said sum of one hundred and sixty dollars, and the said president of said board of directors shall, in either of the above mentioned cases, when the number of pupils require it, be entitled to a warrant or warrants as aforesaid, to the said amount of three thousand dollars.

6. *And be it enacted*, That the provision made by virtue of the act entitled, "An act for the instruction of indigent deaf and dumb persons, inhabitants of this state," passed the tenth of November, one thousand eight hundred and twenty-one, be continued until an asylum or asylums, established by virtue of this act, shall be prepared for the reception of scholars, when the said provision shall cease, and the indigent deaf and dumb be educated and supported agreeably to the provisions of this act: *Provided*, that this section shall not affect any contract entered into by the governor of this state for the education of any deaf and dumb person.

C. Passed December 10, 1825.

AN ACT providing for the repairs of the Chancery Office,
and for the security of the papers contained therein.

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 Charles Parker and John Wilson, esq. be, and they are hereby appointed commissioners to make such improvements and repairs to the chancery office, as, in their opinion, may be necessary for the security of said building, and the preservation and safety of the papers contained therein: *Provided* the expense thereof does not exceed the sum of four hundred and thirty dollars.

A. & C. Passed December 10, 1825.

AN ACT to incorporate "The Jersey Porcelain and Earthenware Company."

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 George Dummer, Timothy Dewey, Henry Post, junior, William W. Shirley, and Robert Abbatt, junior, and their present and future associates, their successors, and assigns, be, and they are hereby created a body corporate and politic, by the name of "The Jersey Porcelain and Earthenware Company," and are hereby ordained, constituted, and declared to be a body politic and corporated, in fact and in name, for the purpose of manufacturing and selling porcelain and earthenware, such as they shall manufacture at the town of Jersey, in the county of Bergen, and by that name they and their successors, for twenty-one years, shall and may have succession, and shall be persons, in law, capable of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended, in all courts and places whatsoever, in all manner of actions, suits, complaints, matters, and causes whatsoever, and that they and their successors may have a common seal, and make, change, and alter the same at their pleasure; and also, that they and their successors, by the same name and style, shall be, in law, capable of purchasing, holding, and conveying any estate, real or personal, for the use of the said corporation: *Provided*, that the real estate so to be holden shall be such only as shall be necessary to promote or attain the objects of this incorporation.

Amount of capital stock may be increased.

Restrictions.

2. *And be it enacted*, That the capital stock of the said corporation may be, at present, one hundred thousand dollars; and if at any time hereafter the said company shall deem it beneficial, the said capital stock may be increased, not to exceed one hundred and fifty thousand dollars, in the whole; that a share of the said stock shall be one hundred dollars; and that the stock of the said company shall be deemed and considered personal estate: and in no case whatever shall the company engage in any banking business or any other business not strictly consistent with, or appropriate to the objects defined in the first section of this act.

Directors, &c.

3. *And be it enacted*, That, for the better carrying into execution the privileges granted by this act, there shall be, for the present, five directors, who shall hold their office until the first Monday in May, which will be in the year one thousand eight hundred and twenty-eight, or until others shall be elected in their stead: that the first directors shall be George Dummer, Timothy Dewey, Henry Post, junior, William W. Shirley, and Robert Abbott, junior, out of which number the said directors, at their first meeting, shall appoint their president, and a majority of whom, present at any meeting, shall have power to transact business.

By-laws may be established, &c.

4. *And be it enacted*, That the said corporation and their successors shall have full power to make, constitute, ordain, and establish, by and with the consent of a majority in value of the persons interested in said company, such by-laws, rules, ordinances, and regulations, as they from time to time shall judge proper, for the election of directors, and the number of directors, not exceeding eleven, which they may judge necessary to conduct the affairs of the company, their duration in office, and the time and manner of their election; and the directors above named, or their successors in office, shall have power to make, constitute, ordain, and establish all other by-laws, rules, ordinances, and regulations for the transaction of the business of the said company, not repugnant to the constitution and laws of the United States, or of this state, or the provisions of this act: *Provided*, that all contracts, engagements, and responsibilities, entered into on the part of the said company, and signed by their president, shall be binding on the said company in like manner as any contract would be if made and entered into by any individual.

Proviso.

C. Passed December 10, 1825.

AN ACT to authorize the holding of special terms of the Courts of Common Pleas in and for the counties therein named.

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 Courts of Common Pleas, in and for the counties of Hunterdon, Burlington, Essex, Morris, Middlesex, and Gloucester, respectively, be, and they are hereby authorized, at their stated terms, to order and appoint special terms of the Courts of Common Pleas to be holden in their respective counties, at such time or times in the vacation between the stated terms of said court, as they, in their discretion, shall think fit; and, at such special terms, to hear, try, and determine all appeals from the courts for the trial of small causes, from the judgment of the justice without the verdict of a jury, then depending in said court: and also, at such special term, to hear and determine all such arguments upon matters of law arising in causes depending in said court, as shall, by the consent of parties, be set down for hearing at such special term: *Provided always,* that at such special term the hearing of appeals shall have preference of argument upon matters of law.

C. & A. Passed December 10, 1825.

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 to the several persons herein after named, the following sums, viz:

To Charles Parker, for two copies of the Journals of the first American Congress, and for his expenses going to, while at, and returning from Philadelphia, four times, and New-York, three times, on business for the state, &c. one hundred and twelve dollars, sixteen cents.

Also, the further sum of four hundred and ninety-one dollars and ninety cents, amount expended by commissioners in repairs to the government house, &c. over and above the appropriation.

To Attorney-General, for injunction in case of Queen's College Lottery, set forth in accompanying vouchers, one hundred fifty-seven dollars, forty cents.

To commissioners appointed to sell part of the government lot, as per account, twenty-three dollars.

To John C. Chambers, for candlesticks, snuffers, tumblers, &c. furnished for Council chamber and House of Assembly, fourteen dollars, ninety-four cents.

To Thomas Atkinson, for expenses of deaf and dumb, while at Trenton, thirty dollars, fifty cents.

To Isaac Gulick, for expenses to Jersey city, upon express, by resolution of the House of Assembly, seventy-five dollars.

To John Bellerjeau, for making paper blinds to windows in Council chamber, putting them up, &c. four dollars, fifty cents.

To George Sherman, for furnishing Trenton Federalist, publishing public acts, &c. thirty-four dollars, fifty cents.

To William Gold, for cording wood, and sawing, for the state-house, and other expenditures, accompanied by vouchers, twenty seven dollars, seventy-nine cents.

To Alexander Winthrope and son, for putting on locks and blinds, as per accompanying bill, eight dollars, seventy-five cents.

To William Kirwood, for baize furnished for Council chamber, one dollar, fifty cents.

To William L. Prall, for wood furnished the Council chamber and House of Assembly; also, for the True American, furnished the Council and Assembly, accompanied by corresponding vouchers, one hundred and forty-three dollars, sixty-seven cents.

To Justice and Potts, for furnishing legislature seven weeks with the Emporium, seventeen dollars, fifty cents.

To Francis S. Wiggins, for printing commissions, bills for Council, as per bill (accompanying), ninety dollars, eighty-eight cents.

To Adjutant-General, for postage, nine dollars, eleven cents.

To Richard Lloyd, late sheriff of Monmouth, in pursuance of an order of the Governor, to apprehend William Jackson, in the state of Pennsylvania, forty-nine dollars, sixty-eight cents.

To Daniel Fenton, for stationary, fifty-six dollars, fifty-one cents.

To the Governor of this state, for postage, as set forth in the accompanying accounts, fifty-three dollars, ninety-seven cents.

To Frederick Cook, stated by order of the Governor, December third, one thousand eight hundred and twenty-two, to bring William Mead from Washington city, a prisoner, twenty-eight dollars.

To William Gould, for candles furnished the House of Assembly, as per bill, four dollars.

To John Bellerjeau, for candles furnished Council chamber, two dollars, thirty-seven cents.

To Joseph Justice, for printing bills for Council and House of Assembly, set forth in the accompanying accounts, one hundred and eighty five dollars, twenty-five cents.

To William Mount, as door-keeper for two days, and candles, four dollars, fifty cents, as per bill.

To Joseph Justice, for furnishing Council chamber with stationery, thirteen dollars, sixty-two cents.

To William L. Prall, for printing bills for the House of Assembly, forty-two dollars, fifty cents.

To John R. Smith, for andirons, &c. as per bill, nine dollars and nineteen cents.

C. & A. Passed December 10, 1825.

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

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

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

To the Treasurer of this state, for the time being, at the rate of ten 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 Adjutant-General of this state, for the time being, at the rate of one hundred 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.

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 said officers shall be removed from office by death or otherwise, the salary of such officer shall cease and determine on such removal, and the salary of his successor shall com-

mence from the time he shall be sworn or affirmed into office.

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 that they have respectively attended this, or may attend this or any future meeting of the 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 Ebenezer F. Smith, Asa C. Dunham, William Stites, and Isaiah Toy, or any two of them, for the members of Assembly.

3. *And be it enacted*, That there shall be paid to the secretary of Council, and to the 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 the 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.

4. *And be it enacted*, That the treasurer pay to such person or persons as shall print the Law Reports, twenty-six dollars for every sheet; that the treasurer pay to such person or persons as shall print the Laws, the sum of twenty-five dollars for every sheet, and that sixteen hundred copies of each be printed; that the treasurer pay to such person or persons as shall be appointed by the House of Assembly to print the Votes and Proceedings of the Assembly, and to such person or persons as shall be appointed by the Council for printing the Journals of Council, and the Minutes of Joint Meeting, the sum of twenty-two dollars for every sheet, and that thirteen hundred copies of each be printed: and that the printer of the Laws be required to print the public and private laws together in one pamphlet, in the order of their passage, with tables of contents at the end, containing the title of each public act in one table, and of the private acts in another table.

5. *And be it enacted*, That there shall be paid to the Sergeant-at-Arms for the time being, who shall attend the Council and the House of Assembly, and to the door keepers 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.

6. *And be it enacted*, That there shall be paid to the secretary of Council, and to the clerk of Assembly, who shall severally engross the bills of Council and Assembly, this session of this 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 Assembly.

7. *And be it enacted*, That this act be, and continue in force for one year from the twenty-fifth day of October, one thousand eight hundred and twenty-five, and no longer.

C. Passed December 12, 1825.

A FURTHER SUPPLEMENT to the act entitled, "An act making lands liable to be sold for the payment of debts," passed the eighteenth of February, seventeen hundred and ninety-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 lands, tenements, hereditaments, and real estate of any person who shall die seized thereof, or entitled to the same, shall be and remain liable for the payment for his or her debts, for one year after his or her decease, and may be sold by virtue of an order of the Orphans' Court of the county where such lands, tenements, hereditaments, and real estate shall lie, if obtained within the said period of time, any alienation or incumbrance made, or attempted to be made, by his or her heir or heirs, devisee or devisees, to the contrary notwithstanding: *Provided always*, that nothing herein contained shall affect any right of dower in the said lands, tenements, and real estate.

C. & A. Passed December 12, 1825.

AN ACT for the removal of certain Officers, for causes therein stated.

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 one of the surrogates of the several counties of this state is, or shall become incapacitated by mental derangement, insanity, or great debility of mind, from properly performing the duties of their respective offices, it shall be the duty of the surrogate-general, upon information thereof in writing, signed by a majority of the judges of the Orphans' Court of the county for which such surrogate has or shall be appointed, supported by affidavit or affidavits, if the said surrogate-general shall think it necessary, to appoint some fit person to perform the duties thereof during such incapacity, or until the next meeting of the legislature, as the case may require; which said person, so appointed, shall, before he enters upon the duties of the office, make oath or affirmation, and give bond for faithfully performing the duties thereof, in the manner required by the twenty-ninth section of the act entitled, "An act to ascertain the power and authority of the Ordinary and his surrogates, to regulate the jurisdiction of the Prerogative Court, and to establish an Orphans' Court in the several counties of this state," passed the thirteenth day of June, in the year of our Lord one thousand eight hundred and twenty.

C. Passed December 12, 1825.

RESOLUTIONS.

PREAMBLE AND RESOLUTION relative to a Breakwater in Delaware Bay.

WHEREAS the traders of this state, the merchants of Philadelphia, and all those who navigate the waters along our coast, experience great inconvenience, hazard, and loss from drifting ice and storms, near the entrance of Delaware Bay—AND, as the commissioners of the General Government, who were appointed to make a scientific survey of said bay, have, by their Report, satisfied the legislature, that an artificial harbor or stone breakwater, at or near Cape Henlopen, would be of incalculable advantage to our merchants and traders—AND, as our enlightened national legislature will ever be disposed to extend their care to protect the lives and property of this citizens of our common country—THEREFORE,

RESOLVED, *by the Council and General Assembly of this State*, That our Senators and Representatives in Congress be requested to use their influence to cause to be erected an artificial harbor or stone breakwater in the Delaware Bay, at or near Cape Henlopen.

RESOLVED, That the Governor of this state be requested to forward to each of our Senators and Members of Congress, and to the President of the Chamber of Commerce, a certified copy of the above Preamble and Resolutions.

C. Passed December 7, 1825.

PREAMBLE AND RESOLUTION, requesting Charles Ewing, esquire, &c. to revise certain Laws, &c.

WHEREAS the "Act to ascertain the power and authority of the Ordinary and his Surrogates, to regulate the jurisdiction of the Prerogative Court, and to establish an Orphans' Court in the several counties of this state," and the several supplements thereto; and also, the several acts and supplemental acts relative to executors, administrators, and guardians, may truly be considered of the first importance, as the fair distributions and protection of the property of the widow and the orphan, as well as others, depend much thereupon—AND WHEREAS, so many

acts and supplemental acts thereto have at different times been enacted, as to render a fair and full construction of said acts and supplemental acts difficult, if not impossible—THEREFORE,

RESOLVED, *by the Council and General Assembly of this State*, That the honorable Charles Ewing, Chief Justice of said state, be requested to revise the aforesaid acts and supplements, and all other acts coming within the purview of the same, and report, by bill or otherwise, to the next legislature;—and that Charles Carson and William B. Ewing be a committee to wait upon the said Chief Justice, and inform him of said request.

C. Passed December 9, 1825.

RESOLUTION relative to the Deaf and Dumb, &c.

RESOLVED, *by the Council and General Assembly of the State of New-Jersey*, That the Senators and Representatives in Congress from this state, be requested to exert their influence in obtaining from the national legislature suitable assistance for the New-Jersey Institution for the instruction of the Deaf and Dumb.

RESOLVED, That his Excellency the Governor cause a copy of the foregoing Resolution to be transmitted to each of the Senators and Representatives in Congress from this state.

A. & C. Passed December 12, 1825.

RESOLUTION concerning the Public Lands at Paterson:

RESOLVED, *by the Council and General Assembly*, That Samuel Pennington, esquire, be, and he is hereby appointed agent, in the place of Abraham Ackerman, to take charge of and manage the state lands at Paterson; that he have power and authority, in the name of the state, to call the said Abraham Ackerman to account for all moneys received by him, the said Abraham Ackerman, as agent as aforesaid, and to receive from him all such moneys as he shall find due from the said Abraham Ackerman, and pay the same over to the treasurer of this state, for the use of the state, forthwith, after the receipt thereof, and that he report to the next sitting of the legislature the condition of the said property, and his proceedings had in the premises.

C. Passed December 12, 1825.

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