

## CHAPTER CLXIV.

## AN ACT

To incorporate the Gloucester and Greenwich Point Ferry Company.

WHEREAS the Council and General Assembly of the state of New Jersey, by an act of the eighth day of February, one thousand eight hundred and seventeen, authorised the incorporation of the "Gloucester and Greenwich Point ferry company," provided the Legislature of the Commonwealth of Pennsylvania should, by law, vest the subscribers to said company with as full and ample power, privileges, franchises and emoluments as are given and granted in and by the said act. And whereas the incorporation of said company will be advantageous, not only to the citizens of New Jersey, but also to the inhabitants of this Commonwealth :

Therefore,

SECT. 1. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That the members of the association called and known by the name of "The President and Trustees of the Gloucester and Greenwich Point Ferry Company," and those persons who shall hereafter become members, according to the provisions of an act passed by the state of New Jersey, entitled "An act to incorporate the president and trustees of the Gloucester and Greenwich Point ferry company," shall be, and they are hereby created and declared to be a body politic and corporate, by the name, style and title of "The Gloucester and Greenwich Point Ferry Company;" and by the said name have perpetual succession, and all the powers, privileges and franchises incident to a corporation, and shall have like power and authority to establish a ferry at Greenwich Point, in the county of Philadelphia, for the purpose of conveying persons and property on or across the river Delaware to Gloucester Point in the state of New Jersey, with as full and ample power, privileges, franchises and emoluments, and subject also to the same restrictions and penalties as are provided in the act of the state of New Jersey, entitled "An act to incorporate the Gloucester and Greenwich Point ferry company," which act shall be and have as full effect as if passed by the Legislature of this Commonwealth, and shall

be annexed to and published with the laws of this Commonwealth.

REES HILL, *Speaker of the  
House of Representatives.*

ISAAC WEAVER,  
*Speaker of the Senate.*

APPROVED—the twenty-fourth day of March, one thousand eight hundred and seventeen.

SIMON SNYDER.

## STATE OF NEW JERSEY.

### AN ACT

To incorporate the Gloucester and Greenwich Point Ferry Company.

I. *BE it enacted by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same, That Robert Wharton, Anthony Gale, Benjamin B. Howell, Thomas T. Stiles, William Flintham, Samuel W. Harrison, Isaac Browning, James Matlack and Robert L. Armstrong, and all and every the persons who shall at the time of the passing of this act, be members of the association called and known by the name of "The president and trustees of the Gloucester and Greenwich Point Ferry Company," and those persons who shall hereafter become members according to the provisions hereinafter contained, shall be, and they are hereby created and declared to be a body politic and corporate, by the name, style and title of "The Gloucester and Greenwich Point Ferry Company;" and they and their successors, by the name aforesaid, shall and may have continual succession during the term of twenty-one years from and after the passing of this act, and shall be able to sue and be sued, plead and be impleaded in all courts of record or elsewhere, and to purchase, receive, have, hold and enjoy, to them and their successors, lands, tenements and hereditaments, goods and chattels, of what nature, kind or quality soever, real, personal or mixed, or choses in action, and the same from time to time to sell, grant, alien, demise, mortgage, pledge or dispose of, and also to make and have a common seal, and the same to alter and renew at pleasure, and also to ordain, establish and put in execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of the said corporation, not being contrary to the constitution and laws of the United States, of this state, or of the Commonwealth of Pennsylvania, and generally to do all and singular the matters and things which to them*

it shall lawfully appertain to do for the well-being of the said corporation, and the due management and ordering of the affairs thereof.

II. *And be it enacted*, That all the joint stock, and all other the estate, real, personal and mixed, and all the securities, dues, claims and demands, and all the records, books, papers, vouchers and other documents whatsoever in anywise belonging to or held or claimed by the said association of citizens at the time of the passing of this act, shall be transferred to and vested in the said corporation of "The president and trustees of the Gloucester and Greenwich Point ferry company" hereby created, as absolutely and completely, to all intents and purposes, as the same respectively shall then belong to or be held and claimed by the said association of citizens, or by their officers and agents for their use, and also all the contracts and other engagements, debts, obligations and assumptions whatsoever of the said association of citizens, entered into, made, subsisting, due and payable, or to become due and payable at the time of the passing of this act, shall thenceforth become and be as obligatory and binding upon the said corporation of "The president and trustees of the Gloucester and Greenwich Point ferry company" hereby created, to all intents and purposes as if the same respectively had been entered into, made and contracted by the said company subsequent to the incorporation thereof: *Provided always, nevertheless*, That nothing herein contained shall in anywise be construed to impair the obligation of any contract at any time entered into by the said association of citizens.

III. *And be it enacted*, That from and after the passing of this act, the following constitution shall be deemed the constitution of the corporation of "The president and trustees of the Gloucester and Greenwich Point ferry company" hereby created, that is to say:

#### PREAMBLE.

TO ALL WHOM IT MAY CONCERN, *Know ye*, That we, the subscribers, do hereby agree to form an association for the purposes hereinafter particularly set forth, to be known by the name and style of "The Gloucester and Greenwich Point Ferry Company," and to adopt the following articles as the constitution thereof.

#### ARTICLE I.

The capital stock shall not exceed fifty thousand dollars, divided into two thousand shares of twenty-five dollars each share, to be paid in and held by the subscribers, in the proportion hereinafter affixed to their respective names, to be employed by the president and trustees to be chosen as hereinafter provided, for the establishment of a steam or team

boat or boats or other mode of conveyance of equal facility, to ply on and across the river Delaware, including particularly Greenwich Point, in Pennsylvania, and Gloucester Point, in New Jersey, for the conveyance of persons, carriages, horses, cattle and such other things as are usually carried in ferry boats.

#### ARTICLE II.

A general meeting of the stockholders shall be held on the first Monday of October, one thousand eight hundred and seventeen, and on the first Monday in October in each succeeding year, at such place as the president and trustees from time to time may appoint, whereof at least two weeks prior notice shall be given in three daily newspapers published in the city of Philadelphia, and two newspapers published in New Jersey; and between the hours of ten and three o'clock of that day, shall, in person or by proxy, elect by ballot, by a majority of the votes of the members or their proxies present, each being entitled to one vote for every share of stock by them respectively held, nine stockholders trustees, to serve for one year next after their election, and until their successors are chosen.

#### ARTICLE III.

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

#### ARTICLE IV.

The following named persons shall be trustees, to serve till the general meeting of stockholders in one thousand eight hundred and seventeen, and until others are duly elected, to say, Robert Wharton, Anthony Gale, Benjamin B. Howell, Thomas T. Stiles, William Flintham, Samuel W. Harrison, Isaac Browning, James Matlack and Robert L. Armstrong.

#### ARTICLE V.

The trustees at their first meeting shall choose from their body a president, and from among the stockholders not being a trustee a treasurer, to serve in the first place till the election in October, one thousand eight hundred and seventeen, and from that time for one year after their election, and until

their successors are duly chosen. They, the president and trustees, shall meet at such times and places and be convened in such manner as they from time to time may agree on, for transacting their business. Five trustees shall be necessary to form a quorum, who in the absence of the president may choose a president pro tempore; they shall keep correct minutes of all their transactions, in a book to be provided for that purpose; they shall have full power and authority to agree with, employ and appoint such engineers, artists, superintendants and others as they shall think necessary for making, constructing and finishing on the most liberal and improved plan, a steam or team boat or boats, or other mode of conveyance of equal facility, and such wherries and other boats as they may deem expedient to carry into effect the association; they shall procure on lease or purchase, suitable scites, landings and accommodations on both sides of the river Delaware, purchase materials and cause to be built thereon convenient wharves, docks, piers and slips, fix on and agree with the persons employed and engaged in the same their respective compensation and wages, call on the stockholders for their respective shares, in such instalments as may be required; and to do such other duties as may be necessary to ensure the completion and conduct the business of said establishment; and they, the said president and trustees shall have power to pass such by-laws as may be necessary for the advantage of the company, and the same shall be binding on the stockholders: *Provided* such by-laws be not repugnant to these articles, to the laws of the United States, or to the laws of the states of Pennsylvania and New Jersey; and that the rates of ferriage shall not at any time exceed that affixed or which may hereafter be affixed at the Cooper's and Philadelphia ferries, a printed copy of which rates of ferriage shall be kept up in some conspicuous place near the ferry dock; and if the company shall neglect or refuse so to put and keep up such rates in manner aforesaid, they shall, for every day they so refuse or neglect, forfeit and pay to the overseers of the poor of the township where the offence may be committed the sum of twenty-five dollars, to be recovered by an action of debt by any person suing for the same, in any court where the same may be cognizable, and applied to the use of the poor of said township; and if the master or other ferrymen employed in conducting such boat or boats, shall at any time take a higher rate of ferriage than the rates established at the ferries aforesaid, they shall, for every such offence, forfeit and pay the sum of fifteen dollars, to be recovered and applied in manner aforesaid by any person who shall sue for the same.

#### ARTICLE VI

All the estates and property, real, personal and mixed, purchased out of the joint stock, the bond of the treasurer,

and the title deeds, leases and other papers of the company shall be taken in the name of the president and trustees for the time being, and to the survivors and survivor of them, and the heirs, executors and administrators of such survivor, and be held and managed by them in trust for the benefit of the stockholders; and shall be by them, the said president and trustees, granted and assigned to their successors in office, in trust as aforesaid, as fully as they had and held the same; and they, the president and trustees, shall, at the general meeting of the stockholders, prepare and exhibit to them a correct statement of the affairs of the company.

#### ARTICLE VII.

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

#### ARTICLE VIII.

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

#### ARTICLE IX.

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

## ARTICLE X.

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

## ARTICLE XI.

When the establishment shall be completed, the president and trustees shall employ an engineer, ferry-man and other suitable persons, and fix their wages, purchase the necessary fuel, and shall every six months declare a dividend of the clear profits of the company, which shall be paid in ten days thereafter to the stockholders or their legal representatives, of which notice shall be given in five newspapers published as aforesaid: *Provided*, That such sums may be retained from time to time out of such profits as a contingent fund, at the discretion of the president and trustees.

## ARTICLE XII.

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

## ARTICLE XIII.

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

dent for the time being, and in case of his death, resignation or removal during the pendency of any suit brought against him, the name of his successor in office shall be substituted, without abatement or discontinuance of the suit, or any postponement of the trial on that account; and all recoveries to be had by the plaintiffs in any such suit, shall bind, affect and be executed upon the joint stock and effects of the company, and no further or otherwise.

#### ARTICLE XIV.

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

#### ARTICLE XV.

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

IV. *And be it enacted*, That nothing contained in this act shall authorise the said company to employ any part of their funds for any other purpose than those expressed in the first article of the preceding constitution: *Provided* this act shall not take effect so far as the same may or shall in anywise affect or impair the concurrent jurisdictional right of the state of Pennsylvania, as existing or settled by concurrent acts between the said state and the state of New Jersey, until a law of the state of Pennsylvania, similar in effect to this act be first obtained.

I, JAMES LINN, Secretary of the state of New Jersey, do certify the foregoing to be a true copy of an act of the Legislature of said state, passed the eighth day of February, in the year of our Lord one thousand eight hundred and seventeen.

Given under my hand, and official seal, at Trenton, the  
(L.S.)            day and year aforesaid.

JAMES LINN.



His excellency ISAAC H. WILLIAMSON, Governor, Captain General and Commander in Chief of the state of New Jersey, counsellor and ordinary in the same,

To all to whom these presents shall come, GREETING:

It is hereby made known that James Linn, whose name is subscribed to the foregoing certificate, was, at the time of subscribing the same, and now is, secretary of the state of New Jersey, duly authorised to grant such certificate, and that to his acts and attestations as such, full faith and credit is and ought to be given.

In testimony whereof, I have hereunto subscribed my name, and caused the great seal of the state of New Jersey to be hereunto affixed, at Trenton, the tenth day of February, in the year of our Lord one thousand eight hundred and seventeen.

ISAAC H. WILLIAMSON.

By the Governor.

JAMES LINN, Secretary of State.

CHAPTER CLXV.

AN ACT

Making appropriations for certain Internal Improvements.

SECT. 1. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That the Governor is hereby authorised and required to subscribe, on behalf of this Commonwealth, to the stock of the Harrisburg and Pittsburg road companies, two thousand five hundred and fifty additional shares, in the following proportions, viz. To the Greensburg and Pittsburg company, four hundred shares; to the Stoystown and Greensburg company, six hundred and fifty shares; to the Bedford and Stoystown company, five hundred shares; to the Chambersburg and Bedford company, seven hundred shares; and to the Harrisburg and Chambersburg company, three hundred shares: and as soon as five miles of any of the roads aforesaid shall have been completed and approved of, the Governor shall draw his warrant on the state treasurer in favor of the respective companies for such part of the subscription so as aforesaid made, as the said section of the road shall be entitled to, in proportion to the whole distance, and a half proportional part of the said subscription for five miles in advance, and the same sum so on in advance on the completion of the first section and*

Governor authorised to subscribe to the stock of certain turnpike companies.

In what proportion the money is to be paid.