

ACTS

33020

OF THE

CATALOGUES

EIGHTY-NINTH LEGISLATURE

OF THE

STATE OF NEW JERSEY,

AND

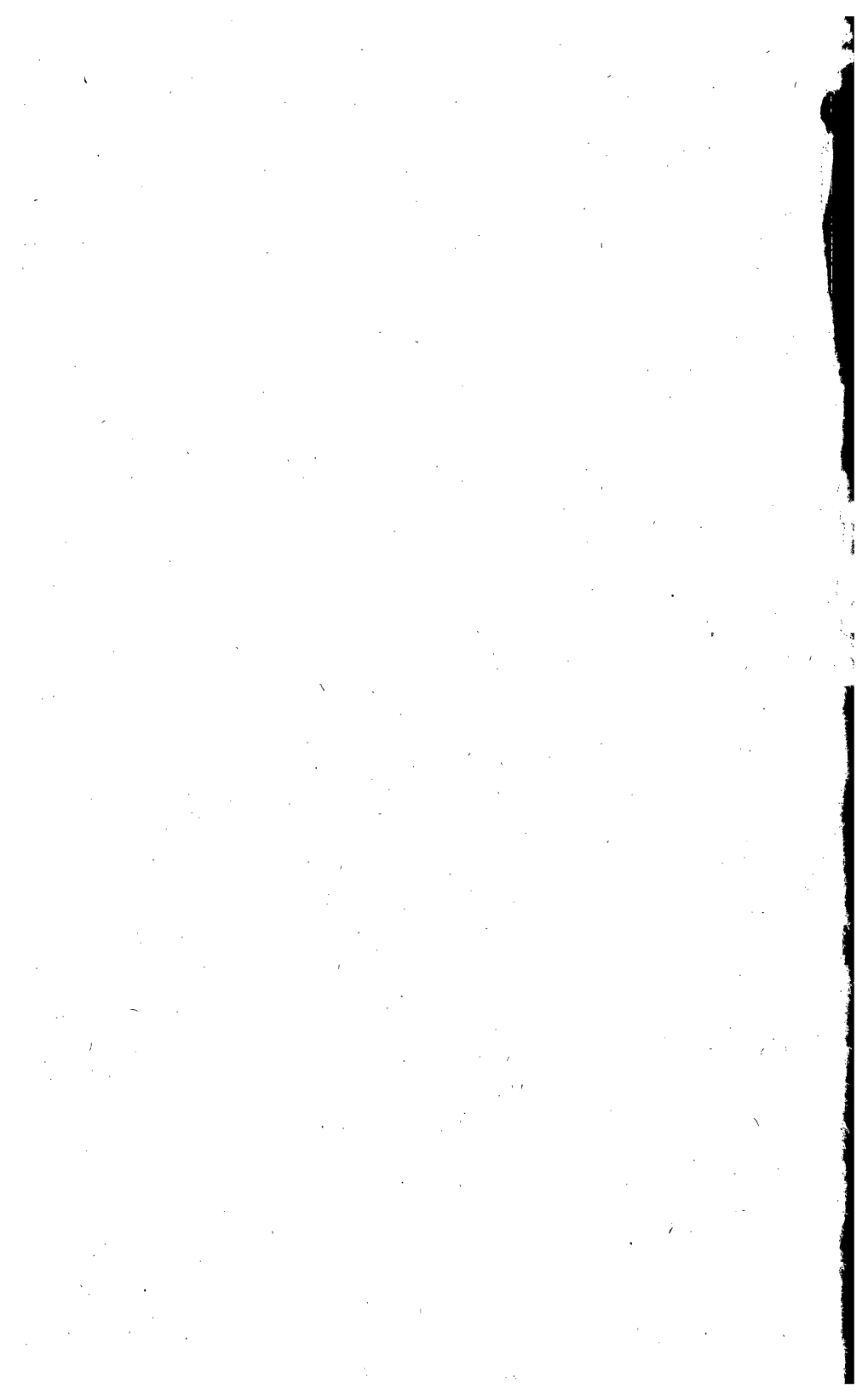
TWENTY-FIRST UNDER THE NEW CONSTITUTION.



NEWARK, N. J.:

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1865.



A C T S

OF THE

EIGHTY-NINTH LEGISLATURE.

CHAPTER I.

An Act to authorize the purchase by the State of New Jersey of the State Normal and Model School Buildings and property.

WHEREAS, by the terms of the leases by which the state of Preamble.
New Jersey holds and occupies the real and personal property used for the purposes of the state normal and model schools, which leases are about to expire, the state has the option of purchasing the same at a greatly reduced price, and as the lessors offer a large additional reduction in case the purchase is made, and it is for the interest of the state to secure the title to and ownership of the same,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey,* That the governor of this state be, Governor authorized to purchase buildings, &c. of normal and model schools. and he is hereby authorized and directed to purchase the buildings now occupied by the state normal school and model school and the lots on which the same are erected, with the lands and grounds connected therewith and improvements thereon, situate in the city of Trenton, being the whole square bounded by Clinton street, Perry street, Southard street and Monmouth street, with the fixtures, furniture, library, apparatus and personal property connected with or used by the

New Jersey State Library

said schools, and when he shall be satisfied that the title of the present owners of said real estate is good and valid, and warrantee deeds of conveyance therefor are duly executed conveying the same to the state of New Jersey in fee simple, free and clear of all incumbrances, he is hereby authorized and directed to draw his warrant for the sum of thirty-eight thousand dollars, which sum is hereby appropriated, to be paid out of the treasury of this state, and shall be in full of the purchase money for said real and personal property.

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

EDWARD W. SCUDDER,
President of the Senate.

JOSEPH T. CROWELL,
Speaker of the General Assembly.

Approved February 2, 1865.

JOEL PARKER.

CHAPTER II.

A Further Supplement to the act entitled, "An act revising and amending an act to incorporate the city of Paterson," approved March fourteenth, one thousand eight hundred and sixty-one.

Mayor and aldermen to fix salary of controller.

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the mayor and aldermen of the city of Paterson to fix, by ordinance, the salary of the controller of said city at such sum, from and after the seventeenth day of April next, not to exceed four hundred dollars, as to them may seem proper.

Repealer.

2. *And be it enacted*, That all acts and parts of acts inconsistent with this act be, and the same are hereby repealed.

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

Approved February 2, 1865.

CHAPTER III.

An Act to incorporate the West Jersey Canning and Pickling Company, in the county of Cumberland.

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That Charles S. Fithian, Providence Ludlam, Lorin J. Wicke, Robert M. Seeley, and James J. Reeves, and such other persons as may be associated with them, shall be and they are hereby constituted and declared a body corporate and politic in fact and law, by the name of the "West Jersey Canning and Pickling Company," for the purpose of preparing hermetically sealed fruits, meats, vegetables and sauces, and by that name shall have continued succession, and shall be capable of purchasing, holding, leasing, mortgaging and conveying any lands, tenements, goods, and chattels necessary or proper for the objects of the said corporation hereby created. ^{Names of corporators.}

2. *And be it enacted*, That the capital stock of said company shall be one hundred thousand dollars, with the privilege, from time to time, of increasing the same to any sum not exceeding one hundred and fifty thousand dollars, divided into shares of one hundred dollars each, each stockholder being entitled in person, or by proxy, to as many votes as he or she holds shares of stock, which shares shall be deemed personal property, and transferable in such manner as the said company by its by-laws may direct; that twenty-five dollars on each share of stock shall be paid at the time of subscribing, said stock to be subscribed for and further paid in at such time and in such installments as the directors may from time to time appoint and direct. ^{Amount of capital stock.}

3. *And be it enacted*, That the property and affairs of the said company shall be managed and conducted by a board of directors, not less than three nor more than five in number, shareholders in said company, who shall be chosen annually, at such time and place in the county of Cumberland, in such manner and upon such notice as the by-laws of such company shall direct, who shall serve for one year and until others are chosen in their stead; and that Charles S. Fithian, Providence Ludlam, Lorin J. Wicke, Robert M. Seeley and James J. Reeves shall be the first directors of this company under this charter, to continue in office until others are elected and ^{Election of directors.} ^{First directors}

appointed in their stead; that the directors of said company shall choose one of their number to be president and may appoint such other officers and agents as they may deem expedient, fill vacancies in their own board until the next annual election, collect installments on stock, when called for, or declare the stock forfeited, and all previous payments made thereon, in case of non-payment when duly called for, if they deem it expedient.

Books of account to be kept.

4. *And be it enacted*, That the directors shall at all times keep, or cause to be kept, proper books of account, in which shall be entered regularly all the transactions and accounts of said company, and also books for the transfer of the stock of said company, which shall at all times, at reasonable hours, be open for the inspection of the stockholders of said company; that the directors shall make an annual report to the stockholders of the affairs of the company, of the amount of stock actually paid in, and of the assets and debts of the company, and no dividends shall be declared except from the actual profits of the company.

Annual report to be made.

Company may be dissolved.

Proviso.

5. *And be it enacted*, That the said company may be dissolved at a general meeting of the stockholders, specially called for that purpose; *provided*, that at least three-fourths, in value, of the stockholders shall concur therein, and upon such dissolution the directors for the time being and the survivors or survivor of them, or such persons as the stockholders shall appoint, shall be trustees for settling all the affairs of the company, collecting and disposing of its property and assets, paying its debts and dividing the surplus among the stockholders in proportion to their respective interests in the stock.

Act may be amended, &c.

6. *And be it enacted*, That it shall be lawful for the legislature of this state at any time hereafter to amend, alter and repeal this act, and that this act shall take effect immediately.

Approved February 2, 1865.

CHAPTER IV.

An Act to incorporate the Red Bank and Eatontown Turnpike Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the subscription books of the capital stock of the Red Bank and Eatontown Turnpike Company shall be opened by Anthony Reckless, Benjamin C. White, John W. Stout, Richard J. Bradford and James H. Peters, or a majority of them, who are hereby appointed commissioners to receive subscriptions to the said stock at such times and such places as they or a majority of them may direct, giving notice at least twenty days prior to the opening of said books, by publishing the same in at least two of the newspapers published in this state. Commissioners to receive subscriptions.

2. *And be it enacted*, That the capital stock of said company shall be four thousand dollars, with liberty for the said company to increase the same to a sum not exceeding eight thousand dollars, and shall be divided into shares of twenty-five dollars each, and that when one hundred shares shall be subscribed for, the persons holding the same shall be and they are hereby incorporated into a company by the name of the "Red Bank and Eatontown Turnpike Company," and by that name shall have, enjoy and exercise all the rights, powers and privileges appertaining to corporate bodies and necessary to carry the objects of said company into effect. Amount of capital stock.

3. *And be it enacted*, That at the time of subscribing for said stock, two dollars shall be paid upon each share subscribed for, to the commissioners or any of them, which money shall be paid over to the treasurer of the company, as soon as one shall be appointed, and the residue of the subscription shall be paid in installments, at such times and at such places and to such persons as the president and directors of the company shall from time to time direct or give public notice thereof in manner aforesaid, and upon failure of the payment thereof as so directed, the said president and directors shall have power to forfeit the shares of each and every person so failing to pay the said installments, or any of them, to and for the use of said company; *provided*, that the stockholders shall upon request have the right to pay the stock subscribed for, except the first installment, by work upon said road, Payment of installments. Prov'iso.

under such regulations, at such time, and upon such notice as the directors may determine.

Act void if
shares not
subscribed in
certain time.

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

Election of di-
rectors.

5. *And be it enacted,* That when one hundred shares of said stock shall be subscribed for the said commissioners shall call a meeting of the stockholders, giving at least twenty days' notice of the time and place of said meeting, as hereinbefore directed with regard to the opening of said books, at which meeting the subscription books shall be laid before the stockholders, who shall thereupon proceed to elect by ballot, three directors, a majority of whom shall be citizens of this state, to manage the affairs of said company for one year, of which election the said commissioners, or a majority of them, shall be judges; and at the expiration of that term, and annually thereafter, upon like notice, to be given by the directors for the time being the said stockholders shall elect by ballot the same number of directors, a majority of whom shall be citizens of this state as aforesaid; and at every such election and in all other cases in which the stockholders shall be entitled to vote, a vote may be given for each share of the holder or holders thereof, either in person or by proxy.

Duties and
powers of pre-
sident.

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

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

Duties and powers of directors.

Proviso.

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

Annual statement to be made.

9. *And be it enacted*, That special meetings of the stockholders may be called by order of said president or two of the directors, or by the stockholders owning one-fourth of the whole stock of the company, by giving notice of the time and place of holding the same, as hereinbefore directed with regard to the annual meetings, which said notice shall specify the particular object of the meeting; but that no business of the company shall be transacted at such special meeting unless a majority in value of the stockholders attend and concur therein, who may require the books, accounts and all other papers and proceedings of the company to be exhibited to them by the president and directors.

Special meetings.

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

Corporation not dissolved for failure to elect.

11. *And be it enacted*, That it shall and may be lawful for the said company to construct and make a turnpike road from

Construction of road.

Red Bank, in the county of Monmouth, to the village of Eatontown in the same county, beginning at the junction of Broad and Front streets in Red Bank, and ending at the junction of the streets in Eatontown, in front of Benjamin C. White's store, which said turnpike road shall be constructed on and along the public highway leading from the village of Red Bank to the village of Eatontown, and that the width of said turnpike road shall be governed by the width of the public road upon which it may be made; *provided*, that before the said company shall construct the said turnpike road aforesaid, along the highway aforesaid, they shall pay to the respective owners of the lands over which the said highway, selected for constructing the said turnpike upon, now passes, all damages which the said owners will sustain by reason of the construction of the said turnpike road; and in case the said company and any of the said owners cannot agree upon the amount of the said damages, then the said damages shall be ascertained and determined as nearly as may be in the manner hereinafter provided for, for ascertaining and determining the damage which any land owner or owners shall sustain by the taking of stone, gravel or other materials from his or her land, for the constructing or maintaining of said turnpike road; *provided* also, that the said company shall have power to take only the right of way over the lands whereon the said road is to be constructed, paying damages which the owners will sustain thereby; and the commissioners hereinafter named, if appointed, shall have power to assess damages for the right of way only.

Proviso.

Proviso.

Breadth of road.

12. *And be it enacted*, That the said turnpike road shall be constructed at least thirty-two feet in breadth along the middle as near as may be of the said highway, and shall be sufficiently arched and drained to make and keep the same dry, and at least eighteen feet thereof shall be so graded that in its progress no part of said road shall rise above an angle of six degrees with the plane of the horizon; and the said company shall make good and sufficient bridges along the line of said road not less than fourteen feet in breadth; and whenever the said road in passing over low ground, shall be raised so much at the margin or side as to render carriages passing thereon liable to overset, the said company shall cause railings to be erected and maintained on the sides, so as to prevent horses and carriages from running off.

Proceedings when company and owners cannot agree.

13. *And be it enacted*, That it shall be lawful for said company, their officers, superintendents, engineers and work-

men, with carts, wagons and other carriages, and with beasts of burthen and draught, and all necessary materials, tools and implements, to enter upon all lands contiguous or near to the route of said road, doing as little damage thereto as possible, repairing any breach they may make in the enclosures thereof, and to make all ditches and underdrains across and through such lands necessary for properly draining said road, and that when said company or its agents cannot agree with the owner or owners of such required land or material, for the use or purchase thereof, or when by reason of the legal incapacity or absence of such owner or owners, no such agreement can be made, a particular description of the land or materials so required for the use of said company in the construction of said road, shall be given in writing under the oath or affirmation of some engineer or proper agent of the company, and also the name or names of the occupant or occupants, if there be any, and of the owner or owners if known, and their residence, if the same can be ascertained, to one of the judges of the supreme court of this state, or to one of the judges of the court of common pleas of the county of Monmouth, who shall cause said company to give notice thereof to the persons interested, if known and in this state, or if unknown and out of this state, to make publication thereof as he shall direct for any term not less than twenty days, and to assign a particular time and place for the appointment of commissioners hereinafter named, at which time upon satisfactory evidence to him of the service or publication of such notice aforesaid, he shall appoint under his hand and seal, three disinterested, impartial and judicious freeholders, commissioners to examine and appraise said land or materials, and to assess the damages, upon notice to be given to the persons interested, as shall be directed by the justice or judge making such appointment, to be expressed therein not less than twenty days; and it shall be the duty of said commissioners, having first taken and subscribed an oath or affirmation, before some person duly authorized to administer an oath or affirmation, faithfully to examine the matter in question and make a true report according to the best of their skill and understanding, to meet at the time and place appointed and proceed to view and examine the said lands or materials and make a just and equitable estimate or appraisal of the value of the same, and assessment of damages to be paid by the said company for such land and materials and damages aforesaid, and to make a report thereof, under the

hands and seals of the said commissioners, or any two of them, and file the same within ten days thereafter, together with the aforesaid description of the land or materials, and the appointment and oaths or affirmations aforesaid, in the clerk's office of the county of Monmouth, in which the said land or materials may be, to remain on record therein, and shall be recorded by the clerk; which report or a copy thereof certified by the clerk of said county, shall at all times be considered as plenary evidence of the right of said company to have, hold, use, occupy, possess and enjoy the said land or materials, after payment of the value and damages so assessed, and of the right of said owner or owners to recover the amount of said valuation with interest and costs, in an action in any court of competent jurisdiction, in a suit to be instituted against the company if they shall neglect or refuse to pay the same for twenty days after demand made of their treasurer, and shall constitute a lien upon the property of the company in the nature of a mortgage, and payment of which said assessments shall be made to the owner or owners, or persons entitled to receive the same, or to the clerk of the court of common pleas of Monmouth county, whenever the judge appointing the commissioners shall so order, and the said justice shall tax and allow such costs, fees and expenses to the said justice, commissioners, clerks, and other persons performing any of the duties prescribed in this section as he shall think equitable and right, which shall in all cases be paid by the said company.

Toll-gates to
be erected.

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

Rates of toll.

For every carriage, sleigh or sled drawn by one beast,	one and one-half cents;
For every additional beast,	one and one-half cents;
For every horse and rider, or led horse or mule,	three-quarters of one cent;
For every dozen of calves, sheep or hogs,	two cents;
For every dozen of horses, mules or cattle,	six cents;
And it shall and may be lawful for the toll gatherers to stop	

persons riding, leading or driving any horses, cattle, mules or calves, sheep or hogs, or carriages of burthen or pleasure, from passing through the said gates or turnpikes until they shall have paid the toll as above specified; *provided*, that nothing in this act shall be so construed as to entitle the said company to demand or receive toll of or from any person passing to or from public worship on the Sabbath day or horses, carriages, sleighs or sleds carrying persons to or from a funeral, or any person passing to or from his common business on his farm. Proviso.

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

16. *And be it enacted*, That if any person shall wilfully break down, throw down, or deface any of the mile stones or posts so erected on the said road, or wilfully tear down and deface any of the rates of toll or directions, or shall cut, break down or destroy or otherwise injure any gates, turnpikes or bridges that shall be erected pursuant to this act, or shall forcibly pass the same without having paid the legal toll at such gate or gates or turnpikes, such person or persons shall forfeit and pay the sum of twenty dollars, besides being subject to an action for damages for the same, to be recovered by the said company by action of debt or other proper action in any court of competent jurisdiction with costs of suit; and if any person with his or her carriage, team or horses turn off the said road to pass a gate or gates, on private grounds adjacent thereto, and again enter on the 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 gates, to be recovered by said company for the use thereof in an action of debt, with costs of suit. Penalty for injuring works.

17. *And be it enacted*, That if any toll gatherer shall unnecessarily delay or hinder any traveller passing at any of the gates and turnpikes, or shall receive more toll than is by this act established, the said company shall for every such offence Penalty for delaying travellers.

forfeit and pay the sum of twenty dollars with costs of suit, to be prosecuted by and recovered for the sole use of the person so unreasonably hindered or defrauded.

Penalty for obstructing passage.

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

Proceedings when road and bridges are not kept in repair.

19. *And be it enacted*, That if the said company shall not keep the said road and bridges in repair, and complaint thereof shall be made to any judge of the court of common pleas of the county of Monmouth, who may be disinterested, the said judge shall immediately appoint by writing under his hand and seal three disinterested freeholders of said county, which three persons or a majority of them, on notice being given to the keeper of the nearest gate or turnpike, nearest to the bridge or the part of the road out of repair, shall meet at such time and place as the said judge may appoint, and having taken an oath or affirmation to act impartially, shall proceed to view and examine the said road so complained of, and to report to the said judge, in writing, under their hands and seals, or under the hands and seals of any two of them, whether it be in such state as the law requires it to be kept; and if the report be unfavorable to the said road the said judge shall immediately in writing under his hand and seal, order the keeper of the said gate or turnpike to keep the same open until otherwise ordered, and if the said keeper shall notwithstanding the order of the said judge to open the said gate or turnpike, exact toll of travellers, the said company shall for each offence forfeit and pay twenty dollars, to be sued for by any person who will prosecute for the same in an action of debt with costs of suit; and the judge shall be allowed for his services fifty cents, and the persons appointed one dollar each, to be paid by the company; and it shall be the duty of the persons so appointed, or a majority of them, on application of said company again to view the said road, and report as aforesaid their opinion to the said judge who shall, if

authorized by the report of the said persons, or any two of them, by license under his hand and seal, directed to the toll gatherer, permit the gates or turnpikes to be shut and the toll to be collected as before, and the same fee 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 fee shall be allowed as before prescribed, and paid by the person or persons making the complaint.

20. *And be it enacted*, That when the said company shall have completed any two consecutive miles of said road, according to the directions and true intent and meaning of this act, it shall be lawful for the said company to erect a toll gate across the said road, and demand and receive toll for traveling thereon, agreeably to the foregoing rates. When toll may be taken

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

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

Approved February 9, 1865.

CHAPTER V.

A Supplement to the act entitled "An act to incorporate the Elizabethtown Steam Manufacturing Company," approved March fourth, eighteen hundred and forty-six.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said corporation, "the Elizabethtown Steam Manufacturing Company," shall continue for twenty years beyond the time prescribed in its charter, and the existence of said corporation is hereby extended for that term. Charter extended.

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

Approved February 9, 1865.

CHAPTER VI.

An Act to incorporate the Aquetong Fire Company of the town of Lambertville.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Joseph Smith, James C. Weeden, William Cowin, John H. Horn, J. Howard Murray, Charles Crook, J. T. Flumerfelt, John Groman, Samuel G. Stockton, and all persons, not exceeding one hundred in number, as now are or hereafter shall become associates of the "Aquetong Fire Company, of Lambertville," 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 "Aquetong Fire Company, of the town of Lambertville;" 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 judicature whatsoever; and that they and their successors may have a common seal, may make, enter into and execute any contracts or agreements touching or concerning the objects of said incorporation, and shall have full power and authority to make, form and adopt such form of constitution and such by laws and regulations for their government, not inconsistent with the constitution and laws of this state or of the United States, as they shall think proper.

Amount of capital stock.

2. *And be it enacted*, That the capital stock of the said company shall not exceed the sum of eight thousand dollars, which shall be applied to the purchase and holding of real estate, to the procuring, maintaining and repairing such fire engine, hose carriage, hose, ladders, buckets, fire hooks, engine house, or other property, and such 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 citizens from injury or destruction by fire.

Officers to be elected.

3. *And be it enacted*, That the said company shall have power to elect annually, or oftener, if necessary, a president out of their own body, and such other officers and assistants as they shall deem necessary for conducting their affairs according to their constitution and by-laws; 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; and in their corporate name may institute suits for the recovery of all fines, debts and arrearages due the said company.

4. *And be it enacted*, That the acting members enrolled in this company shall be exempt from serving as jurors in any of the courts of this state. Exempt from jury duty.

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

Approved February 9, 1865.

CHAPTER VII.

An Act to incorporate the Trenton Pottery Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Appollinaire Husson, James Taylor, John F. Houdayer and Edmund Husson, and their associates, successors or assigns shall be, and they are hereby constituted and declared to be a body corporate and politic in fact and law, by the name of "The Trenton Pottery Company," for the purpose of manufacturing, selling and dealing in earthenware or crockery, of various descriptions; and for that purpose may purchase, hold, sell, convey, mortgage, lease, or otherwise dispose of such real and personal property as may be needful to carry on the said business, or may accrue to them in the course thereof. Names of corporators.

2. *And be it enacted*, That the original capital stock of the company shall be one hundred and fifty thousand dollars, with power to increase the same at any time, with the consent of a majority of the stockholders, to any amount not exceeding three hundred thousand dollars, which stock shall be divided into shares of one thousand dollars each, and that the persons named in this act, or any three of them, are hereby appointed commissioners to receive subscriptions to said capital stock at such time and place as they may select, and after the two-thirds of the said stock is subscribed and one-third of said stock paid in, the said commissioners shall call the first meeting of the stockholders for the purpose of organizing the said company. Amount of capital stock.

Stock trans-
ferable:

3. *And be it enacted*, That the shares of the said capital stock shall be deemed to be personal property, and shall be transferable, but no transfer of such shares shall be valid unless it be made on the books of the company in such manner as shall be prescribed by its by-laws.

Election of di-
rectors.

4. *And be it enacted*, That the business of the corporation shall be managed by not less than three nor more than five directors, being stockholders, one of whom shall be president and a resident of this state; and that the first directors shall be the same persons who shall act as commissioners to receive the subscriptions, and they shall hold their office for one year and until others are elected in their stead and that every year thereafter at such time and place and upon such notice as may be appointed by the by-laws, an election for directors shall be held, at which every stockholder shall be entitled, either in person or by proxy, to one vote for every share of stock he or she may own; and that in case any vacancy shall occur in the board of directors by death, resignation or failure of the stockholders to elect the full number authorized by this act, the remaining directors, for the time being, or a majority of them, shall have power to fill such vacancy by the appointment of any stockholder.

Payment of in-
stallments.

5. *And be it enacted*, That a majority of the directors shall form a board competent to transact the business of the company and make for its government such by-laws, rules and regulations as will not be inconsistent with the constitution or laws of this state or of the United States; and that it shall be lawful for the said directors of said corporation or a majority of them, from time to time, to call for and demand of the stockholders, respectively, all such sums of money as are by them subscribed, at such times and in such proportions as they shall deem proper, under the penalty of the forfeiture of their shares, and all previous payments thereon to the said corporation, if such payments shall not be made within thirty days after the day fixed for that purpose by notice previously served, designating the proportion of such payment per share, and the time and place, when and where, and the officer to whom the same shall be required to be made; and that at each increase of the capital stock an affidavit of the amount of the said increase shall be filed in the office of the secretary of state.

Company may
be dissolved:

6. *And be it enacted*, That the said company may be dissolved at a general meeting of the stockholders specially

called for that purpose; *provided*, that at least three-fourths, ^{Proviso} in value, of the stockholders shall concur therein.

7. *And be it enacted*, That regular books of account and ^{Books of account to be kept.} also books for the transfer of the stock shall be kept in the office of the company, in the city of Trenton, to which books every stockholder shall have free access, at all reasonable times, for the purpose of inspection.

8. *And be it enacted*, That the corporation hereby created shall possess the general powers and be subject to the general ^{Restrictions and liabilities.} restrictions, liabilities and limitations set forth in "An act concerning corporations," approved on the fourteenth day of February, eighteen hundred and forty-six, and the acts supplementary thereto or amendatory thereof, so far as the same are applicable.

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

Approved February 9, 1865.

CHAPTER VIII.

An Act to incorporate the American Velvet Company.

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Names of corporations.} *the State of New Jersey*, That Charles A. Bulkley, Stafford R. W. Heath, George D. H. Gillespie, John P. Yelverton, David B. Turner, and John H. Kase, and their associates, shall be and they are hereby declared to be a body corporate and politic, in fact and in law, by the name of the "American Velvet Company," for the purpose of manufacturing and selling silk velvets, hat plush, pongees and other goods from silk, worsted, mohair, cotton and linen, and for that purpose may hold such real estate, machinery, personal property and effects as may be needful to carry on the said business, or may accrue to them in the course thereof, and may sell, mortgage, lease or otherwise dispose of the same.

2. *And be it enacted*, That the capital stock of said company shall be five hundred thousand dollars, with the privilege ^{Amount of capital stock.} of increasing the same to one million of dollars, divided into shares of one hundred dollars each, and the persons named in the first section of this act, or a majority of them, are

hereby appointed commissioners to receive subscriptions to said capital stock, and as soon as five hundred thousand dollars of said capital stock is subscribed and ten per centum thereof is paid in, the said commissioners, or a majority of them, shall, by giving at least ten days' notice thereof in a newspaper published at Newark, call the first meeting of the stockholders for the purpose of organizing said company.

Election of directors.

3. *And be it enacted*, That the business of said company shall be managed by not less than five nor more than nine directors, who shall hold their office for one year and until others are elected in their stead, and every year thereafter at such time and place in the city of Newark, as the by-laws of said company may appoint, an election of directors shall be held.

Books of account to be kept.

4. *And be it enacted*, That the regular books of account shall be kept at the office of the company in the city of Newark, where the manufacturing business shall be carried on, to which books every stockholder may have free access, at all reasonable times, for the purpose of inspection; but no dividend shall at any time be made, except from the net profits of the company.

Restrictions and liabilities.

5. *And be it enacted*, That the corporation hereby created shall possess the general powers and be subject to the general restrictions and liabilities set forth in the act entitled "an act concerning corporations," approved February fourteenth, eighteen hundred and forty-six, and the supplements thereto, so far as the same are applicable, and this act shall take effect immediately.

Approved, February 9, 1865.

CHAPTER IX.

An Act to authorize the stockholders of the Farmers' and Mechanics' Bank of Rahway to reduce their capital stock, and afterwards, if they deem it advisable, to increase the same.

Capital stock may be reduced.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That whenever a meeting of the stockholders of the Farmers' and Mechanics' Bank, convened

in the banking house in the city of Rahway, by the board of directors, giving at least twenty days' notice of the time and place of said meeting, a majority of the said stockholders voting according to the rule and in the ratio observed in the election of directors, shall determine that a reduction of the capital stock is expedient, it shall and may be lawful for the said stockholders, by resolution to be adopted at such meeting, to reduce the capital of said bank to such sum as they may deem most likely to promote the interest of the said stockholders; *provided always*, that the said capital stock shall not be reduced to a sum less than fifty thousand dollars; and also that the said reduction shall not be legally perfected and established until a copy of the resolution of the stockholders for that purpose to be adopted as aforesaid, signed by the president and countersigned by the cashier of said bank and sealed with the common seal of said corporation, shall be delivered to the secretary of state, to be by him filed in his office. Proviso.

2. *And be it enacted*, That if at any time after the said reduction shall have been made and established, as mentioned in the first section of this act, it shall be deemed advisable to increase the capital stock of said bank, it shall be lawful for the board of directors of the said Farmers' and Mechanics' Bank, giving the same notice thereof as is required to be given in the first section, to convene a meeting of the stockholders of said bank, and to submit to said meeting the question of restoring their capital stock to the amount now authorized by the original act and supplements authorizing the increase of the capital stock, or such amount of the same as it stood before the reduction; and if the said stockholders, or a majority of them, shall, at said meeting, or at any adjourned meeting, voting according to the rule and ratio observed in the election of directors, declare that the capital stock shall be restored to the amount authorized by the said original act and supplements, or such amount as may be agreed on by resolution of said stockholders, it shall and may be deemed restored accordingly; and the directors of said company shall thereupon provide for such increase, either by increasing the par value of the shares of stock, or by an addition to the number of shares of the capital stock, as they may deem best; and in case said directors shall increase the par value of the shares of stock, the said directors may require from the stockholders payment of such sums per share as will be necessary to raise such increased capital, at such time or times as they may deem advisable, giving the same notice as was required by Capital stock
may be in-
creased.

the charter of said bank for the payment of the original installments; and if the directors shall decide on an increase in the number of shares of stock for the purpose of raising said capital to the amount herein authorized, then the said directors shall ascertain the number of shares to be added, and the par value of each of said shares; and the directors may from time to time, when so called on, allot ratably among the said stockholders of the stock of said bank, in proportion to the number of shares held by them respectively, and such additional shares shall be deemed to be a part of the capital stock of said corporation as fully to all intents and purposes as if they had been created by the original act of incorporation.

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

Approved February 9, 1865.

CHAPTER X.

An Act to incorporate the Eatontown and Sea Shore Turnpike Company.

Commissioners to receive subscriptions.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the subscription books of the capital stock of the Eatontown and Sea Shore Turnpike Company shall be opened by Jacob Herbert, Benjamin C. White, Henry Howland, Samuel Laird, Francis Corlies, or a majority of them, who are hereby appointed commissioners to receive subscriptions to the said stock, at such times and such places as they or a majority of them may direct, giving notice at least ten days prior to the opening of said books by publishing the same in at least two of the newspapers published in this state.

Amount of capital stock.

2. *And be it enacted*, That the capital stock of said company shall be five thousand dollars, with liberty for the said company to increase the same to a sum not exceeding twenty-five thousand dollars, and shall be divided into shares of fifty dollars each, and that when fifty shares shall be subscribed for, the persons holding the same shall be and they are hereby incorporated into a company by the name of the "Eaton-

town and Sea Shore Turnpike Company," and by that name shall have, enjoy and exercise all the rights, powers and privileges appertaining to corporate bodies and necessary to carry the objects of said company into effect.

3. *And be it enacted*, That at the time for subscribing for said stock, five dollars shall be paid upon each share subscribed for to the commissioners or any of them, which money shall be paid over to the treasurer of the company as soon as one shall be appointed, and the residue of the subscription shall be paid in installments at such times and at such places and to such persons as the president and directors of the company shall from time to time direct or give public notice thereof in manner aforesaid, and upon failure of the payment thereof, as so directed, the said president and directors shall have power to forfeit the shares of each and every person so failing to pay the said installments or any of them to and for the use of said company; *provided*, that the stockholders shall upon request have the right to pay the stock subscribed for, except the first installment by work upon said road under such regulations, at such time and upon such notice as the directors may determine. Payment of installments. Proviso.

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

5. *And be it enacted*, That when fifty shares of said stock shall be subscribed for, the said commissioners shall call a meeting of the stockholders, giving at least twenty days' notice of the time and place of said meeting, as hereinbefore directed with regard to the opening of said books, at which meeting the subscription books shall be laid before the stockholders, who shall thereupon proceed to elect by ballot five directors, a majority of whom shall be citizens of this state, to manage the affairs of said company for one year, of which election the said commissioners or a majority of them shall be judges, and at the expiration of that term and annually thereafter, upon like notice to be given by the directors for the time being, the said stockholders shall elect by ballot the same number of directors, a majority of whom shall be citi- Election of directors.

zens of this state as aforesaid, and at every such election and in all other cases in which the stockholders shall be entitled to vote, a vote may be given for each share of the holder or holders thereof either in person or by proxy.

Duties and powers of president.

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

Duties and powers of directors.

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

Proviso.

Annual statement to be made.

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

Special meetings.

9. *And it be enacted,* That special meetings of the stockholders may be called by order of said president, or three of the directors, or by the stockholders owning one-fourth of

the whole stock of the company, by giving notice of the time and place of holding the same as hereinbefore directed with regard to the annual meetings, which said notice shall specify the particular object of the meeting, but that no business of the company shall be transacted at such special meeting unless a majority in value of the stockholders attend and concur therein, who may require the books, accounts and all other papers and proceedings of the company to be exhibited to them by the president and directors.

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

11. *And be it enacted*, That it shall and may be lawful for the said company to construct and make a turnpike road from Eatontown, in the county of Monmouth, to the sea shore in said county, beginning at the junction of the streets in Eatontown in front of Benjamin C. White's store, and ending at the sea shore at what is called Lane's End, in the same county, which said turnpike road shall be constructed on and along the public highway leading from the village of Eatontown through Long Branch village to said Lane's End, except in those places where the said public highway is not straight, then and in those places the said company shall have power to construct the said turnpike road where they may deem proper, and that the width of said turnpike road shall be governed by the width of the public road upon which it may be made; *provided*, that before the said company shall construct the said turnpike road aforesaid along the highway aforesaid, they shall pay to the respective owners of the lands over which the said highway selected for constructing the said turnpike upon now passes all damages which the said owners will sustain by reason of the construction of the said turnpike road, and in case the said company and any of the said owners cannot agree upon the amount of the said damages, then the said damages shall be ascertained and determined as nearly as may be in the manner hereinafter provided for, for ascertaining and determining the damage which any land owner or owners shall sustain by the taking of stone, gravel or other materials from his or her lands for the constructing or main- Construction of road. Proviso.

Proviso.

taining of said turnpike road; *provided, also*, that the said company shall have power to take only the right of way over the lands whereon the said road is to be constructed, paying damages which the owners will sustain thereby, and the commissioners hereinafter named, if appointed, shall have power to assess damages for the right of way only.

Breadth of road.

12. *And be it enacted*, That the said turnpike road shall be constructed at least thirty-two feet in breadth along the middle as near as may be of the said highway, and shall be sufficiently arched and drained to make and keep the same dry, and at least eighteen feet thereof shall be so graded that in its progress no part of said road shall rise above an angle of six degrees with the plane of the horizon, and the said company shall make good and sufficient bridges along the line of said road, not less than twenty feet in breadth, and whenever the said road in passing over low ground shall be raised so much at the margin or side as to render carriages passing thereon liable to overset, the said company shall cause railings to be erected and maintained on the sides so as to prevent horses and carriages from running off.

Proceedings when company and owners cannot agree.

13. *And be it enacted*, That it shall be lawful for said company, their officers, superintendents, engineers and workmen with carts, wagons and other carriages, and with beasts of burthen and draught, and all necessary materials, tools and implements, to enter upon all lands contiguous or near to the route of said road, doing as little damage thereto as possible, repairing any breach they may make in the enclosure thereof, and to make all ditches and under drains across and through such lands necessary for properly draining said road, and that when said company or its agents cannot agree with the owner or owners of such required land or materials for the use or purchase thereof, or when by reason of the legal incapacity or absence of such owner or owners no such agreement can be made, a particular description of the land or materials so required for the use of said company in the construction of said road shall be given in writing, under the oath or affirmation of some engineer or proper agent of the company, and also the name or names of the occupant or occupants, if there be any, and of the owner or owners, if known, and their residence, if the same can be ascertained, to one of the judges of the supreme court of this state, or to one of the judges of the court of common pleas of the county of Monmouth, who shall cause said company to give notice thereof to the persons interested, if known and in this state, or if unknown and out

of this state to make publication thereof, as he shall direct for any term not less than twenty days, and to assign a particular time and place for the appointment of commissioners hereinafter named, at which time, upon satisfactory evidence to him of the service or publication of such notice aforesaid, he shall appoint under his hand and seal, three disinterested, impartial and judicious freeholders, commissioners to examine and appraise said land or materials, and to assess the damages upon such notice to be given to the persons interested as shall be directed by the justice or judge making such appointment to be expressed therein, not less than twenty days, and it shall be the duty of said commissioners, having first taken and subscribed an oath or affirmation before some person duly authorized to administer an oath or affirmation, faithfully to examine the matter in question, and to make a true report according to the best of their skill and understanding, to meet at the time and place appointed and proceed to view and examine the said lands and materials, and make a just and equitable estimate or appraisement of the value of the same, and assessment of damages to be paid by the said company for such land and materials and damages aforesaid, and to make a report thereof under the hands and seals of the said commissioners, or any two of them, and file the same within ten days thereafter, together with the aforesaid description of the land or materials and the appointment and oaths or affirmations aforesaid, in the clerk's office of the county of Monmouth, to remain on record therein, and shall be recorded by the clerk, which report or a copy thereof, certified by the clerk of said county shall at all times be considered as plenary evidence of the right of said company to have, hold, use, occupy, possess and enjoy the said land or material after payment of the value and damages so assessed; and of the right of said owner or owners to recover the amount of said valuation, with interest and costs, in an action in any court of competent jurisdiction, in a suit to be instituted against the company if they shall neglect or refuse to pay the same for twenty days after demand made of their treasurer, and shall constitute a lien upon the property of the company in the nature of a mortgage, and payment of said assessments shall be made to the owner or owners or persons entitled to receive the same or to the clerk of the court of common pleas of Monmouth county, whenever the judge appointing the commissioners shall so order; and the said justice shall tax and allow such costs, fees and expenses to the said justice, com-

missioners, clerks and other persons performing any of the duties prescribed in this section as he shall think equitable and right, which shall, in all cases, be paid by the said company.

Toll-gates to be erected.

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

Rates of toll.

For every carriage, sleigh or sled drawn by one beast,	one cent ;
For every additional beast,	one cent ;
For every horse and rider, or led horse or mule,	five mills ;
For every dozen of calves, sheep or hogs,	one cent ;
For every dozen of horses, mules or cattle,	four cents ;

And it shall and may be lawful for the toll gatherers to stop persons riding, leading or driving any horses, cattle, mules or calves, sheep or hogs, or carriages of burthen or pleasure from passing through the said gates or turnpikes until they shall have paid the toll as above specified ; *provided*, that nothing in this act shall be so construed so as to entitle the said company to demand or receive toll of or from any person passing to or from public worship on the Sabbath day, or horses, carriages, sleighs, or sleds carrying persons to or from a funeral, or any person passing to or from his common business on his farm, or any militiaman passing to or from any training on a muster day appointed by law, or any military officer or soldier passing or repassing when called to duty by the laws of this state, or of the United States.

Proviso.

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

16. *And be it enacted*, That if any person shall wilfully

break down, throw down or deface any of the mile stones or posts so erected on the said road, or wilfully tear down or deface any of the rates of toll or directions, or shall cut, break down or destroy, or otherwise injure any gates, turnpikes, or bridges that shall be erected pursuant to this act, or shall forcibly pass the same without having paid the legal toll at such gate or gates or turnpikes, such person or persons shall forfeit and pay the sum of twenty dollars, besides being subject to an action for damages for the same, to be recovered by the said company by action of debt or other proper action in any court of competent jurisdiction, with costs of suit, and if any person, with his or her carriage, team or horse, turn off the said road to pass a gate or gates, on private grounds adjacent thereto and again enter on the said road, with intent to avoid the toll due by virtue of this act, such person or persons shall forfeit and pay a penalty of five dollars, to be recovered by said company for the use thereof in an action of debt, with costs of suit.

Penalty for injuring works.

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

Penalty for delaying travellers.

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

Penalty for obstructing passage.

19. *And be it enacted*, That if the said company shall not keep the said road and bridges in repair, and complaint thereof shall be made to any judge of the court of common pleas of the said county of Monmouth who may be disinterested, the said judge shall immediately appoint by writing under his hand and seal, three disinterested freeholders and residents of the township of Ocean, in said Monmouth county, which three

Proceedings when road and bridges are not kept in repair.

persons, or a majority of them, on notice being given to the keeper of the nearest gate or turnpike, shall meet at such time and place as the said judge may appoint, and having taken an oath or affirmation to act impartially, shall proceed to view and examine the said road so complained of, and to report to the said judge in writing under their hands and seals, or under the hands and seals of any two of them, whether it be in such state as the law requires it to be kept, and if the report be unfavorable to the said road, the said judge shall immediately, in writing, under his hand and seal, order the keeper of the said gate or turnpike to keep the same open until otherwise ordered, and if the said keeper shall, notwithstanding the order of the said judge to open the said gate or turnpike, exact toll of travellers, the said company shall for each offence forfeit and pay twenty dollars, to be sued for by any person who will prosecute for the same in an action of debt, with cost of suit, and the judge shall be allowed for his services fifty cents, and the persons appointed one dollar each, to be paid by the company, and it shall be the duty of the persons so appointed, or a majority of them, on application of said company, again to view the said road, and report as aforesaid their opinion to the said judge, who shall, if authorized by the report of the said persons or any two of them, by license under his hand and seal directed to the toll gatherer, permit the gates or turnpikes 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 person or persons making the complaint.

When toll
may be taken.

20. *And be it enacted*, That when the said company shall have completed any two consecutive miles of said road according to the directions and true intent and meaning of this act, it shall be lawful for the said company to erect a toll gate across the said road, and demand and receive toll for travelling thereon agreeably to the foregoing rates.

Restrictions
and liabilities.

21. *And be it enacted*, That the said corporation shall possess the general powers and be subject to the restrictions and liabilities contained in the act entitled "An act concerning corporations," approved February fourteenth, eighteen hundred and forty-six, so far as the same are applicable.

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

Approved February 9, 1865.

CHAPTER XI.

A Supplement to an act entitled "An act concerning the estates of persons who die insolvent," approved April sixteenth, eighteen hundred and forty-six.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That whenever any executor or administrator shall proceed in the settlement of the estate of any decedent in his hands, under the provisions of the third section of the act entitled "An act concerning the estates of persons who die insolvent" approved April sixteenth, eighteen hundred and forty-six, or under the twenty-fourth section of the act entitled "A further supplement to an act entitled 'An act respecting the Orphans' Court, and the power and authority of surrogates,'" approved March seventeenth, eighteen hundred and fifty-five, such executor or administrator shall make report after the expiration of the time limited by said sections respectively of the several claims and demands which may be exhibited against said estate, particularly specifying the demand and amount thereof at the time of such report, and whether by judgment, decree, bond, note, book account or otherwise, which report may be made at the term in which said limited time may expire, or at the term next after such time may expire, in case the same expire in vacation, anything in the first mentioned act to the contrary notwithstanding.

Executors and administrators to make report.

2. *And be it enacted*, That such executor or administrator shall give two months' notice of his intention to make such report by advertisement, signed with his name, and put up in three of the most public places in the county where such decedent resided at the time of his death, and shall specify therein the day on which such report will be made to such court.

Notice to be given.

3. *And be it enacted*, That it shall be lawful for any person interested in said estate either as creditor, heir, administrator, executor, or otherwise, to file exceptions as provided in said act respecting insolvent estates, but the same shall be filed within twenty days after the filing of the said report by such executor or administrator, which exception shall be disposed of in the manner provided by that act; and that the said court may extend the time for making such report and

Exceptions may be filed.

for filing exceptions, in proper cases, upon such terms as they may deem just and fair.

Approved February 10, 1865.

CHAPTER XII.

A Further Supplement to an act entitled "An act to create from parts of the town of Orange, and the townships of Caldwell and Livingston, in the county of Essex, a new township, to be called the township of Fairmount," approved March eleventh, Anno Domini eighteen hundred and sixty-two.

Part of former
act repealed.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That sections seven and eight of the act entitled "A supplement to an act entitled 'An act to create from parts of the town of Orange, and the townships of Caldwell and Livingston, in the county of Essex, a new township, to be called the township of Fairmount,'" approved March eleventh, Anno Domini eighteen hundred and sixty-two, which said act was approved March fourteenth, Anno Domini eighteen hundred and sixty-three, be and the same are hereby repealed.

Powers of
township
committee.

2. *And be it enacted*, That the township committee of the township of West Orange shall have power, by a majority of their whole number, to pass such ordinances, by-laws and regulations as they shall judge proper for the following purpose, viz: to establish and regulate one or more pounds, and to restrain and regulate the running at large and grazing in the streets or public places, of horses, cattle, swine or other animals, and to authorize the impounding and sale of the same for the penalty incurred, and the costs of impounding, keeping and selling the same, a copy of which laws and ordinances shall be set up in three public places in said township at least three weeks prior to their taking effect.

Book of record
&c., may be
taken as evi-
dence.

3. *And be it enacted*, That the book of record of the ordinances and by-laws of the said township committee shall be taken and received as evidence of the due passage of all the ordinances and by-laws recorded therein; and that the publication of the said ordinances and by-laws as aforesaid, shall

in all cases be presumed to have been made, until the contrary shall be made to appear; and further, upon the trial of any issue, or upon the judicial investigation of any fact to which issue the inhabitants of the township of West Orange shall be a party, or in which the inhabitants of the said township of West Orange are interested, no person shall be deemed an incompetent witness or juror by reason of being an inhabitant of said township of West Orange.

4. *And be it enacted*, That in all cases where the township committee of the said township shall have authority to pass ordinances on any subject, they may prescribe a penalty or penalties for the violation thereof, either by imprisonment, not exceeding thirty days, or by fine not exceeding fifty dollars, to be recovered, with costs, in an action of debt, and in the name of "the inhabitants of the township of West Orange," for the use of said township, before any justice of the peace in the county of Essex, in which action the first process may be either by warrant or by summons, and in which it shall be lawful to declare generally in debt for such penalty, and give the special matter in evidence; and it shall be lawful for any justice before whom judgment of imprisonment shall be given, to carry such judgment into effect by warrant of commitment, under his hand and seal, directed to the keeper of the common jail of the county of Essex, and that such keeper shall receive and safely keep all such offenders as shall be committed as aforesaid, for the term of his, her or their imprisonment; *provided*, that all the fees, charges and expenses accruing or incurred by virtue of the provisions of this section, shall be borne and paid by the said township committee, and the keeper of the common jail shall not therefor have or demand any fees, charges or expenses from the board of chosen freeholders of said county. May prescribe penalties.

5. *And be it enacted*, That this act shall be deemed and taken to be a public act, and shall take effect immediately. Proviso.

Passed February 15, 1865.

CHAPTER XIII.

An Act to authorize the extension of Mechanic Street, in East Orange, Essex County, New Jersey, from Main Street to Central Avenue.

Commissioners to survey, lay out and open streets.

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That George Booth, Moses H. Williams and Jotham Hedden, be and they are hereby appointed commissioners, and are invested with all the rights, powers, and authority, necessary and expedient to survey, lay out, and open a street which shall be sixty feet wide (between fences), to be called Mechanic street, and considered an extension of the street now opened of that name; said street to commence on the south side of Main street, in East Orange aforesaid, so that the centre of the same would be at a point directly opposite the centre of Mechanic street aforesaid, where the said Mechanic street intersects the aforesaid Main street; and from thence running in a direct line in a southerly direction to a point where the centre of the said street to be opened would intersect Central avenue aforesaid, at the distance of five hundred and forty feet in a westerly direction from the northwest corner of Central avenue and a street called Grove street, in East Orange, aforesaid; and it shall be lawful for the said commissioners, their agents, engineers, surveyors, and others in their employ, to enter at all times upon lands for the purpose of surveying, locating, and laying out the route of said street; and the commissioners before they enter upon the duties prescribed by this act, shall take an oath or affirmation to act faithfully and impartially in the execution of their trust.

When survey, &c. to be completed.

2. *And be it enacted*, That the said commissioners shall complete the surveying, locating and laying out of the said street on or before the first day of May, eighteen hundred and sixty-five; and immediately after the completion of the survey they shall file a copy of the same in the office of the clerk of the county of Essex, and after the said street is laid out by the said commissioners, it shall be worked by the township of East Orange, and immediately put in good order for the accommodation of the travelling public.

To allow damages and assess benefits.

3. *And be it enacted*, That the said commissioners, or a majority of them, shall have full power and authority to allow

damages and to assess benefits to the persons owning the land upon which said street may be located; *provided*, that should damages be allowed to persons for lands, which amount to more than the benefits assessed to them, the said commissioners shall have authority to charge the same to the owners of the lands, who, in the opinion of the commissioners, or a majority of them, are benefitted thereby, without regard to the location of the lands to be so charged as aforesaid; *provided* the lands lie in the township of East Orange; and the sum or sums so charged as aforesaid shall be a lien upon the lands upon which it is charged until the same is paid, and the said commissioners shall cause to be served upon the owner or owners of land upon which said street may be located, written notice of the time and place of the meeting of the commissioners to assess damages and benefits by reason of the taking of his, her, or their land for said street, which notice shall be served at least six days before the time of such meeting, upon such owner or owners, personally, or by leaving a copy at his, her, or their usual place of abode, and if the place of abode cannot be ascertained, then by publishing the notice in some daily newspaper in said county for six days; and said report of damages and benefits shall be made by said commissioners at the same time.

4. *And be it enacted*, That if any owner or owners of land so taken, or upon whom benefits are assessed as aforesaid, shall be dissatisfied with the assessors of said commissioners, he, she or they may within ten days after a copy of the decision of the commissioners shall be served upon them, appeal from such decision by filing a written appeal with one of the justices of the supreme court of this state, and the said justice, after he is satisfied by due proof that six days notice has been given in writing to said commissioners of the time and place, shall proceed to appoint three disinterested men, who shall be residents of Essex county; to review the said assessments of damages or benefits, and lessen, increase or confirm the same as to them shall seem fit and just, and their report, or the report of a majority of them, filed in the office of the clerk of the court of common pleas of the county of Essex, shall be final and conclusive; and such notice as is required in the third section of this act shall be given to the said commissioners of the time and place of meeting to review the said assessments, and the persons to be appointed by this section shall, before they enter upon their duties, take an oath or affirmation to act faithfully and impartially.

Proviso.

Proviso.

Proceedings
in case of ap-
peal.

Commissioners to proceed with work notwithstanding appeal.

5. *And be it enacted*, That notwithstanding any appeal from the decision of the commissioners named in the first section of this act, it shall be lawful for the said commissioners to proceed with the opening of the said street over the lands upon which it shall be located, if the sum or sums awarded for damages by said commissioners be first deposited with the clerk of the court of common pleas, of the county of Essex, to be applied to the payment of the amount that may be awarded upon a rehearing or to the payment of the land owner, should the appeal be withdrawn, abandoned or otherwise discharged.

Powers of commissioners.

6. *And be it enacted*, That the commissioners named in the first section of this act shall have power to sue for and collect by law, with costs of suit, in their own name (as commissioners aforesaid), from the owner or owners of lands, such benefits as may be assessed for them to pay by virtue of the provisions of this act.

Expenses, by whom paid.

7. *And be it enacted*, That the expenses incurred by the commissioners in and about the surveying, locating, and opening of the said street, shall be paid by the township of East Orange; and the commissioners and the persons appointed by virtue of the fourth section of this act, shall each receive as compensation for their services under this act, the sum of two dollars per day for each and every day they shall be engaged in and about their duties under this act.

Repealer.

8. *And be it enacted*, That all acts and parts of acts, inconsistent with this act, and contrary to the provisions of the same, be and the same are hereby repealed, so far as the same will interfere with this act or the provisions thereof.

9. *And be it enacted*, That this act shall be deemed and taken to be a public act, and shall take effect immediately.

Approved February 16, 1865.

CHAPTER XIV.

An Act to confirm the action of the board of chosen freeholders of the county of Salem in appropriating money for bounties to volunteers, and to authorize them to issue bonds and to provide for the payment of the same.

WHEREAS, The board of chosen freeholders of the county of Salem, since the first day of July, Anno Domini eighteen hundred and sixty-four, have, by resolution, offered various large sums of money as bounties to volunteers to fill the quotas of the townships of said county under the various calls for troops made by the President of the United States; and whereas, it is proper and right that the action of the said board of chosen freeholders should be sanctioned and confirmed by law, and that they should be authorized to provide for the whole of the indebtedness which has been or may be incurred for the payment of such bounties to volunteers as have been or may be offered by their authority, and the expenses incident thereto, by issuing bonds therefor, and to provide for the payment of the same, and to raise money for that purpose by taxation; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the action of the board of chosen freeholders of the county of Salem, in offering bounties for volunteers, borrowing money, issuing bonds for the payment thereof, and all other acts by the said board or by their authority done in the premises, and all the indebtedness thereby incurred, be and the same are each and all hereby authorized, sanctioned and confirmed throughout, and declared to be legal, valid and effectual in law, as if done by virtue of an act of the legislature specially authorizing the same in advance.

2. *And be it enacted*, That it shall and may be lawful for the board of chosen freeholders of the county of Salem, and their successors, to provide for the payment of the whole of the present indebtedness of said county, and for such indebtedness in the future payment of military bounties as shall be considered expedient and necessary, by issuing bonds, when so ordered at a special or stated meeting of said board, in the corporate name and under the corporate seal of said county, to be signed by the director of said board for the time being,

Preamble.

Acts confirmed.

To provide for payment by issuing bonds.

attested by the signature of the county collector elect, and registered in the books kept by clerk of said board, a certificate of which shall be placed on the back of said bonds, signed by the clerk of said board of freeholders, for an amount of money not to exceed, including the bonds and other evidences of indebtedness issued under former act and supplements thereto, the sum of six hundred thousand dollars, in such sums, and payable at such time or times as the said board of chosen freeholders may hereafter direct by resolution, and bearing interest, not to exceed seven per centum per annum, at the discretion of said board and to pledge the property and credit of the said county for the payment of the same.

Payment of
principal and
interest by
tax.

3. *And be it enacted*, That in order to provide for the payment of the interest and principal moneys of the bonds herein above authorized or confirmed and sanctioned, and the indebtedness thereby incurred, it shall be lawful to assess and collect upon the polls of the city of Salem and the different townships of said county on all single men of twenty-one years and upwards, a poll tax of ten dollars, and upon all taxable married men, a poll tax of five dollars, and the residue of such indebtedness upon the real and personal estate liable to taxation in said county, at the same time and in the same manner as the other county taxes are raised, such sum annually, in addition to the other moneys raised by taxes in said county, as the board of chosen freeholders, for the time being, of the said county of Salem may direct, which said sum, when raised, shall be under the care and management of the said board of chosen freeholders, whose duty it shall be to apply so much of the same as may be necessary for that purpose to the payment of the interest accruing from time to time on the said bonds, and to use and apply the balance thereof towards the payment of the principal money of said bonds, as the same shall respectively become due.

Repealer.

4. *And be it enacted*, That all acts and parts of acts heretofore relating to the action of the board of chosen freeholders in the county of Salem, in this state, in appropriating money for bounties to volunteers, and issuing bonds, that are inconsistent with this act, and also a supplement approved March fourth, eighteen hundred and sixty-four, be and the same are hereby repealed.

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

Approved February 17, 1865.

CHAPTER XV.

An Act to authorize the inhabitants of the township of Acquackanonk, in the county of Passaic, to raise money, issue bonds, and for other purposes.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the township committee of the township of Acquackanonk, in the county of Passaic, to provide for the payment of the indebtedness incurred or to be incurred by said committee in raising money and paying bounties to and for such volunteers or substitutes and soldiers as have been or shall be enlisted and mustered into the service of the United States, in or for the said township, under the authority and direction of said committee, by issuing bonds in the name of "The inhabitants of the township of Acquackanonk, in the county of Passaic," under the respective hands and seals of the said township committee or any three of them, and attested by the clerk of said township, for an amount not exceeding in the aggregate such sum as the said township committee shall direct for the purposes aforesaid; the said bonds to be for such sums, and payable at such time or times, as the said committee shall deem proper, not exceeding twenty years from the date or time of issuing the same, and bearing interest not to exceed seven per centum per annum, payable annually or semi-annually, and with or without coupons, as the said committee shall direct, and if with coupons, such coupons shall be signed by the clerk of said township, and to pledge the property and credit of said township for the payment of the same; and the said township committee, and their successors in office, shall have power to sell and assign said bonds for any sum not less than the par value thereof.

To provide for
payment of in-
debtedness by
issuing bonds.

2. *And be it enacted*, That the township committee of the said township of Acquackanonk are hereby authorized and required to provide for the payment of the said bonds, and the interest thereon, as the same shall from time to time become due and payable, by taxation, to be made, levied, assessed and collected, at the times and in the manner that other township taxes in said township are levied, assessed and collected; *provided*, that the township collector of said township, or other person for that purpose appointed, shall,

Payment of
principal and
interest by tax

Proviso.

when the taxes raised by virtue of this act, or any part thereof, shall be collected, pay the same to the township committee of said township.

Proceeds, how applied.

3. *And be it enacted*, That the proceeds of the bonds issued under and by virtue of this act, shall be applied by the township committee of the said township for the time being to the payment and satisfaction of the indebtedness aforesaid.

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

Approved February 17, 1865.

CHAPTER XVI.

An Act to incorporate the Musconetcong Iron Works, in the county of Sussex.

Corporate name.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all persons who shall become subscribers to the capital stock hereinafter mentioned, their successors and assigns, shall be and they are hereby created and made a corporation and body politic, in fact and in law, by the name of the "Musconetcong Iron Works."

Amount of capital stock.

2. *And be it enacted*, That the capital stock of said corporation shall consist of five thousand shares, of the par value of one hundred dollars per share, with liberty to increase the same to ten thousand shares of the same par value, which shall be transferred in such manner as the said corporation shall direct.

Commissioners to receive subscriptions.

3. *And be it enacted*, That William M. Babbitt, John F. Voorhees and Robert P. Stoll, be and they hereby are appointed commissioners to receive subscriptions to the capital stock of such corporation, and they, or the majority of them, shall open books of subscription to such stock at the town of Stanhope, in the county of Sussex, at such time and place as they or a majority of them, shall appoint, and shall attend and receive subscriptions.

Election of directors.

4. *And be it enacted*, That whenever the capital stock of said corporation, to the amount of two hundred and fifty thousand dollars par value, shall be subscribed, and two per centum thereof paid in, the said commissioners shall close the

books and hold an election for directors of said corporation, first giving notice thereof one week previously, and in a newspaper published in Morris county; that five directors shall be elected by ballot at such election, by the stockholders, each of whom shall have at such election and all subsequent elections, one vote for every share of stock owned by him; that said five directors shall constitute the first board of directors, and the same number, or such number as the corporation may by its by-laws appoint, shall constitute all subsequent boards; and in case of a vacancy occurring in the board between the elections the remaining directors shall have power to fill the vacancy; that said directors so elected shall hold their offices for one year and until their successors shall be elected.

5. *And be it enacted*, That the directors shall have power President. to elect out of their body a president, for such term and in such manner as they shall appoint.

6. *And be it enacted*, That said commissioners shall deliver Not dissolved for failure to elect. to the said board of directors, when elected, the subscription books of said corporation and all moneys received by them for such subscriptions; and said directors shall, by their by-laws, appoint an annual election for directors; but in case of failure to hold such election upon the appointed day, said corporation shall not thereby be dissolved, but the said election shall be held on some subsequent day, and the directors in office shall continue until such election.

7. *And be it enacted*, That the said board of directors shall Powers of directors. have power to demand from the subscribers to the capital stock of said corporation the money for such subscriptions and for any increase of its capital, or any assessment thereupon; and in case of the failure to pay such subscriptions, calls or assessments at such time as they may appoint, the said board may, after four weeks' notice in a newspaper published in the county of Morris, declare the said stock and all previous payments thereupon forfeited to the corporation, and such stock and all previous payments thereon, and all right to the same, shall be forfeited and belong to the said corporation.

8. *And be it enacted*, That this corporation may be dissolved Corporation may be dissolved. at any time by a vote of three-fourths of its stockholders in interest, at a meeting called for that express purpose, by a notice printed once a week for four successive weeks in a newspaper published in the county of Morris; and upon such dissolution the directors, or such persons as the stockholders

shall appoint, and their successors, shall be trustees, and as such have full power to realize, sell and convey and collect the assets of said corporation, real and personal, and pay its debts, and divide the surplus among its stockholders pro rata.

Powers of corporation.

9. *And be it enacted*, That the said corporation shall have power to carry on the business of mining, manufacturing and dealing in iron and other metals in the counties of Morris and Sussex, in this state, and for such purposes may buy and hold, sell and convey, lease and mortgage, the necessary real and personal property, and by water, steam, and such other power as they may employ, may carry on mining, manufacturing and milling operations.

Restrictions and liabilities.

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

Approved February 17, 1865.

CHAPTER XVII.

An Act to extend the charter of the "Hudson River Steam Boat Company."

Act extended.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the act entitled "An act to incorporate the Hudson River Steamboat Company," passed February twenty-first, eighteen hundred and forty-five, shall be and the same is hereby extended, for and during the further term of twenty years, from and after the time limited for its continuance in and by the ninth section of the said act.

Approved February 17, 1865.

SESSION OF 1865.

CHAPTER XVIII.

An Act to legalize Loans made and Bonds issued by "The Mayor and Common Council of Jersey City," for war purposes and provide for the raising of further sums.

WHEREAS, the mayor and common council of Jersey City, Preamble. have during the year eighteen hundred and sixty-four, appropriated the sum of four hundred and forty-seven thousand, three hundred dollars, (447,300 00) and have already issued bonds for the payment of a large part of the same for the purpose of paying bounties to volunteers and persons procuring substitutes in the army of the United States, and for other purposes relating to the maintenance of the federal government over and above the sums authorized by law for the purposes above named, and have raised the said sums by loans, and the issue of bonds; and whereas, the said the mayor and common council are apprehensive that a necessity may arise for further appropriations for the purposes aforesaid; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey,* Previous loans and bonds confirmed. That the loans heretofore made and bonds issued by "The Mayor and Common Council of Jersey City," be and the same are hereby confirmed and validated, and that the said "The Mayor and Common Council of Jersey City" be and they are hereby empowered to raise by loan or issue of bonds an amount not exceeding five hundred thousand dollars, for the purposes aforesaid (in addition to the loans and bonds heretofore made and issued) to be expended at such times and in such manner as to them may seem advisable.

2. *And be it enacted,* May issue bonds for payment thereof. That for the purpose of enabling the said "The Mayor and Common Council" to secure the loans heretofore made and the bonds heretofore issued without authority of law, and such further loans and bonds as may be necessary for the purpose aforesaid and hereby authorized, it shall be lawful for the said "The Mayor and Common Council" to issue bonds for the payment thereof, payable at such times and at such rates of interest not exceeding seven per cent. per annum as they may deem expedient.

Loans and
bonds a debt
of the city.

3. *And be it enacted*, That the said loans and bonds hereby confirmed and authorized shall be deemed and taken as a debt of the said city in addition to any indebtedness heretofore authorized.

Repealer.

4. *And be it enacted*, That all acts inconsistent with this act, be and the same are hereby repealed; and that this act shall be deemed a public act, and take effect immediately.

Approved February 17, 1865.

CHAPTER XIX.

An Act to authorize the town committee of the township of Raritan, in the county of Hunterdon, to borrow money for the purpose of filling the quota of soldiers of said township, under the call of the President of the United States, of the nineteenth day of December, Anno Domini one thousand eight hundred and sixty-four.

Authorized to
borrow money

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the town committee of the township of Raritan, in the county of Hunterdon, be, and they are hereby authorized to borrow any sum or sums of money not exceeding the sum of thirty thousand dollars, to be expended by them, or under their direction, in filling the quota of soldiers of said township under the call of the President of the United States for troops, of the nineteenth day of December, in the year of our Lord one thousand eight hundred and sixty-four.

Bond or other
security valid.

2. *And be it enacted*, That any note, bond or other security given by the town committee of said township, or a majority of them, in the name of the inhabitants of said township, for any money borrowed for the purpose aforesaid, shall be good and valid, and may be enforced against said township in any court of competent jurisdiction in the same manner that other lawful claims are enforced against bodies politic and corporate in law.

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

Approved February 20, 1865.

CHAPTER XX.

An Act to authorize the inhabitants of the township of Kingwood, in the county of Hunterdon, to raise by taxation the amount expended by the township committee of said township, in paying bounties to volunteers, and to those who furnished substitutes.

WHEREAS, the inhabitants of the said township of Kingwood, ^{Preamble.} in town meeting assembled, on the first day of October, eighteen hundred and sixty-four, did resolve and direct, that the township committee of said township should pay a bounty sufficient to procure volunteers to fill the quota of said township on the last call of the President of the United States for five hundred thousand men, and that they should pay to those who furnished substitutes, that counted upon said quota, the same sum paid to volunteers; and whereas, the said township committee have expended about thirty thousand dollars in filling said quota, in pursuance of the authority given them as aforesaid,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, ^{Money to be raised by tax.} That the assessor of said township of Kingwood, shall, immediately after the passage and approval of this act, assess and levy the said sum of thirty thousand dollars, by assessing and levying, first, a poll-tax of ten dollars upon every single white male inhabitant of said township of the age of twenty-one years and upwards, and a poll tax of five dollars upon every married white male inhabitant of said township of the age of twenty-one years and upwards; and then by assessing and levying the balance of said sum of thirty thousand dollars upon and against the personal property of the taxable inhabitants of said township, and the real estate situate in said township, according to the valuation thereof at the last regular annual assessment, and shall, within thirty days after the passage and approval of this act, deliver such assessment or a duplicate thereof to the collector of said township, and the collector of said township shall, within ten days after he shall receive such assessment or a duplicate thereof, give notice, by setting up notices in four of the most public places in said township; that if any of the persons against whom such assessment is made shall neglect or refuse to pay the tax assessed against him, her or

them, for the space of four weeks from and after the date of such notice, they will be regarded as delinquents and be proceeded against accordingly, and the said collector shall within fifteen days after he shall receive such assessment or a duplicate thereof, give notice to each taxable inhabitant of said township of the amount of tax assessed against him, her or them, by written or printed notices, served personally, or by leaving the same at his, her or their usual place of abode, and in case any of the persons against whom an assessment shall be made under this act, shall neglect or refuse to pay his, her or their tax within four weeks from and after the date of the notice to be given by the collector, they shall be deemed delinquents, and the said collector shall within five days after the expiration of the time limited for the payment of said taxes, make out a list of such delinquents, with the amount of tax assessed against such delinquents, and remaining unpaid, and deliver the same to any justice of the peace of said township, and the justice of the peace to whom such list of delinquents is delivered, shall within three days after the same is delivered to him, issue his warrant in the same manner and form as he is now directed and required by law for the collection of taxes due from delinquent taxpayers, and shall deliver said warrant to the collector of said township, who shall proceed to execute it in the same manner that the ordinary tax warrant is required by law to be executed.

Appropriation
of moneys.

2. *And be it enacted*, That all moneys collected and received by the collector under such assessment and tax warrant shall be paid by him to the town committee of said township, whenever the chairman of said committee shall demand the same; and the said township committee shall appropriate the moneys received from said collector, under the assessment ordered by this act, to pay the moneys paid out by said township committee to volunteers and to those who furnished substitutes to fill the aforesaid quota of said township.

Fees.

3. *And be it enacted*, That the assessor, for making the assessment authorized by this act, shall receive five cents for each name on the duplicate; and the collector shall receive twelve cents for each name on the duplicate, for collecting said tax; and the justice of the peace to whom the list of delinquents shall be delivered shall receive the sum of three dollars for the service required of him by this act.

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

Approved February 20, 1865.

CHAPTER XXI.

An Act to legalize the acts of the town committee of the township of Bethlehem, in the county of Hunterdon, in the matter of raising money for the payment of bounties, and for other purposes.

WHEREAS, The inhabitants of the township of Bethlehem, ^{Preamble.} being desirous that the quota of men assigned her under the various calls of the President for troops to prosecute the existing war should be filled by volunteers or substitutes, instead of drafted men, did authorize and request the town committee of said township to offer bounties for that purpose; and whereas, the said town committee, in filling the quota of said township under the call of the President on the eighteenth day of July, eighteen hundred and sixty-four, for five hundred thousand men, did incur, in behalf of said township, liabilities for bounties and other expenses in furnishing said quota, the sum of twenty thousand two hundred and seventy-eight dollars; and whereas, the said town committee did order and direct the said sum to be assessed and paid at the same time and in the same manner as the township, county and state taxes were assessed and paid in the year eighteen hundred and sixty-four; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the acts and doings of the town committee of the township of Bethlehem, in the county of Hunterdon, in ordering and raising money by tax on the real and personal property of the taxable inhabitants of said township, for the payment of bounties, including contingent expenses, to the amount of twenty thousand, two hundred and seventy-eight dollars, as set forth in the foregoing preamble, is hereby legalized and made as valid and binding on the taxable inhabitants of the township of Bethlehem as if the acts and proceedings of the said committee had been ex- ^{Acts and doings legalized.}

pressly authorized by law previous to the doing of the same; and that the collector is hereby authorized to collect the said tax in the same manner as other taxes are collected.

Assessment
not void.

2. *And be it enacted*, That whereas the assessor of the township of Bethlehem, for the year eighteen hundred and sixty-four, not being aware of the act concerning taxes, approved April fourteen, eighteen hundred and sixty-four, (on account of the laws of New Jersey not being distributed in the usual time), requiring notice to be given by the collector to each individual specifying the respective sums assessed on said individual for state, county, township, military, poor, school, road, poll, dog and other taxes, did make out and deliver to the collector of said township the duplicate of taxes in the usual form as made out by former assessors; now, therefore, no tax assessed in said duplicate against any individual shall be void or voidable on that account, but shall be valid and binding in law as if all the requirements contained in said act had been fully complied with.

Debts and liabilities legal-
ized.

3. *And be it enacted*, That any debt or liability that has been or shall be incurred by the action of the town committee of the township of Bethlehem, authorized by the inhabitants of the township in special town meeting assembled, in furnishing the quota of the township under the last call of the President, made December nineteen, eighteen hundred and sixty-four, for all money paid for bounties and contingent expenses in filling said quota, by volunteers or substitutes credited to the said township of Bethlehem, is hereby legalized and made binding in law against the inhabitants of said township.

Special town
meeting may
be called.

4. *And be it enacted*, That in case of any future call or calls for men, to be made by the president during the present war, it shall be lawful for at least three respectable freeholders, being residents of the township, to give notice in writing to the town committee, whose duty it shall be to order the town clerk to call a special town meeting by giving the notice required by law, set up in at least six of the most public places in the township, and at any such special town meeting ordered by virtue of this section, it shall be lawful to raise such sums of money as a majority of the legal voters there assembled shall direct and determine by their votes, cast in accordance with the law now governing town meetings in the township of Bethlehem aforesaid, for the purpose of paying liabilities that may hereafter occur in consequence of paying bounties to volunteers or substitutes who shall be credited to

the township of Bethlehem, and all money so raised shall be expended by the town committee as directed at the special town meeting aforesaid.

5. *And be it enacted*, That it shall be lawful for the said committee of the township of Bethlehem, to provide for the payment of any money heretofore expended or hereafter to be expended in the payment of bounties as aforesaid, by issuing bonds in the name of the inhabitants of the township of Bethlehem, in the county of Hunterdon, under the respective hands and seals of the said township committee, bearing interest at six per centum per annum, in such sums and in such amounts as the said committee shall deem necessary; *provided*, the amount shall not exceed the sum directed to be raised at the special town meeting; which said bonds it shall be lawful for the said committee to sell and assign; *provided*, that no bond shall be sold for less than its par value.

To provide for
payment by
issuing bonds.

Proviso.

Proviso.

6. *And be it enacted*, That the township committee of the township of Bethlehem shall have full power and authority to provide by taxation for the payment of said bonds and the interest thereon, by ordering and causing to be assessed and collected by tax, at the same time and in the same manner as other taxes in said township are assessed and collected, yearly and every year, until the bonds so issued by the authority hereof shall be redeemed and paid off; *provided*, that not more than twenty thousand dollars shall be raised in any one year; *and provided also*, that all the money raised by virtue of this act, shall be inviolably applied by said township committee in paying off and redeeming said bonds, both principal and interest; and in assessing the aforesaid tax it shall be the duty of the assessor to assess a separate and special poll tax of two dollars upon every single male taxable inhabitant, and one dollar upon every married male taxable inhabitant of said township of Bethlehem; *provided*, that no poll tax shall be assessed against any person who has been in the service of the United States one year, and honorably discharged, during the present war.

To provide for
payment of
bonds by tax.

Proviso.

Proviso.

Proviso.

7. *And be it enacted*, That this act shall be taken and deemed a public act, and shall take effect immediately.

Approved February 20, 1865.

CHAPTER XXII.

A Further Supplement to the act entitled "An act revising and amending an act to incorporate the city of Paterson," approved March fourteenth, one thousand eight hundred and sixty-one.

Preamble.

WHEREAS, The mayor and aldermen of the city of Paterson in consequence of the payment of bounties in order that the last two quotas assigned to the said city upon the call of the government for troops might be filled without a draft, have become largely indebted; and whereas, it is necessary that provision should be made for the payment of such indebtedness, and that the same should be gradually paid; therefore,

To provide for
payment of in-
debtedness by
issuing bonds.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the mayor and aldermen of the city of Paterson to provide for the payment of the said indebtedness, by issuing bonds under their corporate seal and the signature of the mayor, for such sum not to exceed three hundred and forty thousand dollars (\$340,000), as may be necessary to make such payment, and payable at such time or times as the said mayor and aldermen shall deem proper, bearing interest at a rate not exceeding seven per centum per annum, payable semi-annually and with coupons attached, and to pledge the property and credit of said city for the payment of the same, which bonds it shall be lawful for the mayor and aldermen to sell and assign, or to substitute for such indebtedness; *provided*, that no bond shall be sold or so substituted by the said mayor and aldermen for less than par; *and provided further*, that the bonds to be issued by virtue of this act shall be redeemable at a period of time not exceeding fifty years from the passage hereof.

Proviso.

Proviso.

To provide by
taxation for
payment of
principal and
interest.

2. *And be it enacted*, That the said mayor and aldermen shall have power and authority to provide by taxation for the payment of said bonds and the interest thereon, and that they shall yearly and every year, until the bonds so to be issued shall be redeemed and paid off, order and cause to be assessed and collected by tax, at the time and in the manner that other taxes of said city are assessed and collected, except so far as the said method may be changed in whole or in part, by the next succeeding section of this act, a sum of money

sufficient to pay the interest on the said bonds as the same shall become due and payable, and to pay and discharge the principal at the several times at which the same shall fall due and become payable.

3. *And be it enacted*, That the said mayor and aldermen shall have power and authority to assess yearly and every year for the purpose above mentioned, upon all persons in said city of Paterson, liable to poll or other tax for city and county purposes, excepting females and such persons as have been in the military or naval service of the United States and in consequence of such service are exempt from draft, a tax not to exceed ten dollars, the amount of which said tax shall be prescribed by ordinance of the said mayor and aldermen, and shall be collected in the manner and under the penalties in and under which poll taxes are now collected in said city. Amount of tax.

4. *And be it enacted*, That it shall be the duty of the said mayor and aldermen to apply the said bonds or the net proceeds thereof to the payment and satisfaction of the indebtedness incurred as aforesaid by the payment of bounties in order to avoid a draft, and that the payment of the same by the said mayor and aldermen, and all their proceedings thereupon be and the same are hereby authorized ratified and confirmed; and that the third and fourth section of the act entitled "A further supplement to the act entitled 'An act to incorporate the city of Paterson,' " approved March nineteenth, eighteen hundred and fifty-one, and which supplement was approved February twelfth, eighteen hundred and fifty-eight, be and the same are, so far as they in anywise affect this act, hereby repealed. Proceeds, how applied.

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

Approved February 20, 1865.

CHAPTER XXIII.

A Further Supplement to the act entitled "An act to incorporate the town of Orange," approved January thirty-first, one thousand eight hundred and sixty.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That for the protection of property

To provide by ordinance for maintaining fire department.

in said town against loss or damage by fire, it shall be lawful for the common council, and they are hereby empowered, from time to time, to enact alter and repeal ordinances, for the establishing and maintaining of a fire department, including all necessary provision for the organizing and regulating of a fire company or companies, providing fire apparatus, furnishing a supply of water and cisterns for fire purposes, and doing all such other things as may be necessary in organizing and maintaining an efficient fire department; and the said council are also hereby empowered to determine, from time to time, what sum of money may be required to be raised in each year for defraying the expenses of the said fire department, and to order the same to be raised; which sum shall be assessed and collected in the same manner as other town taxes are or shall be assessed and collected.

To provide for lighting streets.

2. *And be it enacted*, That whenever a majority in interest of the owners of real estate upon any street or streets or portion of any street or streets, (which interest is to be determined by reference to the books of the assessors for the next preceding year), shall petition the common council to have the same lighted with gas, the said council shall have power, by ordinance, to order the same to be done; and shall determine the cost of the same from year to year, and shall direct the said cost to be assessed upon the said owners of the said real estate; and the said cost shall be assessed and collected in the same manner as other town taxes are or shall be.

Accounts to be kept separate.

3. *And be it enacted*, That the respective amounts so assessed for the fire department and the said lighting of streets, shall be kept in separate columns upon the assessors' duplicates; and that the assessors shall be allowed three cents a name for such additional service, but that the collectors shall have no further compensation than is now allowed by law.

Notice to be given.

4. *And be it enacted*, That whenever any sidewalk shall be ordered to be graded, curbed and paved, as provided for in the act to which this is a supplement, the publication of the ordinance directing the same to be done, for four successive weeks in a newspaper of said town, shall be deemed sufficient notice to the owners of real estate interested; and if the work shall not be done by said owners within six months after the first publication of such ordinance, the common council may direct the same to be done, by any person whom they shall appoint for that purpose, at the expense of the owners; and all expenses so incurred, as also all assess-

ments which may be made under and in pursuance of the sixth and seventh sections of the supplement to the said act, which was approved on the sixth day of March, eighteen hundred and sixty-two, shall and may be collected by the treasurer, and in the name of said town, in any court of competent jurisdiction, in an action of debt, against the owners or tenants of such real estate; and that such expenses and assessments shall also be a lien upon the real estate of such owners, and, with interest and costs, may be collected by the sale of such real estate in the same manner as other taxes may be collected from the sale of real estate, as is now or Proviso. may be hereafter provided by law; *provided*, that no tenant shall be liable to pay more than the amount due from him as rent for such property, and that such amount so paid by him, shall be allowed him as so much money paid upon said rent, the same as if actually paid to the person entitled to receive such rent.

5. *And be it enacted*, That this act shall be deemed and taken to be a public act, and shall take effect immediately.

Approved February 20, 1865.

CHAPTER XXIV.

An Act to authorize the town committee of the township of East Amwell, in the county of Hunterdon, to borrow money for the purpose of filling the quota of troops of said township, under the call of the President of the United States, of December nineteenth, Anno Domini eighteen hundred and sixty-four and to provide for the payment of the same by taxation.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the town committee of the township of East Amwell, in the county of Hunterdon, be, and they hereby are authorized to borrow any sum or sums of money, not exceeding the sum of (\$30,000) thirty thousand dollars, to be expended in filling the quota of troops of said township, under the call of the President of the United States, of the nineteenth day of December, in the year of our Lord one thousand eight hundred and sixty-four, in such manner May borrow money.

as the voters of said township, in town meeting assembled, have or shall direct.

Bond or other security valid.

2. *And be it enacted*, That any note, bond or other security given by the town committee of said township, or a majority of them, in the name of the inhabitants of said township, for any money borrowed for the purpose aforesaid, shall be good and valid, and may be enforced against said township in any court of competent jurisdiction in the same manner that other lawful claims are enforced against bodies politic and corporate in law.

Taxes, how assessed and collected.

3. *And be it enacted*, That the sum expended in filling the quota of said township, shall be assessed and levied by the assessor of said township at the same time that the regular annual assessment and levy of taxes is made, by assessing first, a poll-tax of ten dollars upon every person then resident in said township liable to perform military duty, and the balance of said sum shall be levied and assessed upon the real and personal estate liable to taxation in said township, in the same manner that the ordinary state, county and township taxes are levied and assessed, and shall be collected at the same time and in the same manner, and by the same officer that the ordinary state, county and township taxes are collected.

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

Approved February 20, 1865.

CHAPTER XXV.

An Act to confirm the acts of the township committee of the township of Ewing, in the county of Mercer, in raising money by taxation, to aid in the suppression of the rebellion.

Preamble.

WHEREAS, The inhabitants of the township of Ewing convened in special town meeting at Ewingville, in said township, on the thirtieth day of July last, upon due and legal notice given, did unanimously direct and empower the township committee of said township to borrow, on the faith of the township of Ewing, the sum of twenty thou-

sand dollars, for the purpose of raising money to fill the quota of soldiers of said township under the then existing call of the President; and whereas, at a subsequent special town meeting of the inhabitants of the township of Ewing, held at Ewingville in the said township, on the fifteenth day of October last, upon due and legal notice given, it was resolved by the said town meeting that two thousand and five hundred dollars, in addition to the said twenty thousand dollars, and for the same purpose, making in all the sum of twenty-two thousand and five hundred dollars, be assessed upon the real and personal property of the taxpayers of the said township, and collected as in other cases of taxation; and whereas, the assessor of the township of Ewing did make the said assessment in accordance with the aforesaid direction, and the collector of the said township has partly collected the sums so assessed; and whereas, doubts have arisen as to the validity of such assessment, and as to whether the said collector is authorized to enforce payment of such tax so assessed, in the same manner as the payment of other taxes are enforced; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said action of the township committee of the township of Ewing, in borrowing and causing to be assessed upon the taxable property of the said township the twenty-two thousand and five hundred dollars so borrowed, and causing to be collected the portion of said tax already collected by the collector of said township, and all other acts above mentioned of the said township committee, assessor and collector of said township, is hereby ratified and confirmed, and shall be holden valid and binding in all the courts of this state. Acts and doings legalized.

2. *And be it enacted*, That the commissioners of appeal of such township shall convene at their usual place of meeting on the fifteenth day from the date of the passage of this act, unless such day occur upon Sunday, then upon the sixteenth day from such date of passage, at two o'clock p. m., for the purpose of hearing appeals from the assessment of the aforesaid tax. Meeting of commissioners of appeal.

3. *And be it enacted*, That the collector of said township shall, within ten days from the passage of this act, give notice to each delinquent payer of said tax, in person, or by notice left at his or her place of residence, of the time and place of the said meeting of the commissioners of appeal, and also in the same manner demand that the said tax be paid within Notice to be given.

twenty-five days from the passage of this act, and in case of the non-payment of such taxes at the time herein mentioned and limited, the township collector shall make out a list of the names of such delinquents and deliver them to some justice of the peace of the county of Mercer, who shall proceed in and concerning the same as in other cases of taxation, according to the law of this state.

Fees.

4. *And be it enacted*, That the assessor of the said township of Ewing shall be entitled to receive two cents and no more, and the collector of the said township shall be entitled to receive twelve cents and no more, for each name in the duplicate, for assessing, levying and collecting the said tax.

To provide for payment by issuing bonds.

5. *And be it enacted*, That it shall be lawful for the township committee of the township of Ewing to provide for the payment of so much of the said tax as shall be uncollected on the first day of April next, by issuing bonds in the name of the inhabitants of the township of Ewing, in the county of Mercer, executed under the hands and seals of the said committee or a majority of them, for the amount of said tax so remaining uncollected, in such amounts as the township committee shall deem proper, payable on the first day of April, one thousand eight hundred and sixty-six, and bearing six per cent interest, and with the proceeds of such bonds, when sold or negotiated by them, to make payment of the said uncollected portion of said twenty-two thousand five hundred dollars, and the interest accruing thereon.

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

Approved February 20, 1865.

CHAPTER XXVI.

An Act to legalize the action of the special town Committee of the township of Evesham, in the county of Burlington, in raising bounty money to fill the quota of said township.

Preamble.

WHEREAS, the inhabitants of the township of Evesham, in the county of Burlington, New Jersey, at a special town meeting held on the second day of June, eighteen hundred and sixty-four, did appoint a special committee to borrow

money and procure volunteers to fill the quota of said township under the last call of the President for two hundred thousand men ; and whereas, said committee did procure said quota at the expense of said township, of seventeen thousand dollars, and whereas, at a subsequent special town meeting, the inhabitants did authorize the assessor, and the collector, to collect the sum of ten thousand dollars of the above amount, as other moneys are assessed and collected for township purposes, with the exception of a poll tax, of two dollars on every male inhabitant of said township in excess of state poll tax ; and whereas, it may become necessary to collect the balance of said seventeen thousand dollars ; and whereas, there are doubts as to the legality of such proceedings, so as to bind the inhabitants of said township of Evesham to pay the same as assessed ; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Acts made valid.} *the State of New Jersey,* That the acts and proceedings of the inhabitants of said township of Evesham, in the county of Burlington, mentioned in the preamble of this act, are hereby confirmed and made valid in all respects, and binding upon the inhabitants and taxable property of said township.

2. *And be it enacted,* That it shall and may be lawful for ^{Taxes, how assessed and collected.} the assessor of said township to assess, and the collector to collect, as other moneys are assessed and collected in said township, such amount of the balance of the indebtedness of said township, as the inhabitants at their annual town meeting may direct, or a special town meeting held for that purpose may direct to liquidate said township debt.

3. *And be it enacted,* That this shall be held and taken to be a public act, and shall take effect immediately.

Approved February 20, 1865.

CHAPTER XXVII.

An Act to authorize the inhabitants of the township of Linden, in the county of Union, to raise money to pay volunteers.

WHEREAS, The town committee of the township of Linden, ^{Preamble.}

in the county of Union, have heretofore appropriated and paid the sum of three thousand nine hundred dollars, which has been expended for bounties to pay volunteers under the calls made by the President of the United States,

Amount of
money to be
raised.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the township committee of the township of Linden, in the county of Union, to raise by tax at the next annual assessment and collection of taxes for said township, and in the same manner as other taxes are raised for township purposes, such sums of money as the town committee of said township shall direct, to pay whatever moneys have been heretofore appropriated or advanced by, or on behalf of, said township, as bounty money to volunteers; such money, when collected, to be paid to the town committee aforesaid, and which shall be used for no other purpose than that herein designated.

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

Approved February 20, 1865.

CHAPTER XXVIII.

An Act to confirm the acts of the township of Clinton, in the county of Hunterdon, in paying bounties for volunteers, and to provide for the raising of the money therefor.

Preamble.

WHEREAS, The inhabitants of the township of Clinton, in the county of Hunterdon, in compliance with certain resolutions adopted at a public town meeting of the citizens of said township, did borrow through the township committee of said township, sufficient sums of money to relieve the township of a draft, by filling the quota of the township with men under the call of July eighteenth, eighteen hundred and sixty-four; and whereas, said quota of said township was filled by the said committee; and whereas, at a public town meeting held on the tenth day of January, Anno Domini eighteen hundred and sixty-five, the township committee were authorized and empowered to borrow a sufficient sum of money to fill the quota of said township, under the last call of three hundred thousand men, and to issue bonds for the payment of the money by them borrowed; and whereas, the said

town committee, in pursuance of said resolutions, have already issued bonds, now therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the aforesaid acts of the inhabitants of the township of Clinton, in the county of Hunterdon, and the township committee of said township are hereby legalized and binding upon the said township and the taxable property thereof; and it shall be lawful for the township committee of the township of Clinton, to provide for the payment of moneys heretofore expended, or hereafter to be expended, for the purposes aforesaid, by issuing bonds in the name of the inhabitants of the township of Clinton, in the county of Hunterdon, under the respective hands and seals of the township committee of said township, or any three of them, in such sums, and payable at such time or times as the said township committee shall deem proper, bearing interest at a rate not exceeding six per centum per annum, payable annually, and to pledge the property and credit of said township for the payment of the same, which bonds it shall be lawful for said township committee to sell and assign; *provided*, that no bond shall be sold by said township committee for less than its par value; *and provided further*, that all the bonds so issued or to be issued shall be redeemable at a period of time not to exceed ten years from the date thereof.

To provide for payment of moneys by issuing bonds.

Proviso.

Proviso.

2. *And be it enacted*, That the said township committee shall have power and authority to provide by taxation for the payment of the said bonds and interest thereon; and the said township committee shall yearly and every year, until all the bonds issued by authority hereof shall be redeemed and paid off, order and cause to be assessed and collected by tax, at the same time and in the same manner other taxes in said township are assessed and collected, a sufficient sum of money to pay the interest on the said bonds as the same shall become due, and to pay and discharge the principal at the several times it shall become due and payable, according to the tenor of the said bonds; and that the township collector of the said township, or other persons for that purpose appointed, shall, when such tax, or any part thereof, shall be collected, pay the same to the township committee of said township, and that all such moneys so to be raised by virtue of this act, shall be inviolably applied by said township committee to pay the interest and principal of said bonds as the same shall become due and payable.

To provide by taxation for payment.

3. *And be it enacted*, That it shall be the duty of the said

Proceeds, how
applied.

township committee to apply the net proceeds of the bonds that may be issued by virtue of this act to the payment and satisfaction of the liabilities incurred in said township of Clinton by the said township committee paying bounties, according to the resolutions adopted by said town meeting, and for no other purpose.

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

Approved February 20, 1865.

CHAPTER XXIX.

An Act to authorize the inhabitants of the township of Harrison, in the county of Gloucester, to raise by taxation the amount to be expended by the town committee of said township in paying bounties to volunteers, and to those who furnish substitutes under the present call.

Preamble.

WHEREAS, The inhabitants of the said township of Harrison, in town meeting assembled, on the tenth day of January, eighteen hundred and sixty-five, did direct that the sum sufficient to recruit the quota of said township under the present call, be raised by tax to be levied upon the inhabitants and taxable property of said township, and to be expended by the town committee in paying bounties,

Assessment
and collection
of taxes.

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That the assessor of said township of Harrison shall, immediately after the passage and approval of this act, assess and levy the said amount necessary to pay bounties to fill said quota, provided the amount shall not exceed forty thousand dollars, by assessing and levying, first, a poll tax of ten dollars upon every male inhabitant of the said township of the age of twenty-one years and upwards, and then by assessing and levying the balance of said sum upon and against the personal property of the taxable inhabitants of said township, and the real estate situated in said township, according to the valuation thereof at the last regular annual assessment; and shall, within fifteen days after the passage and approval of this act, deliver such assessment, or a duplicate thereof, to the collector of said

SESSION OF 1865.

township; and the collector of said township shall, within five days after he shall receive such assessment, or a duplicate thereof, give notice, by setting up notices in four of the most public places in said township, that if any of the persons against whom such assessment is made shall neglect or refuse to pay the tax assessed against him, her or them, for the space of four weeks from and after the date of such notice, they will be regarded as delinquents and be proceeded against accordingly; and the said collector shall, within fifteen days after he shall receive such assessment, or a duplicate thereof, give notice to each taxable inhabitant of said township of the amount of tax assessed against him, her or them, by written or printed notices, served personally or by leaving the same at his, her or their usual place of abode; and in case any of the persons against whom an assessment shall be made under this act shall neglect or refuse to pay his, her or their tax within four weeks from and after the date of the notice to be given by the collector, they shall be deemed delinquents; and the said collector shall, within three days after the expiration of the time limited herein for the payment of the said taxes, make out a list of such delinquents, with the amount of tax assessed against such delinquents and remaining unpaid, and deliver the same to any justice of the peace of said township; and the justice of the peace to whom such list of delinquents is delivered shall, within three days after the same is delivered to him, issue his warrant in the same manner and form as he is now directed and required by law for the collection of taxes due from delinquent tax-payers, and shall deliver said warrant to the collector of said township, who shall proceed to execute it in the same manner that he is now required by law to execute the ordinary tax warrant.

2. *And be it enacted*, That all moneys collected and received by the collector under such assessment and tax warrant shall be paid by him to the town committee of said township whenever the chairman of said committee shall demand the same, and the said town committee shall appropriate the moneys received from said collector under the assessment ordered by this act to pay the sum ordered to be raised by the aforesaid vote of said inhabitants of said township for volunteers, and to those who furnish substitutes.

3. *And be it enacted*, That the assessor for making the assessment authorized by this act shall receive five cents for each name on the duplicate, and the collector shall receive

How moneys appropriated.

Fees.

twelve cents for each name on the duplicate for collecting said tax, and the justice of the peace to whom the list of delinquents shall be delivered shall receive the sum of three dollars for the services required of him by this act.

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

Approved February 20, 1865.

CHAPTER XXX.

A Further Supplement to the act entitled "An act to incorporate the Washington Manufacturing Company," approved January thirty-first, eighteen hundred and forty-four.

Capital stock
may be re-
duced.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the Washington Manufacturing Company may, by resolution of its board of directors, at any time hereafter, reduce the present amount of the capital stock of said company to a sum not less than four hundred thousand dollars; and that such reduction may be made either by reducing the present number of shares of said stock, or by reducing the par value of the shares into which the stock is at present divided; and said board of directors may provide for issuing new certificates in lieu of those now held, if they shall think it necessary; *provided*, that no reduction of the capital stock shall be made until all the stockholders of said corporation shall consent thereto, in writing, or until, in default of such consent of all the stockholders, a resolution authorizing and consenting to such reduction, shall be passed by a vote of at least two-thirds in interest of the stockholders, and signed by them, in writing, at a meeting of the stockholders called for that purpose, according to the provisions of the by-laws of said company for calling special meetings of stockholders thereof, which consent, signed by all, or resolution signed by two-thirds in interest of the stockholders, or copies thereof, under the oath or affirmation of the president and secretary of said company, to the effect that the persons signing it are the holders of said stock as therein represented, shall be filed in the office of the secretary of state,

Proviso.

at Trenton; *and provided*, that the said stock shall not be reduced so that the amount thereof, with the available assets of the company, shall be less than the existing liabilities of said company at the time of said reduction. Proviso.

2. *And be it enacted*, That the meetings of the board of directors of said company may be held either at the factory in the town of Gloucester, in the county of Camden, or at the office of said company, at such place in the city of Philadelphia, in the state of Pennsylvania, as the directors may determine from time to time; and all meetings of said directors, and the transaction of business thereby, heretofore held or done in the said city of Philadelphia are hereby sanctioned, confirmed, and declared to be legal, as if the same had been held or done in the state of New Jersey. Where meetings may be held.

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

Approved February 21, 1865.

CHAPTER XXXI.

An Act to renew the charter, and to reduce the capital stock of "the Gloucester Manufacturing Company," incorporated March nineteen, eighteen hundred and forty-five.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the act entitled "An act to incorporate the Gloucester Manufacturing Company, in the county of Camden," approved on the nineteenth day of March, eighteen hundred and forty-five, and all or any supplement or supplements thereto, shall be, and the same are hereby renewed, extended and continued in force for and during the term of thirty years from and after the time by said act limited for its continuance, except so far as the said act, and supplement or supplements are amended by this act. Act extended.

2. *And be it enacted*, That the said corporation may, by resolution of its board of directors at any time hereafter reduce the present amount of their capital stock to any sum not less than one hundred and forty thousand dollars; and that such reduction may be made either by reducing the present number of shares of said stock, or by reducing the par value of Capital stock may be reduced.

Proviso.

the shares into which the stock is at present divided ; and may provide for issuing new certificates of stock in lieu of those now held ; *provided*, that no such reduction shall be made until all the stockholders of said corporation shall consent in writing ; or until, in default of such consent of all the stockholders, a resolution authorizing and consenting to such reduction by the board of directors, shall be passed, by a vote of at least two-thirds in interest of the stockholders, and signed by them in writing, at a meeting of the stockholders called for that purpose according to the provisions of the by-laws of said corporation for calling special meetings of stockholders thereof ; which consent signed by all, or resolution signed by two-thirds in interest of the stockholders, under the oath or affirmation of the president and secretary of said company, to the effect that the persons signing it are the holders of said stock as therein represented, shall be filed in the office of the secretary of state, at Trenton ; *and provided*, that the said stock shall not be reduced so that the amount thereof with the available assets of said company shall be less than the existing liabilities of said company at the time of said reduction.

Proviso.

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

Approved February 21, 1865.

CHAPTER XXXII.

An Act to authorize the township of Mantua, in the county of Gloucester, to raise money by an extra tax.

Preamble.

WHEREAS, At a town meeting of the inhabitants of said township of Mantua, in said county of Gloucester, legally called and numerously attended, to devise means to procure volunteers to fill the recent call of the President of the United States for three hundred thousand men, it was unanimously resolved to raise the sum of fifteen thousand dollars, by immediate and extra taxation, viz. ; a poll tax of ten dollars upon each male taxable inhabitant residing in the said township, and the deficiency to be made or taxed upon the ratables and lands as assessed in said town-

ship for the year eighteen hundred and sixty-four; therefore,

1. BE IT ENACTED *by the Senate and General Assembly* Poll tax of ten dollars to be levied. *of the State of New Jersey*, That the assessor of the said township for the time being is hereby authorized and directed to levy a poll tax of ten dollars on every male tax payer resident in the said township, and from the duplicate of eighteen hundred and sixty four, levy a sufficient amount to make the total sum of fifteen thousand dollars, and then deliver the said duplicate to the collector for collection within fifteen days from the passage of this act.

2. *And be it enacted*, That the collector of said township shall proceed immediately to collect the same, by giving notice as in the collection of other township taxes, and all who neglect or refuse to pay the amount so assessed to the said collector, on or before the fifteenth day of March next, viz. : in the year of our Lord, one thousand eight hundred and sixty-five, he shall return to a justice of the peace, as in the annual return of delinquents for the payment of taxes, and the said justice is hereby authorized to issue a warrant in like manner and return it to the collector who shall proceed to the collection as though it were the annual tax warrant, and the assessor, collector and justice shall be subject to the same penalties for neglect of duty as in the annual assessment and collection of taxes. How to be collected.

3. *And be it enacted*, That the collector shall pay the amount collected over to the township committee, who shall be held accountable for the proper application of the money by the laws in such case made and provided. To whom paid

4. *And be it enacted*, That the township committee shall pay to the assessor, collector and justice a reasonable compensation for the duties they are enjoined to perform in the said assessment and collection. Fees.

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

Approved February 21, 1865.

CHAPTER XXXIII.

An Act to authorize the city of Elizabeth to raise money in certain Wards.

Preamble. WHEREAS, the inhabitants of the old first ward as it existed on the first day of March, eighteen hundred and sixty-four, in the city of Elizabeth, Union County, New Jersey, in public meeting assembled the twenty-sixth day of September, eighteen hundred and sixty-four, did authorize their committee to procure money in anticipation of a special tax to be levied, to fill the quota of said ward under the President's call for five hundred thousand men, dated July eighteenth, eighteen hundred and sixty-four, and did pledge themselves to submit to a tax upon themselves and property to raise said amount, and avoid the odium of a draft; pursuant to this resolution money was borrowed on individual responsibility, and the sum thus expended amounted to twenty-five thousand two hundred and seventy-six dollars; and whereas, it is necessary that a law be passed by the legislature to legalize the raising of said amount by taxation; and whereas, there is no ward officer to receive taxes, and it is proper that all taxes be levied and collected by the city; therefore,

Amount to be assessed and collected.

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That the city of Elizabeth be, and they are hereby authorized and required to assess and collect by taxation the sum of twenty-five thousand two hundred and seventy-six dollars, the amount advanced and expended in raising volunteers.

How to be raised.

2. *And be it enacted*, That the said sum shall be raised by a poll tax of ten dollars on each white male inhabitant residing within the territory comprised in the said first ward as it existed prior to March, eighteen hundred and sixty-four, of the age of twenty-one years and upwards, so far as the same may extend; that the remainder of said sum so advanced for the bounties to the volunteers, shall be raised by tax on the real estate and personal property of the inhabitants of said ward.

When to be assessed and collected.

3. *And be it enacted*, That the said assessment shall be made and collected and paid to the city treasurer of the city of Elizabeth at the same time and in the same manner as

other taxes are assessed and collected; and that on or before the first day of November, eighteen hundred and sixty-five, the city treasurer of the city of Elizabeth shall pay the said sum of twenty-five thousand two hundred and seventy-six dollars to such persons as show themselves entitled and authorized to receive the same; and if enough of said tax is not collected to pay said sum the said city may and shall the following year levy on the taxable property in said ward, a sufficient sum to pay said deficiency.

4. *And be it enacted*, That the said taxes shall be assessed, made, levied and collected by the same persons, and under like fees, fines and penalties, as other city taxes are levied and collected. By whom collected, &c.

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

Approved, February 21, 1865.

CHAPTER XXXIV.

An Act to legalize the raising of bounty money in the township of Lebanon, in the county of Hunterdon.

WHEREAS, The township committee of the township of Lebanon, in the county of Hunterdon, have been ordered and directed by the inhabitants of said township, from time to time, in their town meetings assembled, upon due and legal notice given, under the various calls made for volunteers and drafted men, by the president of the United States, to borrow on the credit of the township the sum of sixty thousand dollars, with which to procure volunteers and substitutes for said township under said calls; and also to raise the like sum, with the interest accruing thereon, by taxation upon the inhabitants of said township; and whereas, the said sum has been borrowed by the said township committee, and been expended by them in filling the quota of said township under said calls; and whereas, the said sum has been assessed upon the said inhabitants in the same manner that other taxes are assessed; and whereas, certain inhabitants of said township refuse to pay their assessment of the same; therefore,

Preamble.

Acts legalized.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said action of the inhabitants of said township of Lebanon, in ordering and directing the said township committee to borrow the said sum of money, and the action of the said committee in pursuance thereof, and the action of the assessor and collector of said township in assessing and collecting the said sum of money, is hereby legalized and confirmed.

Taxes to be assessed and collected.

2. *And be it enacted*, That the collector of taxes in and for said township is hereby authorized and required to proceed to collect all of the taxes so assessed in said township, in the same manner that other taxes are collected.

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

Approved February 21, 1865.

CHAPTER XXXV.

An Act to confirm and legalize the action of the city council of the city of Camden, in issuing bonds and notes to raise money for bounties, and providing for the payment of the same and the indebtedness of the city, by a special tax.

Acts legalized.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the action of the city council of the city of Camden, in authorizing and directing, by various ordinances passed since the first day of January, Anno Domini eighteen hundred and sixty-four, the making and issuing of bonds and notes of said city, under the corporate seal thereof, and the use and negotiation of said bonds and notes for the purpose of paying, or raising money to pay bounties to volunteers, and in aid of those procuring substitutes to be credited on the quota of said city, or of the several wards thereof, and the offering and payment of said bounties and the borrowing of money for the purpose of paying the same and the expenses incident thereto, and all other acts by the said city council or by their authority done or to be done in the premises, and all the indebtedness thereby incurred, be and the same are, each and all, hereby authorized, sanctioned and confirmed, and made and declared to be legal,

valid and effectual in law, as if done by virtue and according to the provisions of an act of the legislature of this state specially authorizing the same; and that the said bonds and notes so issued or to be issued by or by direction of the said city council, and the indebtedness thereby incurred, shall be in all respects valid, legal and binding upon the said city of Camden and the inhabitants thereof and the property and objects of taxation therein, in the same manner and to the same extent as other legally authorized debts of said city.

2. *And be it enacted*, That the ordinance of the city council of the city of Camden, passed the twelfth day of January, Anno Domini eighteen hundred and sixty-five, entitled "An ordinance providing for the raising of money to be used to fill the quota of the city of Camden, under the call of the President of the United States for three hundred thousand men, made on the nineteenth day of December, Anno Domini eighteen hundred and sixty-four, and other purposes," and all the provisions thereof, and the special tax and assessment on the inhabitants of said city and on the property and objects of taxation therein, in the said ordinance provided for, and directed to be assessed, levied and collected, and the assessment and collection of the same as authorized and directed in and by said ordinance, and all the provisions of said ordinance in reference thereto, be and the same are each and all hereby authorized, sanctioned and confirmed, and made and declared to be legal, valid and effectual in law, and binding on the inhabitants of the said city and the property and objects of taxation therein, and to have the same force and effect as if the said ordinance, provisions, actions and proceedings had each and all been ordained, passed, provided, done and carried on by virtue and according to the provisions of an act of the legislature of this state specially authorizing the same.

Further acts confirmed.

3. *And be it enacted*, That the actions of and proceedings of the assessors and collectors of the several wards of the said city, and of the special assessors and collectors who may have been or may be appointed to fill vacancies by the city council, and of all other officers of the said city, and of the several wards thereof, done or to be done by virtue and according to the provisions of said ordinance, are hereby authorized, sanctioned and confirmed, and made and declared to be valid, binding and effectual in law; and the said officers are hereby authorized to proceed to carry on and complete the levy, assessment and collecting of the said special tax, in the

Acts of assessors and collectors confirmed.

said ordinance provided for (both poll tax and assessment on property and other objects of taxation), according to the provisions of said ordinance; and the assessment and tax so made and assessed, shall have the same force and effect against the persons and property it is assessed upon and against, as a regular state, county or township tax levied and assessed according to law; and all persons not paying the poll and property tax assessed against them under said ordinance, according to the terms of the notice therein directed to be given by the collectors of the several wards of said city, shall be deemed and taken to be delinquents, and shall be returned as such, according to the terms of said notice, and the tax or part thereof not paid as aforesaid by any such persons, shall be held and considered to be an unpaid tax, and the same shall be thereupon collected by the same process and in the same manner which is provided by law for the collection of unpaid taxes, and all proceedings for the collection of such taxes unpaid, according to the terms of said notice, heretofore or hereafter carried on in the manner provided by law for the collection of unpaid taxes, are hereby sanctioned and confirmed, and made and declared to be, and shall in all courts of the state be held and considered to be good, valid, binding and effectual in law, as if done by virtue of and in accordance with the provisions of an act of the legislature of this state specially authorizing and directing the same.

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

Approved February 21, 1865.

CHAPTER XXXVI.

An Act to authorize the inhabitants of the township of Warren, in the county of Somerset, to raise money.

Preamble.

WHEREAS, the inhabitants of the township of Warren, in the county of Somerset, at a special town meeting called by the township committee, on the twenty-sixth day of September, one thousand eight hundred and sixty-four, did unanimously vote to authorize the township committee to

borrow a sufficient sum of money on the credit of the township, to pay a bounty not to exceed a certain sum named, to each and every person said township is bound to furnish for the war, under the last, and all future calls of the President; therefore,

1. BE IT ENACTED by the Senate and General Assembly of Authorized to borrow money
the State of New Jersey, That the township committee of the township aforesaid, be authorized and required to borrow a sufficient sum of money on the credit of the township of Warren aforesaid immediately, and pay the amount of money voted by the inhabitants of the township, to each and every person said township has furnished, or may be hereafter required to furnish during the war; *provided*, Proviso. the township committee shall not be able to borrow a sufficient amount of money on the credit of the township to make the payments above required, then the township committee shall give a township note signed by them, or a major part of them, to each and every person the township has furnished or may be hereafter required to furnish for the deficiency, with interest from the date each person was credited to the township, payable not before the twentieth day of December next ensuing, nor more than two years from the twentieth day of December aforesaid, from the date thereof, the interest to be paid annually, and that all moneys borrowed and notes given by the township committee under the vote of the inhabitants aforesaid, are hereby declared valid in law, and binding the inhabitants and taxable property of the township of Warren aforesaid, for the payment thereof.

2. *And be it enacted*, That the inhabitants of said township be, and the same are hereby authorized, empowered and required to raise by assessment on the taxable property in said township, the sum of thirty thousand dollars annually, at the same time and in the same manner (except as hereinafter provided) that other taxes are assessed and collected, to be applied to the payment of the indebtedness of the township made, or to be hereafter made by raising money to pay bounties during the war, and to be applied to no other purposes whatever. To provide for payment of indebtedness by taxation.

3. *And be it enacted*, That every person in said township Special tax. liable to the draft who pays only a poll tax, shall pay a special tax, which together with his poll tax shall amount to ten dollars, if said tax is not paid by the twentieth of December next, after the assessment, the delinquent will not be entitled to receive the township bounty.

Duty of as-
sessor.

4. *And be it enacted*, That it shall be the duty of the assessor of said township, to assess the aforesaid sum of thirty thousand dollars yearly and every year, until the indebtedness of said township for paying bounties according to this act is liquidated, and it shall be the duty of the collector of the township, to collect the same and pay it over to the township committee, to be applied by them to the payment of the bounty debt of said township exclusively; the assessor and collector shall receive half fees for assessing and collecting the said sum of thirty thousand dollars, and be subject to the same penalties for neglect of duty under this act, that they are subject to under the act entitled "An act concerning taxes," approved April fourteenth, eighteen hundred and forty-six.

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

Approved February 21, 1865.

CHAPTER XXXVII.

An Act to renew the charter of "The Gloucester Land Company," incorporated February sixteen, eighteen hundred and forty-six.

Act extended.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the time limited for the continuance in force of the act entitled "An act to incorporate the Gloucester Land Company," approved February sixteenth, eighteen hundred and forty six, be and the same is hereby extended for thirty years from and after the expiration thereof, as fixed by said act, and that the said act and all or any supplements thereto, shall be and the same are hereby renewed, extended and continued in force for and during the said term of thirty years from and after the said time limited for its continuance, except so far as said act and supplement or supplements are amended by this act.

Notice of
meetings to
be given.

2. *And be it enacted*, That the stockholders of said company shall hereafter meet annually, at the town of Gloucester, in the county of Camden, at such time in the month of May, as the directors shall determine, and notice of such meetings,

as well as of special meetings of the stockholders, shall be given by the secretary at least two weeks previous to such meeting, in a newspaper published in the county of Camden, or by notices addressed to the several stockholders, or left at their respective residences, or usual places of business or transmitted, properly addressed, to them by mail; and that the meetings of the board of directors of said company may be held either in said town of Gloucester, or at the office of the said company, at such place in the city of Philadelphia, in the state of Pennsylvania, as the directors may determine, and all meetings of said directors, and the transaction of business thereby heretofore held or done in the said city of Philadelphia, are hereby sanctioned and declared to be legal as if the same had been held or done in the state of New Jersey.

3. *And be it enacted*, That all deeds of conveyance heretofore made and executed by the said company, or by their authority, to persons bona fide purchasers of land from them, and the proofs, acknowledgments and records thereof, are hereby legalized, sanctioned and confirmed, and made and declared to be as legal, good, valid and effectual in law, as if the same had been in all respects duly executed, proved and recorded according to the laws of this state. Deeds, &c., legalized.

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

Approved February 21, 1865.

CHAPTER XXXVIII.

An Act to legalize and authorize the inhabitants of the township of Deerfield, in the county of Cumberland, in the raising of money by taxation for the payment of bounties to volunteers.

WHEREAS, the inhabitants of the township of Deerfield, in the Preamble. county of Cumberland, at a special town meeting held on the sixth day of September, Anno Domini eighteen hundred and sixty-four, did resolve to raise the sum of nine thousand dollars, for the payment of bounties, to enable the said township to fill the quotas of men assigned to it, and did authorize the township committee to have the same

assessed and collected in the same manner as other taxes are assessed and collected; therefore,

Acts made
valid.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the acts and doings of the said inhabitants and said township committee of the township of Deerfield, in the said county of Cumberland, mentioned in the preamble to raise money by assessment and collection for the payment of bounties to fill the quotas assigned to said township, are made valid in all respects and binding upon the inhabitants and taxable property in said township.

Additional
amount of mo-
ney to be
raised.

2. *And be it enacted*, That it shall be lawful for the inhabitants of said township of Deerfield, at their next annual town meeting, to raise, and the assessor and collector of said township to assess and collect, in the same manner as other taxes are assessed and collected, an additional sum of money, not exceeding twenty thousand dollars, for the purpose of discharging the indebtedness of said township, incurred by the payment of bounties to volunteers, and for the payment of bounties to enable said township of Deerfield to fill the quota of men required from said township under the last call for three hundred thousand men, as well as any future call which may be made during the present year (eighteen hundred and sixty-five), and the said collector shall have full power and authority to collect the sums so assessed in the manner now prescribed by the act relative to the collection of taxes, and shall be liable for neglect of duty in respect to said tax as he is by law for neglect of duty in respect to other taxes.

Special poll
tax may be
levied.

3. *And be it enacted*, That it shall be lawful for the inhabitants of said township of Deerfield, at their next annual town meeting to direct a special poll tax, not exceeding ten dollars, to be levied upon every white male inhabitant above the age of twenty-one years, resident in said township.

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

Approved February 21, 1865.

CHAPTER XXXIX.

An Act to legalize certain acts of the inhabitants of the township of Hopewell, in the county of Cumberland, and also of the assessor, collector, and township committee of said township.

WHEREAS, at a special town meeting of the inhabitants of the township of Hopewell, in the county of Cumberland, held on the thirteenth day of June, A. D. eighteen hundred and sixty-four, it was resolved that for the purpose of avoiding a draft, the township committee be authorized to borrow money, to issue township bonds and to pay the same to volunteers, and to such persons as might procure substitutes under the late call of the President; and that such bounty and substitute money be raised by a special war tax of ten dollars on all men liable to a draft; and whereas, at another town meeting of said inhabitants of the township of Hopewell, held on the seventh day of September, A. D. eighteen hundred and sixty-four, it was resolved that the sum of seven hundred dollars should be given to every man who should provide a substitute for three years, and that for the purpose of defraying the expenses of said township thus incurred, a special war tax of ten dollars should be levied on every male tax payer in the township, except such persons as have served one year or more in the army or navy of the United States, or having enlisted for that length of time have been honorably discharged from service; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the doings and proceedings of the said several town meetings, and the acts of the township committee, assessor and collector, in voting, assessing, collecting said taxes for said bounties be, and the same hereby ratified, confirmed and in all respects made valid and binding upon the inhabitants of said township. Acts made valid.

2. *And be it enacted*, That the said taxes shall be assessed and collected in one, two and three years, as the inhabitants of said township shall direct, in like manner, for the like fees, and under the same penalties as the other taxes of said township are now assessed and collected. When assessed and collected.

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

Approved February 21, 1865.

CHAPTER XL.

An Act to authorize the inhabitants of the township of Wayne, in the county of Passaic, to raise money by issuing bonds.

Preamble.

WHEREAS, the inhabitants of the said township, in consequence of the payment of bounties by the township committee thereof, pursuant to the directions of said inhabitants, for the purpose of filling the late quotas assigned to said township upon the call of the government for troops; and whereas, it is necessary that provisions be made for the payment of such indebtedness, and for provisions of further calls of quotas of troops that may be made by the government, and for assessing and collecting the same,

To provide for
payment of in-
debtedness by
issuing bonds.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the township committee of the township of Wayne, in the county of Passaic, to provide for the payment of the said indebtedness by issuing bonds in the name of the inhabitants of the township of Wayne, in the county of Passaic, under the respective hands and seals of the said township committee, or any three of them, for any amount of money that may be necessary for such purposes, in such sum or sums, and payable at such time or times as the said township committee shall deem proper, bearing interest at a rate not exceeding seven per cent. per annum, payable annually, and to pledge the property and credit of the said township for the payment of the same, which bonds it shall be lawful for the said township committee and their successors in office, to sell and assign; *provided*, that no bond shall be sold by the said township committee for less than its par value; *and provided further*, that the bonds so to be issued, shall be redeemable at a period of time not to exceed twenty-five years from the passage hereof.

Proviso.

2. *And be it enacted*, That the township committee of the township of Wayne, shall have power and authority to pro-

vide by taxation for the payment of said bonds and the interest thereon, and that the said township committee shall yearly and every year, until the bonds to be issued by the authority hereof, shall be redeemed and paid off, order and cause to be assessed and collected by tax, at the time and in the manner that other taxes in the said township are assessed and collected, a sum of money sufficient to pay the interest, and to pay said bonds as the same shall become due and payable, and pay and discharge the principal at the several times it shall become due and payable; and that the township collector of said township, or other person for that purpose appointed, shall when such tax or any part thereof shall be collected, pay the same to the township committee of the said township, and all such moneys to be raised by virtue of this act, shall be inviolably applied by said township committee to pay the interest and principal of said bonds as the same shall become due and payable.

To provide by taxation for, payment of principal and interest.

3. *And be it enacted*, That it shall be the duty of the said township committee to apply the net proceeds of the bonds that may be issued by virtue of this act, to the payment and satisfaction of the debts and liabilities incurred in said township by the township committee thereof, for bounties to substitutes or volunteers as aforesaid.

Proceeds, how applied.

4. *And be it enacted*, That the debts and liabilities incurred in said township of Wayne, in consequence of the payment of bounties to volunteers and substitutes as aforesaid, and the action of the said committee thereupon, are hereby ratified and confirmed.

Debts and liabilities ratified

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

Approved February 21, 1865.

CHAPTER XLI.

An Act to confirm the acts of the township committee of the township of Hardwick, in the county of Warren, in paying bounties for volunteers and substitutes, and to provide for the raising of the money therefor.

WHEREAS, the township committee of the township of Hard- Preamble.

wick, in compliance with sundry resolutions adopted at various public meetings of the inhabitants of said township, did issue bonds, notes or obligations of the said township committee to the amount of twelve thousand dollars, to pay a bounty for volunteers and substitutes for the war to fill the deficiency quotas of said township.

Acts legalized.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the aforesaid acts of the said township committee are hereby legalized, and the issue of said bonds, notes and obligations is hereby declared to be legal and valid in law against the said township, and that the said township committee may issue additional bonds, notes and obligations for the purpose of raising and paying bounties to fill up any quotas of said township now or hereafter to be called for, and may issue new bonds, notes or obligations in the place of the first mentioned bonds, notes or obligations, so as the same be in due and legal form.

To provide by taxation for payment.

2. *And be it enacted*, That the said township committee may provide for the payment of the said bonds, notes or obligations hereby authorized or legalized, and of the interest thereon, from time to time, by taxation or otherwise, and that the money necessary to pay the said bonds and interest thereon shall be assessed, levied and collected in said township; *provided nevertheless*, that the money raised to supply the call made in July, eighteen hundred and sixty-four, that assessment and collection shall be made of a poll tax of twenty-five dollars on every man liable to the draft, and the balance necessary to pay the bounties on said call to fill the quota shall be levied, assessed and collected at the same time and manner as State and county taxes are assessed and collected in said township; *and provided further*, that the money to be raised to pay bounties for volunteers or substitutes for any future call or calls shall not exceed the sum of eighteen thousand dollars; *and provided further*, that the citizens of the said township at any subsequent township meeting, by a majority of votes, may, to supply future calls, authorize a poll tax to be levied on persons subject to draft, to supply the township's quota, a sum not exceeding fifteen dollars.

Proviso.

Proviso.

Proviso.

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

Approved February 21, 1865.

CHAPTER XLII.

An Act to authorize the inhabitants of the township of Millstone, in the county of Monmouth, to raise money, issue bonds, and other purposes.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for "The Inhabitants of the township of Millstone, in the county of Monmouth," to provide for the payment of the indebtedness incurred by them, and by their township committee in paying bounties to volunteers and substitutes, and expenses in filling the quotas of said township, with men to be mustered under the calls of the President, into the military service of the United States, by issuing bonds in the corporate name of said township, and under the hands and seals of their township committee, or any two of said township committee, and attested by their clerk, for an amount of money not to exceed the sum of fifty thousand dollars, in such sums and payable at such time or times as their said township committee shall deem proper, and bearing interest at a rate not to exceed six per cent. per annum, payable annually, and to pledge the taxable property and credit of the said township for the payment of the same, which bonds it shall be lawful for the said inhabitants of the township of Millstone, and their successors, by their township committee or any two of them to sell and dispose of; *provided*, that no bond shall be sold by the said corporation for less than its par value; *provided further*, that the bonds so to be issued shall be redeemable not longer than ten years from the first day of April, eighteen hundred and sixty-five.

To provide for payment of indebtedness by issuing bonds.

Proviso.

2. *And be it enacted*, That the said corporation shall have power and authority, by their township committee, to provide by taxation, for the payment of the said bonds, and the interest that may accrue thereon, and on said indebtedness, and shall yearly and every year, until the bonds to be issued by the authority of this act shall be redeemed and paid off by their said township committee, order and cause to be assessed and collected by tax, at the time and in the manner that other taxes in the said township are assessed and collected, a sum of money sufficient to pay the interest on the said bonds and indebtedness, as the same shall be-

To provide by taxation for payment of bonds and interest.

come due and payable, and to pay and discharge the principal at the several times it shall become due and payable, and that all such moneys so to be raised by virtue of this act, shall by their said township committee be exclusively applied to the payment of the interest and principal of said bonds and indebtedness as the same may become due and payable; *provided*, that not less than three thousand dollars and not more than seven thousand dollars of the principal of said bond and indebtedness shall be made redeemable in any one year.

Proviso.

Poll tax.

3. *And be it enacted*, That the said corporation shall have power and authority by their township committee to order and cause to be assessed and collected a poll tax of five dollars, to be levied on all the male inhabitants of the township, of the age of twenty-one years and upwards, at the time and in the manner that other poll taxes in the said township are assessed and collected.

Debts and liabilities legalized.

4. *And be it enacted*, That the debts and liabilities incurred by the said corporation, and by their said township committee, in consequence of the payments, as aforesaid, and the action of the said corporation and their said township committee thereupon be, and the same are hereby legalized, ratified and confirmed.

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

Approved February 21, 1865.

CHAPTER XLIII.

An Act to authorize the township of Millville, in the county of Cumberland, to raise money by taxation, to liquidate liabilities, for the payment of bounties to volunteers.

Preamble.

WHEREAS, the township of Millville, in the county of Cumberland, has incurred liabilities for the payment of bounties to volunteers, under the calls made therefor by the president of the United States, during the year eighteen hundred and sixty-four, on the faith of said township, and requests that the action of the township in the premises may be sanctioned and legalized, by this legislature.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any debt or liability incurred under the authority of the township committee or inhabitants of said township, and any bond, note or other security or evidence of indebtedness that has been given, or may hereafter be given, to secure the payment of liabilities incurred, or that may be incurred, for the payment of bounties to volunteers under said calls, and including liabilities for bounties to recruits in lieu of the draft ordered by the President of the United States, to be made on the fifteenth day of February, eighteen hundred and sixty-five, shall be as valid and effectual as if the contracting of such debt or liability, or the making of such bond, note, security or evidence of indebtedness, had been expressly authorized by law prior to the making of such contract or security, or the contracting of such debt or liability.

2. *And be it enacted*, That it shall be lawful to raise by assessment on the taxable property of said township, at the same time and in the same manner that other taxes are assessed and collected therein, and also by a poll tax of five dollars upon each and every male citizen of said township, money to pay said debts or liabilities and the interest thereon, in such proportion of said debts and liabilities, from year to year, as the township committee of said township may direct, until said debts and liabilities shall be redeemed and paid, and the collector of the said township shall have full power and authority to collect the sums so assessed, in the manner now prescribed by the acts relative to the collection of taxes, and shall be liable for neglect of duty, in respect to said tax, as he is by law, for neglect of duty in respect to other taxes.

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

Approved February 21, 1865.

CHAPTER XLIV.

An Act to provide for raising money paid or to be paid for bounties to volunteers credited to the township of Lawrence, in the county of Mercer.

Preamble.

WHEREAS, the inhabitants of the township of Lawrence, in the county of Mercer, upon due notice given, in public meeting assembled, did order and direct the township committee to borrow a sufficient sum of money to fill the quota of the said township with volunteers under the call of the president of the United States for five hundred thousand men; and whereas, the said town committee did borrow upon their individual responsibility the sum of seventeen thousand dollars for that purpose; and whereas, the one-third part of the said money has been assessed with the taxes upon the inhabitants and taxable property of said township; and whereas, the said township committee have been further ordered and directed by the inhabitants of the said township in public meeting assembled, upon due notice given, to borrow money sufficient to fill the quota of the said township on the present call of the United States for three hundred thousand troops; therefore,

Acts legalized.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the acts and doings in the preamble mentioned, be and they are hereby legalized, ratified and confirmed.

Authorized to borrow money

2. *And be it enacted*, That the township committee of the said township of Lawrence, or a majority of them, are hereby authorized and empowered to borrow on the bonds or notes of said township, in its corporate capacity, to be signed by the township committee or a majority of them, such sum or sums of money as may have been expended, or may hereafter be expended, under their direction, in the payment of such bounties, not exceeding in the whole thirty-five thousand dollars, and to provide by tax for the payment of such liabilities from year to year, as they may direct, until such liabilities shall be redeemed and paid, together with the interest thereon due; which tax shall be levied, assessed and collected as other taxes in said township are or may be levied, assessed and collected.

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

Approved February 21, 1865.

CHAPTER XLV.

An Act to legalize certain acts of the voters and officers of the township of Raritan, in the county of Hunterdon, and to enforce an assessment of taxes made by the assessor of said township, in pursuance of the direction of the voters of said township in town meeting assembled.

WHEREAS, the town committee of the township of Raritan, Preamble. in the county of Hunterdon, have, in pursuance of the direction of the voters of said township in town meeting assembled, borrowed and expended the sum of fifty-three thousand dollars in filling the quotas of said township under the calls of the president of the United States for troops; and whereas, the assessor of said township has, in pursuance of the direction of the voters of said township in town meeting assembled, made an assessment against the persons and property of the tax payers of said township to raise by taxation the said sum of fifty-three thousand dollars, by assessing and levying first a poll tax of twenty dollars against each and every person liable to be drafted into the military service of the United States, and the balance of said sum of fifty-three thousand dollars upon and against the personal property of the taxable inhabitants of said township, and the real estate situate in said township, according to the valuation thereof at the last regular annual assessment; and whereas, according to existing laws said assessment is nugatory and of no effect; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of* Assessment made valid. *the State of New Jersey*, That the assessment made by the assessor of the township of Raritan, in the county of Hunterdon, to raise the sum of fifty-three thousand dollars, by assessing and levying first a poll tax of twenty dollars against each and every person liable to be drafted into the military service of the United States, and the balance of said sum of

fifty-three thousand dollars upon and against the personal property of the taxable inhabitants of said township, and the real estate situate in said township, according to the valuation thereof at the last regular annual assessment, be and the same is hereby made valid, legal and binding, and declared to be a lawful and valid assessment of taxes against the persons and property assessed.

Assessor to deliver duplicate.

2. *And be it enacted*, That the assessor of said township shall, within ten days after he shall receive notice in writing from the chairman of the town committee of the said township of the passage and approval of this act, deliver to the collector of said township or to such person as shall be appointed by the town committee of said township, the duplicate of the assessment mentioned and referred to in the preamble and first section of this act.

Collector to give bond.

3. *And be it enacted*, That the collector of said township shall, within five days after he shall receive notice in writing of the passage and approval of this act from the chairman of the town committee of said township, give bond to the inhabitants of said township, in their corporate name, in such sum and with such sureties as shall be approved by the town committee of said township, or a majority of them, conditioned that he shall from time to time, whenever required by the town committee, pay over to them all moneys received by him upon the said duplicate or any tax warrant issued for the collection of taxes under this act; and in case the collector of said township shall neglect or refuse to give such bond within the time herein limited, the town committee of said township shall immediately proceed to appoint, under their hands and seals, a fit and suitable person as collector of taxes under this act, and the person so appointed by the town committee upon giving bond as required by this section, shall have the rights, power and authority now conferred by law upon a township collector of taxes and may exercise the same.

Notice to be given.

4. *And be it enacted*, That the person to whom the assessor shall deliver the said duplicate shall, within fifteen days after he shall receive the same, give notice to each person against whom any tax has been assessed of the amount of said tax and of the time within which the same must be paid, by a written or printed notice, served personally or by leaving the same at the usual place of abode of the person to be notified.

Delinquent tax payers.

5. *And be it enacted*, That the tax mentioned and referred to in this act, shall be paid within thirty days after the duplicate shall be delivered to the collector or the person ap-

pointed by the town committee, and in case any person or persons against whom any tax has been assessed shall neglect or refuse to pay the same within the time herein limited for the payment of the same, they shall be deemed delinquents, and the said collector or person appointed by the town committee shall, within three days after the expiration of the time herein limited for the payment of the said taxes, make out a list of such delinquents with the amount of tax assessed against such delinquent and remaining unpaid, and deliver the same to any justice of the peace of said township, and at the time of the delivery of such list of delinquents, make oath that he has given each of said delinquents notice of the amount of tax assessed against him, her or them, and of the time within which payment thereof should be made according to the directions of this act; and the justice of the peace to whom such list of delinquents is delivered shall, within two days after the same is delivered to him, issue his warrant, in the same manner and form as he is now directed and required by law, for the collection of taxes due from delinquent taxpayers, and shall deliver said warrant to the collector of said township, or to the person who shall be approved by the town committee as collector under this act, who shall proceed to execute it in the same manner that the collector is now required by law to execute the ordinary tax warrant.

6. *And be it enacted*, That all persons who have already paid the whole or any part of the tax mentioned and referred to in this act shall be allowed the amount of such payment by the collector, and in case any person or persons have already paid the whole amount of his, her or their tax under this act, the collector shall not give such person or persons notice of the amount of his, her or their tax, nor demand payment of the same. Who not to be notified.

7. *And be it enacted*, That the town committee shall apply the moneys received under this act as soon as received to the payment of the indebtedness incurred in filling the quotas of said township. How moneys appropriated.

8. *And be it enacted*, That the assessor, for making the assessment, shall receive eight cents for each name on the duplicate; and the collector or the person appointed by the town committee shall receive twelve cents for each person whose tax he shall collect, but nothing for the taxes already collected; and the justice of the peace to whom the list of delinquents shall be delivered shall receive the sum of three dollars for the services required of him by this act. Fees.

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

Approved February 21, 1865.

CHAPTER XLVI.

A Further Supplement to the act entitled "An act to recognize and authorize the organization of, and to incorporate the Central American Transit Company," approved March twenty-eighth, eighteen hundred and sixty-two.

May borrow
money and
give bonds.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the Central American Transit Company shall, by the action of the board of directors, when they deem it necessary for the purposes of the company, have power to borrow money from time to time, and to make and deliver, or cause to be delivered, the bonds or obligations of the company, executed as the directors may direct, bearing interest as therein, or in coupons, or otherwise, shall be expressed, not exceeding seven per centum per annum, the principal and interest payable at such times and places in or out of this state, and in such manner as they may direct, the total amount of the bonds shall not exceed one half of the capital paid in at the time of the issue, and may secure the same by a mortgage or mortgages of the company, which shall be and remain a lien or liens for the amount secured thereby unpaid, on any property, real or personal, or chartered or other rights of the company, thereby mortgaged, until the same is paid; and the registry thereof in the office of the clerk of the county of Hudson, in this state, shall be notice to all interested, and the same shall be recorded by said clerk in the record of mortgages in his office; and it shall be lawful, and they are hereby authorized, to negotiate, sell or dispose of any of the bonds or obligations of the company at public or private sale, but not at a less rate than ninety cents on a dollar, and if disposed of at a rate less than par, the same shall not be invalidated thereby, and it shall not be lawful for the company in any suit at law or in equity, for that reason, or under any statute relating to usury, to claim or be entitled to or allowed any exemption

from the payment of the principal named therein and interest, or any part of either; it shall also be lawful for the directors to make any of the bonds of the company convertible into stock of the company, at the option of the holder, at such terms and on such terms as shall be specified therein.

2. *And be it enacted*, That the directors of said company may separate the property and business on and of the company's interoceanic transit route between the Atlantic and Pacific Oceans, and what pertains thereto, from the other property and business of the company, and may make and keep a separate and distinct account of each respectively, and of the cost of each, and of the expense of and receipts from operating each, and may make and declare separate and distinct dividends out of the net profits of each, the same in all the foregoing particulars as if each was conducted by different companies; they may also divide the stock of the company, so that each branch of the business of the company may be represented by separate and distinct stock, and they may issue certificates to represent the different kinds of stock separate from each other; and they may make the like separation in all things of the property and business, accounts and dividends connected with the several lines of transportation now or hereafter established by the company which are not on or part of their interoceanic transit route between the Atlantic and Pacific Oceans, and also of the stock representing the same. Separate accounts may be kept.

3. *And be it enacted*, That the directors of the said company may from time to time issue stock, in shares of one hundred dollars each, to an amount which will make the whole capital stock issued equal to double the largest amount of the capital stock authorized by the act to which this is a supplement; it shall be lawful for the directors, from time to time, to create of any of the unissued stock a special stock, not exceeding thirty per centum of the amount of stock at the time issued, dividends on which special stock may be preferred out of the net profits, and declared and paid, to an amount not exceeding eight per centum per annum on the par value thereof, before dividends are declared and paid on other stock of the company of the same class, which special stock may be so issued as to participate with other stock of the same class, in dividends, after eight per centum per annum on such other stock has been declared: the directors may declare stock dividends to represent profits used or invested in the works or property of the company. Stock may be issued.

Company relieved from certain liabilities.

4. *And be it enacted*, That the Central American Transit Company may relieve themselves by special contract, from all liability for the loss of or damage to any property delivered to or in the charge or custody of the company for transportation, except so far as by such contract they may agree to be responsible; and shall not be compelled to transport any property except the baggage of passengers, without a special contract, which the company are hereby authorized to make, specifying what liability the company agree to assume; and the company, in the absence of a special contract, shall not be liable for the loss of or damage to anything as baggage, except wearing apparel, nor for that to an amount exceeding one hundred and fifty dollars for wearing apparel of a first or second class passenger, or seventy-five dollars for wearing apparel of a third class or steerage passenger; *provided*, a copy of this section of this act be printed on the face or back of, or attached to the company's tickets for passage or bills of lading, and if on the back or attached thereto, a notice be printed on the face thereof directing attention to the same, but the company shall not be held liable for any loss of or damage or injury to wearing apparel or other property, unless the same is put or left, wholly and entirely in the charge and custody of the company, and a receipt or check or bill of lading given therefor; and nothing in this section of this act shall take away or affect the remedy to which any party is entitled, against any person, whether in the employ of the company or not, for or on account of any felonious acts of such person.

Proviso.

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

Approved February 21, 1865.

CHAPTER XLVII.

An Act to authorize the inhabitants of the townships of Centre, Washington, Gloucester, Waterford, Winslow and Monroe, in the county of Camden, to raise and borrow money.

Preamble.

WHEREAS, the civil war now existing in the United States has involved the several townships above named consider-

ably in debt, in the payment of bounties to soldiers, who have volunteered in the service of this state and of the United States, on the last call for five hundred thousand men; and whereas, it is desirable that the indebtedness so created should be paid off; and whereas, there has been a recent call made for three hundred thousand more men, and to provide for any calls that may be made hereafter: therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the inhabitants of the several townships above named be authorized at any special or regular town meeting assembled according to law, to levy, assess and provide for the collection of any tax that the said inhabitants may order, for the payment of bounties, when so assembled, by a vote of two-thirds of those present, or to order the borrowing of the amount of money so ordered, and to order the issuing of bonds, notes, or other evidence of indebtedness by the township committee of said township, and such bonds, notes, or other evidence of indebtedness are by this law made valid and binding on the property of said township and the taxes thereof; and any assessment that has been heretofore made for the payment of bounties is hereby legalized and made lawful, and such taxes heretofore assessed shall be collected by the same officers in the same manner, and subject to the same penalty as any other tax now is, and any bonds, notes, or other evidence of indebtedness that may have been issued or incurred by the township committee or any other bodies properly authorized, be and the same is hereby legalized and made valid in law.

May order
bonds to be
issued.

2. *And be it enacted*, That the inhabitants of the respective townships before named, when in town meeting assembled, have the power to order by a majority vote, any portion of said moneys to be raised by a per capita tax, to be levied upon the persons liable to the draft, not to exceed twenty-five dollars per head, and a per capita tax upon such persons not liable to draft, except such as are exempt by reason of service in the army and honorable discharge, not to exceed ten dollars per head, the said tax to be assessed and collected in the same way as poll taxes are assessed and collected, and with the same liabilities and penalties for non-payment thereof.

Money to be
raised by tax.

3. *And be it enacted*, That the inhabitants, when so assembled, shall have the power by a majority, to fix the time when the whole amount so owing from the township or any

When to be
assessed and
collected.

Proviso.

amount so wanted to be raised, shall be assessed and collected; *provided*, that if any such sums shall be raised by special assessment the assessor and collector shall receive one half the fees paid for other assessing and collecting; and they and their security shall be responsible in the same manner and to the same extent in relation to the assessing and collection of the taxes authorized and money received by the authority of this act, as they are now by law in relation to the assessing and collection of other taxes.

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

Approved February 22, 1865.

CHAPTER XLVIII.

An Act to provide for raising moneys paid and to be paid to volunteers or for substitutes in the township of Independence, in the county of Warren.

Inhabitants held liable.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the inhabitants of the township of Independence, in the county of Warren, shall be held and deemed to be liable in their corporate capacity for all such sums of money heretofore raised and paid, or which may hereafter be raised and paid, for bounties to volunteers or for procuring substitutes credited or to be credited to said township on the quota assigned to said township under any past or future call for volunteers for the army of the United States, together with the interest and expenses thereon; and that all and every person or persons, or corporation, that have loaned or advanced or may loan or advance money for the payment of such bounties or any of them, may have an action of debt to recover such money, with interest, from the inhabitants of said township in their corporate capacity; *provided*, that the amount for which they shall be liable, or which may be recovered, shall not exceed the amount voted or ordered to be paid by the inhabitants of said township lawfully assembled in any annual town meeting or in any special town meeting for that purpose.

Proviso.

2. *And be it enacted*, That it shall be lawful and it is

hereby made the duty of the inhabitants of the said township of Independence to levy and raise by taxation in the manner other township taxes are by law levied and raised, the money paid or which may be paid for bounties to volunteers or substitutes credited or to be credited to said township under any such past or future call for volunteers, with the interest and expenses thereon, to the extent for which they are made liable by the first section of this act; and the assessor and collector of said township for the time being, and the other proper officers, are hereby enjoined and required to proceed in the assessment and collection of the same, within the time and in the manner, and subjected to the obligations prescribed by law for the assessment and collection of other township taxes, and when collected, the same shall be paid to the person or persons or corporation entitled thereto; *provided*, that in levying and assessing the moneys by this act authorized to be raised, it shall be lawful to levy and assess a poll tax upon every such inhabitant therein by the existing law liable to poll tax or liable to military duty under the laws of the United States at the time said poll tax is assessed, excepting persons over sixty years of age, whose tax does not exceed one dollar; which poll tax shall be such sum of money as shall be sufficient to pay the interest on the existing war debt of said township at the time of each assessment.

Money to be raised by tax.

Proviso.

3. *And be it enacted*, That all bonds or promissory notes which have been heretofore negotiated or issued by the township committee of said township in pursuance and by authority of the order and vote of the inhabitants of said township, are hereby declared legal and valid and binding upon the inhabitants of said township in their corporate capacity.

Bonds, &c., made valid.

4. *And be it enacted*, That it shall and may be lawful for the inhabitants of said township, at their next or any subsequent annual town meeting, or at any special town meeting lawfully convened for the purpose, to determine what part of the war debt of said township shall be paid annually, not to exceed ten thousand dollars, exclusive of the interest, and what part by loan upon their obligations, and when and where payable, and at what rate of interest, not exceeding six per centum per annum, and for the amount so determined to be raised by loan it shall be lawful to issue obligations in the corporate name of the said township, payable at the time, place and rate of interest so determined upon, to be signed by the chairman of the township committee and attested by the town clerk, and to be drawn payable to such order or

To determine what part of debt to be paid annually.

bearer as a majority of the town committee may direct; and the town committee, or a majority of them, shall negotiate and dispose of such obligations, at not less than their par value, in satisfaction of the moneys required to be raised as aforesaid; and it shall be lawful to levy and raise money, from time to time, by taxation in said township, in the manner provided in the second section of this act, to pay the principal and interest on said obligations and on the bonds and promissory notes legalized by the third section of this act.

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

Approved February 22, 1865.

CHAPTER XLIX.

An Act to legalize certain acts and to authorize the town council of the town of Union, in the county of Hudson, to raise money for the payment of bounties to volunteers.

Preamble.

WHEREAS, the citizens of the town of Union, desiring that the call of the government for troops to be furnished by said town to aid in suppressing the rebellion, should be filled with substitutes and volunteers rather than with drafted men, did offer and pay bounties to secure that object, and for the purpose of paying such bounties, did raise the sum of nineteen thousand dollars or over, upon the faith of certain promissory notes, guaranteed by divers citizens of said town; and whereas, it is necessary that provision should be made for the payment of such indebtedness, and it is desirable that the same should be gradually paid off; therefore,

To provide for
payment by
issuing bonds.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey,* That it shall and may be lawful for the council of the town of Union to provide for the payment of such indebtedness, by issuing bonds under their corporate seal, and to be signed by the chairman of the council and the clerk of said town, for an amount of money not exceeding the sum of twenty thousand dollars, in such sums, and payable at such times as the said town council shall deem proper, bearing interest at a rate not exceeding seven

per centum per annum, payable semi-annually with coupons attached, and to pledge the property and credit of said town for the payment of the same; which bonds it shall be lawful for the council of the said town of Union and their successors, to sell and assign; *provided*, that no bond shall be sold by the said town council for less than par; *provided also*, that the bonds to be issued by virtue of this act, shall be redeemable at a period of time not less than five nor more than twenty years from the passage hereof.

2. *And be it enacted*, That the said town council shall have power and authority to provide by taxation for the payment of said bonds and the interest thereon; and that they shall yearly and every year, until the bonds so to be issued shall be redeemed and paid off, order and cause to be assessed and collected by tax, at the same time and the same manner that town, county and state taxes are assessed and collected in said town, a sum of money sufficient to pay and discharge the principal at the several times it shall become due and payable, and the interest on the said bonds as the same shall become due; *provided*, that not less than five hundred nor more than three thousand dollars of the principal money of said bonds shall be made redeemable in any one year; *and provided further*, that the said town council shall cause to be assessed and collected a special poll tax of two dollars on every white male inhabitant of said town, of the age of twenty-one years and upwards; and shall also cause to be assessed, all real and personal estate in the said town of Union now liable to taxation for town, county and state purposes, at such rate per dollar as will be sufficient to produce the sum required to be raised, after first deducting the sum to be raised by the said special poll tax, together with ten per cent. additional on the whole sum so to be raised in each year, to cover loss by reason of taxes not collected and other causes.

3. *And be it enacted*, That it shall be the duty of the said town council to apply the net proceeds to be realized from the sale of the said bonds to the payment and satisfaction of the said indebtedness, incurred by the payment of bounties to volunteers and substitutes, as aforesaid.

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

Approved February 22, 1865.

CHAPTER L.

An Act to provide for moneys paid for bounties in the township of Hampton, in the county of Sussex.

Amount of tax to be raised.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That there shall be assessed, levied and raised, at the time and in the manner other township taxes are assessed, levied and raised, in the township of Hampton, in the county of Sussex, the sum of sixteen thousand dollars, to reimburse the moneys paid for bounties to volunteers and substitutes, to exempt said township from the draft ordered to be made on the fifth day of September, eighteen hundred and sixty-four, and the draft ordered to be made on the fifteenth day of February, eighteen hundred and sixty-five; *provided*, that in making the said assessment, there shall be assessed and levied a poll tax of ten dollars upon each male inhabitant of said township subject to a poll tax.

Proviso.

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

Approved February 22, 1865.

 CHAPTER LI.

An Act to authorize the inhabitants of the township of Clinton, in the county of Essex, to raise money by taxation.

Money to be raised by tax.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the inhabitants of the township of Clinton, in the county of Essex, to raise, by assessment on the taxable property of said township, at their next annual or special town meeting in the same manner that other taxes are assessed and collected, a sum of money not exceeding two thousand one hundred and forty dollars, to be paid by the collector of said township into the hands of the township committee of said township, to be

by them appropriated to paying off and discharging the indebtedness incurred by said township, for bounties paid to volunteers, enlisted in the army and navy of the United States, to fill the quota of said township.

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

Approved February 22, 1865.

CHAPTER LII.

A Supplement to "An act to authorize 'The Board of Chosen Freeholders of the county of Mercer' to issue bonds for money borrowed to pay bounties to volunteers," approved February twenty-sixth, eighteen hundred and sixty-four.

WHEREAS, the board of chosen freeholders of the county of Mercer did authorize the committee of said board mentioned in the act to which this is a supplement to fill the quota of the said county with volunteers, under a call of the United States for troops, additional to those referred to in said act, and to borrow money on the credit of the said county for the purpose of paying bounties to men; and whereas, the said committee did borrow certain sums of money and did appropriate the same for that purpose; and whereas, the said committee were unable to fill the whole quota of the county under said call with volunteers, and a draft for the deficiency did take place; and whereas, the said board did authorize and direct a committee of three members of the said board to give a bond of the said county of Mercer for the sum of three hundred dollars, payable on the first day of April, Anno Domini eighteen hundred and sixty-five, with interest, to each man drafted and held liable to military duty under said call in said county; and whereas, the said committee, by order of the said board, did authorize the county commissioner to issue certain bonds for that purpose; and whereas, it is right and proper that such debts and liabilities so created should be faithfully and honorably paid; therefore,

Acts confirmed.

1. BE IT ENACTED *by the Senate and General Asembly of the State of New Jersey*, That the action of the said board of chosen freeholders of the county of Mercer in the premises, and the indebtedness incurred or to be incurred by virtue thereof, be and the same are hereby legalized, ratified and confirmed.

To provide for payment of indebtedness by issuing bonds.

2. *And be it enacted*, That it shall be lawful for the board of chosen freeholders of the county of Mercer to provide for the payment of the indebtedness mentioned in the preceding section, by issuing bonds in the corporate name and under the corporate seal of said county, to be signed by the director of the said board of chosen freeholders and attested by their clerk, for an amount not to exceed the sum of one hundred thousand dollars, of such denomination and payable at such times as such board shall deem proper.

Provisions extended.

3. *And be it enacted*, That the provisions of the act to which this is a supplement, authorizing the said board of chosen freeholders to issue bonds and to levy taxes for the payment of the principal and interest thereof, be and they are hereby extended to include and apply to the bonds issued by the said board by virtue of this act.

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

Approved February 22, 1865.

CHAPTER LIII.

An Act to authorize the inhabitants of the township of Hamilton, in the county of Mercer, to raise bounty money, and to legalize the acts of said township for bounties paid heretofore.

Preamble.

WHEREAS, the inhabitants of the township of Hamilton, in the county of Mercer, at a special town meeting held for the purpose, on the twenty-seventh day of June, Anno Domini eighteen hundred and sixty-four, did agree and authorize the township committee of said township to raise a sum of money sufficient to procure the requisite number of volunteers to fill the quota of said township under the call made by the president of the United States for five

hundred thousand men; and whereas, the amount of money necessary for that purpose was assessed in the manner in which the same was ordered to be assessed, and the greater portion thereof collected and paid over; and whereas, the inhabitants of said township, at a subsequent town meeting by a unanimous vote, did authorize and empower the township committee of said township to raise the money which they may require (by borrowing or otherwise), to procure the requisite number of volunteers to fill the quota of the said township, under the call made by the president of the United States, under the last call for the three hundred thousand men.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said assessment so made as hereinabove recited, upon the persons and property of said township, and all proceedings in relation thereto are hereby legalized and made valid; and that the collector and other proper officers of the said township, be and is hereby authorized and empowered to collect and make of and from the delinquents and each of them, who have neglected to pay said tax such sum as by the said assessment was assessed against them as aforesaid, in the manner provided by law for the collection of other taxes. Assessments made valid.

2. *And be it enacted*, That the township committee of said township are hereby authorized and empowered to raise by loan any amount of money that may be necessary, not exceeding sixty thousand dollars, on the faith and credit of said township, to pay bounties for soldiers to fill the quota of said township under the last call aforesaid of the president for three hundred thousand men; and that the notes or bonds of said township in its corporate capacity, given and to be given, for the money so borrowed, and signed by the town committee, shall be valid and binding upon the property and taxable inhabitants of said township. To raise money by loan.

3. *And be it enacted*, That the inhabitants of the said township are, and they are hereby authorized and empowered to raise by tax, a sum of money sufficient to pay and discharge the sum of money procured or required to pay the bounties aforesaid under the second call above stated, so ordered and voted as aforesaid, and also any deficiency that may remain uncollected, of the money expended to fill the quota of said township in the said first call, and that the same shall be assessed and collected in the same manner (with the poll tax Tax to be assessed and collected.

after mentioned) as the other township and county taxes are assessed and collected in the said township.

Poll tax

4. *And be it enacted*, That it shall be lawful for the town committee to levy a poll tax not exceeding ten dollars annually; upon every white male inhabitant of said township of the age of twenty-one years and upwards, until said bounty money and the interest which may accrue thereon shall be paid and satisfied.

5. *And be it enacted*, That this act shall take effect immediately, and shall be taken in all courts and places as a public act.

Approved February 22, 1865.

CHAPTER LIV.

An Act to authorize the town committee of the township of Franklin, in the county of Hunterdon, to reimburse certain drafted men moneys paid by them.

Preamble.

WHEREAS, the taxable inhabitants of the township of Franklin, in the county of Hunterdon, did, on the twenty-eighth day of May, in the year of our Lord one thousand eight hundred and sixty-four, in town meeting assembled, after due and legal notice, authorize the town committee of said township to pay to each man then drafted or who should thereafter be drafted under the then pending calls of the president for men, the sum of one hundred and fifty dollars if he should pay his commutation fee, and the sum of three hundred dollars if he procured a substitute; and whereas, the men then drafted and those thereafter drafted, under the said calls of the president, either paid the said commutation fee or procured a substitute, believing that the town committee of said township would be enabled to reimburse them according to the directions of the said town meeting; and whereas, under subsequent calls of the president for men, the inhabitants of said township have provided bounties to relieve the said township from the hardships of a draft; and whereas, it is desirable that all the citizens of said township should bear the burdens of said draft as nearly equally as may be; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the town committee of said township of Franklin, in the county of Hunterdon, be, and they are hereby authorized to issue bonds in the name of the inhabitants of said township of Franklin, for the purpose of borrowing a sufficient sum of money to pay said drafted men the sums of money they were authorized to pay them by the said inhabitants as aforesaid, that is to say, to pay to each man who paid his commutation fee the sum of one hundred and fifty dollars, and to each man who procured a substitute the sum of three hundred dollars, and to borrow the same accordingly and to pay to the said drafted men the respective sums aforesaid. Authorized to issue bonds.

2. *And be it enacted*, That it shall be lawful for any three of the township committee of said township to execute and deliver said bonds and to borrow said money. Who may execute bonds.

3. *And be it enacted*, That the said township committee of said township, are hereby authorized and required to raise the said sums of money, together with the interest that shall accrue thereon, by taxation upon the inhabitants of said township, in the same manner that other taxes are assessed and collected, in such amounts from year to year as they shall deem proper, and to appropriate the same to the payment of the said bonds as they shall become due. Money to be raised by tax

4. *And be it enacted*, That the action of the inhabitants of said township is hereby legalized and confirmed. Acts and doings legalized.

5. *And be it enacted*, That all acts and parts of acts inconsistent with the provisions of this act, be and are hereby repealed. Repealer.

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

Approved February 22, 1865.

CHAPTER LV.

An Act to authorize the inhabitants of the township of Ewing, in the county of Mercer, to raise money by issuing bonds.

Amount of bounty to be paid.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in order to fill the quota of said township under the existing call of the president for three hundred thousand men, it shall be lawful for the bounty committee appointed by the inhabitants of said township convened in special town meeting, to pay to each man of said quota mustered into the service of the United States, such sum as the said committee shall deem expedient.

Amount to be paid to those who furnish substitutes.

2. *And be it enacted*, That it shall be lawful for such committee to pay the sum of three hundred dollars to any inhabitant of the said township who may have procured or shall procure and cause a substitute to be credited to said township upon the said quota for the term of one year, and the sum of four hundred dollars to any such inhabitant who may have procured or shall procure and cause a substitute to be so credited for the term of two years, and the sum of five hundred dollars to any such inhabitant who may have procured or shall procure and cause a substitute to be credited for the term of three years.

Drafted men to receive bounty.

3. *And be it enacted*, That it shall be lawful for such committee to pay any inhabitant of the said township who may be drafted to fill the said quota, the average sum paid to the volunteers by them credited upon said quota.

May issue bonds for payment thereof.

4. *And be it enacted*, That it shall be lawful for the township committee of the said township to provide for the payment of the sum expended in filling the quota of said township by issuing bonds in the name of "The Inhabitants of the Township of Ewing, in the County of Mercer," under the hands and seals of the said township committee, or a majority of them, in such sums and payable at such times not exceeding two years as the said township committee shall deem proper, bearing six per cent. interest, payable annually, and to pledge the property and credit of said township for the payment of the same, which bonds it shall not be lawful for the said committee to sell or assign, or in any way dispose of at less than their par value; *and provided*, that the whole

Proviso.

amount of the bonds so issued, together with all funds used for said object shall not exceed the sum of twenty thousand dollars.

5. *And be it enacted*, That the said township committee shall pay the money received by them from the sale of said bonds into the hands of the said bounty committee, taking their receipts therefor. To whom money paid.

6. *And be it enacted*, That it shall be lawful for the said township committee to provide for the payment of said bonds and the interest thereon by taxation, as follows: first, by levying the sum of fifteen dollars upon each inhabitant of the said township who is liable to military duty, to be assessed and collected at such times as the said township committee shall determine; secondly, by assessing upon the real and personal property of the tax payers of said township a sum which, in addition to the portion of said fifteen dollars at the same time assessed, shall be sufficient to pay the interest upon the said bonds as the same shall become due, and to pay and discharge the principal at the several times it shall become due, according to the tenor of said bonds, and that the said committee shall cause the said tax to be collected in the same manner as other taxes are collected according to the law of the state. To provide for payment by taxation.

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

Approved February 22, 1865.

CHAPTER LVI.

An Act to authorize the inhabitants of the township of Howell, in the county of Monmouth, to raise money to pay volunteers.

WHEREAS, the inhabitants of the township of Howell, in the county of Monmouth, being desirous to fill the quota of said township, on the president's call for men, dated July eighteenth, Anno Domini one thousand eight hundred and sixty-four, without submitting to a draft, did, on legal notice being given by the town clerk, assemble in town meeting; and whereas, the voters so assembled did authorize the township committee to issue township bonds, payable Preamble.

in one year and six months, for the money needed to secure volunteers to fill said quota; and whereas said voters did also authorize the assessment and collection of a special poll-tax of thirty dollars on each person in said township subject to said draft, the residue of the tax needed to defray the expenses of filling said quota to be levied on the ratables of said township; therefore,

Special poll tax to be assessed.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the township committee of the township of Howell, in the county of Monmouth, to authorize the assessment and collection, at the same time the other taxes of the township are assessed and collected for the year one thousand eight hundred and sixty-five, of a special poll tax of thirty dollars on each person who was subject to draft in said township on the president's call for men, of July eighteenth, eighteen hundred and sixty-four.

Ratables of township to be taxed.

2. *And be it enacted*, That it shall be lawful for the said township committee to authorize the assessment and collection, at the same time the above named poll tax is assessed and collected, of a tax on the ratables of said township, which shall, together with said poll-tax, be sufficient to pay all debts of said township contracted in filling the township's quota on said call of July eighteenth, eighteen hundred and sixty-four; *provided always*, that those persons who were drafted in the township on the call of March, eighteen hundred and sixty-four, and who put substitutes in the army, credited to said township, shall be exempt from all the above named taxes.

Proviso.

Special poll tax to be assessed.

3. *And be it enacted*, That for the purpose of providing in part for the debt incurred in filling the township's quota on the call of December nineteenth, eighteen hundred and sixty-four, a special poll-tax of fifteen dollars be assessed on each person in said township, subject to draft on said call, said poll-tax to be assessed and collected at the same time with the other taxes of the township for the year one thousand eight hundred and sixty-six.

How to pay balance.

4. *And be it enacted*, That for the purpose of providing for the balance of said debt, the township committee shall order the assessment and collection of a tax on the ratables of the township, said tax to be divided between the years eighteen hundred and sixty-six, eighteen hundred and sixty-seven and eighteen hundred and sixty-eight, in such manner as the township committee shall deem expedient and necessary.

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

Approved February 22, 1865.

CHAPTER LVII.

AN Act to legalize and provide for the payment of certain debts incurred by the inhabitants of the township of Morris, in the county of Morris, in furnishing men for the military service of the United States.

WHEREAS, the inhabitants of the township of Morris, in the county of Morris, at a town meeting by them held at Morristown, on the third day of August, eighteen hundred and sixty-four, did resolve that the township committee of said township should be authorized and requested to raise, in such manner as to them might seem most feasible, any sum, not exceeding fifty-five thousand dollars, on the credit and faith of the said township, for the purpose of paying bounties to volunteers to fill, in whole or in part, the quota of men assigned to said township under the then recent call of the president of the United States for five hundred thousand troops; and whereas, the said township committee, in pursuance of said resolution, did issue scrip or certificates of indebtedness, in the name and on the credit of "The inhabitants of the township of Morris, in the county of Morris," namely four hundred and sixty-one scrips, for twenty-five dollars each, all payable with interest, on the first of January, eighteen hundred and sixty-six, two hundred and seventeen of which bear date August thirteenth, eighteen hundred and sixty-four, forty-one bear date August twenty-ninth, eighteen hundred and sixty-four, sixteen bearing date September ninth, eighteen hundred and sixty-four, twenty-five bearing date September tenth, eighteen hundred and sixty-four, fifty bearing date September seventeenth, eighteen hundred and sixty-four, sixteen bearing date September nineteenth, eighteen hundred and sixty-four, forty-six bearing date twenty-first September, eighteen hundred and sixty-four, and fifty bearing date September twenty-second, eighteen hundred

and sixty-four; forty-six scrips for the sum of one hundred dollars each, all payable with interest, on the first of January, eighteen hundred and sixty six, ten of which bear date August twenty-fifth, eighteen hundred and sixty-four, fifteen of which bear date September first, eighteen hundred and sixty-four, nineteen bear date September ninth, eighteen hundred and sixty-four, and two bear date September nineteenth, eighteen hundred and sixty-four; one hundred and seventy-one scrips, for one hundred dollars each, the principal of which is payable January first, eighteen hundred and sixty-seven, the interest is payable first January, eighteen hundred and sixty-six, and first of January, eighteen hundred and sixty-seven; forty-four of which bear date August sixteenth, eighteen hundred and sixty-four, forty of which bear date August twenty-fifth, eighteen hundred and sixty-four, thirty-four of which bear date September first, eighteen hundred and sixty-four, ten of which bear date September ninth, eighteen hundred and sixty-four, nineteen of which bear date September nineteenth, eighteen hundred and sixty-four, and twenty-four bear date September twenty-first, eighteen hundred and sixty-four; and thirty-three scrip for four hundred dollars, the principal of which is payable January first, eighteen hundred and sixty-seven, and the interest on the first of January, eighteen hundred and sixty-six, and first of January, eighteen hundred and sixty-seven; all of which last mentioned scrips bear date August sixteenth, eighteen hundred and sixty-four; and whereas, the principal part of said scrip was sold for cash at par, and the moneys obtained therefor applied to pay bounties to volunteers or to procure substitutes for persons liable to draft, and the residue were paid out in bounties as cash to volunteers and substitutes who enlisted to fill the quota of said township; and whereas, application has been made to the legislature to legalize said scrip, and to provide for the collection of the money by taxation to pay the same; therefore,

Certificates of indebtedness made valid.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said scrip or certificates of indebtedness so as aforesaid issued by the township committee of the said township of Morris, be and the same are hereby legalized and made valid debts of "The Inhabitants of the township of Morris, in the county of Morris," as fully and effectually as if the said inhabitants, on the third day of August, eighteen hundred and sixty-four, had had lawful

authority to create said debts, in the manner and form in which they were created and made, and now are.

2. *And be it enacted*, That the assessor of the said township of Morris shall, this year, assess on the taxable inhabitants and on the taxable property in said township, the sum of twenty thousand one hundred dollars, to pay, on the first of January, eighteen hundred and sixty-six, the interest on all of said scrip, and so much of the principal thereof as shall then be due, and in the year eighteen hundred and sixty-six, the said assessor shall assess on said inhabitants and on said property the sum of thirty-two thousand one hundred and eighteen dollars, to pay the residue of said scrip.

3. *And be it enacted*, That all the taxes by this act authorized shall be assessed and collected at the same time and in the same manner as other township taxes in said township of Morris are or shall be by law required to be assessed and collected, except that there shall, for the purpose of paying the moneys by this act authorized and required to be paid, be assessed and collected this year and next year, a special poll tax of five dollars on every taxable male inhabitant of said township, and the said scrip, and the interest thereon, shall be paid by the township collector of said township.

4. *And be it enacted*, That nothing in this act contained shall be taken or construed as legalizing a certain scrip, or certificate of indebtedness, for the sum of four hundred dollars, numbered fifteen, and signed by the chairman of said township committee, Thomas E. Allen, and J. Hardy Stanborough, the clerk of said township of Morris, dated August the sixteenth, eighteen hundred and sixty-four, payable first January, eighteen hundred and sixty-seven, but which was never issued, sold, negotiated or transferred by the said township committee, or any of its agents, but which was lost or mislaid by some of the agents of said committee, or stolen, and cannot be found.

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

Approved February 22, 1865.

CHAPTER LVIII.

An Act to authorize "The Mayor and Common Council of the City of New Brunswick" to issue bonds for the purpose of paying bounties to volunteers, and for other purposes.

Preamble.

WHEREAS, "The Mayor and Common Council of the City of New Brunswick" have heretofore incurred a large debt by the payment of bounties to volunteers under a previous call, and have assumed a further large liability for the payment of bounties under the present call of December nineteenth, eighteen hundred and sixty-four, and have desired that application be made to the legislature of this state for a special act authorizing them to issue city bonds to pay said debt and liability; therefore,

To provide for payment of indebtedness by issuing bonds.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That "The Mayor and Common Council" of the said city may provide for the payment of the said debt and liability by issuing their bonds in the corporate name, and under their common seal to an amount not exceeding one hundred and fifty thousand dollars, to be signed by the mayor of said city, and attested and countersigned in such way as said corporation shall direct, and to be in such general form, and either coupon or registered bonds, or both; and in such denominations, and payable at such time or times, and bearing such rate of interest, not exceeding seven per centum per annum, payable half yearly, as said corporation shall deem best and direct; and therein and thereby to pledge and bind the credit and property of the said city for the due payment thereof, and to sell, assign and dispose of the same, and the same shall be binding and legal obligations of the said city; but the same shall not be disposed of by said corporation or its agents, for less than the par value, and shall all be made payable and redeemable within thirty years from the passage of this act.

To provide by taxation for payment of principal and interest.

2. *And be it enacted*, That the said corporation may and shall, until the said bonds so to be issued, shall be redeemed and paid off, order, direct and cause to be assessed, levied and collected at the time and in the manner that the other city, state and county taxes are in the said city and county, such sum or sums of money as shall be sufficient to pay the princi-

pal and interest of said bonds, as the same shall respectively mature or become due and payable, or be made redeemable, and all such money so to be raised by taxes shall be exclusively applied by said corporation to the payment of the principal and interest of the said bonds, and not less than five thousand dollars, nor more than ten thousand dollars of the principal of said bonds shall be made payable or redeemable in any one year, and the said "Mayor and Common Council of the City of New Brunswick" are hereby expressly authorized and empowered to order and direct such sum or sums to be raised, assessed and collected by tax as aforesaid, anything in their said charter to the contrary notwithstanding.

3. *And be it enacted*, That it shall be the duty of said corporation to apply the proceeds of said bonds to the payment and satisfaction of the debt and liability incurred and assumed by said corporation, as mentioned in the preamble of this act. Proceeds, how applied.

4. *And be it enacted*, That the said debt so incurred by said corporation, and all notes or evidences of indebtedness heretofore made or given by the said corporation therefor, are hereby ratified and confirmed as binding and valid acts of the said corporation. Acts made valid.

5. *And be it enacted*, That any banking corporation in this state may purchase and hold any of the said bonds. Banks may hold bonds.

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

Approved February 22, 1865.

CHAPTER LIX.

An act to legalize certain acts of the inhabitants of the township of Tewksbury, in the county of Hunterdon.

WHEREAS, the inhabitants of the township of Tewksbury, in the county of Hunterdon, at a special town meeting, held on the twenty-sixth day of May, in the year of our Lord one thousand eight hundred and sixty-four, passed resolutions by which the property, real and personal, of said township, should be taxed in a sufficient sum of money to pay each and every person in said township, drafted on Preamble.

the draft then ordered and passed, the sum of three hundred dollars per man, to go to war in person or furnish a substitute therewith; and whereas, the said inhabitants at their meeting aforesaid did resolve that the tax should be assessed, levied and collected, in the same manner that the other taxes of said township are assessed and collected; and whereas, at a special town meeting, held on the twelfth day of September, in the year of our Lord one thousand eight hundred and sixty-four, of the inhabitants of the said township aforesaid, resolutions were passed by which the property, real and personal, of said township, should be taxed in a sufficient sum of money to fill the quota of said township, on the draft then ordered, with volunteers, also a tax in a sufficient sum of money to pay each and every person in said township putting in a substitute, thereby reducing the quota of said township, and credited thereto, as much money as would be paid on that draft to any one volunteer; and whereas, also, resolutions were passed that the said taxes so as aforesaid should be assessed, levied and collected in the same manner that the other taxes of said township are assessed and collected; and whereas, also, at a special town meeting of the inhabitants of said township, held on the second day of January, in the year of our Lord one thousand eight hundred and sixty-five, resolutions were passed authorizing a tax to be levied on the property, real and personal, of said township, in a sufficient sum of money to fill the quota of said township with volunteers, under the recent call of the president for troops, and resolutions were also passed that a tax in a sufficient sum of money be assessed, levied and collected as aforesaid, to pay each and every person in said township, putting in a substitute for one year, credited to said township, and reducing the quota on said draft, one-third of the amount paid by the township for any volunteer, also to pay any person putting in a substitute for two years, credited to said township, and reducing the quota on said draft, two-thirds of the amount paid any volunteer; also to pay any person putting in a substitute for three years, credited to said township, and reducing the quota as aforesaid, as much as is paid to any volunteer for three years to fill the quota on said call; and whereas, also, the said inhabitants as aforesaid did vote that the taxes should be assessed, levied and collected in the same man-

ner that the other taxes for said township are assessed, levied and collected; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all the proceedings, acts and doings of the aforesaid town meetings of the said township of Tewksbury be, and the same are hereby legalized and made valid; and that the property of said township, both real and personal, be bound for the payment of the money so voted as aforesaid, by the said inhabitants at their several town meetings aforesaid, and shall be raised by tax assessed, levied and collected, at such time or times as the town committee of said township may deem wise and expedient, in the same manner that the other taxes of said township are assessed, levied and collected. Acts and doings legalized.

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

Approved February 22, 1865.

CHAPTER LX.

An Act to confirm the acts of the township committee of the township of Oxford, in the county of Warren, in paying bounties for volunteers, and to provide for the raising of the money therefor.

WHEREAS, the township committee of the township of Oxford, in compliance with resolutions adopted at public township meetings of the citizens of said township, did issue bonds and obligations of the said township to the amount of forty-six thousand four hundred and twenty dollars and thirteen cents, to pay bounties for volunteers for the war, to fill the different quotas of said township, and to relieve the said township from the necessity of a draft. Preamble.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the aforesaid acts of the said township committee are hereby legalized, and the issue of the said bonds and obligations is hereby declared to be legal and valid in law against the said township, and that the said township committee may issue additional bonds and obligations for the purpose of raising and paying bounties to fill up Acts legalized

Proviso.

any quotas of said township now or hereafter to be called for; *provided*, that the amount for each volunteer or substitute to fill the quota to supply the call of the nineteenth of December, or hereafter to be called, shall not exceed the sum of five hundred and twenty-five dollars, and may issue new bonds in the place of the first mentioned bonds, so as the same be in due and legal form.

Acts of assessor and collector legalized.

2. *And be it enacted*, That whereas the assessor of the township has made an assessment on the taxable property of the inhabitants, and the collector of said township collected a portion of the same for the purpose of raising funds for the payment of a portion of said bonds and obligations, the same is hereby legalized, and the collector authorized to collect the balance which may still be due on the tax warrant, and the township committee may further provide for the payment of the balance of said bonds and obligations and the interest thereon, from time to time, by taxation or otherwise, and that the money necessary to pay the said bonds already issued, and the interest thereon, if not already assessed, shall be assessed, levied and collected at the same time and in the same manner as state and county taxes are assessed, levied and collected, and for the payment of bonds or obligations hereby authorized to be issued by the township committee for the purpose of raising and paying bounties to fill up quotas of said township, called for the fifteenth of February, eighteen hundred and sixty-five, or to supply any future quotas and the interest thereon, that the money necessary to pay the said bonds and obligations and interest thereon shall be assessed, levied and collected as follows, viz: a poll tax of twenty dollars on every single man, and a poll tax of fifteen dollars on every married man whose name is enrolled and liable to draft, and the balance to pay off said bonds and obligations shall be assessed, levied and collected upon the taxable property of the inhabitants of said township at the same time and in the same manner as state and county taxes are assessed, levied and collected in said township.

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

Approved February 22, 1865.

CHAPTER LXI.

An act to legalize and make valid the bonds of the township of Milburn, in the county of Essex, heretofore issued for bounties, and also to authorize the inhabitants of said township to raise additional moneys by bonds for volunteers or drafted men, and to provide for the payment of the same.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the bonds made and issued in the year eighteen hundred and sixty-four by the township committee of the township of Milburn, in the county of Essex, in the corporate name of said township, for the purpose of raising money for bounties, and amounting in all to about the sum of four thousand dollars, and on which said bonds the money named therein has been borrowed, shall be and the same are hereby declared and made legal and valid as the obligations of said township, according to the tenor thereof; and it shall be lawful for the inhabitants of said township, at any special or annual town meeting to provide for the payment thereof by taxes, according to the modes prescribed by law for other township purposes. Bonds made valid.

2. *And be it enacted*, That to meet existing, and any future calls for troops from the general government, and to fill the quota of said township in any such present or future calls, it shall be lawful for the inhabitants of said township at any special meeting called for that purpose, or at any annual meeting, to offer bounties to volunteers or drafted men to such an amount as shall be fixed by a majority of the votes cast at such meeting; and in order to raise the money to pay such bounties so offered, it shall be lawful for the inhabitants of said township at any meeting, to authorize the township committee to issue the bonds or other obligations of said township for such amounts, and of such tenor and effect, as said committee may deem most expedient and advantageous for that purpose; and it shall be lawful for the township committee, whenever they may deem it expedient or proper, to call a meeting of the inhabitants of said township for the purposes named in this act, by causing written notices of such meeting, the object or purpose of the same, and the time and place where it shall be held, to be set up in at least ten of Special meetings may be called.

the most public places in said township at any time, not less than five days before the day fixed for holding the same; and all bonds or obligations issued under the provisions of this act shall be valid and binding upon the said township in its corporate character and shall be paid by taxes assessed and raised in the same manner as other moneys are raised by tax for township purposes; *provided*, the tax assessed on property shall not exceed one dollar on one thousand dollars valuation in any one year.

Proviso.

Poll tax.

3. *And be it enacted*, That until the bonds provided for in this act shall be fully paid, a poll tax of five dollars shall be annually assessed and raised upon every taxable male inhabitant of said township.

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

Approved February 22, 1865.

CHAPTER LXII.

An Act to legalize loans made, and bonds issued, by the common council of the city of Trenton, to pay bounties to volunteers.

Preamble.

WHEREAS, the common council of the city of Trenton, being desirous that the quotas required of the said city during the past year, under the several calls of the administration for troops to prosecute the existing war, should be filled with volunteers rather than with drafted men, did by certain ordinances, passed at different times, direct and order certain committees of the said common council, with the concurrence of the mayor and treasurer of the said city, to borrow, on the faith of the said city, five hundred and ninety-two thousand dollars, for the purpose of paying a bounty to each volunteer required to fill the said quotas, who might be mustered into the United States' service, and credited to the said city; and whereas, the said committees did, in obedience to the said ordinances, borrow certain sums of money, at different times, amounting in all to the sum of five hundred and ninety-two thousand dollars, and appropriated the same to the payment of such

bounties to volunteers; and whereas, the said committees were, by the said ordinances, authorized and directed to issue the bonds of the said city for the money thus borrowed, bearing interest at the rate of six per centum per annum, and have duly issued the same; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of* Acts legalized
the State of New Jersey, That the debt and liabilities incurred by the said city of Trenton, in consequence of the payment of bounties to volunteers, as aforesaid, and the action of the said common council of the said city, in issuing the bonds of the city for the amount of five hundred and ninety-two thousand dollars aforesaid, be, and the same are hereby legalized, ratified and confirmed.

2. *And be it enacted,* That the said common council of Payment of principal and interest by tax
the city of Trenton shall have power and authority to provide by taxation for the payment of the said bonds and indebtedness and the interest thereon, and shall yearly and every year, until the said bonds be redeemed and fully paid, order and cause to be assessed and collected by tax in said city, at the time and in the manner that other taxes in the said city are assessed and collected, a sum of money sufficient to pay the interest on the said bonds and indebtedness, as the same shall become due and payable; and to pay and discharge the principal thereof, at the several times it shall become due and payable; and that all such moneys so to be raised by virtue of this act, shall be exclusively applied to the payment of the interest and principal of the said bonds and indebtedness as the same shall become due and payable.

3. *And be it enacted,* That it shall be lawful for the com- Amount that may be assessed.
mon council of the said city of Trenton to order and cause to be assessed and raised by tax, the amount of money required to pay the principal and interest of the said bonds and indebtedness, over and above the rate of seventy cents to the one hundred dollars, on the real estate and personal property in said city.

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

Approved February 23, 1865.

CHAPTER LXIII.

An Act to authorize the inhabitants of the township of Bordentown, in the county of Burlington, to raise by tax an amount necessary to pay the bounties advanced to volunteers of the said township.

Preamble.

WHEREAS, the inhabitants of the township of Bordentown, in the county of Burlington, at the annual town meeting held on the eighth day of March last, did authorize the township committee of said township to borrow a sufficient sum of money to pay a bounty to volunteers to fill up their quotas under the calls of the president of the United States, and that the said sum be raised on the taxable property of the said inhabitants.

Assessment and collection of taxes.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the inhabitants of said township be, and they are hereby authorized to raise by assessment on the taxable property in said township, a sum sufficient to liquidate the amount so borrowed, together with the interest which has or may accrue thereon.

When to be made.

2. *And be it enacted*, That the said assessment shall be made and collected at the same time and in the same manner as other taxes are assessed and collected.

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

Approved February 23, 1865.

CHAPTER LXIV.

An Act to authorize the inhabitants of the township of Hopewell, in the county of Mercer, to raise bounty money, and to legalize the acts of said township for bounties paid heretofore.

Preamble.

WHEREAS, the inhabitants of the township of Hopewell, in the county of Mercer, at a special town meeting, held for that purpose on the sixth day of August, Anno Domini

eighteen hundred and sixty-four, did agree and authorize the township committee of said township to raise a sum of money sufficient to procure the requisite number of volunteers to fill the quota of said township under the call made by the president of the United States in July last; and whereas, the amount of money necessary for that purpose was assessed in the manner in which the same was ordered to be assessed, and the greater portion thereof collected and paid over; and whereas, the inhabitants of said township, at a subsequent town meeting, by a unanimous vote, did authorize and empower the township committee of said township to raise the money which they may require (by borrowing or otherwise) to procure the requisite number of volunteers to fill the quota of the said township under the call made by the president of the United States, under the last call for three hundred thousand men,

1. BE IT ENACTED *by the Senate and General Assembly of* Acts legalized
the State of New Jersey, That the said assessment, so made as hereinabove recited, upon the persons and property of said township, and all proceedings in relation thereto, are hereby legalized and made valid; and that the collector and other proper officer of the said township be, and he is hereby authorized and empowered to collect and make of and from the delinquents, and each of them, who have neglected to pay said tax, such sum as by the said assessment was assessed against them as aforesaid, in the manner provided by law for the collection of other taxes.

2. *And be it enacted,* That the township committee of said Money to be raised by loan
 township are hereby authorized and empowered to raise by loan any amount of money that may be necessary, not exceeding sixty thousand dollars, on the faith and credit of said township, to pay bounties for soldiers to fill the quota of said township under the last call aforesaid of the president for three hundred thousand men; and that the notes or bonds of said township in its corporate capacity, given and to be given, for the money so borrowed and signed by the town committee, shall be valid and binding upon the property and taxable inhabitants of said township.

3. *And be it enacted,* That the inhabitants of said township To provide by taxation for payment.
 are, and they are hereby authorized and empowered to raise by tax a sum of money sufficient to pay and discharge the sum of money procured or required to pay the bounties aforesaid under the second call above stated, so ordered and voted as aforesaid, and also any deficiency that may remain uncol-

lected of the money expended to fill the quota of said township on the said first call; and that the same shall be assessed and collected in the same manner (with the poll tax hereinafter mentioned) as the other township and county taxes are assessed and collected in the said township.

Poll tax.

4. *And be it enacted*, That it shall be lawful for the town committee to levy a poll tax, not exceeding ten dollars annually, upon every white male inhabitant of said township of the age of twenty-one years and upwards, until said bounty money, and the interest which may accrue thereon, shall be paid and satisfied.

5. *And be it enacted*, That this act shall take effect immediately, and shall be taken in all courts and places as a public act.

Approved February 23, 1865.

CHAPTER LXV.

An Act to confirm and legalize the action of the inhabitants and township committee of the township of Newton, in the county of Camden, in paying money and issuing bonds for bounties to volunteers, and in providing by taxation for the payment of the same; and to authorize all payments of further bounties, and the raising of money for the payment thereof by taxation.

Preamble.

WHEREAS, the township committee of the township of Newton, in the county of Camden, have, for the purpose of raising money voted by the inhabitants of the said township to be used to fill the quota of said township under the call for men made by the president of the United States, dated July eighteenth, one thousand eight hundred and sixty-four, issued certain bonds or obligations signed by said committee, and pledging the faith of the said township for the payment thereof; and whereas, to provide for the payment of the same and of the notes and other securities issued to raise the bounties and expenses not paid by said bonds, and to reduce the accumulated liabilities of said township, the inhabitants thereof, at a special town meeting held on the seventeenth day of September, Anno

Domini one thousand eight hundred and sixty-four, resolved that it was expedient to raise, for general purposes, the sum of twenty-five thousand dollars, by an immediate assessment of one and one-quarter per centum upon the value of the real and personal estates of the inhabitants of said township, and of all lands lying therein, and an extra poll-tax of one dollar for each married, and two dollars for each single man, and by further resolutions, prescribed the time and manner of collecting the same, and of appealing from unjust assessments, and provided for certain credits to be given in said assessment; and whereas, the said special tax has been assessed and levied in accordance with the directions of the said resolutions, and a very large proportion of the same has been paid by the inhabitants of said township; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of* Acts legalized
the State of New Jersey, That the action of the township committee of said township of Newton, in raising the money for the payment of bounties and expenses, and issuing the bonds or obligations in the preamble mentioned, is hereby authorized, sanctioned and confirmed; and that the said bonds or obligations, and the indebtedness thereby incurred shall be, and be taken to be, legal, valid and effectual in law, and binding upon the said township, and the inhabitants, and the taxable property thereof, as if the same had been issued and incurred by virtue of, and in accordance with the provisions of an act of the legislature specially authorizing the same.

2. *And be it enacted,* That the special tax and assessment Acts of officers of township confirmed.
in the preamble of this act referred to, levied and assessed on the said township of Newton, and all the acts and proceedings of the assessor and collector, commissioners of appeal and other officers of said township, in relation thereto, and to the assessing and collection of the same, done in accordance with the resolutions of the special town meeting in the preamble mentioned, are hereby authorized, sanctioned and confirmed, and made valid and effectual in law and binding upon the inhabitants, property, and objects of taxation in said township, as if the same had been done by virtue of and in accordance with the provisions of an act of the legislature of New Jersey specially authorizing the same; and that the collector, or special collector (if any should be appointed), and other proper officers of said township and county, shall proceed to collect from the persons returned as delinquents, ac-

According to said resolutions, the several amounts of said tax assessed against and unpaid by them, in the same manner as unpaid state, county and township taxes are by law collected, and any assessment or part of assessment of said special tax against any person not paid and returned in accordance with said resolutions, shall be held and considered to be an unpaid tax, and all proceedings for the collection of such unpaid taxes heretofore or hereafter commenced and carried on in the manner provided by law for the collection of unpaid taxes, are hereby sanctioned and confirmed and made and declared to be, and shall in all courts of this state be held to be as good, valid and effectual in law as if done by virtue of and in accordance with an act of the legislature of this state, specially authorizing the same.

Special tax
provided for.

3. *And be it enacted*, That the inhabitants of the township of Newton, in the county of Camden, are hereby authorized and empowered at their annual town meeting, or at any special town meeting called for the purpose according to law, to order, by resolution or resolutions, passed by a vote of not less than two-thirds of the tax-payers present at said meeting, the raising by a special tax in said township of such sum or sums of money, not exceeding in the whole the sum of fifty thousand dollars, as they may deem necessary and proper to be used for the purpose of filling the quota of the said township under the last or any subsequent call of the president for men to serve in the armies of the United States; and to order the same assessed and collected at such time and in such manner, and in such proportions of personal or capitation tax, and per centage upon the value of property as they may by such resolution or resolutions passed as aforesaid direct; and such assessment and collection and all proceedings in relation thereto, shall in all respects, not particularly provided for in such resolutions be had and made in the same manner as provided by law for the assessment and collection of state, county and township taxes.

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

Approved February 23, 1865.

CHAPTER LXVI.

An Act to create the township of Haddon out of the township of Newton, in the county of Camden.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all that portion of the township of Newton, in the county of Camden, lying and being contained within the boundaries of the present eastern election district of the said township of Newton, be, and the same is hereby set off from the said township of Newton, and erected into a new township, to be called and known by the name of the township of "Haddon." Boundaries of new township

2. *And be it enacted*, That the inhabitants of the township of Haddon are hereby constituted a body politic and corporate in law, and shall be styled and known by the name of "The inhabitants of the township of Haddon, in the county of Camden," and shall be entitled to all the rights, powers, and privileges, and subject to the same government, regulations and liabilities, as the inhabitants of the other townships in the said county of Camden, are or may be entitled or subject to by existing laws of this state, and to the provisions of the existing special laws in relation to the said township of Newton, as far as the same are or can be applicable to said township of Haddon, when set off as aforesaid. Corporate name and powers.

3. *And be it enacted*, That the inhabitants of the township of Haddon, shall hold their first annual town meeting at the town hall in Haddonfield, on the day appointed by law for holding the annual town meetings in the other townships in the county of Camden, and afterwards in such place in the township of Haddon, as the inhabitants thereof shall determine, and that the inhabitants of the township of Newton, as the same shall remain after the division made by this act, shall hold their next annual town meeting at the school house in the village of Stockton, where the last annual election in the western district of the township of Newton was held, and afterward in such place in the said township of Newton, as the inhabitants thereof shall determine, and the present election officers of the eastern election district of the said township of Newton, as the same existed prior to the division made by this act, shall be the election officers of the township of Haddon until others shall be elected or appointed Annual town meetings.

according to law, and that the election officers of the western election district of the said township of Newton, as the same existed prior to the division made by this act shall be the election officers of the township of Newton, until others shall be elected or appointed according to law.

Allotment to
be made.

4. *And be it enacted*, That the township committees of Newton and Haddon shall meet on the second Tuesday in April next, at the town hall, in Haddonfield, at ten o'clock in the forenoon, and may adjourn from time to time, and shall then and there proceed by writing signed by a majority of those present, to allot and divide between the said townships all real and personal property and moneys on hand, or due, or to become due, in proportion to the taxable property and ratables, as taxed by the assessor, within their respective limits at the last assessment, and the property and money so allotted and set off to the township of Haddon, shall belong to and be the property of the said township of Haddon, and the property and money so allotted and set off to the township of Newton, shall belong to and be the property of the township of Newton, and the township of Haddon shall be liable to pay in proportion to the taxable property and ratables within its limits as taxed by the assessor, at the last assessment, their just proportion and share of all debts of the township of Newton, as the said township existed prior to the division made by this act, and if any of the persons comprising either of the township 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.

Second assem-
bly district.

5. *And be it enacted*, That the township of Haddon shall form a part of the second assembly district of the county of Camden.

Repealer.

6. *And be it enacted*, That all acts and parts of acts, inconsistent with the provisions of this act, be and the same are hereby repealed.

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

Approved February 23, 1865.

CHAPTER LXVII.

An Act to confirm certain debts and liabilities incurred by the township of Franklin, in the county of Somerset, in raising money incidental to the war, and to authorize the raising, by special tax, such further sums of money as may be necessary for the payment of sufficient bounties to secure the filling of the quota of said township by volunteers and substitutes, under the pending draft.

1. BE IT ENACTED *by the Senate and General Assembly of* Acts legalized *the State of New Jersey,* That so much indebtedness of said township as hath been incurred through the action and proceedings of the township committee thereof in paying bounties to soldiers, is hereby declared legal, valid and binding upon the taxable inhabitants and property of said township, and that such indebtedness and the legal interest thereon, may be raised by taxation, as a part of the township tax of said township.

2. *And be it enacted,* That the township committee of said township are hereby authorized and empowered to raise by loan, an amount of money not to exceed forty thousand dollars, on the faith and credit of said township, to pay bounties for soldiers to fill the quota of said township under the impending draft; and that the note or notes, bond or bonds of said township, in its corporate capacity given for the money so borrowed, and signed by the township committee thereof, shall be valid and binding upon the property and taxable inhabitants of said township. Money to be raised by loan.

3. *And be it enacted,* That in order to raise the necessary amount of money to procure the requisite number of volunteers and substitutes to fill the quota under the pending draft, the township committee are hereby authorized and empowered to order the assessor to assess any sum not exceeding twenty thousand dollars, to be raised by special assessment within ten days after the passage of this act, upon the basis of the last preceding assessment and duplicate of taxes of said township, and at the expiration of said ten days he shall deliver the duplicate of said assessment to the collector of said township; the commissioners of appeal in case of taxation shall meet within twenty days after such delivery of the duplicate to the collector; and said collector shall, immedi- Money to be raised by tax.

ately after the receipt of the duplicate of assessment, demand payment of the special tax of each individual in said township in person, or by notice left at his or her place of residence, and also give notice of the time and place of the meeting of the commissioners of appeal, and in case of the non-payment of taxes within ten days after the day of meeting of said commissioners of appeal, the collector shall return a list of the names of delinquents to a justice of the peace residing in said township, and thereupon such other proceedings shall be had to collect such tax in arrear, with cost and twelve per cent. interest, as is directed to be done and had in other cases of taxation, and the officers shall be subject to the same liabilities fines and forfeitures, and shall be paid for their services any amount the township committee shall deem proper.

Future draft
provided for.

4. *And be it enacted*, That in case another draft shall be ordered before the next annual session of the legislature, that upon like resolutions and proceedings by said inhabitants, such sums of money as they may vote and order to be raised by two-thirds of the legal voters at any such regular called meeting, to pay bounties to soldiers to fill the quota of the township for such draft, shall and may be assessed and levied in the same manner and upon like proceeding as is hereinbefore provided, or shall be levied and collected with the other annual taxes of said township, as the inhabitants may determine.

May borrow
money.

5. *And be it enacted*, That the township committee of said township, or a majority of them, shall have power to borrow money on bond or bonds, note or notes, in the name of the inhabitants of said township or otherwise, and to renew the same from time to time as may be necessary, and they and each of them shall be indemnified and saved harmless in their individual capacities and estates by said township, against all losses incurred, except as residents and tax payers in said township.

6. *And be it enacted*, That this act shall take effect immediately, and shall be taken in all courts and places as a public act.

Approved February 23, 1865.

CHAPTER LXVIII.

An Act to legalize certain acts of the township committee, of the assessor, and of the inhabitants of the township of Delaware, in the county of Camden, in raising money for the purpose of the payment of bounties in filling the quotas assigned to said township upon the calls of the government for troops for the war.

WHEREAS, the inhabitants of the township of Delaware, in the county of Camden, did on the eleventh day of August, one thousand eight hundred and sixty-four, upon eight days' notice given by and under the order of the township committee of said township, assemble and organize themselves into a town meeting, and, by a large majority, vote that the sum of ten thousand dollars be raised for the purpose of filling up the quotas of said township, in manner following, that is to say: that there be assessed and collected on and from all male persons in said township, of twenty years of age and upwards, a poll tax of ten dollars, and that the balance of the said sum of ten thousand dollars be assessed on the taxable property of said township; and whereas, the principal portion thereof has been collected by the township collector thereof, and doubts have arisen touching the legality of said assessment, and the power and authority of such collector to enforce payment and collection of such bounty money so assessed in the same manner as the payment of other taxes are enforced; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the acts and doings of the township committee, and of the inhabitants of the township of Delaware, in the county of Camden, mentioned in the preamble of this act, to raise ten thousand dollars by assessment and collection, to pay bounties to volunteers for the war, to be mustered into the service and credited to said township, to fill the quotas of said township, are valid in all respects and binding upon the inhabitants and taxable property of said township.

2. *And be it enacted*, That the collector of said township shall be in all courts and places deemed and adjudged to have and to have had full power and authority to collect the

said sum so assessed as aforesaid, in the manner now prescribed relative to the collection of taxes, and that no assessment made as aforesaid shall be set aside or annulled.

3. *And be it enacted*, That this act shall take effect immediately, and shall be taken and held to be a public act.

Approved February 23, 1865.

CHAPTER LXIX.

An Act to legalize the acts of a special town meeting of the inhabitants of the township of Pilesgrove, in the county of Salem, held on the twenty-first of January, eighteen hundred and sixty-five.

Preamble.

WHEREAS, the inhabitants of the township of Pilesgrove, in the county of Salem, did, at a special town meeting held on the twenty-first of January eighteen hundred and sixty-five, authorize the raising of money, by a special tax, to pay bounties to volunteers, and it being necessary to legalize such acts; therefore,

Money to be raised by tax.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the township committee of said township of Pilesgrove are hereby authorized and required to raise, by taxation, at such time as they may order and direct, any sum of money not exceeding twenty thousand dollars, to be expended by said committee in paying bounties to volunteers to fill the quota of said township under the last call of the president of the United States, and also in paying to any inhabitant of said township who shall furnish a substitute, under said call, for three years, the sum of six hundred dollars; and to any inhabitant furnishing a substitute for one year, the sum of four hundred dollars; and to cause the sum required to be assessed and collected by a poll tax of ten dollars upon every inhabitant of said township liable to draft, and the balance upon the taxable property of said township, in the same manner that other township taxes are assessed and collected.

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

Approved February 23, 1865.

CHAPTER LXX.

An Act to authorize the inhabitants of the township of Washington, in the county of Morris, to raise by taxation the amount of money paid by the township committee of said township to procure volunteers for the military service of the United States, and the interest thereon, and also the incidental expenses incurred by said committee respecting the same.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the inhabitants of the township of Washington in the county of Morris, shall be held and deemed to be liable in their corporate capacity for all the moneys expended by the township committee of said township in paying bounties to volunteers credited to said township, and for the interest paid and to be paid thereon, and also for the incidental expenses incurred by the said committee respecting the same, under the calls for volunteers from this State, the amount of said moneys, expenses, and interest not exceeding in all the sum of thirty-five thousand dollars.

2. *And be it enacted*, That the assessors of said township of Washington shall, in the year of our Lord one thousand eight hundred and sixty-five, levy and assess at the same time that the township and county taxes are levied and assessed in said township, said sum of thirty-five thousand dollars; first, by an annual poll tax for that purpose of two dollars upon every male inhabitant of said township of the age of twenty-one years and upwards; and secondly, the balance of said amount to be raised by a tax to be levied and assessed ratably upon and against the personal property of the taxable inhabitants of said township, and the real estate situate therein, in the same manner that township and county taxes are levied and assessed therein, which said taxes shall be collected by the collector of said township at the same time, in the same manner, and with the same penalties and remedies in case of delinquency in the payment thereof, as are prescribed by law for the collection of township and county taxes.

3. *And be it enacted*, That said taxes, or the moneys arising therefrom, shall be applied under the direction of the township committee of said township to the purposes contemplated by this act, and if any surplus shall remain unex-

pended for said purposes, the same shall be applied to the payment of the ordinary annual expenses of said township.

Fees.

4. *And be it enacted*, That the assessor and collector of said township shall each be entitled, for the services required of them in making and collecting each assessment authorized by this act, to the sum of two cents for each name contained in the duplicate of said assessment.

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

Approved February 23, 1865.

CHAPTER LXXI.

An Act to authorize the inhabitants of the township of Blairstown, in the county of Warren, to raise money by issuing bonds to pay bounties to volunteers or drafted men.

Preamble.

WHEREAS, the inhabitants of the township of Blairstown, in the county of Warren, being desirous that the last three calls of the government for troops to be supplied by said township should be filled by volunteers rather than by drafted men, and by a vote of said township, on the tenth day of May, eighteen hundred and sixty-four, in town meeting assembled, said inhabitants voted to pay a bounty of four hundred dollars to each volunteer, to the number of sixteen men, to fill the quota of the first call, and if in case volunteers could not be procured, then to pay each man who should be drafted three hundred dollars, and did order the town committee to borrow a sufficient sum of money to pay said bounties; and whereas, on a second call by the general government for troops, the said inhabitants did, on the thirtieth day of July, eighteen hundred and sixty-four, by a unanimous vote, again order the town committee to borrow a sufficient sum of money to pay bounties to volunteers, to the number of thirty-one men, to fill the quota of the second call; and whereas, a third call being made by the general government, the said inhabitants did assemble in special town meeting, after due notice being given, did, by a unanimous vote, order the aforesaid committee to borrow a sufficient sum of money to fill the quota of the

last call, by issuing township bonds in the name of the inhabitants of the said township; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the township committee of the township of Blairstown, in the county of Warren, to provide for the payment of moneys heretofore expended or hereafter to be expended for the purpose of raising volunteers, or in case of a draft, to pay to each drafted man not otherwise exempted the sum of four hundred dollars, by issuing bonds in the name of the inhabitants of the township of Blairstown, in the county of Warren, under the respective hands and seals of the township committee of said township, or any three of them, in such sums, and payable at such time or times as the said township committee shall deem proper, bearing interest at a rate not exceeding six per centum per annum, payable annually, and to pledge the property and credit of said township for the payment of the same, which bonds it shall be lawful for said committee to sell and assign; *provided*, that no bonds shall be sold for less than its par value, and that all the bonds so to be issued shall be redeemable at a period of time not to exceed five years from the date thereof.

To provide for payment of indebtedness by issuing bonds.

Proviso.

2. *And be it enacted*, That any promissory note, bond or other evidence of indebtedness given by the township committee of said township for money borrowed for the purpose aforesaid, shall bind the inhabitants of said township in their corporate capacity.

Bond or other security valid.

3. *And be it enacted*, That the said township committee shall have power and authority to provide by taxation for the payment of the said bonds and the interest thereon, and the said township committee shall, yearly and every year, or oftener, if said inhabitants request it, until all the bonds issued shall be redeemed and paid off, order and cause to be assessed and collected by tax at such times and in such sums of money as the said township committee shall deem necessary to pay the said bonds and the interest thereon, first, a poll tax as now authorized by law on all white male inhabitants above the age of twenty-one years, and the balance on the taxable property of said township; *provided*, that not more than twelve nor less than six thousand dollars be raised in any one year; *provided also*, that the whole amount of bonds to be issued is not to exceed thirty-five thousand dollars; and when said taxes are collected the township collector shall pay the same to the township committee of said township,

To provide by taxation for payment of principal and interest.

Proviso.

Proviso.

and to be by them inviolably applied to pay the interest and principal of said bonds as the same shall become due and payable, and for no other purpose.

Proceeds, how
applied.

4. *And be it enacted*, That no money shall be paid by said township committee to volunteers under any subsequent call of the government for men, except upon the vote of a majority of the inhabitants of said township entitled to vote directing them so to do, in special town meeting assembled, after due notice given by the clerk of said township, as is now provided by law.

5. *And be it enacted*, That this act shall take effect immediately, and shall be taken and held as a public act.

Approved February 23, 1865.

CHAPTER LXXII.

An Act to enable the inhabitants of the township of Pahaquarry, in the county of Warren, to fill the quotas of the said township, under the several calls of the president of the United States for volunteers, and to legalize the action of the town committee of said township in filling quotas heretofore assigned to the said township.

Preamble.

WHEREAS, the quota of the said township of Pahaquarry, under the call made by the president of the United States, on the eighteenth day of March, eighteen hundred and sixty-four, was four men, for which a draft was actually made, and four persons, residents in the said township, were duly drafted to fill the said quota, and paid their commutation money of three hundred dollars each, to relieve them from such service, amounting in all to the sum of twelve hundred dollars, which sum the township committee of the said township, by the directions of the inhabitants of the said township, assumed to refund and pay to said drafted men; and whereas, the quota of the said township under the call made by the president of the United States, on the eighteenth day of July, eighteen hundred and sixty-four, was ten men, which quota was filled by substitutes and volunteers by the township committee of said township, by directions of the inhabitants

of the said township, to provide the means, for which the said township committee borrowed on the credit of the said township, a sum sufficient to answer the said purpose; and an assessment to raise and pay the last mentioned moneys has been made, by direction of a public meeting of the inhabitants of the said township, by Moses C. Shoemaker, Elias L. Garis, and Isaac Bunnell, a committee appointed by the said meeting for that purpose, which said assessment, made in accordance with the resolutions of the said meeting, has been placed in the hands of Charles F. Kinney, a collector, appointed by the said meeting, to be by him collected of the persons against whom the same have been assessed; and whereas, the president of the United States, by a call made on the nineteenth day of December, eighteen hundred and sixty-four, has called for additional volunteers, and the quota of the said township under the said last named call has not been assigned, and the inhabitants of the said township are desirous to fill the said quota when the same shall be assigned, and to provide means therefor by taxation.

1. BE IT ENACTED *by the Senate and General Assembly of* Acts legalized.
the State of New Jersey, That the township committee of the said township of Pahaquarry be, and they are hereby authorized and empowered to assume and pay to the proper persons the said commutation money of twelve hundred dollars, and also, that the acts of the said township committee in borrowing, raising, and appropriating the moneys necessary to fill the quota of the said township, under the call of the president of the United States, of the eighteenth day of July, eighteen hundred and sixty-four, and the proceedings in relation thereto be, and the same are hereby legalized, and made valid and effectual in the law

2. *And be it enacted,* That the said assessments so made, Assessments made valid.
as above stated, by the said Moses C. Shoemaker, Elias L. Garis and Isaac Bunnell, are hereby legalized and made valid, and of the same effect as if made by the lawfully constituted assessor of the said township, and for a lawful purpose; and that the said Charles F. Kinney, is hereby authorized and empowered to collect the said sums so assessed, of, and from the several persons against whom the same are assessed by the said assessment so made by the said Moses C. Shoemaker, Elias L. Garis and Isaac Bunnell, the same as if he, the said Charles F. Kinney was the lawfully constituted collector of the said township, and the said assess-

ment had been made for a purpose and in a manner previously authorized by law, and that the said Charles F. Kinney shall, within thirty days after the passage of this act, return to any justice of the peace of the said township, a list of delinquents, as is required by the provisions of an act entitled "An act concerning taxes," and the several supplements thereto, and that thereupon such proceedings for the collection of the assessments made against such delinquents may be had, as is provided for the collection of taxes from delinquents under the said last named act and the several supplements thereto, which said last named act and supplements thereto are hereby made applicable in all respects to the collection of the said assessments, except that any tax warrant or tax warrants issued for the collection of any of the said assessments shall be issued to the said Charles F. Kinney, as collector, who is hereby authorized and invested with the same power and authority to collect the same that collectors of taxes have by the said act and supplement.

Money to be raised by tax.

3. *And be it enacted,* That the township committee of the said township be, and they are hereby authorized, to fill the quota that may be assigned to the said township, under the said call made on the nineteenth day of December, eighteen hundred and sixty-four, by providing and paying such bounties as to them may seem reasonable and proper, for substitutes or volunteers, and to raise by taxation or borrowing, on the credit of the said township, a sufficient sum of money to answer that purpose, and that in assessing taxes to raise and pay the money expended and debt contracted for this purpose, as well as to raise and pay the said sum of twelve hundred dollars, authorized to be assessed and paid by the first section of this act, the same shall be assessed, levied and collected in the same manner, and at the same time, and by the same officers as other township taxes are or may be collected, except that for the purposes of this section of this act, a poll tax of twenty dollars shall be assessed upon all residents of said township liable to a poll tax, who shall at the time of such assessment be between the ages of twenty and forty-five years; *and provided also,* that there shall not be allowed any deductions from the valuations of real and personal property liable to taxation, in the said township, for debts due and owing by the owners thereof or mortgages thereon, but the same shall for the purposes of this section of this act, be valued at the full and actual value thereof.

Proviso.

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

Approved February 23, 1865.

CHAPTER LXXIII.

An act to authorize the township of Maurice River, in the county of Cumberland, to raise money by taxation to liquidate liabilities for the payment of bounties to volunteers.

WHEREAS, the township of Maurice River, in the county of Preamble. Cumberland, has incurred liabilities for the payment of bounties to volunteers under the calls made therefor by the president of the United States during the year eighteen hundred and sixty-four, on the faith of said township, and requests that the action of the township in the premises may be sanctioned and legalized by this legislature;

1. BE IT ENACTED *by the Senate and General Assembly of* Debts and liabilities ratified *the State of New Jersey*, That any debt or liability incurred under the authority of the township committee or inhabitants of said township, and any bond, note or other security or evidence of indebtedness that has been given, or may hereafter be given, to secure the payment of liabilities incurred, or that may be incurred, for the payment of bounties to volunteers under said calls, and including liabilities for bounties to recruits in lieu of the draft ordered by the president of the United States, to be made on the fifteenth day of February, eighteen hundred and sixty-five shall be as valid and effectual as if the contracting of such debt or liability, or the making of such bond, note, security or evidence of indebtedness, had been expressly authorized by law prior to the making of such contract or security, or the contracting of such debt or liability.

2. *And be it enacted*, That it shall be lawful to raise by Money to be raised by tax assessment on the taxable property of said township, at the same time and in the same manner that other taxes are assessed and collected therein, and also by a poll tax of ten dollars upon each and every male citizen of said township, money to pay said debts or liabilities, and the interest thereon, in such proportion of said debt and liabilities, from year to

year, as the township committee of said township may direct, until said debts and liabilities shall be redeemed and paid; and the collector of the said township shall have full power and authority to collect the sums so assessed, in the manner now prescribed by the acts relative to the collection of taxes, and shall be liable for neglect of duty, in respect to said tax, as he is by law, for neglect of duty in respect to other taxes.

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

Approved, February 23, 1865.

CHAPTER LXXIV.

An Act to incorporate the Watson Manufacturing Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That William G. Watson, James Watson, John D. Shorrock, and John Drew, and the survivors of them, and all such persons as may be hereafter associated with them, or the survivors, their successors and assigns, shall be and they are hereby constituted a body politic and corporate, in fact and in name, by the name of "The Watson Manufacturing Company," for the purpose of manufacturing iron, copper, brass and other metals and materials into machinery and fabrics, and the business incident thereto.

Election of directors.

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 office for one year; and that the said directors shall be chosen on the first Monday in January in every year; at such place and time as shall be directed by the by-laws of said corporation, and public notice shall be given of the time and place of holding every such election, not less than ten days previous, in one or more newspapers published in the city of Paterson, in the county of Passaic, by such of the stockholders as shall attend for that purpose, either in person, or by proxy, and each stockholder shall be entitled, either in person, or by proxy, or by power of attorney, to as many votes as he or she shall hold shares of the capital stock of said company, and the persons having the greatest number

of votes, being stockholders, shall be directors, and the directors chosen at one election shall be capable of serving by virtue thereof, until another election shall have been had; and the directors so chosen may appoint such officers and superintendents, and assign such compensation as they shall think fit, not less than a majority of the whole number being present when the same shall be done; and if it at any time happen that any vacancy or vacancies occur by death, resignation, or otherwise, among the directors named in this act, or those hereafter to be elected, such vacancy or vacancies shall be filled by such person or persons, as the remainder of the directors for the time being, or the majority of them shall appoint, and until other directors are chosen from the stockholders; the first directors shall be William G. Watson, James Watson, Edward J. Watson, John D. Shorrock and John Drew, who shall hold their office until the first Monday in January next, and until others are legally chosen.

3. *And be it enacted*, That the capital stock of said company shall be three hundred thousand dollars, with liberty to the said directors to increase the same to six hundred thousand dollars if they deem it proper so to do, to be divided into shares of fifty dollars each; and as soon as fifty thousand dollars of the said capital stock shall have been subscribed and paid, or satisfactorily secured to be paid, it shall and may be lawful for the said company to commence business, and with that capital conduct and carry on their operations until they deem it expedient, to extend the same, and it shall be lawful for the directors of the said company to call and demand from the stockholders of said company respectively, all such sums of money by them subscribed at such time and in such proportion as they shall deem proper, not exceeding ten dollars on each share at any one time, under pain of forfeiting the shares of the said stockholders, and all previous payments thereon, if such payments shall not be made within sixty days after a notice shall have been published, for the space of thirty days, in one or more newspapers published in the said city of Paterson, in the county of Passaic.

4. *And be it enacted*, That the subscription of the said stock shall be opened at such time and place as the directors shall designate, in the city of Paterson, for any number of days not exceeding thirty, under the direction of the board of directors, or such of them as shall be designated by said directors for that purpose; and if more stock is subscribed for than the amount deemed by the directors proper for carrying

Amount of
capital stock.

Subscription
books to be
opened

on said business, the said directors shall have the power to distribute the shares deemed by them sufficient, between those subscribing, in such proportion as they shall deem proper.

Stock trans-
ferable.

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

Proviso.

Not dissolved
for failure to
elect.

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

Powers of di-
rectors.

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

Proviso.

Books of ac-
count to be
kept.

8. *And be it enacted*, That the directors shall at all times keep, or cause to be kept, proper books of account, in which shall be entered all the transactions of the said corporation, which shall at all times be open to the inspection of the stockholders of the said corporation, or their legal attorney, or attorneys, and further, that no transfer of stock shall be valid or effectual, until such transfer shall be entered and registered in the books to be kept by the president and directors for that purpose.

Corporation
may be dis-
solved.

9. *And be it enacted*, That the said company may be dissolved at any general meeting of the stockholders specially convened for that purpose; *provided*, at least three-fourths in value of the stockholders shall be present, or represented therein; and upon such dissolution, the directors for the time being, and the survivors and survivor of them shall be trustees for settling all the affairs of the said corporation, disposing of its effects, recovering and paying its debts, and dividing the surplus among the stockholders, in proportion to their respective interests in the stock, unless the stockholders,

Proviso.

at such general meeting shall appoint other persons not less than three, nor more than five in number, for such purpose, in which case the persons so appointed, or the survivors or survivor of them, shall be trustees for the purpose aforesaid.

10. *And be it enacted*, That this act shall continue in force ^{Limitation} for the space of thirty years, and shall go into effect immediately.

Approved February 23, 1865.

CHAPTER LXXV.

An Act for the relief of Washington P. Taylor.

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Restored to citizenship.} *the State of New Jersey*, That Washington P. Taylor, of Mercer county, be and he is hereby restored to all his rights and privileges as a citizen of New Jersey.

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

Approved February 23, 1865.

CHAPTER LXXVI.

An act to extend the provisions of the act entitled "An act to prevent horses, cattle, sheep and swine from running at large in the townships of Hackensack and Harrington, in the county of Bergen," approved February twelfth, eighteen hundred and fifty-two, to the township of Hohokus, in the county of Bergen.

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Act extended.} *the State of New Jersey*, That the act entitled "An act to prevent horses, cattle, sheep and swine from running at large in the townships of Hackensack and Harrington, in the county of Bergen," approved February twelfth, eighteen hundred and fifty-two, and all the benefits and provisions of

said act be, and the same are hereby extended to the township of Hohokus, in the county of Bergen.

Approved February 23, 1865.

CHAPTER LXXVII.

An Act to legalize certain acts of the township committee and inhabitants of the township of West Hoboken, in the county of Hudson, in raising money by taxation to pay bounties.

Preamble.

WHEREAS, the citizens of the township of West Hoboken, at a public meeting of the taxable inhabitants of said township, held May thirtieth, eighteen hundred and sixty-four, did request the town committee of said township to pay to the drafted man, or for his substitute, under the then recent draft, or for a volunteer, or his substitute, or a drafted man, who went to the war under any other draft, to fill the quota of the said township, a sum not exceeding four hundred dollars, and if in any case a substitute could not be procured by the person drafted, then and in that case no more than three hundred dollars should be paid for the exemption of such person; and whereas, the said citizens of the township of West Hoboken, at a public meeting of the taxable inhabitants of said township, held September twentieth, eighteen hundred and sixty-four, did request the said town committee to pay to every drafted man, or his substitute, the sum of two hundred dollars; and whereas, for the purpose of paying the moneys as above requested, the said town committee did raise the sum of twenty-one thousand one hundred and sixty-dollars, upon the faith of certain scrip issued by them; and whereas, it is necessary that provision should be made for the payment of such indebtedness, and it is desirable that the same should be gradually paid off; therefore,

To provide for
payment of in-
debtedness by
issuing bonds.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall and may be lawful for the town committee of the township of West Hoboken, to provide for the payment of the said indebtedness by issuing bonds, under their hands and seals, in the name of the in-

habitants of the township of West Hoboken, in the county of Hudson, for an amount of money not exceeding twenty-two thousand dollars, in such sums and payable at such times as the said town committee shall deem proper, bearing interest at a rate not exceeding seven per centum per annum, payable semi-annually, with coupons attached, and to pledge the property and credit of the said township for the payment of the same; which bonds it shall be lawful for the said town committee, and their successors, to sell and assign; *provided*, Proviso. that no bond shall be sold by the said town committee for less than par; *provided also*, Proviso. that the bonds to be issued by virtue of this act shall be redeemable at a period of time not less than four years, nor to exceed sixteen years from the passage hereof.

2. *And be it enacted*, That the town committee shall have power and authority to provide by taxation for the payment of the said bonds and the interest thereon, and that they shall, yearly and every year, until the bonds so to be issued shall be redeemed and paid off, order and cause to be assessed and collected by tax, at the time and in the manner that other taxes in said township are assessed and collected, a sum of money sufficient to pay and discharge the principal at the several times it shall become due and payable, and the interest on the said bonds as the same shall become due; *provided*, Proviso. that not less than two thousand dollars, nor more than three thousand dollars, of the principal of the said bonds shall be made redeemable in any one year; *and provided further*, Proviso. that the said town committee shall cause to be assessed and collected a special poll tax of one dollar upon every male inhabitant of said township of West Hoboken of the age of twenty-one years and upwards, and shall also cause to be assessed all real and personal estate in the said township of West Hoboken, now and hereafter liable to taxation for township purposes, at the full and actual value thereof, at such rate per dollar as will be sufficient to produce the sum required to be raised, after deducting the said special poll tax.

3. *And be it enacted*, That it shall be the duty of the said town committee to apply the net proceeds of the said bonds to the payment and satisfaction of the indebtedness incurred as aforesaid. Proceeds, how applied.

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

Approved February 23, 1865.

CHAPTER LXXVIII.

An Act to incorporate Bordentown Lodge, Number Sixteen, of the Independent Order of Odd Fellows of the State of New Jersey.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That George W. Thompson, Thomas Edwards, Joseph Gill, Joseph Taylor, John Holloway, Israel Frazer, James L. Jaques, Joseph R. Blake, Robert Julien, Peter Shreve, William Clinton, William Paine, and their associates, officers and members of Bordentown Lodge, Number Sixteen, of the Independent Order of Odd Fellows of the State of New Jersey, and their successors, be and they are hereby constituted and declared to be a body corporate and politic in law, by the name, style and title of "Bordentown Lodge, Number Sixteen, of the Independent Order of Odd Fellows of the State of New Jersey," and by that name they and their successors shall and may at all times hereafter be capable in law of having, purchasing, holding and possessing any lands, tenements, hereditaments and personal estate, purchased, devised or bequeathed by any person or persons, body corporate or politic capable of making the same; and also to have a common seal, and the same to use at pleasure; *provided always*, that the said corporation or body politic shall not at any time hold or possess property, real, personal or mixed, exceeding in value the sum of ten thousand dollars.

Proviso.

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

Approved February 23, 1865.

CHAPTER LXXIX.

An Act to legalize and provide for the payment of certain debts incurred by the inhabitants of the township of Hanover, in the county of Morris, and to authorize them to contract certain debts hereafter to furnish men for the military service of the United States.

WHEREAS, the inhabitants of the township of Hanover, in Preamble. the county of Morris, at a town meeting held, upon due notice, in said township, on the third day of September, eighteen hundred and sixty-four, to devise means for the relief of drafted men, did resolve that five hundred dollars should be paid to every citizen of said township, enrolled as of said township, who had been drafted before that time under order of the president of the United States, and who had put into the military service of the United States a substitute, or who had, after being drafted, entered the military service of the United States and been credited to said township on its quota, and that the sum of three hundred dollars should be paid to every citizen of said township, who had been enrolled as of said township, and drafted in the draft before then made, and who had been paid a commutation fee of three hundred dollars; and also that five hundred dollars should be paid to every enrolled citizen of said township, who should be drafted in the draft then ordered by the United States authorities, and soon thereafter to be made, who should put an acceptable substitute into the said military service, and have him credited on the quota of said township, or should himself enter the said service; that for the purpose of paying said moneys, the township committee of said township should issue scrip in the name and on the credit of said township, bearing interest and payable in five years, in five equal annual installments, with the interest payable yearly; that the said town committee should carry the said resolutions into effect and pay the expenses thereof; and whereas, the said town committee in pursuance of said resolutions for the purpose aforesaid, have issued scrip, or certificates of loan or indebtedness, in the name of the inhabitants of said township, to the amount of sixty-one thousand dollars, (not embracing in said scrip any of the expenses of

executing said resolutions) one-fifth part in amount of said scrip is payable on the first of January, eighteen hundred and sixty-six, and a fifth part thereof on the first day of January in every year thereafter for four years, with interest payable every year on what is unpaid; and whereas, the expenses of executing said resolutions have amounted to the sum of four hundred dollars; and whereas, the inhabitants of said township, at another town meeting held in said township, upon due notice, on the eleventh day of January, eighteen hundred and sixty-five, did resolve that the township committee of said township should be authorized to issue scrip in the name of said township, for the purpose of filling the quota of said township, under the call of the president of the United States for three hundred thousand men to serve in the military service of the United States, bearing date December the nineteenth, eighteen hundred and sixty-four, and that five hundred dollars, in amount of said last mentioned scrip, should be given to every citizen of said township liable to draft under said last mentioned call, who should, upon being drafted, or before being drafted, enter the military service of the United States, and be credited on the quota of said township, or should put into said service a suitable substitute, and have the same credited to the quota of said township on the last mentioned call, and that the money necessary to carry out the last mentioned resolutions should be raised by tax; therefore,

Acts legalized.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said scrip or certificate of indebtedness, so as aforesaid heretofore issued by the township committee of the township of Hanover, in the county of Morris, in the name of the inhabitants of said township, signed by the chairman of said committee and by the clerk of said township, be and the same are hereby legalized and made valid debts of "The Inhabitants of the Township of Hanover, in the County of Morris," as fully and effectually as if the said inhabitants, on the third day of September, eighteen hundred and sixty-four, had had lawful authority to create said debts in the manner and form in which they were made and now are.

Duty of assessor.

2. *And be it enacted*, That the assessor of the said township of Hanover shall, this year, assess on the taxable inhabitants and taxable property in said township the sum of sixteen thousand dollars, to pay, on the first of January,

eighteen hundred and sixty-six, the interest on all of said scrip and so much of the principal thereof as shall then be due, and in every year thereafter, until and including the year eighteen hundred and sixty-nine, the said assessor shall assess on said inhabitants and property the sum of twelve thousand two hundred dollars, and in addition to that sum, every year, so much money as will yearly pay the interest on so much of said scrip as shall remain unpaid, and this year there shall be assessed by the assessor of said township, and collected by the collector of said township, and by him paid to the township committee of the said township, to pay the expenses of executing the resolutions first hereinbefore mentioned, the said sum of four hundred dollars.

3. *And be it enacted*, That the township committee of the said township of Hanover shall have power and authority, ^{Powers of township committee.} and power and authority is hereby given to said committee, to issue scrip or certificates of indebtedness in the name and on the faith and credit of "The Inhabitants of the Township of Hanover, in the County of Morris," in such sums as they shall deem expedient; *provided*, that no one of said certificates shall be for a less sum than twenty-five dollars, ^{Proviso.} nor for a greater sum than five hundred dollars; the interest on said scrip shall be paid on the first of January in every year, until the principal shall be paid; said last mentioned scrip shall be debts of and legally binding upon "The Inhabitants of the Township of Hanover, in the County of Morris," and shall be divided into five classes of equal amounts; the principal of the first class shall be paid on the first of January, eighteen hundred and seventy-one; the principal of the second class shall be paid on the first of January, eighteen hundred and seventy-two; the principal of the third class shall be paid on the first of January, eighteen hundred and seventy-three; the principal of the fourth class shall be paid on the first of January, eighteen hundred and seventy-four; and the principal of the fifth class shall be paid on the first of January, eighteen hundred and seventy-five; the whole amount of scrip authorized by this section shall not exceed, in the aggregate, five hundred times the number of men which shall be assigned or fixed by the provost marshal as the quota of the said township of Hanover, on the said call and order of the president of the United States, dated December nineteenth, eighteen hundred and sixty-four; and authority is hereby given to the township committee of said township of Hanover, to deliver to every citizen of said town-

ship liable to be drafted under the last mentioned call of the president of the United States, who shall, upon being drafted, or before being drafted, enter the military service of the United States, and be credited to the said last mentioned quota of said township, or who shall put into the military service of the United States a suitable substitute, and have the same credited to the said township, on and in reduction of the last mentioned quota, five hundred dollars of said scrip, at its par value; and the money to pay the interest and principal in this section specified shall be raised by taxes assessed on the inhabitants of said township and the taxable property in said township, to be assessed and collected in such sums, every year, as will pay the interest and principal which will fall due on the first of January next succeeding each assessment, and that in the year eighteen hundred and sixty-five there shall be assessed and collected in said township the additional sum of two hundred dollars, to defray the expenses of issuing and disposing of said last mentioned scrip.

Taxes to be assessed and collected.

Proviso.

4. *And be it enacted*, That all other moneys authorized to be assessed by this act, shall be assessed and collected in the same manner and at the same time as the other township taxes in said township are assessed and collected; *provided however*, that to aid in paying the moneys required by this act to be paid, that in every year until and including the year eighteen hundred and seventy-four, a special poll tax of five dollars shall be assessed against and collected from every male taxable inhabitant of said township; and all payments of interest and principal shall be made to the parties legally entitled to receive the same, by the township collector of said township of Hanover.

To provide by taxation for payment.

Proviso.

5. *And be it enacted*, That the inhabitants of the said township of Hanover, may at any town meeting hereafter legally called and held, resolve to pay the principal of the scrip, or certificates of indebtedness, mentioned in and authorized by the third section of this act, at earlier periods than are specified for the payment thereof in the third section of this act, and in case said inhabitants shall so resolve, then and in that case the money to pay the principal shall be assessed and collected at such times and in such sums as the said inhabitants at such town meeting shall resolve and direct; *provided however*, that the times for paying the principal of said scrip, or certificates of indebtedness shall

not be extended for any longer periods than those specified in the third section of this act.

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

Approved February 23, 1865.

CHAPTER LXXX.

An Act to confirm the action of the board of chosen freeholders of the county of Camden, in appropriating money to fill the quota of the county of Camden, under the call of the president of the United States, made July eighteenth, eighteen hundred and sixty-four, for five hundred thousand men, and to authorize said board to issue bonds and to provide for the payment of the same.

WHEREAS, the board of chosen freeholders of the county of Camden, on the twenty-eighth day of July, Anno Domini one thousand eight hundred and sixty-four, did, by resolution, appropriate the sum of two hundred and twenty-five thousand dollars, to be paid in bounties to volunteers and persons furnishing substitutes to fill the quotas of the townships of said county, under the call made by the president of the United States on the eighteenth day of July last, for five hundred thousand men for military service, and did authorize the commissioners of the sinking fund of said county, appointed by the authority of an act of the legislature of New Jersey entitled "An act to fund the floating debt of the county of Camden, and to provide for the payment of the same," approved March eighteenth, eighteen hundred and fifty-eight, to borrow such sums of money as might be necessary for the payment of said bounties, and to issue the bonds and pledge the faith of the said county for the payment of the same; and whereas, the said commissioners of the sinking fund have borrowed or advanced a large portion of the sum so necessary for the purpose aforesaid, and have already issued (in conformity with the provisions of the act above referred to) the bonds of the said county for the payment of a portion of the said money; and whereas, it is proper and right Preamble.

that the action of the said board of chosen freeholders and commissioners in the premises should be sanctioned and confirmed by law, and that they should be authorized to fund and issue bonds for the whole of the indebtedness which has been incurred for the payment of such bounties to volunteers, and to persons furnishing substitutes, as have been offered by their authority, and the expenses incident thereto, by issuing bonds therefor, and to provide for the payment of the same, and to raise money for that purpose by taxation; therefore,

Acts legalized.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the action of the board of chosen freeholders of the county of Camden, and of the said commissioners of the sinking fund in offering bounties to volunteers and to persons furnishing substitutes under said call, borrowing money, issuing bonds for the payment thereof, and all other acts by the said board or by their authority done in the premises, and the indebtedness thereby incurred, be and the same are, each and all, hereby authorized, sanctioned and confirmed, and declared to be legal, valid and effectual in law, as if done by virtue of an act of the legislature specially authorizing the same.

To provide for payment of moneys by issuing bonds.

2. *And be it enacted*, That it shall be lawful for the board of chosen freeholders of the said county of Camden, for the purpose of paying or securing the payment of the bounties offered by their authority to volunteers and to persons furnishing substitutes, credited on the said quota under the call aforesaid, and the expenses incident thereto, and the moneys borrowed or advanced to pay the same, to cause the bonds of the said county of Camden to be issued to an amount not exceeding in the whole issued for that purpose, one hundred and seventy-five thousand dollars; the said bonds to be issued in such sums and with such dates and times of payment, as the said board of chosen freeholders may have directed or may hereafter direct by resolution; and in all respects, not herein otherwise provided for, to be issued and disposed of in conformity with the provisions of the said act entitled, "An act to fund the floating debt of the county of Camden, and to provide for the payment of the same," hereinbefore referred to.

To provide for payment of bonds by tax.

3. *And be it enacted*, That the said bonds herein authorized or confirmed and sanctioned, and the indebtedness thereby incurred, shall be valid and binding upon the inhabitants of the said county of Camden, and the taxable property thereof

in the same manner as other authorized debts of the said corporation; and in order to provide for the payment of the interest and principal moneys thereof, there shall be raised by tax, at the same time and in the same manner as the other county taxes are raised, such sum annually, in addition to the other moneys raised by taxes in said county, as the board of chosen freeholders may direct, which said sum when raised shall be under the care and management of the said commissioners of the sinking fund, whose duty it shall be to apply so much of the same as may be necessary for that purpose to the payment of the interest accruing from time to time on said bonds, and to use and apply the balance thereof as a fund for the payment of the principal money of said bonds, as the same shall respectively become due.

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

Approved February 24, 1865.

CHAPTER LXXXI.

An Act to authorize the inhabitants of the township of Freehold, in the county of Monmouth, to raise money, issue bonds and for other purposes.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the inhabitants of the township of Freehold, in the county of Monmouth, to provide for the payment of the indebtedness incurred by them and by their township committee, in paying commutation money and bounties to volunteers, and expenses in filling the quotas of said township with men to be mustered, under the calls of the president, into the military service of the United States, by issuing bonds in the corporate name of said township, and under the hands and seals of their township committee, or of any two of said township committee, and attested by their clerk, for an amount of money not to exceed the sum of thirty thousand dollars, in such sums, and payable at such time or times as their said township committee shall deem proper, and bearing interest at a rate not to exceed six per cent. per annum, payable annually, and to

To provide for
payment by
issuing bonds.

pledge the taxable property and credit of the said township for the payment of the same; which bonds it shall be lawful for the said inhabitants of the township of Freehold, and their successors, by their township committee or any two of them, to sell and dispose of; *provided*, that no bond shall be sold by the said corporation for less than its par value; *provided further*, that the bonds so to be issued shall be redeemable not longer than six years from the first day of April, eighteen hundred and sixty-five.

Proviso.

Proviso.

To provide for payment of indebtedness by issuing bonds.

2. *And be it enacted*, That the said corporation shall have power and authority, by their township committee, to provide by taxation for the payment of the said bonds and the interest that may accrue thereon, and on said indebtedness, and shall yearly and every year, until the bonds to be issued by the authority of this act shall be redeemed and paid off by their said township committee, order and cause to be assessed and collected by tax, at the time and in the manner that other taxes in the said township are assessed and collected, a sum of money sufficient to pay the interest on the said bonds and indebtedness, as the same shall become due and payable, and to pay and discharge the principal at the several times it shall become due and payable; and that all such moneys so to be raised by virtue of this act shall, by their said township committee, be exclusively applied to the payment of the interest and principal of said bonds and indebtedness as the same may become due and payable; *provided*, that not less than three thousand dollars, and not more than seven thousand dollars of the principal of said bonds and indebtedness shall be made redeemable in any one year.

Proviso.

Debts and liabilities legalized.

3. *And be it enacted*, That the debts and liabilities incurred by the said corporation, and by their said township committee, in consequence of the payments aforesaid, and the action of the said corporation and their said township committee thereupon, be and the same are hereby legalized, ratified and confirmed.

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

Approved February 24, 1865.

CHAPTER LXXXII.

An Act to authorize the inhabitants of the town of Lambertville, in the county of Hunterdon, to raise bounty money, and to legalize the acts of the said town.

WHEREAS, The inhabitants of the town of Lambertville, in Preamble. the county of Hunterdon, at a public meeting of citizens of said town, held on the second day of August, eighteen hundred and sixty-four, did unanimously agree and authorize a committee of citizens of said town to raise, by borrowing or otherwise, a sufficient amount of money to procure the requisite number of volunteers to fill the quota of said town, under the call made by the president of the United States for five hundred thousand men; and whereas, the sum of twenty-six thousand dollars was borrowed by said committee, and expended for the purpose above mentioned; and whereas, the inhabitants of said town, at a special town meeting held for that purpose, on the second day of February, eighteen hundred and sixty-five, did, by a unanimous vote, ratify and approve the action and proceedings of the citizens of said town in borrowing money to procure volunteers to fill the quota of said town under said call for five hundred thousand men; and whereas, the inhabitants of said town, at said special town meeting, did authorize the mayor and common council, together with a committee of citizens, to raise the money which may be required (by borrowing or otherwise) to procure the requisite number of volunteers or substitutes to fill the quota of said town under the call made by the president of the United States, on the nineteenth of December, eighteen hundred and sixty-four, for three hundred thousand men.

1. BE IT ENACTED *by the Senate and General Assembly of* To provide for payment by issuing bonds. *the State of New Jersey,* That in order to secure the payment of money already borrowed and advanced for bounties to volunteers in the military service of the United States, under the first call above mentioned, it shall be lawful for the mayor and common council of the town of Lambertville to issue bonds, under their corporate seal, and the signature of the mayor and treasurer of the said town, for an amount not exceeding twenty-six thousand dollars, bearing interest half yearly at a rate not exceeding six per cent. per annum, with

coupons attached, and payable at such time or times as may be agreed upon by the common council.

May borrow
money.

2. *And be it enacted*, That the said common council of the town of Lambertville are also hereby authorized and empowered to raise, by loan, any amount of money that may be necessary, not exceeding thirty thousand dollars, on the faith and credit of said town, to pay bounties for soldiers to fill the quota of said town under the last call aforesaid of the president of the United States, for three hundred thousand men; and that it shall be lawful for the mayor and common council of the said town to issue bonds or obligations for that purpose, for an amount not exceeding thirty thousand dollars, bearing interest, payable half-yearly, at a rate not exceeding six per cent. per annum, and made payable at such times as may be agreed upon by the common council, not exceeding ten years from the date thereof.

To provide for
payment of in-
debtedness by
taxation.

3. *And be it enacted*, That the said common council shall have power to raise by tax sufficient sums of money for the payment of said bonds and the interest thereon, and that the same shall be assessed and collected in the same manner (with the poll-tax hereinafter mentioned) as other town and county taxes are assessed and collected in said town.

Poll tax.

4. *And be it enacted*, That the said common council shall levy a poll-tax not exceeding five dollars, nor less than three dollars annually, upon every male inhabitant of said town, of the age of twenty-one years and upwards, until said bounty money and the interest which may accrue thereon shall be paid and satisfied; *provided*, that those persons who have been in the service of the United States, and by reason of such service are exempt from the draft, shall be exempted from this poll-tax.

Proviso.

5. *And be it enacted*, That this act shall take effect immediately, and shall be taken in all courts and places as a public act.

Approved February 24, 1865.

CHAPTER LXXXIII.

An Act to enable the township committee of the Upper Township, in the county of Cape May, to borrow money to pay bounties and to repay the same.

WHEREAS, the inhabitants of the Upper Township, in the county of Cape May, at a special town meeting called for that purpose, did, by a majority of votes, instruct the township committee of said township to offer a bounty in order to fill the quotas due from said township under the general orders of the adjutant general of this State, dated at Trenton, February twenty-ninth, eighteen hundred and sixty-four, and under the proclamation of the president of the United States, dated July the eighteenth, eighteen hundred and sixty-four; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the township committee of the Upper Township, in the county of Cape May, be and they are hereby authorized to borrow on the credit of the said Upper Township, for the purpose of paying bounties in order to fill the deficiencies of said quotas, or any quota which has since been or may hereafter be called for, and to defray the expenses incident to the same, such sums of money as may be necessary for that purpose; and to provide for the payment of the money which has already been borrowed or which shall hereafter be so borrowed, by issuing bonds in the corporate name and under the corporate seal of said township committee, to be signed by the chairman and clerk of said township committee; and the bonds shall be in such sums, and the principal of said bonds made payable at such times as the said township committee shall deem proper, and shall bear interest at a rate not exceeding seven per centum per annum; and the said township shall have power to sell and deliver said bonds; *provided*, that none of said bonds shall be sold or delivered by said committee or any of its officers or agents for less than the par value of the same; and for the payment of the principal and interest of said bonds, the said township committee shall be, and they are hereby authorized to pledge the credit of the said township and the taxable property therein.

Preamble.

May borrow money and give bonds.

Proviso.

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

Payment of principal and interest by tax.

Upper Township, in the county of Cape May, shall have power, and it is hereby made the duty of said committee to provide in the manner hereinafter prescribed, by taxation, for the payment of said bonds, and the interest which shall accrue thereon, and all moneys raised by tax by virtue of this act shall be exclusively applied to the payment of the principal and interest of said bonds, as the same shall become due and payable.

Amount to be assessed and collected.

3. *And be it enacted*, That the township committee shall have power to determine and direct what sum shall be annually assessed to pay the principal and interest of said bonds, and of the amount so directed to be assessed in any one year the said committee shall have power to determine what sum shall be assessed as a poll tax upon each taxable inhabitant of said township, and the sum so determined and directed shall be assessed levied and collected at the same time and in the same manner as other state, county and township taxes are, or shall by law be assessed, levied and collected; and when collected shall be held by the township collector of said township for the purpose of paying the principal and interest of said bonds; pursuant to the provisions of this act; and the said township collector is hereby authorized and required to pay the principal and interest of said bonds according to the terms and conditions of said bonds.

Annual report to be made.

4. *And be it enacted*, That the chairman and clerk of the said township committee, shall annually, at least two weeks previous to the annual town meeting, make, in duplicate, under oath, a written statement of the number, date and amount of bonds by them issued, to whom issued, and when made payable, which statement shall include all bonds previously issued by virtue of this act and remaining unpaid, one copy of which statement shall be filed with the clerk of said township for public inspection, and the other copy shall be filed with the township collector.

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

Approved February 24, 1865.

CHAPTER LXXXIV.

An Act to incorporate the New Brunswick and Cranberry Turnpike Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the subscription books of the capital stock of the New Brunswick and Cranberry Turnpike Company shall be opened by William L. Schenck, David B. Wyckoff, John Chamberlain, James Higgins, Aaron Dean, Elias Dey, Henry Smith, Garret G. Voorhees, Charles M. Herbert, James H. Webb and James D. Hubbard, or a majority of them, who are hereby appointed commissioners to receive subscriptions to the said stock, at such times and places as they, or a majority of them, may direct, giving notice at least twenty days prior to the opening of said books by publishing the same in at least two of the newspapers published in the county of Middlesex, in this state.

Commissioners to receive subscriptions.

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

Amount of capital stock.

3. *And be it enacted*, That at the time of subscribing for said stock two dollars shall be paid upon each share subscribed to the commissioners, or any of them, which money shall be paid over to the treasurer of the company as soon as one shall be appointed, and the residue of the subscription shall be paid in installments at such times and places, and to such persons as the president and directors of the company shall from time to time direct and give notice thereof in the manner aforesaid, and upon failure of the payment thereof, as so directed, the said president and directors of the company shall have power to forfeit the shares of each and every person so failing to pay the said installments, or any of them, to and for the use of said company; *provided*, that if the num-

Payment of installments.

Proviso.

ber of shares subscribed for shall exceed the number of shares authorized by this act, that the said commissioners shall apportion the said stock among such subscribers in proportion to the amount or number of shares by them subscribed for as aforesaid; *provided also*, that no subscription for less than four shares of said stock shall be reduced by such apportionment; *provided also*, that the stockholders shall, upon request, have the right to pay the stock subscribed, except the first installment, by work upon said road, they doing the work as cheaply as it otherwise can be done, under such regulations, at such time and upon such notice by either party as the directors may determine.

Proviso.

Proviso.

Act void if shares not subscribed in certain time.

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

Election of directors.

5. *And be it enacted*, That when eight hundred shares of said stock shall be subscribed for, the said commissioners shall call a meeting of the stockholders, giving at least twenty days' notice of the time and place of said meeting, as hereinbefore directed with regard to the opening of said books, at which meeting the subscription books shall be laid before the stockholders, who shall thereupon proceed to elect by ballot seven directors, a majority of whom shall be citizens of this state, to manage the affairs of said company for one year, of which election the said commissioners or a majority of them shall be judges, and at the expiration of that term and annually thereafter, upon like notice to be given by the directors for the time being, the said stockholders shall elect by ballot the same number of directors, a majority of whom shall be citizens of this state as aforesaid; and at every such election and in all other cases in which the stockholders shall be entitled to vote, a vote may be given for each share of the holder or holders thereof, either in person or by proxy.

Duties and powers of president.

6. *And be it enacted*, That within twenty days after the annual election as aforesaid, the said directors shall elect from among their number a president of their said company, who shall hold his office for one year, and until another shall be elected, and receive such compensation as a majority of

such directors shall direct, and shall be the presiding officer of all meetings of said directors, and shall have the casting vote when they shall be equally divided; he shall have charge of the seal of the company, and shall appoint the judge or judges of all elections of the stockholders, or in case of his death, absence or inability so to do, the said directors shall appoint some other suitable person, who, for the time being, shall possess the same powers and authority and perform all the duties herein prescribed.

7. *And be it enacted*, That the said directors, or a majority of them, may supply any vacancy in the intervals between the annual elections, by death, resignation, removal or refusal to act of any president or director, and may appoint a treasurer, and all officers, agents, superintendents, and other servants that may be required to transact the business of the company, with such compensation as they may determine upon, and may exact from them such security for the due performance of their respective trusts as they may think expedient; they shall regulate the tolls, and have the superintendence and direction of all receipts and disbursements, and all other affairs of the company, and may make and enforce such ordinances and by-laws as they may think expedient for regulating the transfer of stock, and for the general government of the company and the management of its affairs; *provided*, the same are not unlawful or unconstitutional. Duties and powers of directors. Proviso.

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

9. *And it be enacted*, That special meetings of the stockholders may be called by order of said president, or by the stockholders owning one-fourth of the whole stock of the company, by giving notice of the time and place of holding the same as hereinbefore directed with regard to the annual meetings; which said notice shall specify the particular object of the meeting, but that no business of the company shall be transacted at such special meeting unless a majority in value of the stockholders attend and concur therein, who may require the books, accounts and all other papers and proceedings of the company to be exhibited to them by the president and directors. Special meetings.

10 *And be it enacted*, That if from any cause any elec-

Not dissolved
for failure to
elect.

tion hereinbefore named shall not be held at the time specified by this act, the same may be made at any other time, as aforesaid, and that until such election be had the officers of the preceding year shall continue to hold their respective offices until others be elected in their stead, and that this charter shall not be defeated or avoided by reason of the irregularity or want of such election.

Construction
of road.

11. *And be it enacted*, That it shall and may be lawful for the said company to construct and make a turnpike road from New Brunswick, in the county of Middlesex, to Cranberry, in said county, and thence to the Cranberry station, which said turnpike road shall be constructed on and along the public highway known as George's Road, leading from New Brunswick to Cross Roads, in said county, and thence to Cranberry aforesaid, and thence upon the public highway to Crauberry station, except in those places where the said public highway is not straight, then and in those places the said company shall have power to construct the said turnpike road where they may deem proper; and the width of said turnpike road shall be governed by the public road upon which

Proviso.

it may be made; *provided*, that before the said company shall construct the said turnpike road, they shall pay to the respective owners of the lands over which the said turnpike road is constructed, all damages which said owners will sustain by reason of the construction of the said turnpike road; and in case said company and any of the owners cannot agree upon the amount of the said damages, the said damages shall be ascertained and determined as nearly as may be in the manner hereinafter provided for for ascertaining and determining the damage which any land owner or owners shall sustain by the taking of stone, gravel or other materials from his or her land for the constructing or maintaining of said turnpike road; *provided, also*, that the said company shall have power to take only the right of way over the lands whereon the said road is to be constructed, paying damages which the owners will sustain thereby; and the commissioners hereafter named, if appointed, shall have power to assess damages for the right of way only; *provided also*, that if the lands whereon said road is to be constructed shall belong to the state aforesaid, then the said company shall have power to take the right of way only, without compensation or charge.

Proviso.

12. *And be it enacted*, That the said turnpike road shall be constructed at least thirty-two feet in breadth along the middle as near as may be of the said highway, and shall be

Breadth of
road.

sufficiently arched and drained to make and keep the same dry, and at least sixteen feet thereof shall be sufficiently bedded and faced with stone or gravel to make a solid, firm and even road at all seasons of the year; and it shall be so graded that in its progress no part of said road shall rise above an angle of six degrees with the plane of the horizon; and the said company shall make good and sufficient bridges along the line of said road, not less than fifteen feet in breadth, and whenever the said road in passing over low ground shall be raised so much at the margin or side as to render carriages passing thereon liable to upset, the said company shall cause good and sufficient railings to be erected and maintained on the sides, so as to prevent horses and carriages from running off.

13. *And be it enacted*, That it shall be lawful for said company, their officers, superintendents, engineers and workmen with carts, wagons and other carriages, and with beasts of burthen and draught, and all necessary materials, tools and implements; to enter upon all lands contiguous or near to the route of the said road, doing as little damage thereto as possible, repairing any breach they may make in the enclosure thereof, and to make all ditches and under drains across and through such lands necessary for properly draining said road, and that when the said company or its agents cannot agree with the owner or owners of such required land or materials for the use or purchase thereof, or when by reason of legal incapacity or absence of such owner or owners no such agreement can be made, a particular description of the land or materials so required for the use of said company in the construction of said road shall be given in writing, under the oath or affirmation of some engineer or proper agent of the company, and also the name or names of the occupant or occupants, if there be any, and of the owner or owners, if known, and their residence, if the same can be ascertained, to one of the justices of the supreme court of this state, or to one of the judges of the court of common pleas of the county of Middlesex, who shall cause the said company to give notice thereof to the person interested, if known and in this state, and if unknown and out of this state to make publication thereof as he shall direct, for any term not less than twenty days, and to assign a particular time and place for the appointment of commissioners hereinafter named, at which time, upon satisfactory evidence to him of the service or publication of such notice aforesaid, he shall appoint under his hand and seal, three disinterested, impartial and judicious freeholders, commissioners to examine

Proceedings
when compa-
ny and owners
cannot agree.

and appraise the said land or materials, and to assess the damage, upon notice to be given to the persons interested as shall be directed by the justice or judge making such appointment, to be expressed therein not less than twenty days, and it shall be the duty of said commissioners, having first taken and subscribed an oath or affirmation before some person duly authorized to administer an oath or affirmation, faithfully to examine the matter in question, and make a true report according to the best of their skill and understanding, to meet at the time and place appointed and proceed to examine and view the said lands or materials, and make a just and equitable estimate or appraisal of the value of the same, and assessment of damages to be paid by said company for such land or materials and damages aforesaid, and to make a report thereof under the hands and seals of the said commissioners, or any two of them, and file the same within ten days thereafter, together with the aforesaid description of the lands or materials and the appointment and oaths and affirmations aforesaid, in the clerk's office of the county of Middlesex, to remain on record therein, and shall be recorded by said clerk, which report, or a copy thereof, certified by the clerk of said county, shall at all times be considered plenary evidence of the right of said company to have, hold, use, occupy and enjoy the land and materials, after payment of the value and damages so assessed; and of the right of said owner or owners to recover the amount of said valuation, with interest and cost, in an action in any court of competent jurisdiction, in a suit to be instituted against the company if they shall neglect or refuse to pay the same for twenty days after demand of their treasurer, and shall constitute a lien upon the property of the company, in the nature of a mortgage; and the said justice shall tax and allow such costs, fees and expenses to the justice, commissioners, clerks, and other persons performing any of the duties prescribed in this section as he shall think equitable and right, which shall, in all cases, be paid by the said company.

Toll-gates to
be erected.

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

tions over half a mile of the said road, not exceeding the following rates, to wit:

For every carriage, sleigh or sled drawn by one beast,		Rates of toll.
	one cent;	
For every additional beast,	one cent;	
For every horse and rider, or led horse or mule,	five mills;	
For every dozen of calves, sheep or hogs,	one cent;	
For every dozen of horses, mules or cattle,	four cents;	
And it shall and may be lawful for the toll gatherers to stop persons riding, leading or driving any horses, mules or calves, sheep or hogs, or carriages of burthen or pleasure from passing through the said gates or turnpikes until they shall have paid the toll as above specified; <i>provided</i> , that nothing in this act shall be so construed as to entitle the said company to demand or receive toll of or from any person passing to or from public worship on the Sabbath day, or 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, or any other military officer or soldier passing or repassing when called to do duty by the laws of the state, or of the United States.		Proviso.

15. *And be it enacted*, That before the said company shall receive toll for travelling said road, they shall cause mile stones or posts to be erected and maintained, one for each and every mile on said road, and on each stone or post shall be fairly and legibly marked the distance the stone or post is from New Brunswick, and shall cause to be fixed and always to be kept up at the gates or turnpikes aforesaid, in a conspicuous place, a printed list of the rates of toll which may be lawfully demanded, and also a board, on which shall be painted in large letters, "Keep to the right, as the law directs."

16. *And be it enacted*, That if any person wilfully breaks down or throws down or deface any of the mile stones or posts so erected on the said road, or wilfully tear down and deface any of the printed rates of toll or directions, or shall cut, break down or destroy, or otherwise injure any gates, turnpikes or bridges that shall be erected pursuant to this act, or shall forcibly pass the gate or gates without having paid the legal toll at such gates or turnpikes, such person or persons shall forfeit and pay the sum of twenty dollars, besides being subject to an action for damages for the same, to be recovered by said company by action of debt or other proper action, in any court of competent jurisdiction, with

costs of suit; and if any person, in his or her carriage, team or horse, turn off the said road to pass a gate or gates, again enter on the said road, with intent to avoid the toll due by virtue of this act, such person or persons shall forfeit and pay five dollars, to be recovered by said company, for the use thereof, in an action of debt, with costs of suit.

Penalty for delaying travellers.

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

Penalty for obstructing passage.

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

Proceedings when road and bridges are not kept in repair.

19. *And be it enacted*, That if the said company shall not keep the said road and bridges in repair, and complaint thereof shall be made to any justice of the peace of the said county of Middlesex who may be disinterested, the said justice shall immediately appoint by writing under his hand and seal, three of the town committee of the township wherein the cause of complaint arose, or if it be on the line of any two townships, of either of said townships, which three persons, being disinterested in said road, on notice being given to the keeper of the nearest gate or turnpike, shall meet at such time and place as the said justice may appoint, and having taken an oath or affirmation to act impartially, shall proceed to view and examine the said road so complained of, and to report to the said justice in writing under their hands and seals, or under the hands and seals of any two of them, whether it be in such state as the law requires it to be kept, and if the report be unfavorable to the said road, the said justice shall immediately, in writing, under his hand and seal, order the keeper of the said gate or turnpike to keep the same open

until otherwise ordered, and if the said keeper shall, notwithstanding the order of the said justice to open the said gate or turnpike, exact toll of travellers, the said company shall for each offence forfeit and pay twenty dollars, to be sued for by any person who will prosecute for the same in an action of debt, with costs of suit, and the justice shall be allowed for his services fifty cents, and the persons appointed one dollar each, to be paid by the company, and it shall be the duty of the persons so appointed, or a majority of them, on application of said company, again to view the said road, and report as aforesaid their opinion to the said justice, who shall, if authorized by the report of said persons, or any two of them, by license under his hand and seal directed to the toll gatherer, permit the gates or turnpikes to be shut and the toll to be collected as before, and the said fees shall be allowed and paid as before directed, but if on the first view, as before mentioned, the report of the persons appointed shall be in favor of the company, the same fees shall be allowed as before prescribed and paid by the person or persons making the complaint; and in case the township committee aforesaid are not disinterested, then the said justice shall appoint, in the same manner as before prescribed, one or more respectable freeholders in the township or townships, who may be disinterested, to serve in the place and stead of any member or members of the township committee so disqualified.

20. *And be it enacted*, That if the said road is not commenced within three and completed within five years from the passage of this act, then and in that case this act shall be void. Time of completion.

21. *And be it enacted*, That when the said company shall have completed two consecutive miles of said road according to the directions and meaning of this act, it shall be lawful for the said company to erect a toll gate across the said road, and demand and receive toll for travelling thereon agreeable to the foregoing rates. When toll may be taken.

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

Approved February 24, 1865.

CHAPTER LXXXV.

An Act to confirm certain acts of the township committee and inhabitants of the township of Bayonne, in the county of Hudson, and to authorize the raising of money for volunteers.

Preamble:

WHEREAS, The inhabitants of the township of Bayonne, in the county of Hudson, did on the third day of May, and also on the second day of July, Anno Domini one thousand eight hundred and sixty-four, on a call of the committee of said township, publicly assemble themselves together, and by vote authorize the township committee to offer bounties to volunteers to fill the quota of said township under the then recent calls of the president of the United States, and issue the bonds of the township bearing interest at seven per centum per annum; and whereas, the township committee have borrowed and paid for volunteers the sum of thirty-three thousand three hundred dollars, and issued the bonds of the township therefor; and whereas, it is deemed advisable that the indebtedness so created should be gradually paid off; therefore,

To provide by taxation for payment of principal and interest.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the township committee of the said township of Bayonne, shall have power and authority to provide by taxation for the payment of said bonds, and the interest thereon; and the said township committee shall yearly, and every year, until the bonds so issued by the authority hereof shall be redeemed and paid off, order and cause to be assessed and collected by tax, at the same time and in the manner that other taxes in the said township are assessed and collected, a sum of money sufficient to pay the interest on said bonds as the same shall be due and payable, and to pay and discharge the principal at the several times it shall become due and payable; and the township collector of said township, or other person for that purpose appointed, shall, when such tax or any part thereof shall be collected, pay the same to the township committee of said township; and all such moneys so to be raised by virtue of this act shall be inviolably applied by said township committee to pay the principal and interest of said bonds, as the same shall become due and payable.

2. *And be it enacted*, That it shall be lawful for the township committee of Bayonne township to provide for the payment of any indebtedness incurred, or to be incurred, during the present rebellion, by said committee in raising money and paying bounties to such volunteers as have been or shall be enlisted and mustered into the United States service in and for said township of Bayonne; *provided* that any indebtedness so incurred shall first be authorized by the inhabitants of said township, in town meeting assembled; and that the township committee shall cause to be posted due notices of such meetings, and time and place of holding the same.

To provide by
taxation for
payment.

Proviso.

3. *And be it enacted*, That the debts and liabilities incurred in said township of Bayonne in consequence of the payment of bounties to volunteers, as mentioned in the preamble hereto, and the action of the said committee thereupon are hereby legalized, ratified and confirmed.

Debts legal-
ized.

4. *And be it enacted*, That this act shall be deemed a public act and shall take effect immediately.

Approved February 24, 1865.

CHAPTER LXXXVI.

A Further Supplement to an act entitled "An act to incorporate the city of Hoboken," approved March twenty-eighth, eighteen hundred and fifty-five.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall and may be lawful for the mayor and council of the city of Hoboken, to issue bonds under their corporate seal and the signature of the said mayor, for an amount of money not exceeding fifty thousand dollars, in such sums and payable at such time or times as the said mayor and council shall deem proper, bearing interest at a rate not exceeding seven per cent. per annum, payable semi-annually, with coupons attached, and to pledge the property and credit of said city for the payment of the same, which bonds it shall be lawful for the mayor and council and their successors, to sell and assign; *provided*, that no bond shall be sold by the said mayor and council for

May issue
bonds.

Proviso.

less than par; and *provided further*, that the bonds to be issued by virtue of this act shall be redeemed at a period of time not to exceed twenty years from the passage hereof.

Payment of
principal and
interest by tax

2. *And be it enacted*, That the said mayor and council shall have power and authority to provide by taxation for the payment of said bonds, and the interest thereon, and that they shall yearly and every year, until the bonds so to be issued shall be redeemed and paid off, order and cause to be assessed and collected by tax at the time and in the manner that other taxes in the said city are assessed and collected, a sum of money sufficient to pay and discharge the principal at the several times it shall become due and payable, and the interest on the said bonds as the same shall become due; *provided*, that none of the said principal shall be made redeemable before the first day of January, eighteen hundred and seventy, and that not less than three thousand dollars nor more than five thousand dollars of the principal of the said bonds shall be redeemable in any one year after that period; and *provided further*, that the said mayor and council shall cause to be assessed and collected a special poll tax of one dollar upon every male inhabitant of the said city of Hoboken of the age of twenty-one years and upwards, and shall also cause to be assessed all real and personal estate in the said city of Hoboken, now liable to taxation for city purposes, at the full and actual value thereof, at such rate per dollar as will be sufficient to produce the sum required to be raised, after deducting the said special poll tax.

Proviso.

Proviso.

3. *And be it enacted*, That it shall be the duty of the said mayor and council to apply the net proceeds of the said bonds to the liquidation of the indebtedness incurred by the said mayor and council, and not heretofore provided for, in the payment of bounties to volunteers, substitutes and drafted men, to fill the quotas of the said city and for no other purpose.

Proceeds, how
applied.

4. *And be it enacted*, That it shall and may be lawful for the said mayor and council to borrow a sum of money not exceeding one hundred thousand dollars for the purpose of paying such bounties as the said mayor and council may from time to time deem expedient to every volunteer, drafted man or substitute obtained to fill the quota of the city of Hoboken under the present call of the president of the United States, or the quota upon any future call which may be hereafter made by the said president.

May borrow
money.

5. *And be it enacted*, That it shall and may be lawful for

the said mayor and council to secure the payment of such indebtedness by issuing bonds in the manner and under the same restrictions expressed in the first section of this act, and that they shall also have power and authority to provide by taxation for the payment of the principal of the said bonds, and the interest thereon, in the same manner as is provided for in the second section of this act.

To provide for payment of indebtedness by issuing bonds.

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

Approved February 28, 1865.

CHAPTER LXXXVII.

An Act to legalize the certificates and bonds of the board of chosen freeholders of the county of Hudson.

WHEREAS, It is represented to this legislature that the president of the United States, by his proclamation, bearing date the eighteenth day of July, eighteen hundred and sixty-four, did call for five hundred thousand men to enter the army and navy of the United States; and whereas, to aid in filling the quota of men under said call, required from the county of Hudson, the board of chosen freeholders of that county did, by resolution, at a meeting held on the eleventh day of August, eighteen hundred and sixty-four, in substance declare that they would appropriate a sum sufficient to pay each volunteer or drafted man, who should enter the army or navy under said call, or who should furnish an acceptable substitute, the sum of four hundred dollars, as by said resolution will more fully appear; and whereas, for the purpose aforesaid, certificates have been issued by said board, redeemable in money, or convertible into bonds, and other certificates may hereafter be issued; and whereas, the president of the United States, by his proclamation, bearing date the nineteenth day of December, eighteen hundred and sixty-four, did call for three hundred thousand men to enter the army and navy of the United States; and whereas, the said board of chosen freeholders of the county of Hudson, to aid in filling the quota of men under said last call from the county

Preamble.

of Hudson, did, at a meeting held on the twelfth day of January, eighteen hundred and sixty-five, in substance declare that they would appropriate a sum sufficient to pay each volunteer or drafted man, who should enter the army or navy under said last call, or who should furnish an acceptable substitute, the sum of four hundred dollars, as by said last resolution will more fully appear; and whereas, for the purpose last aforesaid, certificates have been issued, and may hereafter be issued, by the said board, redeemable in money, or convertible into bonds; and whereas, it is contemplated that such certificates and bonds can be appropriated to the cities and townships of the said county, who have paid, or secured to be paid, bounties for the like purposes, as the said board may direct; and whereas, the said board ask that their said proceedings shall be sanctioned and made effectual in law; now therefore,

Certificates of
indebtedness
made valid.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said certificates issued, or to be issued, by the said the board of chosen freeholders of the county of Hudson, for the purposes aforesaid, are and shall be deemed valid and binding in law, as the lawful indebtedness of the inhabitants of the said county of Hudson, and the moneys paid on account thereof lawful payments.

Bonds made
valid.

2. *And be it enacted*, That the bonds issued, or to be issued, in pursuance of the requirements of any such certificates, or for the purposes aforesaid, are declared to be and shall be binding and valid in law, as the lawful bonds of the inhabitants of the county of Hudson.

Amount that
may be issued.

3. *And be it enacted*, That the amount of the said certificates issued, and to be issued, and the amount of the bonds issued, and to be issued, under the authority of this act, shall not exceed the amount that shall be required by the said board to pay each volunteer or drafted man, or who may have furnished an acceptable substitute, as aforesaid, under the said call of the eighteenth day of July, eighteen hundred and sixty-four; and under the call of the nineteenth day of December, eighteen hundred and sixty-four, the sum of four hundred dollars aforesaid, to be determined by computation, to be made by the said board, or under their authority.

How certifi-
cates and
bonds may be
applied.

4. *And be it enacted*, That the said certificates and bonds issued, and to be issued, under the authority of this act, can, in the discretion of the said board, or in pursuance of any arrangement by them made, or to be made, be used or applied to indemnify any city or township in the said county that has paid, or

secured to be paid, or shall pay, or secure to be paid, the said sum of four hundred dollars to each volunteer or drafted man who has entered the service, or who has furnished an acceptable substitute, as aforesaid, and to each man hereafter who volunteers or is drafted, who shall enter the said service, or who shall furnish an acceptable substitute, as aforesaid, under the respective calls aforesaid; but no larger sum than the said sum of four hundred dollars under said call, for each volunteer or drafted man who shall furnish an acceptable substitute as aforesaid.

5. *And be it enacted*, That the said bonds shall be issued under the direction of the commissioners of the loaning fund, appointed and to be appointed by the said board of chosen freeholders of the county of Hudson, in the manner authorized by the act entitled "An act to authorize the board of chosen freeholders of the county of Hudson to issue bonds to fund the floating debt of the said county, and to raise money for other purposes for which they are required to raise or pay money;" approved February eleventh, eighteen hundred and sixty-three; said bond shall be given in the name of the board of chosen freeholders of the county of Hudson, for and in behalf of the inhabitants of the said county, and they shall be signed by the director of the said board for the time being, with the seal of the said board affixed, and countersigned by the remaining two of such commissioners; said bonds shall be numbered and registered by the county collector, and together with the coupons attached, may be made payable at such place as the said commissioners shall determine and designate therein, and at a rate of interest not to exceed seven per cent. per annum, payable semi-annually; and shall be payable at a period not beyond twenty years from the time they shall be issued, and can be in sums of five hundred or one thousand dollars each, and can be made payable to order or to bearer; and the same, when so issued, shall be deemed and taken to be public stock, created under the laws of this state, and can be deposited with the treasurer of this state, under and subject to the provisions of the act entitled "An act to authorize the business of banking;" approved February twenty-seventh, eighteen hundred and fifty, and the supplements thereto; the said bonds shall declare on their face that they were issued under the authority of this act.

Bonds, by
whom issued.

6. *And be it enacted*, That this act shall be deemed and taken as a public act, and shall take effect immediately.

Approved February 28, 1865.

CHAPTER LXXXVIII.

A Supplement to the act entitled "An act to authorize the inhabitants of the township of Fairfield, in the county of Cumberland, to raise money by issuing bonds, and for other purposes," approved February nineteenth, eighteen hundred and sixty-four.

Act extended. 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the act entitled "An act to confirm certain debts and liabilities incurred by the township of Fairfield, in the county of Cumberland, to raise money by issuing bonds, and for other purposes," approved on the nineteenth day of February, eighteen hundred and sixty-four, be and the same hereby is extended and made to include all debts, liabilities and securities of the character therein mentioned, which have been contracted or may be contracted, incurred or made since the approval of said act, and all such debts and liabilities shall be as binding upon the property and effects of the inhabitants of said township as though the same had been previously authorized by law; and all such securities shall be as valid and effectual as if they had been expressly authorized by law prior to their having been contracted, incurred, made or given; and the inhabitants of said township may at their annual town meeting, or at any special town meeting held for the purpose, order any such sums of money assessed and collected in the same manner that other taxes are assessed and collected in said township.

When to be assessed and collected.

Proviso.

2. *And be it enacted*, That the township committee shall have power, and it shall be their duty to make the assessment and collection of the same yearly, as they may think proper; *provided*, the inhabitants in town meeting assembled shall neglect or fail to make said assessment.

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

Approved February 28, 1865.

CHAPTER LXXXIX.

An Act to authorize the inhabitants of the township of Branchburg, in the county of Somerset, to raise money to pay volunteers, and those who have furnished substitutes, or may hereafter furnish substitutes, with the consent of the township committee, for the army or navy of the United States.

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Duty of asses-} *the State of New Jersey,* That it shall be the duty of the assessors of said township elected at the last annual town meeting, to assess on polls and property as usual, from the duplicate of taxes assessed for the year one thousand eight hundred and sixty-four, the sum of five thousand dollars, and that a notice of said assessment shall be signed and set up by him within twenty days after the passing of this act, at five public places in said township, which shall be considered and taken as a legal notice to each and every person taxed; and every person so taxed shall pay the tax so assessed against him or her, or his or her property, within thirty days from the setting up of said notices, to the collector of said township, elected at the last annual town meeting; and any person refusing or neglecting to pay said tax within the time specified, the same shall be collected with twelve per centum per annum interest thereon, with usual costs, by warrant from any justice of the peace of said county, by any constable of said county; said warrant to be issued by said justice not less than five nor more than eight days after return of said delinquents names shall have been made to him by said collector; *provided,* that in case of any error in said assessment the township committee or any three of them shall have power to correct and alter the same, upon application made to them in writing by any person aggrieved or interested in said assessment; *provided, also,* that said application for correction is made before the next annual town meeting; and the assessor and collector for their services shall each be entitled to receive from said township such pay as the committee may deem equitable and just, not exceeding three dollars per day; and in case of the decease, removal, or inability to serve of said assessor or collector, the said committee, or any three of them, shall appoint under

Proviso.

Proviso.

their hands some fit person to perform said duties respectively as assessor or collector.

Moneys borrowed to be a debt of township.

2. *And be it enacted*, That all moneys except the five thousand dollars above named, heretofore borrowed, or which may be hereafter borrowed by said township committee, or any three of them, for the purpose of paying volunteers or substitutes to be credited on the quotas of said township, together with the interest and expenses, as ordered or approved by a majority of votes of the inhabitants in town meeting assembled, shall be considered and taken as a debt due from said township, for the purpose of procuring volunteers or substitutes, with the necessary expenses and interest, and shall be assessed and collected at the same time or some other time, and in the same manner as other township taxes are assessed and collected on polls and property, but as a distinct and separate tax, to be called the bounty tax, and to be placed on the duplicate in a column by itself, separate from all other taxes; the yearly amount to be raised by tax to pay said bounties to be determined by the committee, but shall not exceed the sum of fifteen thousand dollars at any one assessment, unless so ordered by three-fifths of the voters, voting at the annual or any special town meeting.

Authorized to borrow money

3. *And be it enacted*, That the township committee of said township, and John A. P. Ten Eyck (who was appointed as an agent with the committee by said inhabitants), or any three of them shall have power to borrow moneys on bond or bonds, note or notes, in the name of the inhabitants of said township or otherwise, and to renew the same from time to time as may be necessary, and they and each of them shall be indemnified and saved harmless in their individual capacities and estates by the township against all losses incurred, except as residents and tax payers in said township.

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

Approved February 28, 1865.

CHAPTER XC.

An Act to authorize the inhabitants of the township of West Orange, in the county of Essex, to raise money to pay bounties to volunteers.

WHEREAS, the inhabitants of the township of West Orange, Preamble. in the county of Essex, did assemble and organize themselves into a meeting, in pursuance of public notice given throughout said township; and whereas, at said meeting it was resolved, that for the purpose of avoiding a draft, that a bounty of two hundred dollars per man be offered to fill the aforesaid township's quota of men (said quota being forty-three), and that said bounty be raised as follows, viz: first, a poll tax of four dollars per year, for five years, in addition to the poll tax now collected by law, be levied on each and every taxable male inhabitant of said township; second, the balance to be raised by taxation upon real and personal property, all of said taxes to be assessed and collected in the same manner as other taxes are now assessed and collected; and whereas, the inhabitants of said township are desirous to have the action of said township legalized, and that the township committee shall have lawful authority to borrow money upon the credit of the township to pay said bounty, until the same shall be assessed and collected; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of* May issue bonds. *the State of New Jersey,* That it shall be lawful for the township of West Orange to borrow money upon the credit of said township to pay said bounty to volunteers, and for that purpose they are hereby authorized to issue bonds in the name of "the inhabitants of the township of West Orange, in the county of Essex," under the respective hands and seals of said township committee, or any three of them, for a sum of money not exceeding seven thousand five hundred dollars, in such sums and payable at such time or times as said township committee shall deem proper, and to pledge the property and credit of the township for the payment of the same, which bonds it shall be lawful for said township committee to sell and assign.

2. *And be it enacted,* That for the purpose of providing for the payment of said bonds, and interest thereon, it shall

To provide by taxation for payment of principal and interest.

be lawful to assess a poll tax of four dollars per year for five years, in addition to the poll tax now assessed by law, upon each taxable male inhabitant of said township, and the balance to be assessed upon the real and personal property of said township, said poll taxes and said taxes upon real and personal property to be assessed and collected in the same manner as other taxes are now assessed and collected.

Additional tax.

3. *And be it enacted*, That the township committee of the said township be, and they are hereby authorized and required to add to the amount of money to be raised by tax for township purposes for each of the next five years respectively, including the year eighteen hundred and sixty-five, the one-fifth part of said sum above mentioned, together with a sum sufficient to pay the interest thereon, during each and every year of the said five years.

Acts legalized

4. *And be it enacted*, That the proceedings of the said town meeting mentioned in the preamble hereto be, and the same are hereby ratified and confirmed.

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

Approved February 28, 1865.

CHAPTER XCI.

An Act to authorize the township of East Amwell, in the county of Hunterdon, to raise money by taxation to pay the indebtedness incurred in filling the quotas of said township.

Preamble.

WHEREAS, the town committee of the township of East Amwell, in the county of Hunterdon, have, in pursuance of the direction of the people of said township in town meeting assembled, borrowed and expended the sum of twenty-five thousand dollars in filling the quotas of said township under the calls of the president of the United States for troops; and whereas, doubts are entertained whether the money necessary to pay such indebtedness can be raised by taxation according to existing laws; therefore,

Duty of assessor.

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That the assessor of the said town-

ship of East Amwell, shall, between the twentieth day of April next and the tenth day of May next, assess and levy the said sum of twenty-five thousand dollars, by assessing and levying, first, a poll tax of twenty-five dollars upon each and every person who was liable to perform military duty, resident in said township, on the fifteenth day of September, in the year of our Lord one thousand eight hundred and sixty-four; and then by assessing and levying the balance of said sum of twenty-five thousand dollars upon and against the personal property of the taxable inhabitants of said township and the real estate situate in said township, according to the full and actual value thereof at the time of making such assessment.

2. *And be it enacted*, That the assessor of said township of East Amwell, shall, on the tenth day of May next, deliver such assessment or a duplicate thereof made in the form now required by law, to the collector of said township, and the collector of said township shall, within fifteen days after he shall receive the same, give notice to each person against whom any tax has been assessed, of the amount of tax assessed against him, her or them under this act, and of the time within which payment of the same must be made, by a written or printed notice, served personally, or by leaving the same at his, her or their usual place of abode.

3. *And be it enacted*, That all persons who have already paid any part of the tax to be assessed against them under this act, whether the same be poll or other tax, shall be credited by the collector with the amount of such payment or payments; and in case any person or persons have already paid the whole amount of the tax to be assessed against him, her or them under this act, the collector shall not give such person or persons notice of the amount of his, her or their tax, nor demand payment of the same.

4. *And be it enacted*, That all taxes levied and assessed under and by virtue of this act, shall be payable on or before the fifteenth day of June next, and in case any of the persons against whom an assessment shall be made under this act, shall neglect or refuse to pay his, her or their tax on or before the fifteenth day of June next, they shall be deemed delinquents, and the said collector shall, within three days after the expiration of the time herein limited for the payment of said taxes, make out a list of such delinquents, with the amount of tax assessed against each such delinquent and remaining unpaid, and deliver the same to any justice of the

peace of said township, and at the time of the delivery of such list of delinquents, make oath that he has given each of said delinquents notice of the amount of tax assessed against him, her or them, and of the time within which payment thereof should be made according to the directions of this act; and the justice of the peace to whom such list of delinquents shall be delivered, shall, within two days after the same is delivered to him, issue a warrant under his hand and seal, directed to the collector of said township, commanding him to levy the tax so in arrear, with costs, by distress and sale of the goods and chattels of the said delinquents respectively, giving at least five days' notice of the time and place of such sale, by advertisements set up in three of the most public places in the said township of East Amwell, and shall be raised by tax assessed, levied and collected, at such time or times as the town committee of said township may deem wise and expedient, in the same manner that the other taxes of said township are assessed, levied and collected; and the said collector shall make return to the said justice of such warrant within fifty days after the issuing of the same, and in case the same is not fully executed for want of time, the said justice may re-issue the same by writing the word "re-issued" thereon, and by signing his name thereto, and the same shall then be returnable to the said justice within fifty days from the date of its re-issue.

Proceeds, how
applied.

5. *And be it enacted*, That the said collector shall, from time to time, whenever required by the town committee of the said township of East Amwell, pay over to them all moneys received either upon the said assessment or the duplicate thereof or tax warrant, and the said town committee shall apply the money so received, as soon as received, to the payment of the indebtedness incurred in filling the quotas of said township.

Fees.

6. *And be it enacted*, That the assessor for making the assessment authorized by this act, shall receive eight cents for each name on the duplicate; and the collector shall receive eight cents for each name on the duplicate, for collecting the same; and the justice of the peace issuing the warrant shall receive eight cents for each delinquent against whom the warrant issues, to be paid by such delinquent and collected in the same manner that the tax against such delinquent is collected; and the collector for making distress and sale of the goods and chattels of any delinquent shall receive the sum of one dollar, to be paid by such delinquent,

and collected in the same manner that the tax against such delinquent is collected.

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

Approved February 28, 1865.

CHAPTER XCII.

An Act to confirm certain debts and liabilities incurred by the township of Hillsborough, in the county of Somerset, in raising money incidental to the war, and to authorize the raising, by special tax, such further sums of money as may be necessary for the payment of sufficient bounties to secure the filling of the quota of said township by volunteers and substitutes, under the pending draft.

1. BE IT ENACTED *by the Senate and General Assembly of* Acts legalized. *the State of New Jersey*, That all debts and liabilities incurred by the township aforesaid or by the township committee thereof, in the name and on behalf of said township, in raising money for payment of bounties to volunteers or substitutes under the present, or any previous military draft, and all notes or bonds of said township, in its corporate capacity, or other securities issued by the township committee thereof for loans made for the purposes aforesaid, since the twenty-third day of February, eighteen hundred and sixty-four, shall be valid and binding upon the inhabitants and taxable property of said township; and the said inhabitants may, at their annual town meeting, or at any special town meeting held for the purpose, order any such sums of money to be assessed and collected in the same manner as other lawful taxes and assessments.

2. WHEREAS, the inhabitants of said township, on the ninth Preamble. day of January, eighteen hundred and sixty-five, upon due and written notice given by the town clerk, by the order of the township committee, did assemble and organize themselves into a special town meeting, at which meeting it was, among other things, ordered and resolved, that the town committee should be authorized to borrow on the credit of the township, money sufficient to pay the necessary

bounties to volunteers, drafted men or their substitutes, to fill the quota of the township under the present call for three hundred thousand men, and the said committee should, in the first place, borrow twenty thousand dollars, as a bounty fund, and if that should not be found sufficient, then to borrow such other sums of money as might be necessary for that purpose; said bounties, however, not to exceed seven hundred dollars for volunteers or substitutes for drafted men, and that such money so borrowed shall be raised by special tax, to be levied on the basis of the assessment and duplicate of eighteen hundred and sixty-four, and should be collected on or before the first day of April next; therefore,

Duties of assessor and collector.

And be it enacted, That the foregoing acts and proceedings of the inhabitants of said township be and they are hereby ratified and confirmed, and the assessor of said township is hereby required to assess the said sum of twenty thousand dollars and such additional sum as the said town committee may by resolution determine, within ten days after the approval of this act, upon the basis of the last preceding assessment and duplicate of taxes of said township, and at the expiration of said ten days he shall deliver the duplicate of said assessment to the collector of said township; the commissioners of appeal, in cases of taxation, shall meet within thirty days after such delivery of the duplicate to the collector, and said collector shall, within twenty days after the receipt of the duplicate of assessment, demand payment of the said special tax of each individual in said township, in person or by notice, left at his or her place of residence, and also give notice of the time and place of the meeting of the commissioners of appeal; in case of the non-payment of taxes within ten days after the day of the meeting of the commissioners of appeal, the collector shall return a list of the names of delinquents to a justice of the peace, residing in said township, and thereupon such other proceedings shall be had to collect such tax in arrear, with costs and twelve per cent. interest, as is directed to be done and had in other cases of taxation; and said officers shall be subject to the same liabilities, fines and forfeitures, and shall be paid the like fees as in other cases of taxation.

Special bond.

3. *And be it enacted*, That the township committee shall have power to require a special bond to be given by the collector of said township, with such sureties and in such sum as

they may deem proper for the faithful performance of his duties under this act.

4. *And be it enacted*, That the special tax so to be assessed and levied, shall be applied solely to the payment of the bounty money required to procure volunteers or substitutes for drafted men under the pending draft aforesaid. Proceeds, how applied.

5. *And be it enacted*, That in case any other draft shall be ordered before the next annual session of the legislature, that upon like resolutions and proceedings by said inhabitants, such sums of money as they may vote and order to be raised for bounties to soldiers to fill the quota of the township for such draft, shall and may be assessed and levied in the same manner and upon like proceedings as is hereinbefore provided or shall be levied and collected with the other annual taxes of said township, as the said inhabitants may determine. Future drafts.

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

Approved February 28, 1865.

CHAPTER XCIII.

An Act to legalize certain acts, and authorize the inhabitants and township committee of the township of Union, in the county of Union, to raise money.

WHEREAS, The inhabitants of the township of Union, in the county of Union, being desirous that the calls of the government for troops to be supplied by said township, to aid in suppressing the rebellion, should be filled by volunteers rather than by drafted men, and by resolution adopted at a public meeting of said inhabitants, did recommend and request the township committee to offer and pay bounties for that purpose, and to secure the passage of a law authorizing them to raise money by taxation for that purpose. Preamble.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the township committee of the township of Union, in the county of Union, to provide for the payment of moneys heretofore expended or hereafter to be expended for the purpose of To provide for payment of indebtedness by issuing bonds.

raising volunteers, by issuing bonds or notes in the name of the inhabitants of the township of Union, in the county of Union, under the respective hands and seals of the township committee of said township, or any three of them, in such sums, and payable at such time or times as the said township committee shall deem proper, bearing interest at a rate not exceeding seven per cent. per annum, payable annually, and pledge the property and credit of said township for the payment of the same, which bonds or notes it shall be lawful for said township committee to sell and assign; *provided* that no bond or note shall be sold by said township committee for less than its par value; *and provided further*, that all the bonds or notes so to be issued shall be redeemable at a period of time not to exceed six years from the date thereof.

Proviso.

Proviso.

To provide for
payment by
taxation.

2. *And be it enacted*, That the said township committee shall have power and authority to provide by taxation for the payment of the said bonds and the interest thereon; and the said township committee shall yearly and every year, until all the bonds issued by the authority hereof shall be redeemed and paid off, order and cause to be assessed and collected by tax, at the same time and in the same manner as other taxes in said township are assessed and collected, a sufficient sum of money to pay the interest on the said bonds or notes as the same shall become due, and to pay and discharge the principal at the several times it shall become due and payable according to the tenor of said notes or bonds; and that the township collector of said township shall, when such tax or any part thereof shall be collected, pay the same to the township committee of the said township, and that all such moneys so to be raised by virtue of this act, shall be inviolably applied by said township committee to pay the interest and principal of said bonds or notes as the same shall become due and payable; *provided*, that not less than one thousand nor more than five thousand dollars of the principal of the said bonds or notes to be issued as aforesaid, shall be made redeemable in any one year.

Proviso.

Proceeds, how
applied.

3. *And be it enacted*, That it shall be the duty of the township committee to apply the net proceeds of the said bonds or notes that may be issued by virtue of this act, to the payment and satisfaction of the liabilities incurred in said township of Union, by the said township committee paying bounties to volunteers, and to no other purpose; *provided*, that no money shall be paid by said township committee to volunteers under any subsequent call or calls of the

Proviso.

government for men, except upon the vote of the majority of the electors of said township directing them so to do, at a special town meeting assembled, after due notice given by the clerk of said township, as in other cases of special town meetings as provided by law.

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

Approved February 28, 1865.

CHAPTER XCIV.

An Act to authorize the inhabitants of the township of Mansfield, in the county of Warren, to raise by taxation the amount of money paid by the township committee of said township to procure volunteers, and the incidental expenses incurred by the said township committee respecting the same.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the inhabitants of the said township of Mansfield, in the county of Warren, shall be held and deemed to be liable in their corporate capacity for all the moneys that have been expended by the township committee of said township in paying bounties to volunteers credited to said township, and the incidental expenses incurred by them in reference to the same under the calls for volunteers from this state. Liability of inhabitants.

2. *And be it enacted*, That it shall be the duty of the township committee, or a majority of them, immediately after the passage and approval of this act, to deliver to the assessor of said township a true statement of the amount of money expended by the said township committee for volunteers credited to said township under said calls, and the expense of procuring the same. Duty of town committee.

3. *And be it enacted*, That the assessor of the said township of Mansfield shall immediately after the passage and approval of this act, and after receiving from said committee such statement as aforesaid, proceed to assess and levy the amount of money so stated and expended by the said township committee in paying bounties to volunteers credited to

the said township, as aforesaid, and the expenses and liabilities by them incurred, as aforesaid, in reference thereto; or such a part thereof as the said township committee shall deem advisable to raise at that time; first, by a poll tax of three dollars upon every white male inhabitant of said township of the age of twenty-one years and upwards, and the balance of the sum so expended, or the part thereof ordered to be raised by the said township committee at that time; and the balance of the sum so ordered, as aforesaid, upon and against the taxable property in said township, according to the valuation thereof at the last annual assessment; and shall, within fifteen days after receiving such statement as aforesaid, deliver such assessment, or a duplicate thereof, to the collector of said township, and the said collector shall within five days after receiving such assessment or duplicate thereof, give notice in writing, by putting up the same in five of the most public places in the said township thereof, and that if any of the persons against whom such assessments are made shall neglect or refuse to pay the taxes assessed against him, her or them, for the space of fifteen days from and after the date of such notice, they will be regarded as delinquents, and be proceeded against accordingly, and the said collector shall within ten days after receiving such assessment or duplicate thereof as aforesaid, give notice to each taxable inhabitant of said township of the amount of tax assessed him, her, or them, by written or printed notices, served personally, or by leaving the same at his, her or their usual place of abode, and in case any of the persons against whom an assessment shall be made under this act, shall neglect or refuse to pay his, her or their tax within fifteen days from and after the date of the notices to be given by the said collector, they shall be deemed delinquents, and the collector shall within three days after the expiration of the time limited therein for the payment of the said tax, make out a list of such delinquents, with the amount of tax against each delinquent, and remaining unpaid, and deliver the same to a justice of the peace within the said township, and the justice of the peace to whom such list of delinquents is delivered as aforesaid, shall within three days after the same shall be so delivered, issue his warrant in the same manner and form as justices of the peace are now directed and required by law for the collection of taxes due from delinquent taxpayers, and shall deliver the said warrant to the collector of said township, who shall proceed

to execute the same in the same manner that they are now required by law, to execute the ordinary tax-warrant.

4. *And be it enacted*, That if the amount of money so raised shall not be sufficient to pay all the debts, liabilities and expenses incurred for the purposes aforesaid, it shall and may be lawful to assess, levy and collect such deficiency or deficiencies in the same manner and at the same time as other township taxes are or may be assessed, levied and collected in said township. SO May assess and collect deficiency.

5. *And be it enacted*, That all moneys collected and received by the said collector under such assessment and tax-warrant, shall be paid by him to the township committee of said township on demand of the chairman of said committee, to be by them applied for the purposes mentioned in this act. Collector to pay over moneys.

6. *And be it enacted*, That the assessor for making the assessment authorized by this act, shall receive three cents for each name on his duplicate, and the collector shall receive twelve cents for each name on the duplicate for collecting said tax, and the justices of the peace to whom the list of delinquents shall be delivered, shall receive the sum of two dollars for the service required of him by this act. Fees.

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

Approved February 28, 1865.

CHAPTER XCV.

An Act to confirm certain acts of the township committee and inhabitants of the township of Readington, in the county of Hunterdon, and to authorize the raising of money for volunteers, substitutes and drafted men, and the payment of liabilities heretofore incurred by said township committee in furnishing troops to fill the several quotas of said township under the several calls of the president of the United States.

WHEREAS, the inhabitants of the township of Readington, in the county of Hunterdon, did, on the fourth day of June, one thousand eight hundred and sixty-four, upon due and legal notice given by the township clerk, assemble and Preamble.

organize themselves into a town meeting, and did thereupon order and direct the township committee of said township to issue notes of three hundred dollars each, to every person drafted into the service of the United States and accepted by the board of enrollment, as liable to perform military duty; and whereas, at a subsequent town meeting of the inhabitants of the said township of Readington, on the like due and legal notice, held on the twelfth day of August, eighteen hundred and sixty-four, it was among other things, resolved, that the inhabitants of said township be relieved from draft by the township committee procuring volunteers to fill the quota of said township of Readington; and whereas, the township committee did, by the direction of the inhabitants so as aforesaid assembled incur large liabilities in the procuring of such volunteers, and whereas, at a subsequent town meeting of the inhabitants of the said township of Readington, on the like due and legal notice held on the fifth day of January, one thousand eight hundred and sixty-five, it was resolved to pay all persons in said township furnishing substitutes who should be credited on the pending call for troops, six hundred dollars, until a sufficient number were procured to fill said call, and also to pay such amount to volunteers in case the call was not filled with substitutes, as would procure the said volunteers, and in case the quota should not be filled under said call as above, that then in case a draft occurred to fill such quota, to pay every man drafted the sum of four hundred dollars, provided such drafted man should be accepted by the government as liable to service.

To provide for
payment of in-
debtedness by
issuing bonds.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the township committee of the said township of Readington, to provide for the payment of all the liabilities heretofore recited, except as hereinafter provided for, to issue bonds in the name of the inhabitants of the township of Readington under the respective hands and seals of the township committee of said township, or any three of them, in such sums as the township committee shall deem proper, and payable in one, two and three years, bearing interest at a rate not exceeding six per cent. per annum, payable annually, and to pledge the property and credit of said township for the payment of the same, which bonds it shall be lawful for the township committee to sell and assign, provided that no bond shall be sold for less than its par value, and that all the

bonds so to be issued shall be redeemable at a period of time not to exceed six years from the date hereof.

2. *And be it enacted*, That any note, bond, or other security, given by the town committee of said township, or a majority of them, in the name of the inhabitants of said township for any money borrowed under authority herein given, shall be good and valid, and may be enforced against such township in any court of competent jurisdiction, in the same manner that other lawful claims are enforced against bodies politic and corporate in law. Bonds, &c., made valid.

3. *And be it enacted*, That the said township committee shall have power to provide by taxation for the payment of the said bonds, and the interest thereon, and the said town committee shall yearly, and every year, until all the bonds issued shall be redeemed and paid off, order and cause to be collected by tax at such times and in such sums of money as the said committee shall deem necessary to pay the said bonds, with the interest thereon first a poll tax of one dollar on all white male inhabitants over the age of twenty-one years, and the balance on the taxable property of the said township. To provide by taxation for payment of principal and interest.

4. *And be it enacted*, That the moneys so as aforesaid to be raised shall be applied as follows: first, the sum of ten hundred and eighty five dollars to the late committee for moneys expended by them in paying an excess in procuring volunteers to fill the call of February, eighteen hundred and sixty-four; second, to the payment of such township notes of three hundred dollars each, as were given to drafted men, under the call of July, eighteen hundred and sixty-four, *provided*, that only such notes shall be paid by said committee given to men in such draft who shall have entered the service, furnished a substitute, or paid the commutation; third, the sum of six dollars per month to be paid to the wife of Charles Garrison, a colored volunteer, during the term of service of the said Charles Garrison, in case no provision is made by law during the present session for the relief of all families of colored troops; fourth to the liquidation of all liabilities that may have been incurred and are still unpaid by the township committee in filling all calls of the government for men, excepting the present call of December the nineteenth, eighteen hundred and sixty-four, for three hundred thousand men. Proceeds, how applied.

5. *And be it enacted*, That the township committee of said township of Readington, shall have power to order the as- Proviso. Duty of assessor.

Proviso. assessor to assess upon all persons in said township subject to draft on the twelfth day of August, Anno Domini eighteen hundred and sixty-four, a poll tax of twenty-five dollars; *provided*, that all persons who have heretofore paid the said sum of twenty-five dollars to said town committee, in accordance with the resolutions passed at the town meeting held on the twelfth day of August, Anno Domini eighteen hundred and sixty-four, shall be exempt from such assessment, which poll tax is to be assessed and collected as hereinafter next provided for.

Duty of town committee.

6. *And be it enacted*, That the township committee of the township of Readington, are hereby authorized and directed to pay any person liable to draft in said township, who may have, or shall hereafter, previous to the draft under the present call of December the nineteenth, eighteen hundred and sixty-four, put in a three years' substitute, who shall be credited to said township on said call, the sum of six hundred dollars; *proviaced*, that no person putting in such substitute shall receive more than his substitute cost him; *and provided further*, that the township committee shall not pay for any more substitutes than are sufficient to fill the quota of said township under the present call.

Proviso.

Proviso.

Deficiency.

7. *And be it enacted*, That in case sufficient substitutes are not procured to fill the quota of said call, that then and in such case the township committee are hereby empowered to supply such deficiency by procuring volunteers at as low a rate as they can be obtained, and in case the quota fails to be filled by substitutes and volunteers as above, that then the township committee be authorized to pay each man drafted under said call, the sum of four hundred dollars when mustered in the government service, or having furnished a substitute for one year.

Taxes to be assessed and collected.

8. *And be it enacted*, That immediately after the passage and approval of this act, the township committee shall ascertain the amount of liability incurred in filling the quota of the township under the present call; they shall forthwith deliver to the assessor of said township the amount of such liabilities incurred as above, by a written notice under their hands, who shall immediately after receiving from said committee such statement as aforesaid, proceed to assess and levy on the duplicate of assessment of eighteen hundred and sixty-four, to the amount of such liability; first, by a poll tax of twenty-five dollars, as provided in section fifth of this act, and the balance of such liabilities upon and against the

personal property of taxable inhabitants of said township, and the real estate situate therein, according to the valuation thereof at the last annual assessment, and shall, within ten days after receiving such statement deliver such assessment, or duplicate thereof to the collector of said township, and the said collector shall, within five days after receiving such assessment or duplicate thereof, give notice in writing, by putting up the said notice in ten of the most public places in the township, that if any of the persons against whom such assessments are made shall neglect or refuse to pay the taxes assessed against him, her or them, for the space of ten days from and after the date of such notice, they will be regarded as delinquents, and proceeded against accordingly, and in case any of the persons against whom an assessment shall be made under this act, shall neglect or refuse to pay his, her or their tax on or before the thirtieth day of March, Anno Domini eighteen hundred and sixty-five, they shall be deemed delinquents, and the said collector shall, within two days after the thirtieth of March, eighteen hundred and sixty-five, make out a list of such delinquents, with the amount of tax assessed against each such delinquent and remaining unpaid, and deliver the same to a justice of the peace in said township of Readington, and the said justice of the peace of said township to whom such list of delinquents is delivered shall, within two days after the same is delivered to him, issue his warrant in the same manner and form as he is now directed and required by law for the collection of taxes due from delinquent tax payers, and shall deliver said warrant to the collector of said township, or to one of the constables of said township, who shall execute and return it in the same manner that the collector of taxes is now required by law to execute and return the ordinary tax warrant.

9. *And be it enacted*, That the assessor for making the assessment directed to be made in the eighth section of this act, shall receive four cents for each name on the duplicate, and the collector shall receive four cents for each name on the duplicate for collecting said tax, and the collector or constable for executing the tax warrant shall receive the fees now allowed by law for executing an ordinary tax warrant, and the justice of the peace to whom the list of delinquents shall be delivered, shall receive the sum of three dollars for the services required of him by this act. ^{Fees.}

10. *And be it enacted*, That this act shall be held and

construed to be a public act, and shall take effect immediately.

Approved February 28, 1865.

CHAPTER XCVI.

A Further Supplement to an act entitled "An act to incorporate the town of Bergen, in the county of Hudson," approved February eleventh, eighteen hundred and sixty-four.

Preamble.

WHEREAS, by reason of the continuance of the war, further calls for volunteers have been made upon the people of the town of Bergen; and whereas, the common sentiment has sanctioned the raising of the several quotas by the payment of bounties to all volunteers enlisted for, and accredited to the town of Bergen; and whereas in payment of said bounties it becomes necessary to exceed the limit authorized by the last legislature; now, therefore, for the purpose of legalizing the said payments and providing means to aid in raising men under the last proclamation of the President of the United States,

Acts legalized.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the appropriation of eighty-seven thousand and five hundred dollars made by the town council of Bergen, together with the bonds, or scrip, or other evidences of indebtedness, be, and they are hereby ratified and confirmed.

To be a debt of the town.

2. *And be it enacted*, That the said amount of eighty-seven thousand and five hundred dollars shall be deemed and taken as a debt of the said town of Bergen, over and above any loans now authorized by the aforesaid act, or by any supplement thereto, anything thereunto the contrary notwithstanding.

May appropriate further sum.

3. *And be it enacted*, That for the further purpose of enabling the said town of Bergen to proceed in filling its quota of troops under the present call, issued by proclamation of the president of the United States, it shall be lawful for the board of councilmen to appropriate such further sum or sums as they may deem just and proper for the payment of

a bounty to each volunteer soldier who may be enlisted for and accredited to the town of Bergen.

4. *And be it enacted*, That for the aforesaid purposes it shall be lawful for the town council of Bergen to issue coupon bonds in sums of one thousand dollars, five hundred dollars and one hundred dollars, bearing interest at the rate of seven per cent per annum, as said council may deem expedient and proper; *provided*, however, that no bond shall be drawn for a less period than twenty years, nor for a longer period than twenty-five years. Authorized to issue bonds. Proviso.

5. *And be it enacted*, That it shall be lawful for the said councilmen to raise by tax, yearly, in the same manner as taxes for other purposes are levied and collected in said town of Bergen, and over and above the amount they are now authorized to collect for town purposes, a sufficient sum to pay the interest on said indebtedness. To provide by taxation for payment.

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

Approved February 28, 1865.

CHAPTER XCVII.

An Act to legalize certain acts of the inhabitants of the township of West Amwell, in the county of Hunterdon, and also to legalize certain acts of the assessor, collector and township committee of said township.

WHEREAS, the inhabitants of the township of West Amwell, in the county of Hunterdon, did, after due notice, hold a special town meeting on the twelfth day of May, in the year of our Lord one thousand eight hundred and sixty-four, and at said town meeting the said inhabitants did vote to raise the sum of forty-eight hundred dollars to provide for the deficiency of the quota of said township, and to raise said sum did vote that a poll tax of five dollars be levied on each white male inhabitant of said township, and the balance to be assessed on the real and personal property of said township; and whereas, the said inhabitants under the call for five hundred thousand men did, after due notice, hold two certain town meetings, one on August Preamble.

fifteenth, and the other August the twenty-ninth, in the year aforesaid, at which said town meetings, for the purpose of filling the quota of said township, it was ordered that the township committee fill said quota by paying such bounty as might be necessary, and that to raise said bounty a poll tax of twenty dollars be levied upon each man liable to draft, and that the balance be assessed on the taxable property of said township, and that the said township committee for that purpose expended the sum of thirteen thousand two hundred dollars; and whereas, the said township committee, did, with the annual tax of said township, also cause to be levied and assessed all of the aforesaid sums of money in manner as aforesaid, as ordered at the said several town meetings; and whereas, the said inhabitants under the last call for three hundred thousand men, did assemble in town meeting on the second day of January, in the year of our Lord one thousand eight hundred and sixty-five (due notice thereof having been given), and did authorize the town committee of said township to fill the quota thereof by paying such bounties as might be necessary, and that the said bounty be raised by levying a poll tax of five dollars upon each white male inhabitant of said township, the balance to be assessed on the taxable property of said township; therefore,

Acts legalized

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all of the acts and proceedings of the said several town meetings, and the acts of the township committee, assessor and collector, in voting, assessing and collecting said taxes for said bounties be, and the same are hereby ratified, confirmed and legalized, and in all respects made valid, legal and binding upon the inhabitants of said township; and that in case the collector shall fail to collect all of the said taxes by virtue of the tax warrant already issued, it shall be lawful to issue an alias tax warrant to collect all of said taxes then remaining unpaid.

Money to be raised by tax.

2. *And be it enacted*, That it shall be lawful for the said township committee to borrow whatever money may be necessary to pay bounties to fill the quota of said township under the last call as aforesaid, and may cause the same to be raised by tax, by levying and assessing a poll tax of five dollars on each white male inhabitant of said township, and the balance on the taxable property of said township, said tax to be levied and assessed at the time and in the usual mode of assessing taxes, by assessing all of the same at once, or in portions, as

may be may deemed most advisable in the judgment of said town committee.

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

Approved February 28, 1865.

CHAPTER XCVIII.

An Act to authorize the township of Woolwich, in the county of Gloucester, to raise by taxation the amount sufficient to pay bounty to volunteers to fill the quota for the present call made by the president of the United States.

WHEREAS, the inhabitants of the said township of Woolwich, Preamble. in town meeting assembled, on the twenty-third day of January, eighteen hundred and sixty-five, did resolve and direct, by unanimous vote, that the township committee of said township should go, or depute some suitable committee to go to Trenton, and ask of the legislature now in session, for a special act to authorize said township to levy and assess a sum sufficient to pay bounty to volunteers, and six hundred dollars to those who furnish substitutes to fill the last call made by the president of the United States for three hundred thousand men; and whereas, it will take about thirty thousand dollars to fill said quota in pursuance of the authority given them as aforesaid.

1. BE IT ENACTED *by the Senate and General Assembly* Duties of assessor and collector. *of the State of New Jersey*, That the assessor of the said township of Woolwich shall, immediately after the passage and approval of this act, assess and levy the said sum of thirty thousand dollars on the inhabitants of said township by assessing and levying, first, a poll-tax of ten dollars on every male inhabitant of said township of the age of twenty-one years and upwards; and then by assessing and levying the sum of one dollar and thirty cents on every one hundred dollars of the real and personal estate of said township, being one hundred per cent. on the assessment made and paid by said inhabitants on the duplicate of eighteen hundred and sixty-four, making the aforesaid sum of about thirty thousand dollars, according to the valuation thereof, as the last regular

annual assessment, and shall within ten days after the passage and approval of this act, deliver such assessment, or a duplicate thereof to the collector of said township, and the collector of said township shall, within three days after he shall receive such assessment or a duplicate thereof, give notice, by setting up notices in ten of the most public places in said township, that if any of the persons against whom such assessment is made shall neglect or refuse to pay the tax assessed against him, her or them, for the space of twenty days from and after the date of such notice, they will be regarded as delinquents, and be proceeded against accordingly, and the said collector shall, within ten days after he shall receive such assessment, or a duplicate thereof, give notice to each taxable inhabitant of said township, of the amount of tax assessed against him, her or them, by written or printed notices, served personally or by leaving the same at his, her or their usual place of abode, and in case any of the persons against whom an assessment shall be made under this act, shall neglect or refuse to pay his, her or their tax within twenty days from and after the date of the notice to be given by the collector, they shall be deemed delinquents, and the collector shall, within five days after the expiration of the time limited for the payment of said taxes, make out a list of such delinquents, with the amount of tax assessed against such delinquents, and remaining unpaid, and deliver the same to any justice of the peace of said township, and the justice of the peace to whom such list of delinquents is delivered, shall, within three days after the same is delivered to him, issue his warrant in the same manner and form as he is now directed and required by law for the collection of taxes due from delinquent taxpayers, and shall deliver said warrant to the collector of said township, who shall proceed to execute it in the same manner that the ordinary tax-warrant is required by law to be executed.

Proceeds, how
applied.

2. *And be it enacted*, That all moneys collected and received by the collector under such assessment and tax-warrant shall be paid by him to the town committee of said township, whenever the treasurer of said committee shall demand the same; and the said township committee shall appropriate the moneys received from said collector, under the assessment ordered by this act, to pay the moneys paid out by said township committee to volunteers and to those who furnished substitutes to fill the aforesaid quota of said township.

Fees.

3. *And be it enacted*, That the assessor, for making the

assessment authorized by this act, shall receive five cents for each name on the duplicate; and the collector shall receive twelve cents for each name on the duplicate, for collecting said tax; and the justice of the peace to whom the list of delinquents shall be delivered shall receive the sum of three dollars for the service required of him by this act.

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

Approved February 28, 1865.

CHAPTER XCIX.

An Act to authorize the inhabitants of the township of Pilesgrove, in the county of Salem, to raise money by taxation.

WHEREAS, the inhabitants of the township of Pilesgrove, in the county of Salem, at a special town meeting assembled pursuant to public notice, resolved that the sum of eighteen dollars be levied on each tax payer in said township, for the purpose of raising a bounty to pay volunteers; and whereas, some tax payers in said township have not paid the aforesaid sum of eighteen dollars, levied as aforesaid; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the assessors of said township to assess a poll tax of eighteen dollars on every taxable inhabitant thereof, who has not voluntarily paid, for the purpose aforesaid, the sum of eighteen dollars, to be collected in the same manner as other taxes are now collected.

2. *And be it enacted*, That it shall be lawful for the inhabitants of the township at their next special or annual town meeting, to raise by assessment on the taxable property of said township, in the same manner that other taxes are assessed and collected, a sum of money not exceeding ten thousand dollars.

3. *And be it enacted*, That the collector of said township shall pay the money raised as aforesaid, into the hands of

Preamble.

Poll tax.

Money to be raised by tax.

How moneys appropriated.

the township committee of said township, to be by them appropriated to paying off and discharging the indebtedness incurred by said township for bounties paid to volunteers in filling her quotas under the various calls previous to the nineteenth day of December, eighteen hundred and sixty-four.

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

Approved February 28, 1865.

CHAPTER C.

An Act to authorize the inhabitants of the township of Hope, in the county of Warren, to raise by tax a sum sufficient to pay the indebtedness of said township for amount paid volunteers and commutation money.

Preamble.

WHEREAS, the inhabitants of the township of Hope, in the county of Warren, having paid the sum of forty-one thousand nine hundred twenty-three dollars and ninety-four cents, to volunteers and commutation money; and whereas, the township is now in debt the sum of thirty-one thousand one hundred fifty-five dollars and twenty-six cents; and whereas, the inhabitants held two special town meetings and did vote unanimously to raise by tax a sum sufficient to pay off said indebtedness; and whereas, doubts are raised by some persons of said township of the legality of those proceedings; therefore,

Money to be raised by tax.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the inhabitants of the township of Hope be, and the same are, hereby authorized to raise by assessment on the taxable inhabitants of said township, the sum of thirty-one thousand one hundred fifty-five dollars and twenty-six cents, and any further sum that may be paid by said township to volunteers, by order of the inhabitants at a town meeting held for that purpose.

When to be assessed and collected.

2. *And be it enacted*, That the sum of sixteen thousand dollars of the aforesaid sum of thirty-one thousand one hundred fifty-five dollars and twenty-six cents shall be assessed and collected within sixty days after the passage of this act.

3. *And be it enacted*, That the assessor of the said township of Hope shall immediately after the passage of this act, proceed, after being duly sworn, to assess the sum of sixteen thousand dollars and the expenses incident to the assessing, collecting, and paying out of the same, upon the real and personal property of the taxpayers of said township, according to the valuation thereof at the last regular assessment, and hand the same forthwith to the collector of the township of Hope, and the collector of said township shall enter into bonds for the faithful performance of the duty hereby enjoined upon him, and shall immediately thereafter give fifteen days notice by advertisements, set up in at least eight of the most public places in said township, of the said tax and of the day and place, when and where, he will receive the same, and within that time shall demand payment of the tax or sum assessed on each individual in said township, in person, or by notice left at his or her place of residence, and in case of the non-payment of the said taxes, by any of them at the time appointed, the collector shall make out a list of delinquents, with the sums due from them respectively thereto annexed, and deliver the same to a justice of the peace in said township within three days after the same was payable, who shall proceed thereon and issue his warrant in the same manner as is directed and required by law in the collection of other township taxes, and the said collector shall require the payment of twelve per centum per annum additional on each tax from the date of said warrant, together with thirty-six cents cost, and the collector shall pay over all moneys received to the treasurer of the war fund of said township.

Duties of assessor and collector.

4. *And be it enacted*, That the balance of the aforesaid sum, together with that hereafter advanced to volunteers shall be assessed and collected at the next annual assessment of said township.

When balance to be collected

5. *And be it enacted*, That the assessor of said township of Hope shall be entitled to receive on the special tax four cents, and no more, and the collector of the said township shall be entitled to receive six cents, and no more, for each name on the duplicate, for assessing, levying and collecting said tax.

Fees.

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

Approved February 28, 1865.

CHAPTER CI.

An act to ratify the bonds or other evidences of indebtedness heretofore issued, or hereafter to be issued, by the board of chosen freeholders of the county of Essex, in this state, for war purposes, and to provide for the payment thereof.

Preamble.

WHEREAS, since the twenty-sixth day of February, eighteen hundred and sixty-four, which is the date of the approval of an act of the legislature entitled "An act to confirm certain debts and liabilities, incurred by the board of chosen freeholders of the county of Essex, in raising money for purposes incident to the war, and authorizing them to issue bonds," the said board have borrowed divers large sums of money, and have given bonds or other evidences of indebtedness therefor, which moneys have been, or now are being, disbursed by them in filling the quotas of men required of said county for the army and navy of the United States, in pursuance of the last two calls, or drafts, ordered by the proclamations of the president, respectively, or for other purposes incident to the present war; and whereas, it may be necessary under the last and impending call of the president, or of any future call or calls by him made, that the said board should borrow other moneys for the purposes aforesaid, and issue bonds therefor, as heretofore; and whereas, said debts, past or future, should be honorably paid, and securities given, or to be given therefor, fully confirmed; therefore,

Debts and liabilities ratified

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any such debts as are mentioned in the preamble of this act, heretofore contracted, or hereafter to be contracted, by the board of chosen freeholders of the county of Essex, and any bond, or other evidence of debt, that has been issued, or may be hereafter issued, by said board, to secure the payment of said debts, or any of them, shall be as valid and effectual in law as if the contracting of such debts, or the making of such bond, or other evidence of indebtedness, had been expressly authorized by the legislature prior to the contracting of such debts, or any of them; and the same are declared to be binding upon the inhabitants and taxable property in said county of Essex.

2. *And be it enacted*, That it shall be lawful for the said

board to issue, from time to time, their coupon bonds, of such denominations, and having such times to run, as to said board shall seem meet, with interest, not exceeding seven per cent. per annum, payable semi annually, for the debts, past or future, as aforesaid, or any of them, and to substitute such bonds for any outstanding evidences of indebtedness issued by said board, and it shall be lawful to raise, by taxation, as a part of the county tax of the said county of Essex, money to pay said debts, or the bonds or other evidences of debt given therefor, or any portion thereof, and the interest thereon.

3. *And be it enacted*, That no limitation, restriction, or proviso, in the sixty-eighth section contained, of the act entitled "An act to revise and amend the charter of the city of Newark," approved March eleventh, eighteen hundred and fifty-seven, shall be held to apply to, or in anywise affect this act, but this act shall be and remain as effectual, to all intents and purposes, as if said section had not been enacted.

4. *And be it enacted*, That for the purpose of providing fund in aid of the payment of said bonds, a poll tax of five dollars shall be assessed upon every white male inhabitant of said county of Essex, of the age of twenty-one years and upwards, which tax shall be assessed and collected in the same manner as the poll tax is assessed and collected under the general law of the state, and shall be in addition thereto.

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

Approved February 28, 1865.

CHAPTER CII.

An Act to authorize the inhabitants of the township of Shrewsbury, in the county of Monmouth, to raise moneys relative to the township's former quotas of troops.

WHEREAS, the citizens of the township of Shrewsbury, in the county of Monmouth, at various meetings heretofore held, authorized and required the township committee of said township to raise moneys, wherewith to procure volunteers or substitutes to fill the then quotas of said township, and pay commutation moneys to relieve the township from the

draft for troops; and by virtue of said proceedings, the township committee, with several citizens of said township, procured a loan of twelve thousand dollars, on a note for that purpose, by which the said quotas were heretofore filled and commutation money paid; and whereas, the sum of thirteen thousand two hundred and sixty dollars will be required to satisfy said loan, and the interest accruing and to accrue thereon, and the expenses.

Acts and doings legalized.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the acts and doings of the township committee of the township of Shrewsbury, mentioned in the preamble of this act, are hereby made legal and binding upon the inhabitants of the township of Shrewsbury, in the county of Monmouth, and upon the taxable property in said township.

Money to be raised by tax.

2. *And be it enacted*, That the said sum of thirteen thousand two hundred and sixty dollars shall be assessed and raised by a poll tax, and by a tax on all the real and personal property taxable in said township; and that the poll tax shall be the same as that now directed to be raised by the statutes of this state, and the remainder of said moneys shall be assessed in the same proportion as the ordinary town and county taxes are assessed.

When to be assessed and collected

3. *And be it enacted*, That it shall and may be lawful for the assessor of said township, and said assessor is hereby required and directed to assess, as aforesaid, at the same time that the other taxes of said township may be assessed, and in addition thereto, during the present year, the said sum of money so required, as aforesaid, and deliver the assessment thereof to the collector of said township, which said sum of money so assessed, shall be levied and collected by the same officer or officers, in the same manner, and at the same time, and under like fees, fines and penalties as the other township taxes of said township shall be levied and collected during the present year.

To whom money paid.

4. *And be it enacted*, That the said officer or officers so collecting said money, shall immediately pay the same when collected, to the holder of said note, to satisfy the principal and interest thereof, and the balance, if any, to the township committee of said township to defray the expenses aforesaid.

5. *And be it enacted*, That this act shall take effect immediately, and be taken and held to be a public act.

Approved February 28, 1865.

CHAPTER CIII.

An Act to authorize the inhabitants of the township of Chester, in the county of Morris, to raise money by issuing scrip, or bonds, to impose taxes to repay the same, and for other purposes.

WHEREAS, the inhabitants of the said township of Chester, at a town meeting by them held on the eleventh day of August, eighteen hundred and sixty-four, in order to fill the quota of men of said township, under the call of the president of the United States for five hundred thousand men, to serve in the army of the United States, bearing date the eighteenth day of July, eighteen hundred and sixty-four, did request the township committee of the said township of Chester, to pay a bounty of three hundred and fifty dollars to every volunteer who should be mustered into the military service of the United States on and to fill the quota of said township on that call, upon the understanding that the bounties so paid and the expenses of filling said quota, should, by act of the legislature, be made a legal debt of said township, and should be assessed and reimbursed by taxes upon the inhabitants and property in said township; and whereas, at a subsequent meeting held by the inhabitants of said township, the said township committee were directed to increase the bounty to volunteers to the sum of five hundred and twenty-five dollars to every volunteer; and whereas, the said township committee in filling said quota with thirty-two volunteers and one substitute, did expend for bounties to said volunteers and obtaining the same and said substitutes, the sum of sixteen thousand eight hundred dollars, and for expenses in filling said quota, did expend the sum of four hundred and forty-five dollars; and whereas, the inhabitants of the said township of Chester, at another town meeting held by them on the fourteenth day of January, eighteen hundred and sixty-five, in order to fill the quota of men of said township, under the call of the president of the United States for three hundred thousand men, to serve in the army of the United States, dated December the nineteenth, eighteen hundred and sixty-four, did resolve that the said township committee should pay for substitutes to fill the last mentioned quota, six hundred

dollars for every substitute actually mustered into the military or naval service of the United States for three years, and three hundred dollars to those mustered in for one year, and credited to the quota of said township on said last mentioned call, and three hundred dollars to every citizen of said township who may be drafted in pursuance of the last mentioned call and order, and actually enter the military service of the United States for one year; that to raise the last mentioned money the said township committee should issue scrip in the name of the "Inhabitants of the township of Chester, in the county of Morris," payable, one-half thereof on the first of January, eighteen hundred and sixty-seven, and the residue on the first of January, eighteen hundred and sixty-eight, with interest at six per cent. per annum, payable yearly, and that by act of the legislature, said scrip, and the interest thereon, shall be made legal debts of said township, and be reimbursed by taxes assessed on the persons and property in said township; therefore,

Money to be raised by tax.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for, and the duty of the assessor of said township to assess, and the collector of said township to collect the said indebtedness of sixteen thousand eight hundred dollars, and the said expenses amounting to the said sum of four hundred and forty-five dollars, and also the sum of thirteen hundred and sixty-one dollars for interest on the said two sums this year, which three sums shall be assessed and collected at the same time and in the same manner that the other township taxes shall be assessed and collected in said township; which moneys, when collected, shall be paid by the collector of said township on the order of the township committee of said township, to the persons to whom said money is, or shall be legally due and owing.

Authorized to issue scrip.

2. *And be it enacted*, That the township committee of the said township of Chester, shall be and they are hereby authorized to issue scrip in the name and in the credit of "The inhabitants of the township of Chester, in the county of Morris," sufficient to pay a bounty of six hundred dollars to such persons not enrolled citizens of said township, as shall enlist in the army of the United States as substitutes for three years, and be credited on the quota of said township to fill the draft for three hundred thousand men, ordered by the president of the United States on the nineteenth day of De-

ember, eighteen hundred and sixty-four, and a bounty of three hundred dollars to such substitutes, not enrolled citizens of said township, as shall enlist in the army of the United States for one year, and be credited on the quota of said township on the call last mentioned, and also to pay a bounty of three hundred dollars to such of the enrolled citizens of said township as shall be drafted to fill the quota of said township in the last mentioned call, and shall actually be mustered into the military service of the United States for one year; one-half of the said scrip in amount, shall be made payable January the first, eighteen hundred and sixty-seven, and the other half shall be made payable on the first day of January, eighteen hundred and sixty-eight, and both classes of said scrip shall bear interest from the time it is actually issued, at six per cent. per annum, which interest shall be paid on the first of January in every year hereafter, by the township collector, until the principal shall be paid; the said scrip shall be signed by the chairman of the said township committee, and the clerk of the said township; the said scrip shall be made negotiable in form, and shall not be sold or disposed of by the said township committee or any officer of said township at less than its par value.

3. *And be it enacted*, That the township committee of the said township of Chester shall have power and they are hereby authorized and required to direct the assessor of said township to assess, this year, so much money as will be necessary to pay the interest on the first of January next, on so much of said scrip as shall be issued by virtue of the preceding section; that next year said committee shall direct the said assessor to assess so much money as will pay so much of the principal and interest of said scrip as shall be payable the first of January, eighteen hundred and sixty-seven; and in the year eighteen hundred and sixty-seven the said committee shall direct the said assessor to assess so much money as will pay the residue of the principal and interest of said scrip on the first day of January, eighteen hundred and sixty-eight, which moneys shall be assessed and collected at the same times and in the same manner as other township taxes are or may be by law assessed and collected; and the interest and principal of said scrip shall be paid by the township collector of said township at the times hereinbefore designated for payment thereof, and the moneys raised by virtue of this act shall be applied to no other uses or purposes than those herein expressed and directed.

To provide by
taxation for
payment of
bonds and in-
terest.

Future draft
provided for.

4. *And be it enacted*, That in case there shall hereafter be any other call for men to serve in the army or navy of the United States, with an order to draft them for either of those purposes, issued by the president of the United States, it shall be lawful for the inhabitants of the said township of Chester, when convened in a town meeting legally called, to raise money on the credit and in the name of "The Inhabitants of the township of Chester, in the county of Morris," by ordering bonds or scrip to be issued in the corporate name of said township, and to be sold or otherwise converted into money at par, and to order the assessment of taxes to pay the interest and the principal of the scrip or bonds so ordered to be issued; the said scrip or bonds to be in such sums and payable at such time or times as the said inhabitants at such town meeting shall determine and order; and to use the moneys thus raised to pay substitutes or bounties to volunteers to fill the quota of men assigned to said township; but in no case shall such town meeting authorize a greater compensation or bounty than six hundred dollars to be paid to any one recruit, substitute or volunteer.

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

Approved March 1, 1865.

CHAPTER CIV.

An Act to legalize certain acts of the inhabitants of the township of Washington, and of the committee, assessor and collector of said township of Washington, in the county of Mercer, in raising money for volunteers for the war.

Preamble.

WHEREAS, the inhabitants of the township of Washington, in the county of Mercer, at a public meeting called for the purpose, at the inn of John Hall, in Windsor, in said township, on the twenty-fourth day of July last, resolved to fill the quota of said township by volunteers, on the then pending draft, and also requested the township committee to order a special town meeting to be called, to raise an amount of money sufficient to procure said volunteers; and whereas, the inhabitants of said township did, on the fourth

day of August, one thousand eight hundred and sixty-four, upon eight days notice, given by the clerk of said township under the order of the committee, organize themselves into a town meeting, and did, by a large majority, vote that a poll tax of twenty dollars be assessed on every voter of said township and on every person liable to a draft, and to raise the balance by a per centage on the real and personal estate of said township, as other taxes are raised; and whereas, by order of the committee, the sum of eighteen thousand seven hundred dollars was assessed, with other taxes, upon the inhabitants and taxable property of said township, and a large portion thereof collected; and whereas, the inhabitants of said township did, at a public meeting called for the purpose at the inn of John Hall, in said township, on the twenty-sixth day of January last, request the committee of said township to raise an amount of money sufficient to procure volunteers, to exempt said township from the present pending draft by issuing bonds of the township for that purpose, and to order the amount raised the ensuing year by assessing a poll tax of ten dollars on every person liable to a draft (a large portion of which has been paid) and the balance to be assessed on the real and personal estate of said township to pay said bonds; and whereas, said committee did, on the thirtieth day of January last, resolve to issue bonds of said township sufficient to raise an amount not exceeding twenty thousand dollars, for said purpose, payable on the first day of April, one thousand eight hundred and sixty-six, with six per cent. interest on the same from date, and doubts having arisen in regard to the power and authority of said committee to issue bonds, and the assessor and collector to assess and collect such bounty money so assessed and to be assessed, and to enforce payment of the same in the same manner as the payment of other taxes are enforced; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of* Acts legalized
the State of New Jersey, That all acts and doings of the inhabitants of the township of Washington, and of the committee, assessor and collector of said township of Washington, in the county of Mercer, mentioned in the preamble of this act, to raise the sum of eighteen thousand seven hundred dollars, and the further sum of twenty thousand dollars, by issuing bonds of said township to pay a bounty to volunteers for the war under the drafts therein named, are valid in all respects

and binding upon the inhabitants and taxable property of said township.

Acts of collector valid.

2. *And be it enacted*, That the collector of said township shall be in all courts and places deemed and adjudged to have, and to have had full power and authority to collect the said sum so assessed and to be assessed as aforesaid in the manner now prescribed relative to the collection of taxes, and that no assessment made or to be made agreeable to the foregoing preamble shall be, for or by reason of anything before mentioned, set aside or annulled.

3. *And be it enacted*, That this act shall take effect immediately, and shall be taken and held to be a public act.

Approved March 1, 1865.

CHAPTER CV.

An Act to authorize the inhabitants of the township of East Brunswick, in the county of Middlesex, to raise money.

Preamble.

WHEREAS, the inhabitants of the township of East Brunswick, in the county of Middlesex, at a special town meeting held on the eleventh day of August, one thousand eight hundred and sixty-four, did authorize the sum of one hundred and fifty dollars bounty to be paid to sixty-three men, the amount of their quota, under the call of the president for five hundred thousand men, dated July eighteenth, eighteen hundred and sixty-four, the same to be assessed, levied and collected in the same manner as other state, county and township taxes are; and at a special town meeting held on the nineteenth day of January, one thousand eight hundred and sixty-five, did authorize the sum of one hundred dollars for one year men, two hundred dollars for two years' men, and three hundred dollars for three years' men, either for drafted men or substitutes, and also fifty dollars for one year, one hundred dollars for two years, and one hundred and fifty dollars for three years, to each volunteer to fill the quota under the call of the president for three hundred thousand men; dated December nineteenth, eighteen hundred and sixty-four; the same to be borrowed by the town committee at seven per

centum interest; and that the said sum be repaid by taxation on the taxable inhabitants by a poll tax of five dollars, and the balance to be raised on the taxable property of said inhabitants; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of* Acts legalized
the State of New Jersey, That the doings and proceedings of the said several town meetings, and the acts of the township committee, assessor and collector, in voting, assessing and collecting said taxes for said bounties, be and the same are ratified, confirmed and in all respects made valid and binding upon the inhabitants and taxable property of said township.

2. *And be it enacted,* That immediately after the passage Notice to be given to delinquents. of this act, it shall be the duty of the township collector to give public notice to all delinquent tax payers on the assessment already made by order of the town meeting for the first sixty-three men, that in case their taxes are not paid within ten days from the date of said notice, the same will be returned to a justice of the peace, who shall forthwith issue his warrant against said delinquents in the same manner as is now provided for by the act entitled "An act concerning taxes," approved April fourteenth, one thousand eight hundred and forty-six, and the same remedies for the collecting of said taxes shall be had, in all respects, as in and by the said act is provided.

3. *And be it enacted,* That it shall be lawful for the inhabitants of the township of East Brunswick to raise by taxation a sufficient sum of money to meet the liabilities incurred in filling the last quota as authorized by the last special town meeting, by an assessment of a poll tax of five dollars on each male taxable inhabitant of said township, and the balance by assessment on the taxable property of said township, at the same time and in the same manner as other taxes are assessed and collected in said township. Money to be raised by tax.

4. *And be it enacted,* That the inhabitants of the township of East Brunswick be and they are hereby authorized to raise May raise money for any future calls. by an assessment of a poll tax of five dollars on each male taxable inhabitant of said township, and by an assessment on the taxable property in said township, at the same time and in the same manner as other taxes are assessed and collected in said township, on any future call by the president a sufficient sum of money, with the expenses of assessing and collecting the same, not to exceed one hundred dollars for one year men, two hundred dollars for two years' men, and three

hundred dollars for three years' men, for bounties paid to each volunteer, drafted man or substitute mustered into the military service of the United States as one of the quota of said township, as any annual or special town meeting hereafter directs; and after said tax is authorized by said town meeting, the township committee be authorized to borrow said money at seven per centum interest, and repay the same as soon as said taxes are collected.

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

Approved March 1, 1865.

CHAPTER CVI.

An Act to legalize certain acts of the township committee of the township of Byram, in the county of Sussex.

Preamble.

WHEREAS, the inhabitants of the township of Byram, in the county of Sussex, being desirous of filling the call of the general government for troops, with volunteers, rather than with drafted men, did, at a meeting thereof, in the month of September, eighteen hundred and sixty-four, authorize the township committee of said township to raise money on the credit of the said township for such purpose; and whereas, the said committee did borrow upon the credit of the said township, the sum of seventeen thousand and seven hundred dollars, for the purpose of paying bounties to volunteers to fill the quota of said township, and did pay out the said sum for that purpose and filled the quota; and whereas, the said township committee did issue the bonds of the said township for part of the said money by them so borrowed, which bonds are signed by the collector of the said township and countersigned by the clerk thereof, and have proposed to issue bonds for the balance thereof to be signed as aforesaid, and they hereby request the action of the legislature to sanction their action in the premises; therefore,

Acts legalized.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any liability incurred, or that may be incurred, under the authority of the township com-

mittee of the township of Byram, in the county of Sussex, or the inhabitants of said township, and any and all bonds, notes, or other security or evidence of indebtedness that has been given or that may hereafter be given to secure such liability incurred for the purposes aforesaid, shall be as valid and effectual as if the contracting of such debt or liability, or the making of such bonds, notes, securities or evidence of indebtedness had been expressly authorized by law prior to the making of such contracts, bonds, notes, or securities, or the contracting of such debts or liabilities; and that the inhabitants of the township of Byram, in the county of Sussex, shall be held and deemed liable for the same in their corporate capacity; *provided*, that the said bonds, notes, or securities given for such purpose, shall not exceed the sum of seventeen thousand and seven hundred dollars; *and provided* Proviso. *also*, that shall not be given for a greater rate of interest than seven per centum per annum.

2. *And be it enacted*, That it shall be lawful to raise by Money to be raised by tax. assessment on the taxable property of said township, at the same time and in the same manner that other taxes are assessed and collected therein, money to pay said debts or liabilities and the interest thereon, in such proportion of said debts and liabilities from year to year, as the township committee may direct, until said debts and liabilities with interest thereon be fully paid.

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

Approved March 1, 1865.

CHAPTER CVII.

An Act to confirm the action of the city council of the city of Perth Amboy, county of Middlesex, in appropriating money for bounties, and to authorize them to provide for the payment of the same.

WHEREAS, the inhabitants of the city of Perth Amboy, at a Preamble. public meeting called by the mayor of said city, in order to devise and consider some plan to fill the quota assigned to said city under call of December nineteenth, eighteen

hundred and sixty-four, did then and there recommend to and request the city council to pay a bounty of three hundred dollars and to borrow the necessary amount to pay said bounty; and further did direct said city council to apply to the legislature for an act to make valid such proceedings, and to authorize the said city to raise forthwith, by taxation, a sufficient amount to pay the indebtedness so incurred; and whereas, the city council, in conformity to such request did vote and agree to pay a bounty not to exceed three hundred dollars, and did direct the mayor of said city of Perth Amboy to issue the notes of the city, in order to obtain the necessary amount to pay such bounty; and whereas, such indebtedness will amount to the sum of ten thousand five hundred dollars or thereabouts; now therefore,

Acts legalized.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the action of the inhabitants and of the city council of Perth Amboy, in offering bounties, borrowing money, issuing notes for the payment thereof, and all other acts by the said city council, or by their authority done in the premises, and the indebtedness thereby incurred, be and the same are each and all, hereby authorized, sanctioned and confirmed, and declared to be legal, valid and effectual in law, as if done by an act of the legislature, specially authorizing the same.

Assessment and collection of taxes.

2. *And be it enacted*, That the assessor of said city of Perth Amboy shall, immediately after the passage and approval of this act, proceed, after being sworn, to assess the sum so expended in paying bounties, together with the expenses incident to the assessing, collecting and paying out the same, in all not to exceed the sum of eleven thousand dollars, by assessing first, a poll tax of ten dollars upon and against every male inhabitant of said city of the age of twenty-one years and upwards, and the balance of the required sum upon the taxable property of said city, according to the valuation thereof at the last regular annual assessment, and deliver such assessment, or the duplicate thereof on or before the twentieth day of March, Anno Domini eighteen hundred and sixty-five, to a special collector, to be appointed by the city council, which said collector shall be duly sworn, and shall enter into bonds to be approved by the city council for the faithful performance of the duty hereby enjoined upon him; and the said collector shall, immediately after delivery to him of such assessment or the duplicate thereof, give no-

tice by public advertisement signed by himself, and set up in six of the most public places in said city, that in case any of the persons against whom such assessment has been made, shall neglect or refuse to pay his, her or their tax before the first day of May next, they shall be deemed delinquents and proceeded against accordingly; and the said collector shall, within ten days after the delivery to him of such assessment, or the duplicate thereof, demand the payment of the tax or sum assessed against each taxable inhabitant of said city, by written or printed notice delivered to the taxable inhabitant in person, or left at his or her usual place of abode; and in case any of the tax assessed under the provisions of this act, shall remain unpaid on the first day of May next, then the collector shall make out two lists of the delinquents, with the sums assessed upon and against them respectively, and remaining unpaid, and shall deliver one of such lists to the city clerk, for the use of the city council, and the other to any justice of the peace of said city, on or before the fifth day of May, and the justice of the peace to whom such list is delivered, shall, immediately on the receipt thereof, issue his warrant in the same manner as is directed by law in the collection of other township or city taxes, and deliver said warrant to the said special collector, who shall be and is hereby authorized to execute the same in the manner now authorized and directed by law for the collection of other township taxes in the cases of delinquents; and the said collector shall require the payment of twelve per centum per annum additional on each tax from the date of said warrant, together with thirty-six cents costs.

3. *And be it enacted*, That the said collector shall, on the first day of May next, pay over to the city treasurer all moneys that may have come to his hands at that time, by virtue of this act, and upon the first day of each month thereafter, he shall pay to the city treasurer all moneys that may have been collected by him on such assessment and warrant of the justice; and it shall be further his duty to report to city council or its committee whenever required.

Money to be
paid over.

4. *And be it enacted*, That the assessor and special collector shall have the same powers, be entitled to the same fees, and liable to the same penalties as are now provided by law for the assessment and collection of taxes in the several townships of this state.

Fees, &c.

5. *And be it enacted*, That all moneys collected by virtue of this act, shall be applied to the payment of the indebted-

How appro-
priated.

ness incurred in the payment of bounties, and the expenses incident thereto, and for no other purpose whatever.

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

Approved March 1, 1865.

CHAPTER CVIII.

An Act to authorize the inhabitants of the township of Mendham, in the county of Morris, to raise by taxation an amount of money sufficient to repay certain moneys advanced to said township to pay bounties to volunteers and substitutes, under the call of July eighteenth, eighteen hundred and sixty-four, for five hundred thousand additional men for the military and naval service of the United States.

Preamble.

WHEREAS, the inhabitants of the township of Mendham, in the county of Morris, are justly indebted to Melancthon W. Hornan and John W. Phoenix, of said township, in the sum of ten thousand and five hundred dollars or thereabouts, with interest, for moneys advanced by said Hornan and Phoenix, at the request of a majority of the taxpayers of said township, to pay bounties to volunteers and substitutes to fill the quota of said township under the call of the eighteenth day of July, eighteen hundred and sixty four; now, in order to reimburse and pay the said Hornan and Phoenix for such advances, with interest, and all expenses by them therein incurred;

Money to be raised by tax.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the inhabitants of said township to raise by taxation an amount of money sufficient for the purpose aforesaid.

When tax to be assessed and collected.

2. *And be it enacted*, That the said tax shall be levied in the manner following: the assessor of said township shall, at the time of making his next annual assessment, levy upon every male inhabitant of said township above the age of twenty years a poll-tax of three dollars, and shall assess and levy upon the taxable property of said township, in the same manner that other township taxes are levied and assessed, an

amount which, added to the sum to be realized from the poll-tax aforesaid, will be sufficient for the purposes aforesaid.

3. *And be it enacted*, That in case sufficient shall not be realized from the first assessment to be made by virtue hereof to discharge the said indebtedness, then and in that case the assessor of said township shall, at the next regular annual assessment thereafter, assess and levy, in like manner as above mentioned, an amount sufficient to pay the deficiency; *provided*, that no person shall, by virtue hereof, be subjected to a double poll-tax.

How to pay
balance.

Proviso.

Approved March 1, 1865.

CHAPTER CIX.

An Act to authorize the inhabitants of the township of East Windsor, in the county of Mercer, to raise bounty money, and to legalize the acts of said township for bounties paid heretofore.

WHEREAS, the inhabitants of the township of East Windsor, in the county of Mercer, at a special town meeting, called by the town committee, and held on the thirtieth day of July, Anno Domini eighteen hundred and sixty-four, did agree and authorize the township committee of said township to procure the requisite number of volunteers to fill the quota of said township, under the call made by the president of the United States, for five hundred thousand men; and whereas, the said town committee did borrow upon their individual responsibility the amount of money necessary for that purpose; and whereas, the said amount was assessed upon the persons and taxable property of said township, and a portion thereof collected and paid over; and whereas, the inhabitants of said township, at a subsequent town meeting, did authorize the raising of a bounty to fill the quota of said township under the call made by the president of the United States, under the last call for three hundred thousand men;

Preamble.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said assessment so made as hereinabove recited, upon the persons and property of said

Acts legalized

township, and all proceedings in relation thereto, are hereby legalized and made valid, and the collector appointed by the town committee of the said township be and is hereby authorized and empowered to collect, and make of and from the delinquents, and each of them, who have neglected to pay said tax, such sum as by the said assessment was assessed against them as aforesaid, in the manner provided by law for the collection of other taxes.

Money to be raised by loan

2. *And be it enacted*, That the township committee of said township are hereby authorized and empowered to raise by loan any amount of money that may be necessary, not exceeding thirty-one thousand dollars, on the faith and credit of said township, to pay bounties for soldiers to fill the quota of said township under the last call aforesaid of the president for three hundred thousand men; and that the notes or bonds of said township in its corporate capacity, given and to be given for the money so borrowed, and signed by the town committee or a majority of them, together with the town clerk, shall be valid and binding upon the property and taxable inhabitants of said township.

Money to be raised by tax.

3. *And be it enacted*, That the inhabitants of the said township are and they are hereby authorized and empowered to raise by tax a sum of money sufficient to pay and discharge the sum of money procured or required to pay the bounties aforesaid under the second call above stated, and also any deficiency that may remain uncollected of the money expended to fill the quota of said township in the said first call, and that the same shall be assessed and collected in the same manner (with the poll tax hereinafter mentioned) as the other township and county taxes are assessed and collected in the said township.

Poll tax.

4. *And be it enacted*, That it shall be lawful for the town committee to levy a poll tax of ten dollars upon every person liable to draft under the last call of the president in said township, said poll tax to be used in the payment of bounties as aforesaid.

5. *And be it enacted*, That this act shall take effect immediately, and shall be taken in all courts and places as a public act.

Approved March 1, 1865.

CHAPTER CX.

An Act to confirm certain debts and liabilities incurred by the township of Montgomery, in the county of Somerset, for bounties to soldiers to fill the quotas of said township and to authorize further loans for the same purpose.

1. BE IT ENACTED *by the Senate and General Assembly* Acts legalized of the State of New Jersey, That so much indebtedness of said township as hath been incurred through the action and proceedings of the township committee thereof in paying bounties to soldiers, is hereby declared legal, valid and binding upon the taxable inhabitants and property of said township, and that such indebtedness and the legal interest thereon may be raised by taxation as a part of the township tax of said township.

2. *And be it enacted*, That the township committee of said township are hereby authorized and empowered to raise by loan any amount of money that may be necessary, not to exceed forty thousand dollars, on the faith and credit of said township, to pay bounties for soldiers to fill the quota of said township under the two last calls of the president of the United States, and that the notes or bonds of said township in its corporate capacity given for the money so borrowed and signed by the township committee thereof, shall be valid and binding upon the property and taxable inhabitants of said township. Money to be raised by loan.

3. *And be it enacted*, That the township committee of said township, or any two of them, shall have power to borrow money on bond or bonds, note or notes, in the name of the inhabitants of said township or otherwise, and to renew the same from time to time as [may] be necessary, and they and each of them shall be indemnified and saved harmless in their individual capacities and estates by the township against all losses incurred, except as residents and tax payers in said township. Authorized to borrow money

4. *And be it enacted*, That the township committee shall be empowered to order any sum not to exceed twenty thousand dollars, to be raised by tax on the taxable property of said township, immediately to be applied to the payment of the indebtedness of said township made by paying bounties for volunteers and substitutes and for no other purpose, and that Money to be raised by tax.

the assessor and collector shall be under the same penalties that they are under in the general tax law, and the commissioners of appeal in cases of taxation shall convene immediately after the assessment is made to hear any appeals that may be made by the taxpayers.

Limitation.

5. *And be it enacted*, That the provisions of this act shall remain in force until the next annual session of the legislature.

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

Approved, March 1, 1865.

CHAPTER CXI.

An Act to authorize the town of Phillipsburgh, in the county of Warren, to raise money by taxation, to liquidate liabilities for the payment of bounties to volunteers, and to inhabitants of said town furnishing substitutes.

Preamble.

WHEREAS, the town of Phillipsburgh, in the county of Warren, has incurred liabilities for the payment of bounties to volunteers, and to persons, inhabitants of said town, who have secured substitutes and procured the same to be credited on the quotas of said town under the calls made for volunteers by the governor in April, July and December last, on the faith of said town, and request that the action of the common council of said town, in the premises may be sanctioned and legalized by this legislature.

Debts and liabilities legalized.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any debt or liability incurred, or that may be incurred, under the authority of the common council of said town, and any bond, note, or other security or evidence of indebtedness that has been given or may hereafter be given, to secure the payment of liabilities incurred, or that may be incurred, for the payment of bounties to volunteers, and to persons (inhabitants of said town) furnishing substitutes under said calls, as mentioned in the preamble hereto, shall be as valid and effectual, as if the contracting of such debt or liability, or the making of such bond, note, security or evidence of indebtedness had been expressly author-

ized by law, prior to the making of such contract or security, or the contracting of such debt or liability.

2. *And be it enacted*, That it shall be lawful to raise by ^{Assessment and taxation.} assessment on the taxable property of said town, at the same time and in the same manner that other taxes are assessed and collected therein, money to pay said debts or liabilities, at the several times the same shall become due and payable, according to the tenor of such bonds, notes, or evidence of indebtedness, together with the interest thereon, from year to year until said debts and liabilities shall be redeemed and paid.

3. *And be it enacted*, That so much of the act entitled ^{Repealer.} "An act to incorporate the town of Phillipsburgh, in the township of Phillipsburgh, in the county of Warren," and so much of the supplement thereto as limits and restrains the amount of taxes to be assessed and levied in said town, be and the same is hereby repealed, so far as the purposes of this act may require.

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

Approved March 1, 1865.

CHAPTER CXII.

An Act to legalize certain acts of the township committee and inhabitants of the township of Springfield, in the county of Union, in raising money for volunteers.

WHEREAS, the inhabitants of the township of Springfield, in ^{Preamble.} the county of Union, did, on the eleventh day of August, eighteen hundred and sixty-four, upon eight days' notice given by the township clerk, under the order of the township committee of said township, assemble themselves in town meeting and elect by a large majority vote, that the sum of two hundred dollars should be given by said township to every man who should enlist into the army of the United States, and be credited to the said township on the then pending draft; and whereas, the quota of the township being eighteen men, was filled by volunteers duly mustered into service and credited to said township,

and the township committee expended the sum of three thousand five hundred dollars in the payment of said bounties, and said last mentioned sum was thereupon assessed with other taxes, upon the inhabitants and taxable property of said township, and the principal portion thereof collected by the township collector, and doubts having arisen touching the legality of said assessment and the power and authority of such collectors to enforce payment and collection of said bounty money so assessed, in the same manner as the payment of other taxes are enforced; therefore,

Acts made
valid.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the acts and doings of the township committee and of the inhabitants of the township of Springfield, in the county of Union, mentioned in the preamble of this act, to raise three thousand five hundred dollars by assessment and collection to pay a bounty of two hundred dollars to each one year's volunteer for the war mustered into service and credited to said township, to fill the quota of the township, are valid in all respects and binding upon the inhabitants and taxable property of said township.

Powers of col-
lector.

2. *And be it enacted*, That the collector of said township shall be in all courts and places deemed and adjudged to have and to have had full power and authority to collect said sum so assessed as aforesaid, in the manner now prescribed relative to the collection of taxes; and that no assessment made as aforesaid shall be, for or by reason of anything before mentioned, set aside or annulled.

May raise
money.

3. *And be it enacted*, That the township of Springfield, in the county of Union, be and they are hereby authorized and empowered to raise or cause to be raised by taxation, a poll tax of ten dollars, and the balance on the taxable property of the township, at the same time and in the same manner that other taxes are raised, an amount of money equal to the bounty paid to encourage enlistments of volunteers in said township, from two years from date of this act; the said amount so raised to be applied exclusively to the liquidation of indebtedness incurred by the payment of said bounty.

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

Approved March 1, 1865.

CHAPTER CXIII.

An Act to authorize the inhabitants of the township of Atlantic, in the county of Monmouth, to raise money by issuing bonds, and for other purposes.

WHEREAS, the inhabitants of the township of Atlantic, in Preamble.
the county of Monmouth, upon notice given, did call a meeting of the inhabitants of said township on the thirty-first day of December, eighteen hundred and sixty-four, and the said meeting did recommend and request the township committee of said township to pay a bounty of two hundred dollars for each volunteer, substitute or drafted man, to count on the quota of said township under the call of the president of the United States, made on the nineteenth day of December, eighteen hundred and sixty-four, and to issue bonds for the gradual payment of the indebtedness thus to be created and for other purposes; and whereas, it is necessary that a law be passed by the legislature to legalize the issuing of said bonds by the township committee, and to provide for the payment of the same by taxation; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of* To provide for payment by issuing bonds.
the State of New Jersey, That it shall be lawful for the township committee of the township of Atlantic, in the county of Monmouth, to provide for the payment of the said indebtedness by issuing bonds in the name of the inhabitants of the township of Atlantic, in the county of Monmouth, under the respective hands and seals of the said township committee, for an amount of money not exceeding fifteen thousand dollars, in such sums and payable at such time or times as the said township committee shall deem proper, bearing interest at a rate not exceeding six per cent. per annum, payable annually, and to pledge the property and credit of the said township for the payment of the same, which bonds it shall be lawful for the said township committee and their successors to sell and assign; *provided,* that no bonds shall be sold by Proviso.
the said township committee for less than its par value; *and provided further,* that the bonds so issued shall be redeem- Proviso.
able at a period of time not to exceed two years from the passage hereof.

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

To provide by taxation for payment of principal and interest.

said township of Atlantic shall have power and authority to provide by taxation for the payment of the said bonds and the interest thereon, and the said township committee shall yearly, and every year, until the bonds to be issued by the authority hereof shall be redeemed and paid off, order and cause to be assessed and collected by tax at the time and in the manner that other taxes in the said township are assessed and collected, a sum of money sufficient to pay the interest on the said bonds as the same shall become due and payable, and to pay and discharge the principal at the several times it shall become due and payable; and that the township collector of said township or other person for the purpose appointed shall, when such tax or any part thereof shall be collected pay the same to the township committee of said township; and all such moneys so to be raised by virtue of this act shall be inviolably applied by said township committee to pay the interest and principal of said bonds as the same shall become due and payable; *provided*, not more than one-half of the principal of said bonds to be issued as aforesaid shall be made redeemable in any one year.

Proviso.

Proceeds, how applied.

3. *And be it enacted*, That it shall be the duty of the said township committee to apply the net proceeds of the bonds that may be issued by virtue of this act, to the payment and satisfaction of the debt and liabilities incurred in said township by the township committee thereof paying bounties to volunteers, substitutes or drafted men, and the expenses incident thereto as aforesaid.

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

Approved March 1, 1865.

CHAPTER CXIV.

An Act to authorize the inhabitants of the township of West Milford, in the county of Passaic, to raise money, issue bonds, and for other purposes.

Preamble.

WHEREAS, the inhabitants of the township of West Milford, in the county of Passaic, in public town meeting assembled, did authorize and direct the payment of bounties, amount-

ing in the aggregate to thirty-one thousand dollars, to be paid to volunteers to fill the quotas assigned to said township; and whereas, they have authorized the payment of three hundred dollars to each person who may be mustered into the United States service or who may procure a substitute who shall be mustered in said service, to fill the quota of the township on the last call for three hundred thousand men, by the president of the United States; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of* Acts legalized
the State of New Jersey, That the said action of the inhabitants of the township of West Milford, in the county of Passaic, be, and the same is hereby ratified and confirmed, and the indebtedness incurred and hereafter to be incurred in pursuance thereof, is hereby made a debt and liability of said township; and the township committee of said township is hereby authorized and required to provide for the payment of said indebtedness by issuing bonds in the name of "The inhabitants of the township of West Milford, in the county of Passaic," under the respective hands and seals of the said township committee, or of any three of them, in such an amount of money that shall be sufficient for that purpose, said bonds to be in such sum or sums, and payable at such time or times as the said township committee shall deem proper, not exceeding fifteen years from the date or time of issuing the same, bearing interest at a rate not exceeding seven per centum per annum, payable annually or semi-annually, and the property and credit of the said township is hereby pledged and made liable for the payment and redemption of the said bonds, and the said township committee and their successors in office, may sell, dispose of, and assign such bonds, and shall apply the same or the proceeds thereof exclusively in payment and liquidation of the said indebtedness.

2. *And be it enacted,* That the township committee of the said township of West Milford, shall raise or cause to be raised by a poll tax of three dollars upon every married man, and of five dollars upon every unmarried man in said township, and by taxation, at the time and in the manner that other taxes in said township are or shall be assessed and collected, such sum and sums of money as shall be sufficient to pay and satisfy the principal and interest of the said bonds, as the same shall from time to time become due and payable; and all moneys so raised shall be paid to said township committee, Money to be raised by tax.

and be inviolably applied by them to pay the principal and interest of said bonds as aforesaid.

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

Approved March 1, 1865.

CHAPTER CXV.

An Act to authorize the township of Franklin, in the county of Warren, to raise money by taxation to liquidate liabilities incurred by said township in raising volunteers, and for other purposes.

Preamble. WHEREAS, the legal voters of the township of Franklin, duly assembled according to law, in special town meeting on the twenty-third day of July, eighteen hundred and sixty-four, did vote to pay to each person, volunteering or procuring a substitute for three years credited to said township, the sum of three hundred dollars each when authorized so to do by an act of the legislature, provided the whole quota under said call should be filled, and also to pay when authorized by a like act, to each of eight persons who were drafted under a previous call, and who either furnished substitutes or paid commutation, a like sum of three hundred dollars each; and whereas, the quota of said township was filled under said call by substitutes on the faith of said vote, and by the township committee paying out the further sum of nine hundred and seven dollars in aid thereof; and whereas, at a subsequent town meeting held in virtue of the late call of the president for three hundred thousand volunteers, it was voted that the town committee should borrow money to fill the quota of said township, by paying such bounties as should be necessary so to do; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful, and the township committee are hereby required, to have levied and assessed on the taxable property of said township at the same time and in the same manner, at the next annual assessment, and under the same penalties as other taxes are assessed, an amount sufficient to pay to each person who put in a substi-

Township committee may assess and raise by taxation.

tute to fill the quota under the call of July eighteenth, eighteen hundred and sixty-four, the sum of three hundred dollars each, and also to pay to each of the eight persons who were drafted under a previous call of the president for volunteers, and who either furnished a substitute or paid commutation, a like sum of three hundred dollars each, and also the sum of nine hundred and seven dollars and the interest thereon, borrowed and expended by the town committee to aid and complete the filling up of said quota.

2. *And it be enacted*, That the acts and doings of the legal voters at said last special town meeting, are hereby legalized and made valid and binding upon the property of said township, and the town committee are hereby authorized and required, at such time, not exceeding two years, as they, or a majority of them may deem proper, to have the same levied or assessed and collected in like manner as aforesaid, a sum sufficient to liquidate the liabilities that now are, or may hereafter be incurred in filling the quota of said township of Franklin under said last call of the president for volunteers, and the interest that may be due thereon. Acts legalized

3. *And be it enacted*, That it shall be lawful for the town committee of said township of Franklin, when in the opinion of the majority thereof the interest of the township shall require it, to call together the legal voters thereof in special town meeting, to take a vote whether the township committee shall borrow money to fill any present or future quota of the township with substitutes or volunteers, and the amount they shall raise, said special town meeting to be called in the same manner that town meetings are now called, and the clerk of said township shall set forth in the notices to be put up, the object for which said town meeting is to be held; and if at any such meeting it shall be voted to raise money to fill a present or future quota with volunteers or substitutes, it shall be lawful for the town committee to borrow such amount, or as much thereof as shall be necessary, and to give township notes or bonds for the same to bear legal interest, which shall be binding on the property of said township, and they are further authorized and required to have said amount so expended, and the interest thereon assessed and collected in the same manner as other taxes are assessed and at the same time, and in such proportions as they may deem proper. Action of township regulated.

4. *And be it enacted*, That this shall be deemed and taken to be a public act, and shall continue in force during the present rebellion, and no longer.

Approved March 1, 1865.

CHAPTER CXVI.

An Act to authorize inhabitants of the township of Pompton, in the county of Passaic, to raise money, issue bonds, and for other purposes.

Preamble.

WHEREAS, the inhabitants of the said township, in consequence of the payment of bounties to volunteers, for the purpose of filling the late quotas assigned to said township upon the calls of the government for troops, have become considerably indebted; and whereas, it is necessary that provision be made for the payment of such indebtedness, and that the same should be gradually paid; therefore,

To provide for payment of indebtedness by issuing bonds.

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That the township committee of the township of Pompton, in the county of Passaic, shall provide for the payment of such indebtedness by issuing bonds in the name of the inhabitants of "The township of Pompton, in the county of Passaic," under the respective hands and seals of the said township committee, or any three of them, for any amount of money that may be necessary for such purposes, in such sum or sums, and payable at such time or times as the said township committee shall deem proper, bearing interest at a rate not exceeding seven per cent. per annum, payable annually or semi-annually, and to pledge the property and credits of the said township for the payment of the same, which it shall be lawful for the said township committee, and their successors in office, to sell and assign; *provided*, that no bond shall be sold by the said township committee for less than its par value; *and provided further*, that the bonds so to be issued shall be redeemable at a period of time, not to exceed twenty-five years from the date or time of issuing the same.

Proviso.

Proviso.

To provide by taxation for payment of principal and interest.

2. *And be it enacted*, That the township committee of the said township of Pompton, are authorized and required to provide by taxation for the payment of said bonds, and the interest thereon, and that the said township committee shall yearly, and every year, until the bonds to be issued by the authority hereof shall be redeemed and paid off, order and cause to be assessed and collected by tax, at the time and in the manner that other taxes in the said township are as-

sessed and collected, a sum of money sufficient to pay the interest on the said bonds as the same shall become due and payable, and to pay and discharge the principal at the several times it shall become due and payable, and that the township collector of said township, or other person for that purpose appointed shall, when such tax or any part thereof shall be collected, pay the same to the township committee of the said township, and all such moneys to be raised by virtue of this act, shall be inviolably applied by said township committee to pay the interest and principal of said bonds, as the same shall become due and payable.

3. *And be it enacted*, That it shall be the duty of the said committee to apply the net proceeds of the bonds that may be issued by virtue of this act, to the payment and satisfaction of the debts and liabilities incurred in said township in the payment of bounties to volunteers as aforesaid. Proceeds, how applied.

4. *And be it enacted*, That the debts and liabilities incurred in the said township of Pompton, in consequence of the payment of bounties to volunteers as aforesaid, and the action of the said committee thereupon, are hereby ratified and confirmed. Acts confirmed.

5. *And be it enacted*, That it shall be the duty of the assessor and collector of taxes, in preparing the notices of taxes required by law, to assess, specify, and keep separate and distinct from other items the amount assessed under and by virtue of this act, and the collector shall keep account of the same in a separate and distinct column, and shall designate the same specifically in his return to the town committee. Duties of assessor and collector.

6. *And be it enacted*, That in every assessment, it shall be the duty of the assessor to assess a poll tax of three dollars on every white male inhabitant of said township of the age of twenty-one years and upwards. Poll tax.

7. *And be it enacted*, That the treasurer of the township committee of said township, be required, before entering on the duties of his office, to give a bond to the township committee in the sum of ten thousand dollars. Treasurer to give bond.

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

Approved March 1, 1865.

CHAPTER CXVII.

An Act to legalize certain acts of the mayor and common council of Atlantic City, in issuing bonds to raise bounties and further provide for raising funds for future calls.

Preamble

WHEREAS, the mayor and common council of Atlantic City did, during the year eighteen hundred and sixty-four, issue bonds to the amount of five thousand dollars for the purpose of paying bounties to volunteers; and whereas, the citizens of said city are desirous of filling all calls for troops at the shortest notice; therefore,

Acts legalized.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the bonds issued by the mayor and common council of Atlantic City, in the preamble to this act mentioned, be and they are hereby confirmed and validated, and that the mayor and common council aforesaid be and they are hereby empowered to issue bonds to fill any future call for troops not to exceed the amount of ten thousand dollars, said moneys to be expended at such times and in such manner as they may deem advisable for the purposes set forth in said preamble.

Amount to be assessed and collected.

2. *And be it enacted*, That it shall be the duty of said mayor and common council to cause to be assessed on the taxable property within said city an amount sufficient to pay all bonds by them issued for the above purposes, pursuant to this act, at such times as they may deem advisable.

3. *And be it enacted*, That this act be deemed a public act and take effect immediately.

Approved March 1, 1865.

CHAPTER CXVIII.

An Act to legalize certain acts of the citizens of Hamilton township, in the county of Atlantic, to raise bounties.

Preamble.

WHEREAS, the citizens of the township of Hamilton did assemble in town meeting on the eleventh day of June,

eighteen hundred and sixty-four, and twenty-sixth day of September, eighteen hundred and sixty-four, for the purpose of ordering the township committee to raise funds sufficient to fill their several quotas of troops by issuing township bonds; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be the duty of the township committee to cause to be assessed and collected, an amount sufficient to liquidate all bonds by them issued, in accordance with the above preamble. Tax to be assessed and collected.

2. *And be it enacted*, That it shall be the duty of the township assessor and collector to assess and collect the amount so ordered by said township committee in the manner voted by said town meetings. Duty of assessor.

3. *And be it enacted*, That this act shall be deemed a public act, and take effect immediately.

Approved March 1, 1865.

CHAPTER CXIX.

An Act to legalize the actions of the inhabitants of the township of Piscataway, in the county of Middlesex, in paying bounties to volunteers.

WHEREAS, the inhabitants of the township of Piscataway, in the county of Middlesex, at a special town meeting held on the sixth day of February, one thousand eight hundred and sixty-five, did unanimously resolve, in order to fill the quota of said township for the present call of the government for three hundred thousand men, that the chairman of the township committee be directed to issue notes, payable in two years, with interest at seven per cent. per annum to any volunteer or person furnishing a volunteer, or to any person furnishing a substitute, or to any person drafted who shall either go himself or furnish a substitute, duly credited to said township on the present call for the sum of two hundred dollars for one year's service, two hundred and fifty dollars for two years' service, or three hundred and fifty dollars for three years' service; and whereas, at the same meeting it was also unanimously re- Preamble.

solved to direct and empower the said township committee to assess immediately, or as soon as possible, upon the taxable property of said township as ascertained by the assessor at his last annual assessment, (making deduction for allowance made by the court of appeals at its last session), a sum sufficient to pay all indebtedness of said township for volunteers, substitutes and other expenses incurred in filling our quota for the call of five hundred thousand men last year, amounting to sixteen thousand dollars, said tax to be collected on or before twenty-fifth day of March next ensuing, in the same manner that other township taxes are collected; now therefore,

May issue
bonds.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the chairman of the township committee of the said township of Piscataway, to issue township notes, payable in two years with interest at the rate of seven per cent. per annum, to any volunteer or person furnishing a volunteer, or to any person furnishing a substitute, or to any person drafted who shall either go himself or furnish a substitute duly credited to said township on the present call, for the sum of two hundred dollars for one year's service, two hundred and fifty dollars for two years' service, or three hundred and fifty dollars for three years' service.

Payment of
principal and
interest by
tax.

2. *And be it enacted*, That a sum sufficient to pay the aforesaid notes, both principal and interest, together with all other expenses incurred by the said township committee in filling the present quota of the said township shall be raised by a poll-tax of two dollars on all single and one dollar on all married men, the remainder to be assessed on the real and personal estate of the tax-payers of said township, and collected in the same manner as the other township taxes are or shall be by law assessed and collected; *provided always*, that the above mentioned sum shall be assessed and collected within two fiscal years of said township.

Proviso.

Duty of asses-
sor.

3. *And be it enacted*, That the assessor of the said township of Piscataway, under the direction of the township committee thereof, or in case of the absence of the said assessor, then the town clerk shall proceed to assess immediately on the real and personal estate of the taxpayers of said township, as ascertained by the assessor at his last annual assessment, making deduction for all allowances made by the court of appeals at its last session, a sum sufficient to pay all indebtedness of the said township for volunteers, substitutes and

other expenses incurred in filling the quota of the township for the call of five hundred thousand men last year, amounting to sixteen thousand dollars, and shall hand the duplicates of said assessment to the collector of said township, who shall proceed to collect the said tax before the twenty-fifth day of March next ensuing, and on that day the names of all delinquents shall be returned to the proper officer and they held responsible for said tax, together with costs and interest.

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

Approved March 1, 1865.

CHAPTER CXX.

An Act to authorize the township of Landis, in the county of Cumberland, to raise money by taxation, to liquidate liabilities for the payment of bounties to volunteers.

WHEREAS, the township of Landis, in the county of Cumberland, has incurred liabilities for the payment of bounties to volunteers, under the calls made therefore by the president of the United States, during the year eighteen hundred and sixty-four, on the faith of said township, and requests that the action of the township in the premises may be sanctioned and legalized by this legislature. Preamble.

1. BE IT ENACTED *by the Senate and General Assembly of* Acts legalized
the State of New Jersey, That any debt or liability incurred under the authority of the township committee or inhabitants of said township, and any bond, note, or other security or evidence of indebtedness that has been given, or may hereafter be given, to secure the payment of liabilities incurred, or that may be incurred for the payment of bounties to volunteers under said calls, and including liabilities for bounties to recruits in lieu of the drafts ordered by the president of the United States, to be made on the fifteenth day of February, eighteen hundred and sixty-five, shall be as valid and effectual as if the contracting of such debt or liability, or the making of such bond, note, security or evidence of indebtedness had been expressly authorized by law prior to making

such contract or security, or the contracting of such debt or liability.

To provide for
payment by
taxation.

2. *And be it enacted*, That it shall be lawful to raise by assessment on the taxable property of said township, at the same time and in the same manner that other taxes are assessed and collected therein, and also by a poll tax of fifteen dollars upon each and every male citizen of said township subject to the draft, and ten dollars upon every one not liable thereto, money to pay said debts or liabilities and the interest thereon, in such proportion of said debts and liabilities, from year to year, as the township committee of said township may direct, until said debts and liabilities shall be redeemed and paid, and the collector of the said township shall have full power and authority to collect the sums so assessed, in the manner now prescribed by the acts relative to the collection of taxes, and shall be liable for neglect of duty, in respect to said tax, as he is by law, for neglect of duty in respect to other taxes.

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

Approved March 1, 1865.

CHAPTER CXXI.

An Act to legalize certain acts of the inhabitants of the township of North Brunswick, and for other purposes.

Preamble.

WHEREAS, the inhabitants of the township of North Brunswick, in the county of Middlesex, being desirous that the call of the government for troops to support its authority should be filled with volunteers rather than with drafted men, did recommend at a town meeting held for that purpose, to the township committee of said township, to offer bounties for that object; and whereas, said township committee, acting upon said recommendation, have paid bounties to volunteers amounting in all to four thousand eight hundred dollars, made loans for the payment thereof, and have issued notes or bonds under their hands and seals for the amount of said loans; and whereas, it is deemed de-

desirable that the indebtedness so created should be paid off; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the township committee of the said township of North Brunswick, shall have power and authority to provide by taxation for the payment of said notes or bonds and the interest thereon; and the said township committee shall until the notes or bonds so issued shall be redeemed and paid off, order and cause to be assessed and collected by tax, at the time and in the manner that other taxes in said township are assessed and collected, a sum of money sufficient to pay the interest on the said notes or bonds as the same shall become due and payable, and to pay and discharge the principal at the several times it shall become due and payable; and that the township collector of said township, or other person for the purpose appointed, shall, when such tax or any part thereof shall be collected, pay the same to the township committee of said township; and all such moneys so to be raised by virtue of this act shall be inviolably applied by said township to pay the interest and principal of said notes or bonds as the same shall become due and payable.

Payment of principal and interest by tax

2. *And be it enacted*, That in every such assesment of the above mentioned tax, it shall be the duty of the assessor first to assess a separate and special poll tax of three dollars upon every white married male inhabitant of said township, and six dollars upon every white single male inhabitant of said township of the age of twenty-one years and upwards, excepting the polls of soldiers that may be or shall have been in the service of the United States since the first day of May, Anno Domini one thousand eight hundred and sixty-one.

Special poll tax to be assessed.

3. *And be it enacted*, That the acts and doings of the township committee and of the inhabitants of the said township of North Brunswick, under and by virtue of the powers vested in them by the town meeting aforesaid, be and they are hereby confirmed and validated, and are in all respects binding upon the inhabitants and taxable property of said township.

Acts and doings legalized.

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

Approved March 1, 1865.

CHAPTER CXXII.

An Act to authorize the inhabitants of the township of Knowlton, in the county of Warren, to levy a tax and raise money.

Money to be raised by tax.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the inhabitants of the township of Knowlton, in the county of Warren, be, and the same are hereby authorized and empowered to raise by assessment on the taxable property of said township, the sum of thirty-one thousand dollars, the same to be applied to the payment of the debt incurred by the inhabitants aforesaid, by order of annual town meeting, held on the second Monday in April, eighteen hundred and sixty-four, and of special town meetings, held on the twentieth day of June, eighteen hundred and sixty-four, and tenth of January, eighteen hundred and sixty-five, for the purpose of paying bounties for volunteers to fill requisitions of the president of the United States for men, and to avoid a draft.

When assessed and collected

2. *And be it enacted*, That the said assessment shall be made and collected in the same manner that other taxes are assessed and collected; and that whether the said amount of thirty-one thousand dollars shall be assessed and collected in a whole or in equal parts, with lawful interest thereon, until entirely paid, shall be determined by the town committee of said township.

Future calls.

3. *And be it enacted*, That the inhabitants of said township are hereby authorized to raise money in the same manner as above, to pay bounties to volunteers, under future calls of the president of the United States, or the governor of the state of New Jersey; *provided*, that it is in accordance with the wishes of the voters of the township, to be ascertained by a majority of the votes cast at an annual town meeting, or a special town meeting called for the purpose, as other town meetings are called by law.

Proviso.

May issue scrip

4. *And be it enacted*, That the township committee of said township are hereby authorized to issue township scrip upon which to borrow thirty-one thousand dollars, together with the amount of the interest and expenses thereon, to liquidate the debt already contracted; and they are also authorized to issue scrip upon which to borrow money to pay volunteers to meet

future calls in accordance with the wishes of the voters of the township, when expressed as directed above.

5. *And be it enacted*, That the said assessment shall be made and collected as other taxes are assessed and collected; and whether it shall be collected in whole or in part, with lawful interest thereon, until entirely paid, shall be determined by a majority of the votes cast at each annual town meeting.

6. *And be it enacted*, That it shall and may be lawful for the inhabitants of the said township to increase the poll-tax at their annual town meeting to any additional sum not exceeding five dollars; *provided*, a majority of the votes cast at each and every town meeting, are in favor of the same.

7. *And be it enacted*, That this act shall be deemed a public act and shall take effect immediately.

Approved March 1, 1865.

CHAPTER CXXIII.

An Act to provide for raising moneys heretofore expended in procuring volunteers and substitutes, and for commutation money, and to raise money to pay bounties for volunteers hereafter to be called, in the township of Frelinghuysen, in the county of Warren.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the inhabitants of the township of Frelinghuysen, in the county of Warren, shall be held and deemed to be liable in their corporate capacity in the sum of one hundred thousand dollars, for moneys advanced and paid to volunteers and substitutes, and commutation, under the calls for the same made by the governor of this state, since the fifteenth day of March, eighteen hundred and sixty-four, and which were advanced and paid, and which may hereafter be advanced and paid to volunteers, if called for during the existing rebellion, in pursuance of resolutions passed by the inhabitants of said township assembled together for that purpose; and that an action of debt may be had and sustained, if need be, by the person or persons, or corporation, for so much of said moneys as were by them or

either of them advanced or paid, with the interest thereon, for said purposes.

Taxes to be assessed and collected.

2. *And be it enacted*, That it shall be lawful and is hereby made the duty of the inhabitants of the said township of Frelinghuysen to levy and raise by taxation, at the time and manner herein mentioned, the sum of ten thousand dollars, of the moneys of which by the first section of this act they are made liable; said sum to be assessed by the twentieth day of March, eighteen hundred and sixty-five; that notices of such assessments be given to the inhabitants of said township of their respective assessments on or before the first day of April next ensuing; that the commissioners of appeal in case of assessments convene on the eighth day of April next ensuing; that the said moneys so assessed shall be collected by the tenth day of May next ensuing, and paid as soon as conveniently can be upon the first obligations given for moneys borrowed for said purposes.

Further sum to be raised.

3. *And be it enacted*, That it shall be lawful and is hereby made the duty of the inhabitants of the said township of Frelinghuysen to levy and raise by taxation, within the time and in the manner other township taxes are by law levied and raised, all further sums of money due, or which may become due from year to year, for which, by the first section of this act, they are made liable, with the interest thereon, and the assessor and collector of the said township, with the other proper officers, are hereby enjoined and required to proceed in the assessment and collection of the first mentioned sum in this section, as well as thereafter within the time described, and in the manner and under the obligations prescribed by law for the assessment and collection of other township taxes, and when collected the sum of one hundred and fifty dollars shall be paid to Jacob Smith, and the further sum of one hundred and fifty dollars to John Howell, and the further sum of one hundred and fifty dollars to John W. Pierson, and the further sum of one hundred and fifty dollars to Marshall R. Smith, and the further sum of one hundred and fifty dollars to Jacob Mingle, and the further sum of one hundred and fifty dollars to Charles H. Smith, for substitutes paid by them, and the remainder of the moneys so assessed and collected shall from time to time be paid to the person or persons, or corporation, entitled thereto; and for the duties to be performed in levying and raising by taxation the sum specified in this act of ten thousand dollars, the coming spring, the officers shall be allowed the same fees that are by

law allowed for making annual assessments and collections; *provided*, that in assessing the said moneys, it shall be lawful Proviso: to increase the poll tax to twice the amount now by law authorized to be imposed in the said township.

4. *And be it enacted*, That all sums of money heretofore Acts legalized borrowed by the township committee of said township to pay volunteers, are by this act declared to be valid and legal contracts, and that the township committee of said township are hereby authorized to offer reasonable bounties for volunteers as long as they are required by the government in the existing rebellion, and to borrow sums of money, upon the credit of the said township, sufficient for said purpose, to be expended, as soon as possible thereafter, by said committee in paying said bounty to said volunteers.

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

Approved March 1, 1865.

CHAPTER CXXIV.

An Act to authorize the inhabitants of the township of Greene, in the county of Sussex, to loan or raise by taxation a sufficient sum of money to pay bounties to volunteers, substitutes, or drafted men.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the township committee of the township of Greene, in the county of Sussex, and they are hereby authorized and empowered to loan or cause to be raised by taxation, an amount of money which has or may be paid to encourage enlistments of volunteers in said township under the calls of the president of the United States for troops, the said amounts so raised to be applied exclusively to the liquidation of indebtedness incurred by the payment of said bounties. Money to be raised by tax or loan.

2. *And be it enacted*, That the debt and liabilities which Acts ratified. have or may be incurred by said township in consequence of the payment of bounties to volunteers, substitutes or drafted men for said township, and the action of the said township is hereby ratified and confirmed.

Poll tax.

3. *And be it enacted*, That it shall and may be lawful for the inhabitants of the said township, at their next annual town meeting, to increase their poll tax to any amount which may then be determined upon.

4. *And be it enacted*, That this shall be deemed a public act, and take effect immediately.

Approved March 1, 1865.

CHAPTER CXXV.

An Act to authorize the township of Lafayette, in the county of Sussex, to raise money by taxation to liquidate liabilities for the payment of bounties to drafted men, volunteers and substitutes.

Preamble.

WHEREAS, the township of Lafayette, in the county of Sussex, have incurred liabilities for the payment of bounties to drafted men, volunteers and substitutes under the several calls made therefor by the president of the United States, on the faith of said township, and request that their action in the premises may be sanctioned and legalized by the legislature; therefore,

Bond or other security valid.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any debt or liability incurred or that may be incurred under the authority of a previous vote of the inhabitants of said township of Lafayette, and any bond, note, or other security, or evidence of indebtedness, that has been given to secure the payment of liabilities incurred or that may be incurred for the payment of bounties to drafted men, volunteers and substitutes, in pursuance of any vote of the inhabitants of said township heretofore had or may hereafter be had on the present or any future calls for troops, shall be as valid and effectual as if the contracting of such debt or liability, or the making of such bond, note, security or evidence of indebtedness, had been expressly authorized by law prior to the making of such contract or security or the contracting of such debt or liability, and the action of said township is hereby ratified and confirmed.

2. *And be it enacted*, That it shall be lawful for the township committee to provide for the payment of said indebted-

ness by issuing bonds, payable in one, two or three years, in the name of the inhabitants of the township of Lafayette, in the county of Sussex, under the respective hands and seals of said township committee, payable at such times and at such rates of interest, not exceeding six per centum per annum, as they may deem expedient.

To provide for payment of indebtedness by issuing bonds.

3. *And be it enacted*, That it shall and may be lawful for the inhabitants of said township, at their next annual town meeting, to increase their poll-tax to any amount which may then be determined upon.

Poll tax.

4. *And be it enacted*, That the remainder of said liabilities for the bounties shall be raised by a tax on the real estate and personal property of the inhabitants in said township.

Tax on real estate, &c.

5. *And be it enacted*, That the said taxes shall be assessed, made, levied and collected by same persons, in the same manner, at the same time, or any time of the year that the inhabitants may determine upon at their next annual town meeting, and under like fees, fines and penalties, as other township taxes are levied and collected.

When to be assessed and collected.

6. *And be it enacted*, That this shall be deemed a public act and take effect immediately.

Approved March 1, 1865.

CHAPTER CXXVI.

An Act to authorize the inhabitants of the township of Andover, in the county of Sussex, to loan or raise by taxation a sufficient sum of money to pay bounties to volunteers, substitutes or drafted men.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the township committee of the township of Andover, in the county of Sussex, and they are hereby authorized and empowered to loan or cause to be raised by taxation, an amount of money which has or may be paid to encourage enlistments of volunteers in said township, under the calls of the president of the United States, the said amount so to be applied to the liquidation of the indebtedness incurred by the payment of said bounties.

To raise money by loan or tax.

Debts legal-
ized.

2. *And be it enacted*, That the debt and liabilities which which have or may be incurred by said township, in consequence of the payment of bounties to volunteers, substitutes or drafted men, for said township, and the action of said township committee is hereby ratified and confirmed.

Taxes how
raised.

3. *And be it enacted*, That it shall be lawful for said township to levy, assess and collect a poll tax of fifteen dollars on all male inhabitants subject to the draft; and also, a poll tax of five dollars, to be levied, assessed and collected, on all male inhabitants in said township over the age of twenty-one and under the age of sixty years, the remainder of said liabilities incurred for bounties and substitutes shall be raised by a tax on the real estate and personal property of the inhabitants in said township.

Taxes, how
assessed and
collected.

4. *And be it enacted*, That the said tax shall be assessed, made, levied and collected by the same persons and in the same manner, at the same time, or any time of the year that the inhabitants may determine upon at their next town meeting, and make like fees, fines and penalties, as other township taxes are levied and collected.

5. *And be it enacted*, That this shall be deemed a public act and take effect immediately.

Approved March 1, 1865.

CHAPTER CXXVII.

An Act to legalize the proceedings of a township meeting in the township of Stafford, in the county of Ocean, to raise money to fill the quota for said township.

Preamble.

WHEREAS, the inhabitants of the township of Stafford, in the county of Ocean, at a special town meeting held October twenty-ninth, eighteen hundred and sixty-four, did authorize the payment of certain sums of money to fill the quota of said township under the three preceding calls of the president for men for the service of the United States, and did direct how such money should be raised; therefore,

Certificates of
indebtedness
made valid.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the votes and resolutions of the inhabitants of the township of Stafford, in the county of

Ocean, at the town meeting aforesaid, and the certificates of indebtedness issued or to be issued by the township committee in pursuance thereof, are hereby made valid and effectual in law and binding upon the said township, and it shall be the duty of the assessor and collector and the township committee to raise by taxation, in conformity with the votes and resolutions of said town meeting the amounts necessary, and at the times named, and to pay off the interest and principal of said certificates of indebtedness.

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

Approved March 1, 1865.

CHAPTER CXXVIII.

An Act to legalize certain bonds issued by the board of chosen freeholders of the county of Burlington.

WHEREAS, "The board of chosen freeholders of the county Preamble. of Burlington were, by an act of the legislature, approved March fourth, eighteen hundred and sixty-four, authorized to issue bonds in the corporate name of and under the seal of said county, for an amount not exceeding three hundred thousand dollars; and whereas, in the exercise of the said power and authority the said the board of chosen freeholders of the said county have issued the said bonds, dating the same on the first day of January, eighteen hundred and sixty-five, which said day fell on Sunday; and whereas, doubts are entertained by some of the validity of said bonds; for remedy whereof

1. BE IT ENACTED *by the Senate and General Assembly of* Bonds made valid. *the State of New Jersey*, That all bonds issued by the said "The board of chosen freeholders of the county of Burlington," bearing date on the first day of January aforesaid, shall be good and valid, as if the same had been dated on a day not Sunday.

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

Approved March 1, 1865.

CHAPTER CXXIX.

An Act to legalize and provide for the payment of certain debts incurred by the inhabitants of the township of Chatham, in the county of Morris, in furnishing men for the military service of the United States.

Preamble.

WHEREAS, the inhabitants of the township of Chatham, in the county of Morris, at a town meeting by them held at Madison, on the twenty-third day of June, eighteen hundred and sixty-four, did resolve to raise by tax the money necessary to fill with volunteers or substitutes the quota of men assigned to, and then required from said township, to serve in the military service of the United States, in pursuance of which the township committee of said township did issue scrip, in the name and on the credit of said township, to the amount of eleven thousand five hundred and eighty-eight dollars, sixty-two cents, dated June the twenty-third, eighteen hundred and sixty-four, payable on the twelfth day of April, eighteen hundred and sixty-six, with interest at six per cent. per annum, and by like authority, given at a subsequent town meeting, did make a second issue of scrip, in the name and on the credit of said township, to the amount of eighteen thousand eight hundred and fifty dollars, all dated September the twenty-fourth, eighteen hundred and sixty-four, and all payable on the twelfth day of April, eighteen hundred and sixty-six, with interest at six per cent. per annum; all of which scrip, conformably to the will and directions of the inhabitants of the said township of Chatham, was used to fill the quotas of said township with volunteers and substitutes, and said scrip was negotiated and received upon the understanding that the debts represented by said scrip should be legalized and made valid debts of the inhabitants of the township of Chatham, in the county of Morris; and whereas, in order to supply the balance of men claimed on the thirteenth day of May, eighteen hundred and sixty-four, from said township for the military service of the United States, eight citizens of said township, namely, A. M. French, Paul Lum, Jacob S. Paulmier, C. C. Schenk, Francis S. Lathrop, Alfred M. Tredwell, Benjamin P. Lum, and Edward Holland, did

borrow and advance, to pay bounties to volunteers to fill out the then quota of said township, and they did pay out for that purpose the sum of four thousand eight hundred and six dollars and fifty cents, which last mentioned sum, the sum of one hundred and ninety-seven dollars and eighty-two cents, for interest on the sum last named to the fourth of May, eighteen hundred and sixty-five, the sum of two dollars and thirty cents for a revenue stamp put on promissory notes, and ten dollars for the use of a hall in which to hold said town meeting, in the aggregate amount to five thousand and sixteen dollars and sixty-two cents, will be due and payable on the fourth day of May, eighteen hundred and sixty-five; and whereas, the said last mentioned indebtedness was also contracted upon the understanding and assurance that it should be made legally binding upon said "The Inhabitants of the Township of Chatham, in the County of Morris," and should, with the interest thereon, be raised by taxes, therefore

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the debts represented by said scrip, amounting without interest, to thirty thousand four hundred and thirty-eight dollars, and sixty-two cents, and the said debt of five thousand and sixteen dollars and sixty-two cents be and the same are hereby legalized and made valid debts of "The Inhabitants of the Township of Chatham, in the County of Morris," to be paid as hereinafter provided, as fully and effectually as if the said inhabitants, before the thirtieth day of May, eighteen hundred and sixty-four, had had lawful authority to create said debts, in the manner in which they were created, to be paid as hereinafter provided.

2. *And be it enacted*, That the township committee of the said township of Chatham, shall have authority, and authority is hereby given to, and it shall be the duty of said committee to issue scrip or coupon bonds, whichever said committee shall deem preferable, not exceeding in the aggregate the sum of thirty-five thousand four hundred and fifty-five dollars and twenty-four cents, and interest, which shall be owing on said indebtedness on the twelfth day of April, eighteen hundred and sixty-six, which scrip or coupon bonds, shall be divided into six classes of equal amount as to principal, as nearly as possible; the principal of the first class of said certificates or coupon bonds shall be made payable and shall be paid on the first of April, eighteen hundred and sixty-six; the principal of the second class shall be payable and shall

Debt or liability made valid

May issue bonds.

be paid on the first of April, eighteen hundred and sixty-seven; the principal of the third class shall be payable and shall be paid on the first of April, eighteen hundred and sixty-eight; the principal of the fourth class shall be payable and shall be paid on the first of April, eighteen hundred and sixty-nine; the principal of the fifth class shall be payable and shall be paid on the first of April, eighteen hundred and seventy; and the principal of the sixth class shall be payable and shall be paid on the first of April, eighteen hundred and seventy-one; and the interest on the said scrip or bonds by this section authorized to be issued, shall be at the rate of six per centum per annum, and shall be payable and shall be paid on the first days of October and April, half yearly, from and after the date of said scrip or bonds respectively; the scrip or coupon bonds by this section authorized shall be numbered and shall be signed by the chairman of the township committee and by the clerk of the said township of Chatham, and the clerk of said township shall enter on the records of said township, the date, amount and time of payment of every one of said scrip or coupon bonds, so that his entries will show how many of said scrip or coupon bonds were issued, the amount of every one thereof, and the time when every one thereof is payable, and the number of every one thereof; and the said township committee may issue the scrip or bonds by this section authorized, whenever they can exchange said scrip or bonds for the scrip in the preamble to this act mentioned, or any part thereof, and if the whole of the scrip in the preamble to this act mentioned, shall not be exchanged for scrip or coupon bonds, by this section authorized to be issued, on or before the first of January, eighteen hundred and sixty six, then and in that event, after the first of January, eighteen hundred and sixty-six, and before the first of April, eighteen hundred and sixty-six, the said township committee shall issue so much of said scrip or coupon bonds as will suffice to raise the money to pay off, satisfy and discharge so much of the scrip in the preamble to this act mentioned, as shall then be outstanding and unpaid; and for that purpose may sell and dispose of the scrip by this section authorized to be issued, to the best advantage; *provided*, that none of the scrip or coupon bonds by this section authorized to be issued shall be sold for less than their par value.

Proviso.

May sell
bonds.

3. *And be it enacted*, That said township committee shall immediately after the passage of this act, sell or dispose of

so many or such of said scrip or coupon bonds of the first class as will enable them to pay off and discharge said indebtedness of five thousand and sixteen dollars and sixty-two cents, and the interest which shall be owing thereon, and shall pay the same to the person or persons entitled to receive the indebtedness herein mentioned.

4. *And be it enacted*, That the moneys required by the second and third sections of this act to be paid, shall this and every year be assessed and collected in sufficient amount to pay what every year is to be paid, by the township assessor and the township collector of said township of Chatham, in the manner following, that is to say: first, a poll tax of ten dollars on every taxable male inhabitant of said township, and after deducting the estimated result or amount of such poll tax, the balance shall be assessed and levied on the real and personal property of said township in the same manner and at the same times other township taxes are or may be by law required to be assessed and collected in said township; and this act shall be a sufficient and a full warrant and authority to assess and collect, in the manner in this section directed, what, in this and every year hereafter shall be sufficient to pay the principal and interest by the second and third sections of this act authorized or required to be paid; and all moneys by this act authorized to be paid shall be paid by the township collector of said township.

To provide by
taxation for
payment.

5. *And be it enacted*, That the township committee of Chatham township are hereby authorized and directed, when they issue and exchange scrip or coupon bonds by this act authorized to be issued for the scrip mentioned in the preamble to this act, or any part thereof, to take up, cancel and return to the signor thereof the notes, bonds or obligations pledged as collateral security for the payment or legalizing of said scrip named in the preamble to this act.

Notes or
bonds to be
cancelled.

6. *And be it enacted*, That this shall be a public act and take effect immediately.

Approved March 1, 1865.

CHAPTER CXXX.

An Act to incorporate the Ogden Iron Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That George Richards, Lyman A. Chandler, Joseph C. Chandler, William McCarty, William Firmstone, Joseph Gillingham Fell, Ario Pardee, and the survivors and survivor of them, and all such persons as may hereafter be associated with them, or the said survivors and survivor, shall be, and they are hereby constituted and declared a body politic and corporate in fact and in law, by the name of "The Ogden Iron Company," for the purpose of mining, smelting, manufacturing and vending ores, iron, steel, minerals, earth and metallic substances of every description in the most advantageous manner, in the counties of Morris and Sussex, in this state, and carrying on the business incident thereto; and that they and their successors, by that name, shall be able and capable, in law, to acquire, receive, have, hold and enjoy any lands, tenements and hereditaments within the counties of Morris and Sussex, and goods and chattles of whatever kind and quality necessary for the purpose aforesaid, and the same, or either, or any part thereof, to sell, grant, demise, alien and dispose of; and that by that name they and their successors shall have all the powers which by the laws of this state are now incident and belong to every corporation.

Amount of capital stock.

2. *And be it enacted*, That the capital stock of said company shall be five hundred thousand dollars, and shall be divided into shares of one hundred dollars each, which shall be deemed personal property, and shall be transferable in such manner as the said corporation shall by their by-laws direct; and it shall be lawful for said company, when two hundred thousand dollars capital stock shall have been subscribed and paid or satisfactorily secured to be paid, to commence their said business, and with that capital conduct and carry it on until they shall deem it expedient to extend their capital, which they are hereby authorized to do from time to time to the amount hereinbefore 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 penalty of forfeiting the shares of said stockholders and all previous payments thereon, if such payment or payments so called for and demanded shall not be made within sixty days after notice of such call and demand shall have been published for at least four weeks in one of the newspapers published in each of said counties.

3. *And be it enacted*, That the subscription of the said capital stock shall be opened in Dover, Morris county, for any time not exceeding sixty days, under the direction of the board of directors, or such of them as shall be designated by the said board for that purpose, at such times as they shall appoint.

Subscription
books to be
opened.

4. *And be it enacted*, That the stock, property and concerns of said company shall be managed and conducted by seven directors, being stockholders, one of whom shall be president and one of whom shall be treasurer, which officers shall hold their offices for one year, from the first Monday in June in every year, and that said directors shall be chosen on the last Wednesday in May in every year, at such time and place as shall be directed by the by-laws of said company, by such stockholders as shall attend for that purpose, either in person or by proxy; and public notice shall be given of the time and place of holding every such election, not less than ten days previous, in two or more newspapers printed in this state nearest the place where such election shall be made; and these elections shall be by ballot, and each stockholder shall be entitled to as many votes as he shall have shares of the capital stock of the said company, and the persons having the greatest number of votes, being stockholders, shall be directors; and if it should happen at any election for directors that two or more persons shall have an equal number of votes, in such manner that a less number than seven shall by a plurality of votes appear to be chosen as directors, then the said stockholders hereinbefore authorized to vote at such elections shall proceed to ballot a second time, and by a plurality of votes determine which of the persons having an equal number of votes shall be director or directors, so as to complete the whole number of seven; and the said directors so chosen shall elect one out of their number to be president, who shall be a resident of this state, and also another who shall be treasurer of said company, and also may appoint such and so many clerks and superintendents, and assign such compensation as they shall see fit, not less than a majority of said whole number of directors being present when

Election of di-
rectors.

- such election and appointments take place; and if it shall happen that any vacancy or vacancies occur by death, resignation or otherwise among the directors named in this act, or those hereafter to be chosen, such vacancy or vacancies shall be filled from among the stockholders by such person or persons as the directors, for the time being, or a majority of them shall appoint; and until other directors shall be chosen from the stockholders, the first directors shall be George Richards, Lyman A. Chandler, Joseph C. Chandler, William McCarty, William Firmstone, Joseph Gillingham Fell, Ario Pardee, and the survivors and survivor of them, who shall hold their offices until the first Monday in June, eighteen hundred and sixty-five, and until others are legally chosen, and said company shall keep their office at the place where their works shall be located.
- First directors
- Dividends. 5. *And be it enacted*, That no dividend shall be made to and among the stockholders except out of the profits of the said corporation.
- Not dissolved for failure to elect. 6. *And be it enacted*, That in case it shall happen at any time that an election shall not be made on the day on which, pursuant to this act, it ought to be made, the said corporation shall not for that cause be deemed to be dissolved, but it shall and may be lawful to hold such election on such other days, in the manner aforesaid, as shall be prescribed by the by-laws and ordinances of the said corporation.
- Powers of directors. 7. *And be it enacted*, That a majority of the directors, for the time being, shall form a board for the transaction of business, and shall have power to ordain, establish and put in execution such by-laws, ordinances and regulations as shall seem to them necessary and convenient for the government, management and disposition of the stock, effects, profits and concerns of the said corporation; *provided*, that the same are not contrary to the constitution and laws of the United States or of this state.
- Proviso.
- Books of account to be kept. 8. *And be it enacted*, That the directors shall at all times keep, or cause to be kept, proper books of account, in which shall be regularly entered all the transactions of the company, and which books shall be at all times open to the inspection of the stockholders; and a correct and full statement, in gross, of the affairs of said corporation shall be made to the stockholders at the annual meetings for the election of directors.
- Restrictions and liabilities. 9. *And be it enacted*, That the said corporation shall possess the general powers, and be subject to the restrictions

and liabilities contained in the act entitled, "An act concerning corporations," approved February fourteenth, eighteen hundred and forty-six, so far as the same are applicable.

10. *And be it enacted*, That this act shall continue in force Limitation. for a period of thirty years, but it shall be lawful for the legislature of this state, at any time hereafter, to alter, annul, or repeal this act, or any part thereof, whenever in their opinion the public good requires it.

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

Approved March 2, 1865.

CHAPTER CXXXI.

An Act to authorize the inhabitants of the township of Vernon, in the county of Sussex, to raise by tax money advanced to fill the quota of said township.

WHEREAS, the inhabitants of the township aforesaid did, at a Preamble. special town meeting, held on the fifteenth day of August, eighteen hundred and sixty-four, authorize the town committee to borrow the sum of sixteen thousand eight hundred dollars on the credit of the township, to pay bounties to volunteers and procure substitutes for drafted men, to exempt said township from the draft ordered to be made on the fifth of September, eighteen hundred and sixty-four, for five hundred thousand men, and did also authorize that money, to repay such sum, should be raised by a poll and property tax; therefore,

1. BE IT ENACTED Acts ratified. by the Senate and General Assembly of the State of New Jersey, That the votes and proceedings of the inhabitants of said township at said town meeting, and the acts and doings of the town committee in carrying the same into effect, be, and the same are hereby made valid and effectual in law; and the town committee are hereby authorized to assess and collect the said sum, with accruing interest and expenses, by taxation, at such time and in such amounts as the said town committee may order and direct.

2. *And be it enacted*, That the said sum shall be raised by Money to be raised by tax. a poll tax of five dollars on each taxable male inhabitant of

said township over twenty-one years of age, and the remainder by a general tax on the taxable property in said township, and shall be assessed and collected in the same manner and by the same officers as other township taxes are assessed and collected.

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

Approved March 2, 1865.

CHAPTER CXXXII.

A Further Supplement to authorize the inhabitants of the township of Freehold, in the county of Monmouth, to raise money, issue bonds, and for other purposes.

Preamble.

WHEREAS, the inhabitants of the township of Freehold, in the county of Monmouth, at a meeting held January twenty-fourth, eighteen hundred and sixty-five, resolved to raise money and issue bonds of the township sufficient to procure substitutes and volunteers to fill the quota of said township with troops, under the last call of the president, made December nineteen, eighteen hundred and sixty-four, and also to pay a bounty to men drafted under said call, in case the quota of said township cannot be otherwise filled; therefore,

To provide for
payment of in-
debtedness by
issuing bonds.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the inhabitants of the township of Freehold, in the county of Monmouth, to provide for the payment of bounties to substitutes, volunteers, and drafted men, to fill the quota of said township under the call of the President of the United States, of December nineteen, eighteen hundred and sixty-four for three hundred thousand men, by issuing bonds in the corporate name of said township, and under the hands and seals of their township committee, or of any two of said committee, and attested by their clerk, for an amount of money not to exceed the sum of thirty thousand dollars, in such sums, and payable at such time or times as their said township committee shall deem proper, and bearing interest at a rate not to exceed six per cent. per annum, payable annually, and to pledge the taxable property and credit of the said township

for the payment of the same, which bonds it shall be lawful for the said township committee of the township of Freehold, and their successors, to sell and dispose of; *provided*, that no bond shall be sold by the said township committee for less than its par value; *provided further*, that the bonds so to be issued shall be redeemable within ten years from the first day of April, Anno Domini eighteen hundred and sixty-five.

2. *And be it enacted*, That the said township committee and their successors, shall have power and authority to provide by taxation for the payment of the said bonds and the interest thereon, and shall yearly, and every year, until the bonds to be issued by the authority of this act shall be redeemed and paid off, order and cause to be assessed and collected by tax, at the time and in the manner that other taxes in the said township are assessed and collected, a sum of money sufficient to pay and discharge the interest and principal on the said bonds as the same shall become due and payable, to which purposes all such moneys so to be raised by virtue of this act shall be exclusively applied, *provided*, that not more than ten thousand dollars and not less than five thousand dollars of the principal of said bonds shall be made redeemable in any one year, and that the township collector of said township, or other person for that purpose appointed, shall, when such tax or any part thereof shall be collected, pay the same to the township committee of said township.

3. *And be it enacted*, That the committee of said township shall order and cause a poll tax of five dollars to be assessed yearly and every year, upon every male inhabitant of said township, of the age of twenty-one years and upwards, until all the bonds issued by the said township committee and their successors, by authority of any act of the legislature of this state for the payment of the war debt of said township, shall be fully paid; and that the said poll tax shall be applied to the payment of said bonds as the same may become due, and shall be assessed and collected and paid to said township committee as hereinbefore ordered, in reference to the other taxes.

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

Approved March 2, 1865.

CHAPTER CXXXIII.

An act to legalize the issuing of bonds by the township of Weymouth, in the county of Atlantic, and to provide for their payment.

Preamble.

WHEREAS, the inhabitants of the township of Weymouth, in the county of Atlantic, at a number of special town meetings, held in said township, did authorize the town committee to borrow money, to issue township bonds, and to pay the same to volunteers and substitutes under the calls of the president of the United States, some of which bonds are already issued, and others are to be issued for the same purpose; therefore,

Bonds, &c.,
made valid.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the issue of said bonds is hereby declared to be legal and valid in law against the said township of Weymouth.

Money to be
raised by tax.

2. *And be it enacted*, That it shall be lawful for the town committee of the said township of Weymouth to raise by tax the amount necessary to pay the principal and interest on said bonds, in such proportion, and at such times, as the committee may direct.

Poll tax.

3. *And be it enacted*, That it shall be lawful to raise by assessment each year a poll tax of ten dollars on each unmarried male inhabitant under the age of forty-five years and over the age of twenty-one years; and also a poll tax of six dollars on each married male inhabitant under the age of forty-five years and over the age of twenty-one years, in addition to the regular assessment under the tax law of New Jersey; *provided*, that not more than eight thousand dollars, nor less than five thousand dollars, shall be raised for the payment of said bonds in any one year.

Proviso.

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

Approved March 2, 1865.

CHAPTER CXXXIV.

A Further Act to authorize the board of chosen freeholders of the county of Monmouth to raise money, issue bonds, and for other purposes.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the board of chosen freeholders of the county of Monmouth, to provide for the payment of the indebtedness heretofore incurred by them or that may hereafter be incurred by them, in paying bounties to volunteers, or for substitutes, or to drafted men mustered into the military service of the United States under all or any of the calls of the president of the United States, by issuing bonds in the corporate name and under the corporate seal of said county, and to be signed by the director of said board of chosen freeholders, and attested by their clerk, for an amount of money not to exceed the sum of five hundred thousand dollars, in addition to the amount already authorized by an act entitled "An act to authorize the board of chosen freeholders of the county of Monmouth to raise money, issue bonds, and for other purposes," approved February seventeen, eighteen hundred and sixty-four, in such sums, and payable at such time or times as the said board of chosen freeholders shall deem proper, and bearing interest at a rate not to exceed seven per centum per annum, payable annually, and to pledge the property and credit of the said county for the payment of the same, which bonds it shall be lawful for the board of chosen freeholders and their successors to sell and dispose of; *provided*, that no bond shall be sold by the said corporation for less than its par value; *provided further*, that the bonds so to be issued shall be redeemable within twenty years from the passing of this act.

To provide for
payment of in-
debtedness by
issuing bonds.

Proviso.

2. *And be it enacted*, That the said corporation shall have power and authority to provide by taxation for the payment of the said bonds, and the interest thereon and on said indebtedness, and shall yearly and every year until the bonds to be issued by the authority thereof shall be redeemed and paid off, order and cause to be assessed and collected by tax, at the time and in the manner that other taxes in the said county are assessed and collected, a sum of money sufficient to pay the interest on the said bonds and indebtedness as the

To provide by
taxation for
payment of
principal and
interest.

same shall become due and payable, and to pay and discharge the principal at the several times it shall become due and payable; and that all such moneys so to be raised by virtue of this act shall be exclusively applied to the payment of the interest and principal of said bonds and indebtedness as the same may become due and payable; *provided* that not less than five thousand dollars, nor more than twenty-five thousand dollars of the principal of said bonds and indebtedness hereby authorized shall be made redeemable in any one year.

Proviso.

Apportionment.

3. *And be it enacted*, That the taxes authorized to be levied and collected by this act, shall be apportioned among the several townships in said county, in the ratio of the number of men each township was or may be required to furnish under the several calls therefor, but in case any township shall not be relieved from a draft for its proportion of men under said calls, and a draft shall take place for the deficiency, then such township shall be assessed only in proportion to the number of men raised under said calls.

How moneys appropriated.

4. *And be it enacted*, That it shall be the duty of the said corporation to apply the proceeds of the bonds that may be issued by virtue of this act to the payment and satisfaction of the debt and liabilities incurred in paying bounties to volunteers or for substitutes, or to drafted men, as aforesaid.

Debts and liabilities ratified

5. *And be it enacted*, That the debt and liabilities incurred by said corporation under any of the calls in consequence of the payment of bounties to volunteers, or for substitutes, or to drafted men, and the action of the said corporation thereupon be and the same are hereby legalized, ratified and confirmed.

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

Approved March 2, 1865.

CHAPTER CXXXV.

An Act to authorize the inhabitants of the township of Bedminster, in the county of Somerset, to raise money by issuing bonds, and for other purposes.

Preamble.

WHEREAS, the inhabitants of the township of Bedminster, in

the county of Somerset, did assemble and organize themselves into a special town meeting, on the seventh day of January, Anno Domini eighteen hundred and sixty-five, in pursuance of public notice given throughout said township, according to law; and whereas, it was, at said meeting, among other things resolved, that the town committee be authorized to pay to each enrolled person who has, or may hereafter procure a substitute, under the call of the United States government, of December nineteenth, eighteen hundred and sixty-four, for three hundred thousand men to serve in the armies of the United States, the sum of six hundred dollars each to such substitute for three years, five hundred dollars each for two years, and four hundred dollars each for one year; and to any person, whether a volunteer or drafted man, who shall enter the service of the United States under such call, and who shall be credited to the township of Bedminster for the same terms, the like sums; and to any person not enrolled in said township, but who shall enter the service to the credit of said township, the sum of five hundred dollars; and whereas, the said inhabitants at said meeting, did further resolve, that the said town committee be authorized, in order to make the payments before provided for, to issue bonds in such amounts as they may deem advisable, payable in five years or less, from the date of the issue of such bonds, at the option of the committee, at a rate of interest not to exceed six per cent. per annum, the proceeds of such bonds to be applied to the payment of said bounties; and it being desirable that the action of said town meeting should be ratified, and the bonds issued, therefore,

1. BE IT ENACTED *by the Senate and General Assembly of* Acts legalized
the State of New Jersey, That the action of the said town meeting of the inhabitants of the township of Bedminster, in the county of Somerset, be and the same is hereby in all things ratified and confirmed.

2. *And be it enacted,* That it shall be lawful for the township committee of the township of Bedminster, in the county of Somerset, to provide for the payment of the said bounties mentioned in the preamble to this act, by issuing bonds in the name of the inhabitants of the township of Bedminster, in the county of Somerset, under the respective hands and seals of the township committee or of any two of them, for an amount not to exceed the sum necessary to pay to each volunteer and each substitute the respective amounts mentioned in the

To provide for
 payment of in-
 dentedness by
 issuing bonds.

preamble to this act, who shall be credited to said township of Bedminster, under the call of December nineteenth, eighteen hundred and sixty-four, for three hundred thousand men, shall be filled, and that said bonds shall be issued in such sums, and payable at such times, not to exceed five years from the date of the same, as the said township committee shall deem proper, bearing interest at a rate not to exceed six per cent. per annum, payable annually on the first day of April of each year, and to pledge the property and credit of said township for the payment of the same; which bonds it shall be lawful for the said township committee and their successors to sell and assign; *provided*, that such bonds shall not be sold for less than their par value.

Proviso.

To provide by taxation for payment of bonds and interest.

3. *And be it enacted*, That the township committee of the township of Bedminster, shall have power and authority to provide by taxation for the payment of said bonds and the interest thereon; and shall yearly and every year, until the bonds to be issued by the authority hereof shall be redeemed and paid off, order and cause to be assessed and collected by tax, at the time and in the manner that other taxes in said township are assessed and collected, in addition to the ordinary taxes of said township, a sum of money sufficient to pay the interest on said bonds as the same shall become due and payable; and to provide for the payment of the principal of said bonds when the same shall become due and payable; and for that purpose, the said committee are hereby authorized and empowered to provide a sinking fund if they shall deem it advisable to do so, and for that purpose they may raise by taxation, as before provided for, and in the manner above specified, such sum of money each year as they shall deem advisable, which money shall be by them appropriated to the payment of the principal of said bonds; and that the township collector of said township, or other person for that purpose appointed, shall, when such tax or any part thereof shall be collected, pay the same to the township committee of said township; and all such moneys so raised by virtue of this act shall be inviolably applied by said township committee to pay the interest and principal of said bonds as the same shall become due and payable; and in case no provision is made for a sinking fund, as before provided for, with which to pay the principal of said bonds, then the said committee shall cause to be raised by taxation, as before directed, a sum sufficient to pay the principal of said bonds, when the same shall become due; such tax to be assessed,

levied, and collected in time to meet the payment of said bonds when the same shall become due and payable.

4. *And be it enacted*, That it shall be the duty of the said township committee to apply the net proceeds of the bonds that may be issued by virtue of this act, to the payment of said bounties. Proceeds, how applied.

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

Approved March 2, 1865.

CHAPTER CXXXVI.

An Act to legalize certain acts of the inhabitants of the township of Wall, in the county of Monmouth, and also of the assessor, collector, and township committee of said township.

WHEREAS, at a special town meeting of the inhabitants of the township of Wall, in the county of Monmouth, held on the third day of August, Anno Domini eighteen hundred and sixty-four, it was resolved, that for the purpose of avoiding a draft, the township committee be authorized to borrow money, to issue township bonds, and to pay the same to volunteers, and to such persons as might procure substitutes, under the late call of the president; and that such bounty and substitute money, be raised by special war tax of thirty dollars on all men liable to a draft, and the amount not realized from such special war tax should be assessed and collected as other moneys for township purposes are assessed and collected; and whereas, at another town meeting of said inhabitants of the township of Wall, held on the sixth day of January, Anno Domini eighteen hundred and sixty-five, it was resolved, that the sum of two hundred dollars, in addition to the county bounty, should be given to every man who should volunteer, be drafted, or provide a substitute for one year, and that for the purpose of defraying the expenses of said township thus incurred, a special war tax of ten dollars should be levied on every male tax payer in the township, except such persons as have served one year or more in the army Preamble.

of the United States, or having enlisted for that length of time, have been honorably discharged from service, and the amount not realized from such special war tax shall be assessed and collected as other moneys for township purposes are assessed and collected; therefore,

Acts legalized

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the doings and proceedings of the said several town meetings, and the acts of the township committee, assessor and collector, in voting, assessing and collecting said taxes for said bounties, be and the same are hereby ratified, confirmed, and in all respects made valid and binding upon the inhabitants of said township.

When tax to be assessed and collected.

2. *And be it enacted*, That the said taxes shall be assessed and collected in one, two or three years, as the inhabitants of said township shall direct, in like manner, for the like fees, and under the same penalties as the other taxes of said township are now assessed and collected.

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

Approved March 2, 1865.

CHAPTER CXXXVII.

An Act to legalize certain acts of the township committee and inhabitants of the township of West Windsor, in the county of Mercer, in raising money by taxation to pay bounties.

Preamble.

WHEREAS, the inhabitants of the township of West Windsor, convened in special town meeting, at Dutch Neck, in said township, on the ninth day of August last, did empower the township committee of said township to raise a sum of money not exceeding seventeen thousand dollars, for the purpose of filling the quota under the then existing call for five hundred thousand men, by taxation, by assessing a poll tax of fifteen dollars upon all persons liable to draft within the said township, and the remainder of said sum to be assessed upon the real and personal property of the tax payers of the said township; and whereas, the inhabitants of the said township convened in special town meeting, at

Dutch Neck aforesaid, on the twenty-first day of January last, did empower the said township committee to cause to be assessed and collected, a sufficient sum for the purpose of filling the quota of said township, under the existing call for three hundred thousand men, by assessing a poll tax of fifteen dollars upon each person in said township liable to a draft, and the sum of ten dollars on each voter in said township not liable to the draft, and by assessing the remainder of such sum from the duplicate of the assessor of said township for the year eighteen hundred and sixty-four, upon the real and personal property of the tax payers of said township; and whereas, the sums aforesaid were so assessed in accordance with the above direction, and partly collected, but doubts having arisen as to the legality of the said acts of the township committee and inhabitants of the said township, a portion of the said taxes remain unpaid; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the acts of the township committee of the township of West Windsor, mentioned in the preamble of this act, are hereby confirmed, and shall be holden valid in all the courts of this state. Acts legalized.

2. *And be it enacted*, That the commissioners of appeal of said township shall assemble at their usual place of meeting in said township, on the fifteenth day from the date of the passage of this act, unless the fifteenth shall occur upon Sunday, then upon the sixteenth day at two o'clock, p. m., to hear appeals from the assessment of the sums aforesaid. Appeals.

3. *And be it enacted*, That the collector of said township, or any other person or persons appointed by the township committee shall notify each delinquent payer, as assessed by order of either special town meetings aforesaid, of the time and place of the meeting of the commissioners of appeal, by serving such notice upon each delinquent tax payer, in person, or by leaving it at his or her usual place of residence, and at the same time and in the same manner demand payment of the said tax on or before the twenty-fifth day from the date of the passage of this act. Notice to be given to delinquents.

4. *And be it enacted*, That in case of the non-payment of the said taxes at the time so appointed and limited, the collector of the said township shall make out a list of such delinquents with the sums due from them respectively, thereto annexed, and deliver the same to some justice of the peace of the county on or before the thirtieth day from the date of Delinquent taxes, how collected.

the passage of this act, who shall proceed in the same manner as in other cases of taxation according to the law of this State.

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

Approved March 2, 1865.

CHAPTER CXXXVIII.

An Act to authorize the township of Pittsgrove, in the county of Salem, to raise money by taxation, to liquidate liabilities for the payment of bounties to volunteers.

Preamble.

WHEREAS, the township of Pittsgrove, in the county of Salem, has incurred liabilities for the payment of bounties to volunteers, under the calls made therefor by the president of the United States, during the year eighteen hundred and sixty-four, on the faith of said township, and requests that the action of the township in the premises may be sanctioned and legalized by this legislature.

Acts and do-
ings legalized.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any debt or liability incurred under the authority of the township committee or inhabitants of said township, and any bond, note, or other security or evidence of indebtedness that has been given, or may hereafter be given, to secure the payment of liabilities incurred, or that may be incurred, for the payment of bounties to volunteers under said calls, and including liabilities for bounties to recruits in lieu of the draft ordered by the president of the United States, to be made on the fifteenth day of February, one thousand eight hundred and sixty-five, shall be as valid and effectual as if the contracting of such debt or liability, or the making of such bond, note, security or evidence of indebtedness, had been expressly authorized by law prior to the making of such contract or security, or the contracting of such debt or liability.

To provide for
payment by
taxation.

2. *And be it enacted*, That it shall be lawful to raise by assessment on the taxable property of said township, at the same time and in the same manner that other taxes are assessed and collected therein, and may impose a poll tax not

exceeding ten dollars upon each and every male citizen of said township not exempt from draft by reason of having rendered military service in the army or navy of the United States, money to pay said debts or liabilities, and the interest thereon, in such proportion of said debts and liabilities, from year to year, as the township committee of said township may direct, until said debts and liabilities shall be redeemed and paid; and the collector of the said township shall have full power and authority to collect the sums so assessed, in the manner now prescribed by the acts relative to the collection of taxes, and shall be liable for neglect of duty, in respect to said tax, as he is by law for neglect of duty in respect to other taxes.

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

Approved March 2, 1865.

CHAPTER CXXXIX.

An Act to legalize the issuing of bonds by the township of Greenwich, in the county of Warren, and to provide for the payment thereof.

WHEREAS, the inhabitants of the township of Greenwich, in Preamble. the county of Warren, at a number of special town meetings held in said township, did authorize the town committee to borrow money to issue township bonds, and to pay the same to volunteers and substitutes under the calls of the president of the United States, some of which bonds are already issued, and others are to be issued for the same purpose; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of* Acts ratified. *the State of New Jersey*, That the issue of said bonds is hereby declared to be legal and valid in law against the said township of Greenwich.

2. *And be it enacted*, That it shall be lawful for the town Money to be raised by tax. committee of the said township of Greenwich, to raise by tax the amount necessary to pay the principal and interest on said bonds, the tax to be assessed upon the real estate, personal property, and legal poll tax of the township and col-

lected in such annual installments, not less than three, as the committee may direct.

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

Approved March 2, 1865.

CHAPTER CXL.

An Act to authorize the inhabitants of the road districts, in the township of New Hanover, in the county of Burlington, to elect their overseers.

When to meet
and how to
elect.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the inhabitants of the several road districts in the township of New Hanover, in the county of Burlington, shall elect their respective overseer or overseers of the road, voting viva voce on the Saturday following the annual town meeting in said township, at two o'clock in the afternoon of said day, at places in each road district to be designated by the town clerk of said township, by notice in writing, set up at the place where said annual town meeting is held, by ten o'clock in the forenoon of the day of such annual town meeting.

Repealer.

2. *And be it enacted*, That all acts or parts of acts inconsistent with this act are hereby repealed, and that this act shall take effect immediately.

Approved March 2, 1865.

CHAPTER CXLI.

An Act in regard to the township of Upper Pittsgrove, in the county of Salem, raising money for volunteers for the war.

Preamble.

WHEREAS, the township of Upper Pittsgrove, in the county of Salem, has incurred liabilities to the amount of eight

thousand five hundred dollars, for the payment of bounties to volunteers, under the calls made during the year eighteen hundred and sixty-four, relying upon the good faith of the township, represented at public meeting, and are now desirous that the doings in the premises be legalized; and whereas, the said township proposes to raise money for other calls, therefore,

1. BE IT ENACTED *by the Senate and General Assembly of* Acts legalized.
the State of New Jersey, That the acts and doings of the township committee of the said township, in the year eighteen hundred and sixty-four, in assessing, levying and collecting a per capita tax and a property tax upon the citizens and property of said township, amounting in all to six thousand seven hundred and eighty dollars, for the purpose of paying bounties to volunteers, are hereby made valid in all respects, and binding upon the inhabitants and taxable property of said township.

2. *And be it enacted,* That the township committee of the said township be, and they are hereby authorized and empowered to order and impose a per capita tax, or a property tax, upon the citizens or taxable property of the said township, either, or both, as the said township committee may deem requisite and proper; to raise funds for the use of the township, for the payment of bounties to volunteers, and for other necessary purposes, and the assessor of the said township is hereby authorized and required, for the same fees, and under the same penalty for neglect of duty, in respect to other taxes, to assess the same, as ordered by the said township committee; *provided,* that the sum to be raised in any one year, shall not Money to be raised by tax. exceed the sum of fifteen thousand dollars; *and provided also,* that no tax in any one year shall be ordered or imposed by the said township committee until first authorized by a public meeting of the citizens of said township, who shall determine and fix at the said meeting the amount to be raised, and in no case shall this fixed amount be exceeded by the said township committee; and notice of the said public meeting shall be put up by the said township committee, in three or more public places in the said township, at least eight days prior to the time of holding said meeting. Proviso.

3. *And be it enacted,* That the tax imposed as aforesaid shall be assessed and payable within sixty days from the time of assessment, subject to all the conditions and penalties upon default in payment as attends the default in payment of state and county taxes, and the collector of the said township shall When to be assessed and collected.

have full power and authority to collect the sum so assessed; and within two days after the expiration of the said sixty days, the said collector shall make out a list of the names of the delinquents, and the sums due from them respectively, and deliver the same to some justice of the peace, which said justice shall then proceed under the eighteenth section of "An act concerning taxes," and the said collector and justice shall be liable for neglect of duty in respect to said tax as collectors and justices are now by law for the neglect of duty in respect to other taxes.

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

Approved March 2, 1865.

CHAPTER CXLII.

An Act to authorize the township of Matavan, in the county of Monmouth, to raise by taxation the amount of money heretofore paid by them to procure volunteers from said township, and also a sum sufficient to procure volunteers under the last call of the government.

Enactable.

WHEREAS, the inhabitants of the township of Matavan, in the county of Monmouth, being desirous that the call of the government for troops, to be supplied by said township, to aid in suppressing the present rebellion, should be filled by volunteers rather than by drafted men, did call a special town meeting for that purpose, by a resolution of the township committee, due notice being given, on the eighth day of January, Anno Domini one thousand eight hundred and sixty-five, and the said meeting did, by a majority of the votes then polled, authorize the said township committee to appropriate the sum of two hundred dollars to each volunteer from said township, or person procuring a substitute who shall volunteer to fill the quota of said township; also to raise money by issuing bonds; and whereas, it is necessary that a law should be passed by the legislature to legalize said acts; therefore,

May issue
bonds.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the town-

ship committee of the township of Matavan, in the county of Monmouth, to provide for the payment of the moneys heretofore expended, or hereafter to be expended for the purpose of raising volunteers in the manner directed by said meeting of the inhabitants of said township, by issuing bonds in the name of "The inhabitants of the township of Matavan, in the county of Monmouth," under the respective hands and seals of the township committee of said township or any three of them, in such sums and payable at such time or times as the said township committee shall deem proper, bearing interest at a rate not exceeding seven per centum per annum, payable annually, and to pledge the property and credit of said township for the payment of the same, which bonds it shall be lawful for said township committee to sell and assign; *provided*, that no bond shall be sold by said township committee for less than its par value; *and provided further*, that all the bonds so to be issued shall be redeemable at a period of time not to exceed ten years from the date thereof.

Proviso.

2. *And be it enacted*, That the said township committee shall have power and authority to provide by taxation for the payment of said bonds and the interest thereon; and the said township committee shall yearly and every year, until all the bonds issued by authority hereof shall be redeemed and paid off, order and cause to be assessed and collected by tax, at the time and in the manner other taxes in said township are assessed and collected, a sufficient sum of money to pay the interest on the said bonds as the same shall become due, and to pay and discharge the principal at the several times it shall become due and payable, according to the tenor of the said bonds; and that the township collector of said township, or other persons for that purpose appointed, shall, when such tax or any part thereof shall be collected, pay the same to the township committee of said township; and that all such moneys so to be raised by virtue of this act, shall be inviolably applied by said township committee to pay the interest and principal of said bonds, as the same shall become due and payable.

To provide for payment of bonds by tax.

3. *And be it enacted*, That it shall be the duty of the said township committee to apply the net proceeds of the bonds that may be issued by virtue of this act, to the payment and satisfaction of the liabilities already incurred in said township of Matavan, and which shall hereafter be incurred in procuring volunteers, by the payment of the sum of two hundred dollars bounty to volunteers, as hereinbefore mentioned, and

How appropriated.

Proviso.

to no other purpose; *provided* that no moneys shall be paid by said township committee to volunteers under any subsequent call of the government for men, unless by future legislative sanction.

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

Approved March 2, 1865.

CHAPTER CXLIII.

An Act to authorize the inhabitants of the township of Mansfield, in the county of Warren, to issue bonds and raise money for the payment of bounties.

Preamble.

WHEREAS, the township committee of said township did resolve to pay the sum of six hundred dollars to each person procuring a substitute for three years, and a certain sum for volunteers credited to said township, or to any person serving himself, to fill the call of December nineteenth, eighteen hundred and sixty-four, by issuing township bonds therefor, according to the unanimous vote at a town meeting held for that purpose; therefore,

Acts legalized

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the aforesaid acts of the said committee are hereby legalized, and the issuing of said bonds is hereby declared to be legal and valid in law against the said township for the aforesaid purposes, and the said committee may provide for the payment of said bonds and the interest thereon by taxation, and that the money necessary to pay the said bonds and the interest thereon, shall be assessed, levied and collected, at the same time and in the same manner as state and county taxes are assessed, levied and collected in the said township.

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

Approved March 2, 1865.

CHAPTER CXLIV.

An Act to authorize the inhabitants of the township of Manchester, in the county of Passaic, to raise money by issuing bonds.

WHEREAS, the said township, in consequence of the payment Preamble. of bounties that the calls of the government for troops might be filled without a draft, has become indebted, and which indebtedness will probably be considerably increased by continuing the payment thereof to fill the present and future calls for troops; and whereas, it is necessary that provision be made for the payment of such indebtedness, therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the township committee of the township of Manchester, in the county of Passaic, to provide for the payment of the said indebtedness and such further indebtedness as may be incurred for the purpose above stated, by issuing bonds in the name of "The inhabitants of the township of Manchester, in the county of Passaic," under the respective hands and seals of the said township committee, or any three of them, for an amount of money not exceeding thirty thousand dollars, in such sums and payable at such times as the said township committee shall deem proper, bearing interest at a rate not exceeding seven per centum per annum, payable annually, and to pledge the property and credit of the said township for the payment of the same; which bonds it shall be lawful for the said township committee, and their successors, to sell and assign; *provided*, that no bond shall be sold by the said township committee for less than its par value. May issue bonds. Proviso.

2. *And be it enacted*, That the township committee of the said township shall have power and authority to provide for the payment of the said bonds and the interest thereon, by taxation; and that the said township committee shall yearly and every year, until the bonds to be issued by authority hereof shall be redeemed and paid off, order and cause to be assessed and collected by tax, at the time and in the manner that other taxes in the said township are assessed and collected, a sum of money sufficient to pay the interest on the said bonds as the same shall become due and payable; and To provide for payment of indebtedness by taxation.

to pay and discharge the principal at the several times it shall become due and payable; and that the township collector of the said township, or other person for that purpose appointed, shall, when such tax, or any part thereof shall be collected, pay the same to the township committee of said township; and that all such money so to be raised by virtue of this act, shall be inviolably applied by said township committee to pay the interest and principal of said bonds as the same shall become due and payable.

Acts legalized.

3. *And be it enacted*, That the debt and liabilities incurred or which may be incurred, in the said township, in consequence of the payment of bounties to volunteers, as mentioned in the preamble hereto, are hereby authorized, ratified, and confirmed.

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

Approved March 2, 1865.

CHAPTER CXLV.

An Act to authorize the inhabitants of the township of Sparta, in the county of Sussex, to raise money by tax, expended for procuring substitutes, and paid as commutation money, by reason of the draft that was enforced upon the said township in June and October last.

Preamble.

WHEREAS, the inhabitants of the township of Sparta, in the county of Sussex, at a special town meeting held on the sixth day of August, eighteen hundred and sixty-four, did authorize the sum of four hundred dollars to be paid to each person that would volunteer, or that should be drafted and enter the service, or procure a substitute, to fill the quota of the township on the call of the president for five hundred thousand men; and also the sum of three hundred dollars, to be paid to each person that had paid commutation money, or furnished a substitute on account of the draft that was enforced upon the township in June last, and that the said sum be repaid by taxation on the taxable inhabitants, by a poll tax of five dollars, and the balance to be raised on the taxable property of the said inhabitants;

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the inhabitants of the township of Sparta be, and they are hereby authorized to raise, by an assessment and a poll tax of five dollars on each male taxable inhabitant of said township, and by an assessment and tax on the taxable property in said township, for the purpose specified in the preamble to this act, and with the interest which has and may accrue thereon. Money to be raised by tax.

2. *And be it enacted*, That the said assessment shall be made, levied and collected at the next annual assessment of said township, by the same persons, in the manner that other township taxes are levied and collected, and when collected it shall be the duty of the said collector to pay to the person or persons who may have advanced or paid the said money, or their legal representatives, upon their producing proper evidence thereof, the sum so advanced or paid by them respectively, with the interest that may be due thereon. Assessment and collection of taxes.

3. *And be it enacted*, That if, by reason of lost money or other cause, the whole amount should not be collected upon the first assessment, that it shall and may be lawful to assess, collect and pay the balance the next year; *provided*, that no poll tax shall be assessed, only on the first assessment. When balance to be collected Proviso.

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

Approved March 2, 1865.

CHAPTER CXLVI.

An Act to confirm certain acts of the inhabitants of the township of Franklin, in the county of Hunterdon, and to authorize the raising of money to procure volunteers and substitutes.

WHEREAS, at a special town meeting, held by the inhabitants of the township of Franklin, in the county of Hunterdon, on the seventeenth day of January, in the year eighteen hundred and sixty-five, after due and legal notice, the town committee of said township was, by the said inhabitants, authorized and required to raise such sum or sums of money, on the faith and credit of the township, as would be suffi- Preamble.

cient to pay to each person liable to a draft in said township, furnishing for the military service of the United States, an acceptable substitute, and shall have said substitute credited to said township for the term of three years, the sum of seven hundred dollars, one half payable in cash, and the balance to be secured by bond, payable on the first day of April, eighteen hundred and sixty-seven, with interest, and to each man who shall furnish such substitute for the term of two years, five hundred dollars, payable in like manner, and to each man who shall volunteer, or furnish a substitute, as aforesaid, for one year, or, being drafted from said township, shall enter the said service, the sum of four hundred dollars payable in like manner; and whereas, the said town committee was authorized to raise the amount of money required for the purposes aforesaid by issuing their bonds, and by taxation upon the persons and property in said township, therefore,

Amount to be paid to those who furnish substitutes.

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That the said town committee of the said township of Franklin, in the county of Hunterdon, be, and they are hereby authorized and required to pay to each man who may have furnished, or who shall furnish, under the last order of the president for men to enter the military service of the United States, an acceptable substitute, and shall have such substitute credited to the said township for the term of three years, the sum of seven hundred dollars, one-half thereof in cash, and one-half on the first day of April, eighteen hundred and sixty-seven, to be secured by a bond given by any three of said committee under their hands and seals, in the name of "The inhabitants of the township of Franklin, in the county of Hunterdon," with interest, and to each man who may have furnished, or shall furnish such substitute under said order, for the term of two years, the sum of five hundred dollars, payable in like manner, and to each man who may have volunteered, or who shall volunteer, or who may have furnished, or who shall furnish such substitute for one year, or who, being drafted from said township, shall enter said service for one year, the sum of four hundred dollars, payable in like manner.

May issue bonds.

2. And be it enacted, That the said town committee, or any three of them, are hereby authorized and required to issue bonds, under their hands and seals, in the name of "The inhabitants of the township of Franklin, in the county of Hunterdon," payable in one, two or three years, at the discretion

of said committee, and to borrow thereon such sum or sums of money as shall be sufficient to pay to all those who may have furnished, or who shall furnish substitutes, as aforesaid, and to all those who may have volunteered, or shall volunteer, as aforesaid, and to all those who shall be drafted and enter the service, as aforesaid, the respective amounts above specified, and to pay the same to them accordingly; and that every such bond shall be a legal and subsisting lien upon all the real and personal property in said township, upon which an action of debt will lie against the inhabitants of said township, at the suit of any bona fide holder thereof, at any time after any of the bonds issued by virtue of this act shall become due.

3. *And be it enacted*, That the said town committee are hereby authorized and required to order and direct the assessor of said township to assess, and it is hereby made the duty of the said assessor to assess, and of the collector of taxes in and for said township to collect, from time to time, in the same manner, and by like remedies and proceedings against delinquents, as in other cases of taxation, such sum or sums of money as may be necessary to pay off and discharge all and every of the said bonds given by virtue of any of the provisions of this act, as the same shall become due; which said sums, when collected, shall be paid into the hands of the town committee of said township, to be appropriated to the purposes aforesaid, and to none other.

Taxes to be assessed and collected.

4. *And be it enacted*, That it shall be lawful, and it is hereby made the duty of the assessor of said township to assess upon, and of the said collector to collect of, every male citizen of said township between the ages of twenty and forty-five, at the next annual assessment, the sum of thirty-five dollars, with like remedies for the collection thereof as in other cases of taxation; to be paid, when collected, into the hands of said committee, to be by them appropriated towards the payment of said bounties, and to no other purpose; *provided however*, the said collector shall allow to each of said citizens whatever proportion of the said thirty-five dollars he may have paid under any previous call for men.

Money to be raised by tax.

Proviso.

5. *And be it enacted*, That it shall be lawful for the town committee of said township to appropriate the surplus revenue of said township towards the payments of the aforesaid bounties, and to increase the amount of money to be raised by taxation each year, enough to equal the interest on the said revenue, and to appropriate the same to the education of

Surplus revenue.

all the children in said township between the ages of five and eighteen.

Acts ratified. 6. *And be it enacted*, That all the actions and doings of the inhabitants of said township, at the time aforesaid, are hereby approved and confirmed.

Repealer. 7. *And be it enacted*, That all acts and parts of acts inconsistent with the provisions of this act, are hereby repealed.

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

Approved March 3, 1865.

CHAPTER CXLVII.

An Act to authorize James F. Vandoren to contract with the Morris Canal and Banking Company for the use of certain feed waters.

May contract
for water
power.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That James F. Vandoren, of the township of Washington, in the county of Warren, be, and he is hereby authorized to contract with the Morris Canal and Banking Company for the use to him and his heirs and assigns for a portion of the feed waters of the Morris Canal, along plane No. 7 of the western division of said canal, in said township of Washington, to supply his flour mill near said plane for such time, term, and condition as may be agreed upon in writing by said parties.

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

Approved, March 7, 1865.

CHAPTER CXLVIII.

An Act to authorize the inhabitants of the township of Morris, in the county of Morris, to pay bounties for war purposes.

WHEREAS, the inhabitants of the township of Morris, in the county of Morris, at a special town meeting convened at Morristown, on the nineteenth day of January, Anno Domini eighteen hundred and sixty-five, pursuant to notice by the township committee of said township, did authorize and direct the said township committee to raise such a sum of money as may be necessary to procure men to fill the quota of said township under the call made by the president of the United States on the nineteenth day of December, Anno Domini eighteen hundred and sixty-four, for three hundred thousand men, and did also direct the said township committee to apply to the legislature of the state of New Jersey, for power and authority to issue bonds upon the credit of the said township, in amount sufficient to procure men to fill the quota under the call aforesaid; therefore,

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That the township committee of the township of Morris, in the county of Morris, be and the same are hereby empowered and authorized to issue bonds (not exceeding in the whole the amount of fifty-five thousand dollars) upon the credit of the said township, payable at such time or times as the said township committee may determine, bearing interest at the rate of six per cent. per annum, signed and sealed by the chairman of the said township committee, and attested by the clerk of the said township, which said bonds it shall be lawful for the said township committee to sell, *provided*, that no bond shall be sold for a less sum than the par value thereof, to a sufficient amount to pay each and every volunteer or drafted person, who shall be mustered into the military or naval service of the United States, or to such person who may have furnished, or who shall furnish an accepted substitute, such an amount of bounty as the said township committee shall deem proper, *provided*, that such volunteer, drafted person, or substitute shall be accredited to the quota of the said township of

Preamble.

May issue bonds.

Proviso.

Proviso.

Morris; and the said township committee are further authorized and empowered to raise in manner aforesaid, such additional sum of money as may be necessary to pay the interest which shall become due upon said bonds, and to defray such expenses as may be necessary to fill the said quota.

Payment of
principal and
interest by tax

2. *And be it enacted,* That for the purpose of providing for the payment of said bonds and interest thereon, it shall be lawful for the said township committee to cause to be assessed and collected annually, a poll tax of five dollars upon every white male inhabitant of said township, the balance to be levied and collected by an ad valorem tax on all the taxable property of the said township.

When to be
assessed and
collected.

3. *And be it enacted,* That the said tax shall be assessed and collected by the same officers, at the same time and in the same manner (subject to the provisions contained in the second section of this act) as other taxes are assessed and collected in said township.

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

Approved March 7, 1865.

CHAPTER CXLIX.

An Act to authorize the inhabitants of the township of Union, in the county of Ocean, to raise money by issuing bonds and for other purposes.

Preamble.

WHEREAS, the inhabitants of the township of Union, in the county of Ocean, did, at a special town meeting held in said township on the seventh day of October, eighteen hundred and sixty-four, vote that certain payments should be made to men drafted under the first call of the president, who had enlisted in the armies of the United States, or who had procured substitutes to serve in their places, and that another sum should be paid to those persons who had procured substitutes between the first and second draft, and that another sum should be paid to each drafted man or man who had furnished a substitute under the call last preceding said town meeting, and another sum to each drafted man who

had paid exemption money, and that the moneys necessary to meet such payments be raised by tax assessed and levied upon the inhabitants of the said township in the same manner that other township taxes are raised; and whereas, at another special town meeting held on the fourteenth day of January, eighteen hundred and sixty-five, it was resolved that any person in said township furnishing a substitute before the draft under the now present call, should receive a certain sum of money, and that any one who is drafted and enters the army or furnishes a substitute should receive another amount, and that the moneys for such purpose be raised by taxation as other moneys for township purposes are raised, and that the bounties and payments authorized by said meeting should be for all subsequent drafts; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of* Acts legalized
the State of New Jersey, That the votes and resolutions of the said town meetings and the acts and proceedings heretofore had and done and hereafter to be done in conformity therewith be, and the same are hereby made valid and effectual in law; and that it shall be lawful for the township committee of said township to issue bonds in the name of "The inhabitants of the township of Union, in the county of Ocean," under the respective hands and seals of said township committee, or a majority of them, for the moneys necessary to effectuate the purposes of said votes and resolutions, in such sums and payable at such time or times as said township committee shall deem proper, bearing legal interest payable annually, and to pledge the property and credit of the township for the payment of the same, which bonds it shall be lawful for said township committee to sell and assign.

2. *And be it enacted,* That for the purpose of providing Money to be raised by tax.
for the payment of the said bonds and the interest thereon, it shall be lawful to assess and collect in each year until the whole is discharged, the amounts necessary upon the inhabitants of said township in the same manner as other township taxes are assessed and collected; *provided,* that such amount Proviso.
of the principal of said bonds as the township committee shall determine, shall be made redeemable yearly, not exceeding five thousand dollars in any one year; *and provided further,* Proviso.
that the inhabitants of said township may at any annual town meeting, if they so determine, order a poll tax not exceeding five dollars upon each man, excepting therefrom soldiers who are exempt by reason of service in the army of the United

States, to be assessed, collected, and devoted to the payment of said bonds.

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

Approved March 7, 1865.

CHAPTER CL.

An Act to authorize the inhabitants of the respective townships in the county of Burlington, to borrow or raise, by issuing bonds or by taxation, a sufficient amount of money to pay bounties to volunteers, drafted men, or substitutes.

Township committee may assess and raise by taxation.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the township committee or the inhabitants of the respective townships in the county of Burlington, and they are hereby authorized and empowered to borrow or cause to be raised, by issuing bonds or by taxation, an amount of money which has been or may be paid to encourage enlistments of volunteers, and to pay drafted men or substitutes in said townships, under the calls of the president of the United States for troops to assist in putting down the rebellion against the constitution and laws of the United States, the said amount so raised to be applied exclusively to the liquidation of indebtedness incurred or that may be incurred by the payment of said bounties.

Acts confirmed.

2. *And be it enacted*, That the debt and liabilities which have been or may be incurred by said townships in consequence of the payment of bounties to volunteers, drafted men or substitutes for said townships, and the action of the said townships thereon, is hereby ratified and confirmed.

Poll tax.

3. *And be it enacted*, That it shall and may be lawful for the inhabitants of the said townships at any town meetings held or to be held, by a majority of those present, to fix or increase their poll tax to any amount which may then be determined upon, and any action heretofore had by any township is hereby ratified and confirmed; *provided*, that in the township of New Hanover said poll tax shall be fixed at ten dollars.

Proviso.

4. *And be it enacted*, That said taxes shall be assessed ^{when to be assessed and collected.} and collected under like fines and penalties as all other taxes, and any person liable to the draft and tax, who fails to pay the taxes assessed under this act, shall not be benefitted by the provisions of the same.

5. *And be it enacted*, That this shall be deemed a public act, and shall take effect immediately.

Approved March 7, 1865.

CHAPTER CLI.

An Act to authorize the board of chosen freeholders of Middlesex county to issue bonds and to provide for the payment of the same by taxation, and for other purposes.

WHEREAS, the board of chosen freeholders of the county of Middlesex, have incurred and assumed a large debt and liability for the payment of bounties under the call of the president, of July eighteenth, eighteen hundred and sixty-four, and of the present call of December nineteenth, eighteen hundred and sixty-four, and for a small deficiency remaining unpaid under former calls, and amounting as near as can be ascertained to seven hundred and twenty-five thousand dollars, and for part of which said debt said board has given its notes; and whereas, the said board, in order that the payment of said debt and liability may fall more easily and equitably on the inhabitants and property of the said county, is desirous that they may have power and authority to issue and sell bonds to the amount thereof, and has directed that application be made to the legislature of the state for a special act authorizing said board to issue and sell their bonds to the amount of said debt and liability, and to levy and raise by tax the money necessary to meet the same, and the interest, and affirming the action of the said corporation; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the board of chosen freeholders of the county of Middlesex may provide for the payment of the said debt and liability, by issuing their bonds in the corporate name and under their common seal to an amount not

^{To provide for payment of indebtedness by issuing bonds.}

exceeding seven hundred and fifty thousand dollars, to be signed by the director of said corporation, and attested and countersigned as said corporation shall direct, and to be in such general form, and either coupon or registered bonds, or both, and in such denominations and payable at such time or times and bearing such rate of interest, not exceeding seven per cent. per annum, as the said corporation shall deem most judicious, and therein and thereby to pledge and bind the credit and property of the said county for the due payment of the same; and which said bonds the said corporation may sell, assign, and dispose of, and the same shall be binding and legal obligations of the said county, but the same shall all be made payable within twenty-five years from the passage of this act, and may be made redeemable by said corporation at its option at such time or times as therein may be specified.

To provide by taxation for payment of principal and interest.

2. *And be it enacted*, That the said corporation may and shall, until the said bonds so to be issued by authority hereof, shall be redeemed or paid off, order, direct, and cause to be assessed, levied and collected, a yearly sum, at the time and in the manner that the other state and county taxes are, sufficient to pay the principal and interest of the said bonds as the same shall respectively become due and payable, and that all such money so to be raised by tax, shall be exclusively applied by said corporation to the payment of the principal and interest of the said bonds as the same may become due and payable, but not less than twenty thousand or more than one hundred thousand dollars shall be made payable or redeemable in any one year.

Proceeds, how applied.

3. *And be it enacted*, That it shall be the duty of the said corporation to apply the proceeds of the sale of said bonds exclusively to the payment and satisfaction of the debt and liability of said corporation, as mentioned in the preamble of this act.

Debts and liabilities legalized.

4. *And be it enacted*, That the said debt and liability so incurred by the said corporation, and all notes or other evidences of indebtedness therefore made or given by the said corporation, are hereby ratified and confirmed as binding and valid acts of the said corporation.

5. *And be it enacted*, That any banking or other moneyed corporation in this state may purchase and hold any of the said bonds.

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

Approved March 9, 1865.

CHAPTER CLII.

An Act to incorporate the Gould Machine Company.

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Names of corporators.} *the State of New Jersey,* That Ezra Gould, Francis H. Gould, Roscoe J. Gould, David Price, and Inslee A. Hopper and their associates and successors, be and they are hereby created a body politic and corporate by the name of "Gould Machine Company," for the purpose of manufacturing and selling machinery of various kinds, and other articles connected with said business; and for that purpose may purchase, hold sell, convey, mortgage, lease, and dispose of such real and personal property as may be needful and proper for use in carrying on said business, or may accrue to them in the course thereof.

2. *And be it enacted,* That the said company may carry ^{Location.} on their business at any place in the county of Essex, and may establish their principal office at such point in said county as they shall deem proper; and may change the same, as the directors may determine.

3. *And it be enacted,* That the capital stock of said com- ^{Amount of capital stock.} pany shall be one hundred thousand dollars, and may be increased to two hundred and fifty thousand dollars, divided into shares of fifty dollars each; and as soon as a transfer and conveyance shall be made to this company, by the said Francis H. Gould and Roscoe J. Gould of the property, effects, assets, and real estate, now owned, occupied and used by them in the manufacture of machinery in Newark, which together represent their said capital of one hundred thousand dollars, it shall be lawful for said company to commence their business, and with that capital conduct and carry it on, until they shall deem it expedient to extend their operations, and increase the capital necessary for that purpose, which a majority of the directors are authorized to do, to the amount hereinbefore mentioned, and it shall be lawful for the directors, or a majority of them, to call and demand from the stockholders respectively all sums of money by them subscribed of the said capital stock, or to the increased capital, above the said sum of one hundred thousand dollars, at such times and in such proportions, as they shall think proper, under pain of forfeiting the shares subscribed, and all previous

payments thereon, if such payments shall not be made in thirty days after a notice shall have been published for the space of fifteen days in one or more newspapers published in or near the place where such payments shall be required to be made.

Election of directors.

4. *And be it enacted*, That the stock, property and concerns of said corporation shall be managed and conducted by not less than three, nor more than seven directors, being stockholders, one of whom shall be president; and that the persons named in the first section of this act, shall be the first directors to organize and manage the affairs of said company; and shall continue in office until the fifteenth day of May next, and until others are elected in their stead; that thereafter the directors shall be chosen annually, on the fifteenth day of May, at such place and on such notice as the by-laws shall fix; that all elections shall be by ballot, and each share of stock shall be entitled to one vote, which may be given by the holder thereof in person or by proxy; and if at any time, for any cause, it shall happen that no election shall be held or made at the time herein appointed, the directors for the time being shall continue in office until an election be regularly held according to the requirements of the by-laws in that behalf, or of this act; and any vacancy in the board of directors may be filled for the unexpired time by a majority of the same; that a majority of the directors shall be residents of this state; and the directors may appoint such officers and agents as they may deem necessary; and may, by their by-laws, fix their duties and compensation.

Stock transferable.

5. *And be it enacted*, That the stock and property of the said corporation shall be deemed personal estate, and be transferred in such manner as the by-laws shall prescribe; that certificates of stock shall be made to the stockholders by the directors, and no transfer of stock shall be valid or effectual until such transfer be entered on the book or books to be kept by the directors for that purpose; and the said directors may make dividends from time to time; but no dividend shall be declared or paid except from the actual net profits of said corporation.

Company may be dissolved.

6. *And be it enacted*, That this corporation may be dissolved at any time by a general meeting of stockholders, summoned specially for that purpose by the board of directors, or a majority of them, giving thirty days notice of such meeting in a newspaper published in said county, at least three times in each week during said period, *provided* three-fourths in

Proviso.

value of the stockholders be present or represented therein; and upon such dissolution, the directors for the time being, or the survivors or survivor of them, or such other person or persons as the board shall appoint for that purpose, shall be trustees or trustee for settling the affairs of the company, and paying its debts, and dividing the surplus among the stockholders according to their respective interests therein.

7. *And be it enacted*, That this act shall continue in force Limitation. for the period of thirty years, unless dissolved as aforesaid; but the same may be altered or amended by the legislature whenever the public good may require it.

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

Approved March 9, 1865.

CHAPTER CLIII.

A Further Supplement to an act entitled "An act to revise and amend the charter of the town of Bergen," approved March twenty-fourth, eighteen hundred and sixty-four.

1. BE IT ENACTED *by the Senate and General Assembly* Councilmen may purchase land, &c. of the State of New Jersey, That it shall be lawful for the councilmen of said town, in order to complete the plan of sewerage adopted by them, and to render the same effective to provide by purchase or otherwise, sufficient land at the terminus of the main sewer for the construction of a proper receiving basin, and the cost of the land shall be assessed upon the property benefited by the drains or drain terminating therein, that if the said councilmen cannot acquire the land required for said basin by purchase, then it shall be lawful for the said councilmen to take the said land for such purpose, in the manner prescribed in thirty-third section of said charter for taking land, for opening, widening or alteration of streets in said town, and the cost and expenses of the taking said lands, and the cost of the land, shall be assessed as part of the cost of said sewer or sewers, and the said councilmen may in like manner take any land they may deem necessary in order to straighten or improve said system of sewerage, and the cost thereof shall be assessed in like manner; *pro-*

Proviso.

vided, however, that the commissioners, in connection with the town council shall forthwith proceed to construct the main sewer to the proposed basin or outlet, according to plan, whether the same be applied for or not, and an equitable share of the cost thereof shall be assessed upon the property drained thereby.

Conveyance to be made to town.

2. *And be it enacted,* That the trustees of the several school districts in said town shall make good and sufficient conveyance to the town of Bergen, of the real and personal property held by them for school purposes, and the said councilmen shall have the entire control over the same for school purposes, and shall assume and pay all debts or liabilities incurred by the trustees of any district for the purchase of land or the erection of school buildings, books or furniture, such debts and liabilities to be provided for in raising the annual taxes of said town, and the said councilmen shall define the boundaries of said school districts, which are hereby declared to be three wards, and each ward shall be entitled to a chosen freeholder to represent said town in the county board of chosen freeholders, the said freeholders to be elected, one from each ward, and each ward shall be an election district; at the next annual election there shall be elected in each of said election districts the following local officers, who shall be residents of the ward from and in which they are elected, viz: three councilmen, one chosen freeholder, one assessor, three judges of election, one justice of the peace, two commissioners of appeals, one or more constables, and such other officers as are now provided for by law; in case a vacancy shall occur by reason of death, resignation or otherwise, of any of the above named officers, except councilmen, the same shall be filled by the board of councilmen.

Taxes, how raised.

3. *And be it enacted,* That in raising the taxes of said town, the assessors shall raise the amount required, upon the valuation of the property, at a per centage not exceeding eight mills on the dollar.

Ordinances, how passed.

4. *And be it enacted,* That any ordinance or resolution for the payment of moneys, or any resolution or act of the councilmen affecting the interests of said town, shall before it takes effect, be presented to the president of the councilmen, duly certified by the clerk, and the report of the clerk shall be conclusive that the said ordinance, resolution or act of the councilmen has been presented to the president; if he approve he shall sign it, if not he shall return it with his objections, and file the same with the clerk within ten days after he re-

ceived it, and the said councilmen shall, at the first regular meeting thereafter, order the objections to be entered at large in their minutes, after which they shall proceed to reconsider the same, and if two-thirds of the councilmen elected shall pass the same, the ayes and nays being called and recorded, the same shall take effect, but if such ordinance, resolution or act, of said councilmen, shall not be so returned by the president within ten days after he shall receive the same, then the said ordinance, resolutions or act of the council shall take effect and be valid; the president or president pro tem. shall not be entitled to vote in the proceedings of said councilmen, and shall only have a casting vote, in case of a tie vote upon any measure before said board.

5. *And be it enacted*, That inasmuch as the board of chosen freeholders, of the county of Hudson, have appropriated ten thousand dollars towards the erection of a bridge across the Morris canal, in the line of Washington avenue at Lafayette, which amount will not cover the cost of the proposed bridge by about six thousand dollars, the councilmen of said town are hereby authorized to issue bonds of said town, with coupons attached, under the corporate seal, for not exceeding six thousand dollars, the principal money of said bonds to be made payable in sums of one thousand dollars each, and to fall due respectively in the years eighteen hundred and seventy-five, eighteen hundred and seventy-six, eighteen hundred and seventy-seven, eighteen hundred and seventy-eight, eighteen hundred and seventy nine, and eighteen hundred and eighty, with interest thereon at the rate of seven per cent. per annum, payable half-yearly, and when the said bridge is completed and ready for the public use the said councilmen shall apply so much of said bonds or the proceeds thereof as may be necessary to complete said bridge, and it shall be the duty of the said councilmen to impose annually a tax on the real and personal property located in the school district lying east of the Morris canal, sufficient to pay the interest on said bonds and the expense of issuing the same; and also, in the years when the said bonds fall due, to impose a tax on the said real and personal property in said school district to pay the principal money of any maturing bond, which said taxes shall be imposed, levied and collected in the same manner as other taxes in said town are by law levied and collected.

6. *And be it enacted*, That all improvement certificates issued in payment for any public improvement authorized after the passage of this act shall bear interest from the time of

May issue,
bonds and re-
pay by taxa-
tion.

Certificates to
bear interest.

issuance and date thereof, at and after the rate of seven per cent. per annum, and the interest due and to grow due upon the same shall be assessed upon the property benefited by the improvement, in like manner as other costs and charges are assessed.

Repealer.

7. *And be it enacted*, That this act shall take effect immediately, and all acts or parts of acts of the legislature, inconsistent or conflicting with this act, are hereby repealed.

Approved March 9, 1865.

CHAPTER CLIV.

An Act to incorporate the New Jersey Oil Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Francis Howland, George Huyler, Isaac D. Demarest, John Huyler, and Charles H. Voorhis, and such other persons as may hereafter be associated with them, shall be and are hereby declared a body corporate and politic, in fact and in name, by the name of "The New Jersey Oil Company," for the purpose of buying, selling, developing and working oil and mineral lands and dealing in the same and their products; and for that purpose may purchase, hold, sell, convey, mortgage, lease, and otherwise dispose of real and personal property.

Amount of capital stock.

2. *And be it enacted*, That the capital stock of said company shall be five hundred thousand dollars, divided into shares of fifty dollars each, and said shares, and all other shares of stock issued by said company shall be deemed to be personal property, and be transferable in such manner as shall be prescribed from time to time by the by-laws of the company; and that said company may increase their capital stock to an amount not exceeding one million five hundred thousand dollars, and may issue shares accordingly, and may classify the said stock; and that said company may reduce their capital stock.

Officers to be elected.

3. *And be it enacted*, That the property and affairs of said company shall be managed by a board of directors not less than three nor more than nine in number, as said by-laws shall from time to time establish, a majority of whom shall

be residents of this state; that said board shall organize by appointing one of their number to be president and a suitable person to be secretary, and may afterwards appoint such officers and agents as they may deem necessary, and may by their by-laws fix their duties, powers and compensation; and that the persons named in the first section of this act, or a majority of them, shall, within thirty days after the passage of this act, hold an election for nine directors of said company, previous notice of which shall be published in "The Bergen County Democrat," who shall continue in office for one year from the date of said election, and until others are elected in their stead.

4. *And be it enacted*, That the directors of said company shall be chosen annually, at such time and place as said by-laws may fix; that all elections of directors shall be by ballot, and that each share of stock shall be entitled to one vote, which may be given in person or by proxy; and if at any time for any cause it shall happen that no election shall be held or made at the time herein appointed, the directors for the time being shall continue in office until an election be regularly held according to the requirements of the by-laws in that behalf, or of this act; and that any vacancy in any board either before or after they are organized, may be filled for the unexpired term by the remainder of such board, or the majority of them; and that in any election of directors the persons having or receiving the greatest number of votes shall be directors, and shall continue in office until their successors are elected.

5. *And be it enacted*, That a majority of the directors, from time to time shall form a board for transacting the business of the company, and may make such by-laws, rules and regulations as they deem expedient for the government, management and disposition of the stock, effects, property, lands, profits and concerns of said company, not contrary to the constitution of this state or of the United States.

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

Approved March 9, 1865.

CHAPTER CLV.

An Act to legalize and provide for the payment of certain scrip issued by the inhabitants of the township of Rockaway, in the county of Morris, for the purpose of furnishing men for the military service of the United States.

Preamble.

WHEREAS, The president of the United States having called for men for the military service of the United States, and it being true that there was due from the township of Rockaway a certain number of men to fill the quotas which were assigned to the said township of Rockaway, to fill the said calls made by the president of the United States as aforesaid; and whereas, the inhabitants of the township of Rockaway, in the county of Morris, at two special town meetings by them held, one at Denville, in the county of Morris, on the seventeenth day of June, eighteen hundred and sixty-four, and one held at Rockaway, in the county of Morris, on the seventeenth day of September, eighteen hundred and sixty-four, did resolve at the said meetings to raise the money necessary to give each man who should volunteer in and for the said township of Rockaway, and be credited upon the said quotas then due from the said township of Rockaway, the said sum of three hundred and fifty dollars, and to each and every man who should furnish an acceptable substitute for the naval or land service of the United States, and have the said substitute credited upon the said quota or quotas, or either of them, assigned to the said township of Rockaway, should have and receive the said sum of three hundred and fifty dollars, and to each man who should be drafted on said quotas or either of them, who should enter into the said service of the United States, and be credited upon said quotas, or either of them, the said sum of three hundred and fifty dollars, at which meetings they, the inhabitants of the said township of Rockaway did resolve, that there should be issued by the township committee of the said township of Rockaway, scrip bearing interest at the rate of six per cent per annum, from the date of the said scrip until paid, in the name and upon the credit of "The inhabitants of the township of Rockaway, in the county of Morris," for the sum of thirty-three thousand

nine hundred and fifty dollars, being the sum necessary for the purpose of paying the persons filling the said quotas above mentioned; the said scrip to be payable in five equal payments, to wit: one-fifth part of the whole amount to be paid on the first day of January, eighteen hundred and sixty-six, and the whole of the interest on all of the said scrip from the date of the said scrip up to the first day of January, eighteen hundred and sixty-six, and so to continue on the first day of January in each successive year until the whole amount of the said scrip and the whole amount of the interest thereon shall all be paid in full; that for the purpose of paying the said scrip it is resolved that a poll-tax be assessed and levied upon every taxable male person of said township, as follows, to wit: upon each and every taxable unmarried man the sum of ten dollars, each and every year until all of the said scrip and the legal interest thereon shall be paid; and upon each and every taxable married man the sum of five dollars, each and every year until the whole of the said scrip and the interest thereon shall be paid, to be levied and assessed at the same times the other township taxes are assessed, and to be collected at the same times and in the same manner the other township taxes are collected in said township of Rockaway; and if the poll-tax shall not be sufficient to pay the said scrip as it shall fall due, and the interest thereon, then and in that case the balance and deficiency shall be levied, assessed and collected, each and every year, upon the taxable property of the inhabitants of the said township of Rockaway, the same and at the same times other township taxes are assessed and collected.

1. BE IT ENACTED *by the Senate and General Assembly of* <sup>Debts legal-
ized.</sup> *the State of New Jersey,* That the debts represented by said scrip mentioned in the preamble, amounting in all to the sum of thirty-three thousand nine hundred and fifty dollars, without the interest thereon, be and the same are hereby legalized and made valid debts of "the inhabitants of the township of Rockaway, in the county of Morris," to be paid as hereinafter provided, and at the times hereinafter specified, as fully and effectually as if the said inhabitants before the seventeenth day of June, eighteen hundred and sixty-four, and on the seventeenth day of September, eighteen hundred and sixty-four, had had lawful authority to create said debts in the manner in which they were created.

2. *And be it enacted,* That the said scrip referred to in

In what time
scrip to be
paid.

the preamble, amounting to the sum of thirty-three thousand nine hundred and fifty dollars, besides the lawful interest thereon, shall be paid in five equal payments, to wit: the first payment, the sum of six thousand seven hundred and ninety dollars, on the first day of January, eighteen hundred and sixty-six, with the interest at the rate of six per cent. per annum, upon the whole amount of thirty-three thousand nine hundred and fifty dollars, from the date of the issue of the said scrip, up to the first day of January, eighteen hundred and sixty-six; second payment, the sum of six thousand seven hundred and ninety dollars, on the first day of January, eighteen hundred and sixty-seven, with the interest on the whole amount remaining unpaid from the first day of January, eighteen hundred and sixty-six, to the first day of January, eighteen hundred and sixty-seven; third payment, the sum of six thousand seven hundred and ninety dollars on the first day of January, eighteen hundred and sixty-eight, with the interest on the whole amount remaining unpaid from the first day of January, eighteen hundred and sixty-seven, to the first day of January, eighteen hundred and sixty-eight; fourth payment, the sum of six thousand seven hundred and ninety dollars, on the first day of January, eighteen hundred and sixty-nine, with the interest on the whole amount remaining unpaid from the first day of January, eighteen hundred and sixty-eight to the first day of January, eighteen hundred and sixty-nine; fifth payment, the sum of six thousand seven hundred and ninety dollars, on the first day of January, eighteen hundred and seventy, with the lawful interest thereon, from the first day of January, eighteen hundred and sixty-nine to the first day of January, eighteen hundred and seventy.

Duty of assess-
sor.

3. *And be it enacted*, That the assessor of the township of Rockaway, in the county of Morris, shall, in the year eighteen hundred and sixty-five, and in each successive year until the said sums in the second section of this act shall all be fully paid, and the lawful interest thereon, levy and assess upon the taxable inhabitants a poll-tax of ten dollars upon every unmarried man, and a poll-tax of five dollars upon every married man; and if the said poll-tax shall not be sufficient to pay the said payment mentioned in the second section of this act, and the legal interest thereon mentioned, and in that case the balance shall be levied and assessed upon the taxable property, both real and personal, of the in-

habitants of the said township of Rockaway, each and every year.

4. *And be it enacted*, That if there shall be any deficiencies in the amount of money directed to be assessed and collected in the second and third sections of this act, by reason of the assessment not being collected, then, and in that case, the assessor of the said township of Rockaway shall levy enough the next year to make up the deficiencies, and so to continue each succeeding year until all of the deficiencies shall be paid in full.

May assess
and collect de-
ficiency.

5. *And be it enacted*, That the money required by this act to be paid shall every year be assessed and collected in sufficient amounts to pay the apportionments in the second section of this act and the interest thereon, and the township assessor of said township of Rockaway shall assess at the same times other township taxes are or may be by law required to be assessed in said township, and the collector of the township of Rockaway shall collect said taxes at the times and in the same manner the other township taxes are collected, and this act shall be a sufficient and a full warrant and authority to assess and collect what in every year hereafter shall be sufficient to pay the principal and interest authorized by this act, or required to be paid by this act, and all moneys by this act authorized to be paid shall be paid by the township collector of said township to the persons then holding the said scrip and entitled to receive the same, under the supervision of the township committee of the said township of Rockaway on the said first day of January, eighteen hundred and sixty-six, and on the first day of January in each succeeding year until the amount authorized by this act shall be paid in full and the interest thereon; and in case there should be a surplus in any year or years, after paying what is then due, the said surplus is to be paid at the time or times at which the regular payment or payments is or are made upon some one or more of the said township scrip; and in case there shall be a surplus after paying all of the said scrip, and all of the interest thereon, on the last year for the last payment, then, and in that case, the said surplus shall be paid by the said township collector to the township committee of the said township of Rockaway, for the use of the said township of Rockaway.

Money to be
raised by tax.

6. *And be it enacted*, That the township committee of the said township of Rockaway shall have the supervision of the paying of the said scrip by the said township collector, and it is hereby made their duty to see that the moneys are all pro-

Powers of
township
committee.

perly paid upon the said scrip; that the said payments are properly endorsed upon said scrips, and also to have proper vouchers taken by the said collector, and when the said scrip shall be paid to see that they are taken up and cancelled; to keep a township book and have all of the scrips entered therein, and also to keep an account of all the moneys paid by the said collector upon said scrips; to keep the book in such a manner that they will always show the amount of the indebtedness upon the said scrips.

Delinquent
tax payers.

7. *And be it enacted,* That the tax authorized by this act shall be paid before the twentieth day of December, in each year, or else to be returned to a justice of the peace at the same time and in the same manner other township taxes shall be; and the said justice shall issue his tax warrant the same as in other cases of taxes in the said township, and the said delinquents shall be subject to the same penalties they are now subject to by law in cases of non-payment of the other township taxes, and for want of property out of which to make the said tax, it shall be lawful for the person having the tax warrant to convey the said delinquent to the jail of the county of Morris, there to be safely kept by the jailor until the said tax and costs shall be paid.

Assessor and
collector made
liable for neg-
lect of duty.

8. *And be it enacted,* That the assessor, collector and constable of the said township shall be liable for neglect of duty required of them by this act, to the same penalties in every respect that they are now liable to for neglect of duty, in assessing and collecting the other taxes of the said township; that the township collector shall be required by the township committee of the said township of Rockaway, to give bond in addition to the amounts now given, in an amount sufficient to cover the amount required to be raised by this act.

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

Approved March 9, 1865.

CHAPTER CLVI.

An Act to incorporate the Passaic Thread Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That George A. Clark, Alexander Clark, William Clark, Thomas Barber, and their successors and assigns, be, and they are hereby created a body politic and corporate in fact and in law, by the name of "The Passaic Thread Company," for the purpose of manufacturing and selling at Newark, in the county of Essex, spool sewing cotton, yarns, and other productions of a similar nature, and for that purpose may purchase and hold all real and personal estate necessary for the conducting said business. Names of corporators.

2. *And be it enacted*, That the capital stock of said company shall be seven hundred and fifty thousand dollars, with power to increase the same to one million dollars, to be divided into shares of one hundred dollars each, which shall be deemed personal property, and shall be transferable in such manner as the by-laws of said corporation shall direct. Amount of capital stock.

3. *And be it enacted*, That the persons above named, or any three of them, shall open books to receive subscriptions to the capital stock of such corporation, at such time and place in the city of Newark as they may think proper, giving notice thereof for at least two weeks in some newspaper published in said city of Newark; and that as soon as two hundred thousand dollars of such stock is subscribed and paid, or satisfactorily secured to be paid, the commissioners shall, by like notice, call the first meeting of the stockholders for the purpose of organizing the company. Commissioners to receive subscriptions.

4. *And be it enacted*, That the business of said corporation shall be managed by nine directors, three of whom shall reside in this state, all of whom shall be stockholders, one of whom shall be president; such directors shall hold their office for one year, and until others are elected in their stead; and an election of directors shall be held yearly, at such time and such place, and upon such notice as the by-laws shall direct; at which election each stockholder shall be entitled to one vote, either in person or by proxy, for every share of stock by them respectively owned. Election of directors.

5. *And be it enacted*, That the directors of said corporation shall have power to make by-laws for the management Duties and powers of directors.

and government of said corporation, and may appoint such subordinate officers as the business of said corporation may require.

Books of ac-
count to be
kept.

6. *And be it enacted*, That the regular books of account of said corporation shall be kept in the office of said company in the city of Newark, to which books every stockholder shall have free access, at all reasonable times, for the purpose of examining the same.

Restrictions
and liabilities.

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

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

Approved March 9, 1865.

CHAPTER CLVII.

An Act to incorporate the Gloucester Ferry Company.

Names of cor-
porators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Wilmon Whilldin, Archimedes Heckman, Samuel Tatem, Edmund Hoffman, George P. Tatem, and their associates, and all other persons who shall become subscribers and owners of the capital stock hereby created, shall be, and they and their successors are hereby made and declared to be a corporation and body politic, by the name of "The Gloucester Ferry Company."

Amount of
capital stock.

2. *And be it enacted*, That the capital stock of the said company shall be fifty thousand dollars, and shall be divided into shares of fifty dollars each, and shall be subscribed for and paid in at such time or times, in such manner and in such installment or installments, and upon such notice as the said company may by their by-laws or otherwise, direct or appoint; and in case of a failure by any stockholder to pay his or her installment or installments at the time and place mentioned and appointed for the payment thereof, or within thirty days thereafter, such stockholder shall incur a for-

feiture of his or her shares, and all previous payments thereon, for the use of said company.

3. *And be it enacted*, That the capital stock of said company shall be deemed and considered personal property, and shall be transferable in such way as the by-laws of said company may direct; that every share of stock shall be entitled to one vote by the holder or holders thereof, which may be given in person or by proxy. Stock transferable.

4. *And be it enacted*, That the affairs of said corporation shall be managed by five directors, and Wilmon Whilldin, Archimedes Heckman, Samuel Tatem, Edmund Hoffman and George P. Tatem, are hereby appointed the first directors, who shall serve until the first Monday in April next, and until others are elected or chosen in their stead; and the said directors, or a majority of them, shall assemble as soon as convenient after the passing of this act, and appoint one of their number to be president of the said corporation, who shall serve until the first Monday in April next, or, until a successor be appointed; should a vacancy at any time occur in the board of directors, by death or otherwise, the remaining directors, or a majority of them, convened at the next succeeding meeting shall have power to appoint and fill such vacancy or vacancies until the next annual election. First directors

5. *And be it enacted*, That there shall be an annual election of directors held at some place in the county of Camden on the first Monday of April next, and that all subsequent annual elections of directors shall be held at such time and place as the board of directors shall appoint and fix, of which time and place notice shall be given by publishing the same in one or more newspapers printed in the county of Camden, at least four weeks successively, previous to the day of such election; and the board of directors shall appoint the judge of such elections; but if it should happen that an election of directors should not be had on the said first Monday in April next, or at the time appointed for holding of any subsequent annual election, the said company shall not for that cause be deemed to be dissolved, but such election shall be held at such other time and place as the board of directors for the time being may or shall appoint; and the directors for the time being shall continue in office until others shall be elected in their stead; and every board of directors, as soon as conveniently may be, after their election, shall appoint from their number a president of said company, who shall serve until the next annual election of directors, and Election of directors.

until another shall be appointed in his stead; the said president shall preside at all meetings of the board, except in case of his absence when any other of the directors present may be chosen president pro tempore; all stated meetings of the board shall be held at such times as the by-laws may ordain, but special meetings may be held by appointment of the board or upon the call of the president.

Powers of directors.

6. *And be it enacted*, That the board of directors shall have power to erect a steamboat ferry from some point in the town of Gloucester, in the township of Union, in the county of Camden, to such place or places in the city of Philadelphia, as may best serve the public convenience and interest of said corporation, and for that purpose may purchase or lease real estate, erect wharves, piers, slips, buildings, and all other necessary appendages, and may build steamboats, vessels and ferry boats of such description and dimensions as the said board shall order and direct.

May make contracts.

7. *And be it enacted*, That it shall be lawful for the said company at any time during the continuance of its charter to make contracts and engagements with any other corporation, or with any individual or individuals, for transporting or conveying any kinds of goods, produce, merchandise, freight or passengers, and to enforce the fulfillment of such contracts.

Annual statement to be made.

8. *And be it enacted*, That the president and directors of said company shall declare and make such dividends of the net profits of their business among the stockholders as they may deem prudent; and at each annual meeting of the stockholders for the purpose of election, it shall be the duty of the president and directors of the preceding year to exhibit to the stockholders a full and complete statement of the affairs of the company during the past year, and shall produce the books, accounts and papers of the company if required to do so by any person or persons being stockholders.

Penalty for injuring works.

9. *And be it enacted*, That if any person or persons shall wilfully injure, impair, destroy or obstruct the wharves, slips, bridges, piers, boats, buildings, fences, gates, or any other of the works, engines or machines of said company, such person or persons so offending shall forfeit and pay to the said company any sum not exceeding one hundred dollars, at the discretion of the court or jury, to be recovered before any justice of the peace in this state, or any alderman of the county of Camden, and shall also be liable, in addition to the above penalty, to double the amount of damages sustained

thereby, to be recovered in an action of trespass or other proper form of action, in any court of competent jurisdiction.

10. *And be it enacted*, That this act shall take effect immediately after the passage thereof, and continue in force for thirty years.

Approved March 9, 1865.

CHAPTER CLVIII.

An Act to renew the charter of the Camden and Philadelphia Steamboat Ferry Company.

1. BE IT ENACTED *by the Senate and General Assembly of* Act extended.
the State of New Jersey, That the act entitled "An act to incorporate the Camden and Philadelphia Steamboat Ferry Company," passed on the fifth day of March, eighteen hundred and thirty-six, shall be, and the same hereby is continued and extended for and during the term of thirty years from and after the time by said act limited for its continuance; and the said corporation shall, henceforth, and during said extended term, have and enjoy all the franchises, powers and privileges, and be subject to all the limitations, conditions and restrictions conferred and imposed on it by said act, and any other law or laws, except that the last thirty-four words of the sixth section of said act shall be, and the same hereby are repealed; *provided*, that it shall not be lawful for the Proviso.
 said corporation to charge more than five cents for each passenger, under the penalty of fifty dollars for each offence, to be sued for in any court of competent jurisdiction by the party aggrieved; *and provided*, that the said company shall Proviso.
 sell packages of tickets not to exceed the rate of three dollars per hundred.

Approved March 9, 1865.

CHAPTER CLIX.

An Act to confirm certain acts of the township committee and of the inhabitants of the township of Deptford, in the county of Gloucester, and for other purposes.

Preamble.

WHEREAS, the inhabitants of the township of Deptford, in the county of Gloucester, did, at the last annual town meeting, by resolution, order and direct the township committee of said township to borrow any sum or sums of money which might be necessary to pay bounties to volunteers under any call or calls which might be made by the general government; and whereas, the said committee, in obedience to the said resolution have borrowed at sundry times divers sums of money and have given and executed bonds with warrants of attorney in the name of "the inhabitants of the township of Deptford, in the county of Gloucester," for the money so borrowed; and whereas, it is deemed necessary to borrow additional sums of money to pay bounties to volunteers to fill the quota of said township under the present call for men by the general government; therefore,

Acts legalized.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the bonds and warrants of attorney, so heretofore given and executed and the acts so done by the said township committee of the said township of Deptford, for the purposes aforesaid be, and the same are confirmed and made good and effectual in law, to all intents and purposes, and binding upon the inhabitants and taxable property in said township as if said bonds and warrants of attorney had been given and executed under and by virtue of express authority of law.

May borrow money.

2. *And be it enacted*, That it shall be lawful for the township committee of said township to borrow any additional sum or sums of money to pay bounties to volunteers to fill the quota of said township under the present call and any other call that may hereafter be made for men by the general government, and execute bonds and warrants of attorney in the name of the inhabitants of said township, binding the said inhabitants and making the property in said township liable for the payment of the same.

3. *And be it enacted*, That it shall be lawful for the in-

habitants of the said township immediately after the passage of this act, at a lawfully convened town meeting, to order and cause to be assessed and collected by tax, in the same manner that other taxes in the said township are assessed and collected, within sixty days from the time of holding such town meeting, any sum of money not exceeding fifty thousand dollars, which sum so raised shall be applied towards paying off the debts so created and the interest due by said township; and that the commissioners of appeal in cases of taxation for said township shall, upon due notice, meet within forty days from the time of holding such meeting, to hear the appeal of any persons who shall think themselves aggrieved by said assessment.

4. *And be it enacted*, That it shall be lawful for the said inhabitants at their next or any subsequent annual town meeting to cause to be assessed and collected the whole or any part of any balance of the debt or debts, heretofore by them created or any debts which may hereafter be by them created for the purpose aforesaid.

5. *And be it enacted*, That of the sum or sums so ordered to be raised by the town meetings aforesaid, for the purposes aforesaid, there shall be assessed and collected upon each taxable male inhabitant of the said township, except those who have served two years in the army and have been honorably discharged, a poll tax not to exceed one dollar for every five thousand ordered to be raised and the balance shall be assessed and collected on the real and personal property in said township.

6. *And be it enacted*, That this act shall be taken and deemed a public act, and shall take effect immediately, and that all acts or parts of acts inconsistent with this act be and the same are hereby repealed.

Approved March 9, 1865.

CHAPTER CLX.

An Act to incorporate "The South Jersey Oil and Mining Company."

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That John S. Lee, John R. Graham, Francis F. Patterson, Edward Z. Collings, John W. Cain, John W. Mulford, William Smashey, Thomas Beesley and George W. Gilbert, and such other persons as may be associated with them, and their successors, are hereby created and declared to be a body politic and corporate in law by the name and title of the "South Jersey Oil and Mining Company," and by that name shall have perpetual succession, and all the privileges and franchises belonging or incident to a corporation.

Amount of capital stock.

2. *And be it enacted*, That the whole amount of the capital stock of said company shall be five hundred thousand dollars, to be divided into shares of five dollars each, which shall be personal property and be transferable on the books of the company.

Commissioners to receive subscriptions.

3. *And be it enacted*, That the above named corporators, or a majority of them, shall be commissioners to receive subscriptions to the capital stock of said company, at such time and place or places, in this state, and upon such notice as they shall direct; and at the time of subscribing for said stock, such amount on each share shall be paid, satisfied or satisfactorily secured to said commissioners as they, or a majority of them shall determine, and the residue of the subscription shall be paid, satisfied or secured as the directors may determine, in such installments, at such times and places, in such manner, and to such person or persons as said directors shall from time to time direct, giving notice of such time and place, and person or persons, by notices published in a newspaper printed and circulating in the county of Camden, and a newspaper printed and circulating in the county of Salem, for two weeks, at least once in each week; and upon the failure of any person to pay, satisfy or secure the payment of the installments or any of them as aforesaid, the said directors shall have power to forfeit the shares of each and every person so failing, or any of them, to and for the use and benefit of the said company; and any shares of stock so forfeited as aforesaid, may be held by the said company or any person or persons for its benefit, and may at any time

be sold or disposed of for the benefit of the company, as said directors may direct, or divided proportionately among the remaining stockholders, to be by them held and enjoyed, or sold and transferred with all the rights and benefits incident thereto, the same in all respects as if they were original shares by them subscribed; and any land, property or materials used in the business of the said company, received in payment or satisfaction of subscriptions for stock, shall be taken at a valuation approved by a majority of the stockholders.

4. *And be it enacted*, That whenever fifty thousand dollars of the capital stock aforesaid shall have been subscribed, the commissioners, or a majority of them, shall as soon as they deem expedient, give notice in such manner as they may determine, of a meeting of the stockholders, at such time and place as they may designate to choose nine directors, who shall hold their office for one year and until others are duly elected; and such election shall be made at the time and place appointed by such of the stockholders as shall attend for that purpose, either in person or by proxy, each share of stock entitling the holder thereof to one vote; and the directors chosen at such meeting, or at the annual elections of said corporation, shall, as soon as may be, after every election, choose out of their own number a president, who shall hold his office for one year, and until his successor is duly appointed, and in case of the death, resignation, or other incapacity of the president or any director, such vacancy may be filled by the board of directors for the remainder of the then current year.

Election of directors.

5. *And be it enacted*, That the said company shall be and are hereby authorized and empowered to establish and carry on the business of developing oil lands, digging, boring and excavating mines, shafts and wells, and mining, producing, and obtaining oil and other products or minerals from the earth, and manufacturing in forms, refining, transporting and vending the same, and for that purpose to purchase, rent, take, hold, occupy, and enjoy, grant, demise, lease and convey in this or any other state or territory, such and so many lands, mines, deposits, springs and wells and such parts, shares and interests therein, as they may deem proper, in fee simple, or any less estate; and to purchase, rent, hire, erect, build, hold, maintain and use, grant, demise, lease and convey such buildings, tramways, wells, aqueducts, drains, tanks, engines, machinery and other real and personal property as they may deem necessary or proper for developing their property and carrying on their business; and when, by the laws of the

Powers of company.

state or territory, where any of the property may be situate or be, the said company may not be authorized or capable to have, hold, enjoy, or convey, rent and lease the same, or the legal estate therein, themselves or otherwise when they may think proper, the said company may purchase, hire, rent, have, hold, use, enjoy, grant, lease and convey any trust or other equitable, or beneficial estate or interest, as cestai que trust or otherwise, in any property which may be purchased, hired, leased, or held by trustees or other person for the use or benefit of said company; and the same shall make part of the value of and be represented by, the stock of the said company; *provided*, that the said company shall not be taxed in this state for, or by reason of, or of any interest in any real estate, situate in any other state or territory, and taxed therein.

Proviso.

Powers of directors.

6. *And be it enacted*, That the board of directors of said company shall have power to make and adopt a common seal for said corporation, to appoint from their own number or otherwise, a treasurer and secretary, and such other officers of the board and of the company as they may deem necessary, and to fix their salaries; to borrow such sums of money as they may from time to time deem advisable for the purposes of said company, and to issue the bonds of the said company therefor, and secure the payment of the same by a mortgage or mortgages on the lands, estate, and other property of said company, and to make such by-laws, not inconsistent with the provisions of this act, as they may think proper, regulating the issuing and transfer of stock, and for the general government and management of the affairs of the company.

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

Approved March 9, 1865.

CHAPTER CLXI.

An Act to enable the inhabitants of the township of Pequannac, in the county of Morris, to raise money.

Preamble.

WHEREAS, The inhabitants of the township of Pequannac, in the county of Morris, have heretofore authorized their

town committee to borrow money to the amount of one hundred and ten thousand dollars, to pay bounties to volunteers and drafted men; and whereas, the greater part of said sum has already been borrowed and expended by said committee; and whereas, also, said committee has heretofore issued certificates of indebtedness under previous laws passed for the relief of said township, fifteen thousand dollars of which are still unredeemed.

1. BE IT ENACTED by the Senate and General Assembly of ^{Debts legalized.} the State of New Jersey, That the debts and liabilities which may have been incurred by the town committee of the township of Pequanae, in the county of Morris, for the payment of bounties to volunteers and drafted men, are hereby legalized, ratified and confirmed, and declared to be the debts of said township.

2. *And be it enacted*, That to enable the town committee of said township of Pequanae to pay the debt already incurred as hereinbefore mentioned, to redeem the certificates of indebtedness still outstanding, and to provide for filling the quota of said township under the recent call of the government, it shall be lawful for said committee to issue bonds, in the corporate name and under the corporate seal of the township, in such sums as the said committee may think advisable, but not to exceed in the aggregate the sum of one hundred and twenty-five thousand dollars, which bonds shall be signed by the chairman of the town committee and countersigned by the clerk of the township, whose duty it shall be to keep a record of all bonds issued, with their dates, amounts, and the time when payable; said bonds shall be coupon, bearing interest at the rate of six per centum per annum, payable semi-annually, on the first days of July and January, and one-twentieth part of said amount shall be payable each year on the first day of January; *provided however*, ^{Proviso.} it shall not be lawful for said committee to sell or assign, or in any way dispose of any of said bonds at less than their par value.

3. *And be it enacted*, That in order to provide for the redemption of said bonds, it shall be and it is hereby made the duty of the town committee of said township, for each year hereafter until said bonds are redeemed, to notify the assessor of said township for the time being of the amount of principal and interest to be paid during that year, and to direct the same to be assessed and collected with the other taxes of said township; and it shall be the duty of such assessor, on receiving such notice signed by said town committee or a ma- ^{To provide by taxation for payment of bonds and interest.}

majority of them, to assess the amount mentioned in such notice as hereinafter directed; and it shall be the duty of the township collector to collect the same and to pay the amount thereof out of any township funds in his hands to the person appointed by the town committee to receive the same, as hereinafter provided, on or before the thirty-first day of December of each year, which fund shall be used only for the redemption of said bonds and the payment of the debt of said township incurred for the purposes of the war.

Taxes, how assessed and collected.

4. *And be it enacted*, That the tax hereinbefore directed to be raised, and any and all other taxes for similar purposes heretofore authorized and directed, shall be levied and assessed in manner following, that is to say: a poll tax of five dollars shall first be assessed on every taxable inhabitant of said township (except as hereinafter mentioned), and after deducting the estimated amount of such poll tax, the balance shall be levied and assessed on the taxable property of said township, in the same manner, at the same time, and under the same penalties, that state and county taxes are levied and assessed.

Treasurer of fund to be appointed.

5. *And be it enacted*, That the town committee of said township, for each year until said bonds are redeemed, may and they are hereby directed to appoint some person resident in said township to act as treasurer of said fund, whose duty it shall be to receive the money raised from year to year in pursuance of this law, from the collector, and therewith to pay said bonds or the interest thereon, to keep a correct account of his receipts and disbursements and render to said committee an account thereof when required, and at least once in each year said treasurer shall be required to give to said township a bond, with approved security, for the sum of twenty thousand dollars, conditioned for the faithful performance of the duties hereby imposed upon him, and shall receive such compensation for his services as the said committee may think just and reasonable.

Exemptions.

6. *And be it enacted*, That all pensioners of the United States and all such persons in said township as have served two years in the military service of the United States during the present war or have been discharged from such service on account of wounds or other disabilities incurred while in such service, or who may now be in said military service and shall hereafter be honorably discharged therefrom, shall be exempt from all liability to be assessed for any part of the tax hereby authorized.

7. *And be it enacted*, That all acts and parts of acts in-^{Repealer.}consistent with the provisions of this act are hereby repealed.

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

Approved March 9, 1865.

CHAPTER CLXII.

An Act to incorporate the "Newark Watch Manufacturing Company."

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That William M. Force, Charles Moore, Swain Thackara, William H. Cleveland, and Edgar Farmer and their associates shall be, and they are hereby created a body politic and corporate by the name of "The Newark Watch Manufacturing Company," for the purpose of manufacturing in the city of Newark, watches and the machinery and implements incident thereto. <sup>Names of cor-
porators.</sup>

2. *And be it enacted*, That the stock, property and con-<sup>Election of di-
rectors.</sup>cerns of said company shall be managed and conducted by five directors, one of whom to be president, who shall hold their office for one year; and that the said directors shall be chosen on such day every year as may be designated by the by-laws of said corporation, and by such of the stockholders as shall attend for that purpose, either in person or by proxy, or by power of attorney, they being entitled to as many votes as he or she shall hold shares of the capital stock of said company; and the persons having the greatest number of votes, being stockholders, shall be directors, and the directors chosen at one election shall be capable of serving by virtue thereof until another election shall have been had; and the directors so chosen may appoint such officers and superintendents, and assign such compensation as they shall think fit, not less than a majority of the whole number being present when the same shall be done; and if it happens at any time, that any vacancy or vacancies occur, by death, resignation, or otherwise among the directors named in this act, or those hereafter to be elected, such vacancy or vacancies shall be filled by such person or persons as the remainder

First directors

of the directors for the time being, or the majority of them shall appoint; and until other directors are chosen from the stockholders; the first directors shall be William M. Force, Charles Moore, Swain Thackara, William H. Cleveland, and Edgar Farmer, and the survivor or survivors of them, who shall hold their office until the third Tuesday in January next after the organization of the company, or until others are legally chosen.

Amount of capital stock.

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

Subscription books to be opened.

4. *And be it enacted*, That the subscription of the said stock shall be open at some convenient place in the city of Newark for any number of days, not exceeding thirty, under the direction of the board of directors, or such of them as shall be designated for that purpose.

Stock transferable.

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

Not dissolved for failure to elect.

6. *And be it enacted*, That in case it should at any time happen that an election should not be made on the day that, pursuant to this act, the same should 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 provided by law in such cases, in

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

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

8. *And be it enacted*, That the directors shall at all times ^{Books of account to be kept.} keep or cause to be kept, proper books of account, in which shall be entered all the transactions of said corporation, which shall at all times be open to inspection of the stockholders of the said corporation, or their legal attorney or attorneys; and further, that no transfer shall be valid or effectual until such transfer be entered and registered in the books to be kept by the president and directors for that purpose.

9. *And be it enacted*, That this act shall continue in force ^{Restrictions and liabilities.} for thirty years; and the said corporation shall possess the general powers, and be subject to the restrictions and liabilities contained in the act entitled, "An act concerning corporations," approved the fourteenth day of February, in the year of our Lord, one thousand eight hundred and forty-six.
Approved March 9, 1865.

CHAPTER CLXIII.

An Act for the relief of the Hunterdon County Mutual Fire Insurance Company.

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Time extended.} *the State of New Jersey*, That the act entitled "An act to incorporate the Hunterdon County Mutual Fire Insurance Company," approved February twenty-first, eighteen hundred and forty-five, shall continue and be in force for the term of thirty years from the date of the passage of this act, unless sooner repealed.

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

Approved March 9, 1865.

CHAPTER CLXIV.

An Act to authorize the inhabitants of the township of Manalapan, in the county of Monmouth, to raise bounty money, and to legalize the acts of said township for bounties paid heretofore.

Preamble.

WHEREAS, the inhabitants of the township of Manalapan, in the county of Monmouth, at a special town meeting held for that purpose, in the month of July, Anno Domini eighteen hundred and sixty-four, did agree and authorize the township committee of said township to raise a sum of money sufficient to procure the requisite number of volunteers to fill the quota of said township under the call made by the president of the United States, in July last; and whereas, the amount of money borrowed for that purpose amounted to the sum of fifteen thousand dollars; and whereas, the inhabitants of said township, at a subsequent town meeting, by a unanimous vote, did authorize and empower the township committee of said township to raise the money which they may require (by borrowing or otherwise) to procure the requisite number of volunteers to fill the quota of the said township under the call made by the president of the United States, under the last call for three hundred thousand men.

Money to be raised by loan.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the township committee of said township are hereby authorized and empowered to raise, by loan, any amount of money that may be necessary, not exceeding thirty-five thousand dollars, on the faith and credit of said township, to pay the fifteen thousand dollars borrowed to fill the quota of said township, under the call first above mentioned, and to pay bounties for soldiers to fill the quota of said township under the last call aforesaid of the president for three hundred thousand men; and that the notes or bonds of said township in its corporate capacity, given and

to be given, for the money so borrowed, and signed by the town committee, shall be valid and binding upon the property and taxable inhabitants of said township.

2. *And be it enacted*, That the inhabitants of said township are, and they are hereby authorized and empowered to raise, by tax, a sum of money sufficient to pay and discharge the sum of money procured or required to pay the bounties aforesaid, under the second call above stated, so ordered and voted as aforesaid, and the deficiency that remains unpaid of the money expended to fill the quota of said township on the said first call; and that the same shall be assessed and collected in the same manner (with the poll tax hereinafter mentioned) as the other township and county taxes are assessed and collected in the said township, and at such time or times as the committee of said township may determine. Money to be raised by tax.

3. *And be it enacted*, That the town committee shall levy a poll tax of five dollars, annually, upon every male inhabitant of said township of the age of twenty-one years and upwards, until said bounty money, and the interest which may accrue thereon, shall be paid and satisfied; *provided however*, that all such persons shall be exempt therefrom who have served in the armies of the United States, and by reason of such service are exempt from the draft. Poll tax. Proviso.

4. *And be it enacted*, That this act shall take effect immediately, and shall be taken in all courts and places as a public act.

Approved March 10, 1865.

CHAPTER CLXV.

An Act to legalize bonds issued by the township committee of the Middle Township, in the county of Cape May, to drafted and commuted men, and to raise money to pay volunteers.

WHEREAS, the inhabitants of the Middle Township, in the county of Cape May, at a special town meeting held in August last, authorized and instructed the township committee of said township to issue bonds to provide a bounty to fill the quota of the township; therefore, Preamble.

To provide for
redemption of
bonds.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the township committee of the Middle Township, in the county of Cape May, to provide for the redemption of bonds heretofore issued to drafted and commuted men, and to raise money to pay volunteers, payable at such times as are specified in the resolutions adopted at the aforementioned town meeting, bearing interest at a rate not exceeding six per centum per annum payable annually.

To provide by
taxation for
payment of
principal and
interest.

2. *And be it enacted*, That the said township committee shall have power and authority to provide by taxation for the payment of the said bonds and the interest due thereon; and the said township committee shall yearly, and every year, until all the bonds issued shall be redeemed and paid off, order and cause to be assessed and collected by tax as follows: one half to be assessed and collected on the polls, and the other half of said tax to be assessed and collected on the real and personal property in the said township at the time other taxes in said township are assessed and collected, a sufficient sum of money to pay the interest on the said bonds as the same shall become due, and to pay and discharge the principal at the several times they shall become due and payable according to the tenor of the said bonds; and that the township collector of said township or other person for that purpose appointed, shall, when such tax or any part thereof shall be collected, pay the same to the township committee of said township, and that all such moneys so to be raised by virtue of this act, shall be inviolably applied by said township committee to pay the interest and principal of said bonds as the same shall become due and payable.

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

Approved March 10, 1865.

CHAPTER CLXVI.

An Act to legalize and require the issuing and payment of certain bonds of Middle Township, in the county of Cape May.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That each and every person who has been or shall be drafted to fill the quota of Middle township, Cape May county, in pursuance of the call of the president of the United States made December, eighteen hundred and sixty-four, and has gone himself or has furnished a substitute, or shall serve the United States as such drafted person, or shall put in a substitute to satisfy such draft, shall receive of the township committee of Middle township (in case he has not already received) a township bond of indebtedness for the sum of five hundred dollars, payable in three equal installments, in four five and six years, with interest payable annually from date, and the township committee aforesaid shall and are hereby empowered, authorized and required (in addition to the other tax now required, or hereafter required by law) to order and cause to be levied, assessed and collected, such amount of money by tax as shall be necessary to pay the interest on the bonds annually that have been issued, or shall be issued for the benefit of the persons aforesaid, and also the principal at the time set forth in said bonds, and the said township committee shall continue to order and cause to be assessed and collected such tax from year to year until all such indebtedness shall be paid.

2. *And be it enacted*, That three-fourths of the amount of money as shall be necessary to carry into effect this act, shall be raised by tax on the real and personal property in the township, as other tax is raised on such property, and one-fourth shall be raised by poll tax.

3. *And be it enacted*, That all the officers of the township, county and state aforesaid, shall do and cause to be done, all and everything that may or shall be necessary to carry into effect the true meaning and intent of this act.

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

Approved March 10, 1865.

CHAPTER CLXVII.

An Act to authorize the town committee of the township of Shrewsbury, to issue scrip, bonds, or other evidences of indebtedness, to provide for the payment of the same, and for other purposes.

Preamble.

WHEREAS, the town committee of the township of Shrewsbury, in the county of Monmouth, complying as near as practicable with the resolutions adopted at a public meeting of the inhabitants of said township, did issue scrip in consideration of filling the quota of said township, under the call of the president of the United States, of December nineteenth, eighteen hundred and sixty-four, allowing to one year men one hundred and fifty dollars, two years' men two hundred dollars, and to three years' men three hundred dollars, whether volunteering, furnishing substitute or drafted; and whereas, responsible citizens of said township have given their notes for thirty-five thousand seven hundred and fifty dollars, to aid in filling said quota, and it being right and just that the amount sufficient to fill said quota with interest and expenses, should be raised by taxation, therefore

Acts legalized.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the acts of said committee in issuing scrip, are hereby confirmed, legalized and made valid as a debt against said township; and the town committee of said township shall and are hereby authorized to issue additional scrip, bonds and other evidences of indebtedness sufficient to fill said quota according to the rates mentioned in the preamble, and shall issue new scrip, bond or other evidences of indebtedness in the place of the first mentioned scrip, so as to be the same in due and legal form.

Balance of money to be raised.

2. *And be it enacted*, That the town committee of said township shall and are hereby authorized to certify to the assessor of said township, on or before the first day of September, Anno Domini eighteen hundred and sixty-six, the balance of the sum sufficient to fill said quota with interest and expenses, after deducting eight thousand dollars.

Duties of assessor and collector.

3. *And be it enacted*, That the assessor and collector of said township shall be and are hereby authorized to assess and collect eight thousand dollars the present year, and the

balance to be certified as above the ensuing year, at such times in said years and in such manner as other taxes of said township are assessed and collected, and under the same fees, fines and penalties; and the collector of said township, shall and is hereby authorized forthwith to pay said moneys to the town committee of said township, and the town committee of said township shall be and are hereby authorized immediately to apply and appropriate said moneys to paying said scrip, bonds, or other evidences of indebtedness with legal interest thereon, and the aforesaid fees and expenses.

4. *And be it enacted*, That all the laws of this state in relation to taxes, not inconsistent with this act, shall apply to the taxation of the moneys to be appropriated as above mentioned.

5. *And be it enacted*, That this act shall take effect immediately, and be taken and held as a public act.

Approved March 10, 1865.

CHAPTER CLXVIII.

An Act authorizing the township committee of the township of Northampton, in the county of Burlington, to perform certain duties, &c.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the township committee of the township of Northampton, in the county of Burlington, and their successors in office be, and they are hereby authorized and empowered to perform all the duties, and exercise all the powers which the street commissioners were authorized and empowered to perform and exercise, under and by virtue of an act entitled "An act to regulate the grading of the streets and sidewalks, paving and curbing in the town of Mount Holly," approved March twenty-third, eighteen hundred and fifty-nine, and the supplement thereto, approved March twenty-second, eighteen hundred and sixty, in the manner directed and prescribed in said act and supplement.

Powers and
duties of
township
committee.

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

Approved March 10, 1865.

CHAPTER CLXIX.

An Act to authorize the inhabitants of the township of South Brunswick, in the county of Middlesex, to raise money to pay bounties.

May issue
notes to pay
bounty.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the township committee of the township of South Brunswick, in the county of Middlesex, to raise money for the purpose of paying a bounty to each person who may be enlisted, by volunteering or otherwise, into the armies of the United States, under the last or any other call of the president hereafter to be made, in order to fill the quota of said township, by issuing promissory notes in the name of "The inhabitants of the township of South Brunswick, in the county of Middlesex," executed under the hands of the said township committee, or a majority of them, for an amount of money not exceeding in the whole the sum of fifteen thousand dollars in any one year, unless otherwise decided by a majority of the legal votes cast at the annual meeting, or by order of the town committee, by giving lawful notice of the meeting, in such amount, payable at such times, and bearing interest at such rate, not to exceed seven per centum per annum, as the said township committee shall deem proper, and with the said notes, or the proceeds thereof, to make payment as aforesaid.

Money to be
raised by tax.

2. *And be it enacted*, That the township committee of the said township be and they are hereby authorized and required to add to the amount of money to be raised by tax for township purposes sufficient money to pay off and discharge the said notes and interest as the same shall fall due, and that they shall cause the amount so added to be assessed and collected in the said township in the manner and at the time of assessing and collecting other township taxes, and with the money so collected to pay off, discharge and take up the said notes as the same shall fall due as aforesaid.

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

Approved March 10, 1865.

CHAPTER CLXX.

An Act to authorize the inhabitants of the township of Atlantic in the county of Monmouth, to raise by tax an amount necessary to pay the bounties advanced to volunteers, substitutes, and drafted men, under the call of the president of the United States for five hundred thousand men, made on the eighteenth day of July, Anno Domini eighteen hundred and sixty-four.

WHEREAS, the inhabitants of the township of Atlantic, in the county of Monmouth, did advance to volunteers, substitutes and drafted men, the sum of thirteen thousand dollars to fill the quota of said township under a call of the president of the United States, made on the eighteenth day of July, eighteen hundred and sixty-four; and whereas, it is necessary that a law should be passed by the legislature to legalize the raising of said sum by taxation; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the inhabitants of said township be and the same are hereby authorized to raise, by assessment on the taxable property in said township, a sum sufficient to liquidate the amount advanced and expended in raising said volunteers by said township; *provided*, that such of the inhabitants of said township who shall have furnished substitutes or paid commutation money, under the calls of March and July, Anno Domini eighteen hundred and sixty-four, shall be exempt from assessment under this act.

2. *And be it enacted*, That the said assessment shall be made and collected at the same time and in the same manner as other taxes are assessed and collected.

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

Approved March 10, 1865.

CHAPTER CLXXI.

An Act to legalize the action of the inhabitants of the township of Upper Freehold, in the county of Monmouth, in the raising of money by taxation for the payment of bounties to volunteers, and to provide for the collection thereof.

Preamble.

WHEREAS, the inhabitants of the township of Upper Freehold, in the county of Monmouth, at a town meeting held for the purpose, resolved by vote to raise money by taxation for the payment of bounties to volunteers, to enable the said township to fill the quota of men assigned to it under the last call for five hundred thousand troops, and directed that the same should be assessed and collected in part by a poll tax and the remainder by a tax on property, therefore,

Acts and doings legalized.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the acts, doings and proceedings of the said inhabitants of the township of Upper Freehold, in the county of Monmouth, and of the township committee and of officers of the said township, to raise money by taxation, assessment and collection for the payment of bounties to fill any quota assigned to said township prior to the present call for troops, are hereby made valid in all respects, and the same, together with the amount necessary for that purpose as directed to be raised, shall be binding upon the inhabitants of and taxable property in said township; and the inhabitants of the township of Upper Freehold, in the county of Monmouth, shall be held and deemed to be liable, in their corporate capacity, for moneys advanced and paid, or that shall be advanced and paid, pursuant to their said action at town meeting or the action of the township committee, for bounties to volunteers credited to said township under any call for troops prior to the present call, with interest thereon.

Notice to be given to delinquents.

2. *And be it enacted*, That the collector of the township of Upper Freehold, shall give notice, by setting up notices in ten of the most public places in said township, that if any person or persons against whom any assessment has been made to raise any of said money, who have not paid the same, shall neglect or refuse to pay the tax assessed against him, her or them for the space of twenty days from and after

a day named in said notices, which day so named shall be the day they are set up or some subsequent day, they will be regarded as delinquents and proceeded against accordingly; and the said collector shall, on or before the day named in said notices from which said twenty days are to be computed, give or cause to be given to each taxable inhabitant of said township who shall not have paid the amount assessed against him or her to raise said bounty money, notice of the amount of tax assessed against him or her as aforesaid, by a written or printed or partly written and partly printed notice, served personally or by leaving the same at his or her place of abode, therein setting forth that the same must be paid within twenty days from a day therein named, which shall be the same day named in the notices so as aforesaid to be set up, from which the twenty days in said last named notices mentioned are to be computed, and in case any of the persons against whom an assessment has been made as aforesaid shall neglect or refuse to pay his, her or their tax so assessed, within the time limited in said notices, such persons shall be deemed delinquents; and said collector shall, within five days after the expiration of the time so limited for the payment of said tax assessed, make out a list of such delinquents, with the amount assessed against each remaining unpaid, and deliver the same to any justice of the peace of said township; and the justice of the peace to whom such list of delinquents shall be delivered, shall, within five days after the same is delivered to him, issue a warrant or warrants for the collection thereof in the same manner and form as he is now directed to do by law for the collection of taxes due from delinquent tax payers, and shall therein direct the poll tax, as well as the tax on property to be collected, and shall deliver said warrant or warrants to the officer or officers to whom he is now required by law to deliver an ordinary tax warrant, which officer or officers shall proceed thereon and execute the same in all things in the manner provided by law in cases of the collection of ordinary taxes, and he shall be entitled to receive and collect for himself and for said justice of the peace the same fees as are provided in such cases; but he shall pay the money collected or received by him to the township committee of said township or such member thereof as they shall direct.

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

Approved March 10, 1865.

CHAPTER CLXXII.

An Act to incorporate the South Amboy Clay Dock Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Abraham Everett, John F. Hillman, Noah Furman, William Clark and A. D. Van Pelt, and their associates and successors, shall be and they are hereby incorporated and made a body politic and corporate in fact and in law, by the name of the South Amboy Clay Dock Company, to build, maintain, and keep in repair a dock or wharf, at the foot of either John's or Augusta streets, in the village of South Amboy in the township of South Amboy, extending a sufficient distance into Raritan Bay, for the accommodation of vessels navigating the same; *provided*, the said dock or wharf shall not obstruct the navigation of said bay.

Proviso

Election of directors.

2. *And be it enacted*, That the stock, property and business of said corporation shall be managed by five directors, being stockholders (one of whom shall be president) who shall hold their offices for one year and until others are appointed, and a majority of the directors shall be a quorum for the transacting the business of the company; and that the said Abraham Everett, John F. Hillman, Noah Furman, William Clark, A. D. Van Pelt, shall be the first directors of the said corporation, shall hold their offices for one year and until others are legally chosen, and that the time and manner of electing future directors, and of filling vacancies, and all other matters appertaining to the concerns of the said corporation, shall be managed and governed and regulated by the by-laws of the said corporation.

Amount of capital stock.

3. *And be it enacted*, That the capital stock of said corporation shall be thirty-five thousand dollars, in the shares of five dollars each, with the privilege of increasing the said capital stock to fifty thousand dollars.

Stock transferable.

4. *And be it enacted*, That the capital stock of the said corporation shall be deemed personal property, and the shares shall be transferable in such manner as the board of directors, by their by-laws, may direct; and every share shall entitle the holder to one vote, either in person or by proxy.

5. *And be it enacted*, That the books of subscription to the

said capital stock shall be opened under the direction of the board of directors, and subject to such rules and regulations as they may prescribe; and it shall be lawful for the directors or a majority of them, from time to time, to call for 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, and if such payment shall not be made within thirty days after the day fixed for that purpose, by a notice in writing previously served on each stockholder or their representatives, or left at their usual places of abode, designating the proportion or amount of such payment, and the time when and the place where and to whom the same shall be made, such stockholders so refusing or neglecting to pay shall forfeit his shares and all previous payments thereon.

Books of subscription to be opened.

6. *And be it enacted*, That all vessels arriving at said dock for either loading or unloading their cargoes, shall, before commencing to load or unload, obtain a permit from the person authorized by the company to give this permit, and then occupy such place or berth at said dock as is assigned to them, or in default of complying with these regulations, be held to such damage as the law prescribes.

Regulations for vessels.

7. *And be it enacted*, That the dockage to be charged for the use of the said dock of the said company shall be at the same rate as now by law established for the dock of the Keyport Dock Company, at Keyport.

Rates of dockage.

8. *And be it enacted*, That if any person or persons shall wilfully destroy, or by carelessness, want of skill or negligence, in any way injure or damage the said dock or wharf, such person or persons so destroying or injuring said dock or wharf as aforesaid, shall be responsible for all such damage, to be recovered in an action of trespass, or trespass on the case, before any court having competent jurisdiction of the same.

Penalty for injuring dock.

9. *And be it enacted*, That the said company shall be authorized and they are hereby empowered to receive conveyances, and to purchase lands necessary for the building of said dock or wharf and its use, and to pay for all lands, either in money or in the shares of their capital stock at not less than its par value, at the option of the owner of said land.

May hold land

10. *And be it enacted*, That the liability of each stockholder shall be limited to the amount of his shares of stock.

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

Approved March 10, 1865.

CHAPTER CLXXIII.

An Act to incorporate the Millville Manufacturing Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Richard D. Wood, Richard Wood, Edward R. Wood, George Wood, Randolph Wood and Philip C. Garrett, and their associates and successors, are hereby made a body politic and corporate in law, by the name of "The Millville Manufacturing Company," for the purpose of manufacturing cotton goods or yarns and preparing the same for market, by bleaching, embossing, dyeing or printing, or otherwise, and offering the same for sale, and for the transaction of any business that may be properly connected therewith; and the factories or works of said Millville Manufacturing Company shall be located in Millville township, Cumberland county, in this state; and that the capital stock of said company shall be three hundred thousand dollars, with power to increase the same to a sum not greater than one million dollars, and shall be divided into shares of one hundred dollars each.

Amount of capital stock.

Powers.

2. *And be it enacted*, That the said corporation may purchase, hold and enjoy any such real estate, and erect any such buildings thereon, and obtain and possess any such machinery, goods or chattels as may be necessary or expedient to said corporation for carrying on its business; and whenever it shall see fit, the said corporation may sell, mortgage, lease, or otherwise dispose of the same at pleasure.

Election of directors.

3. *And be it enacted*, That the business or affairs of the said corporation shall be managed by not less than three nor more than nine directors, one of whom shall be president of said corporation; and the said directors shall be stockholders in said company, and shall hold their offices for one year and until others shall be chosen to fill their places; and the directors shall be elected at the annual meeting of the stockholders, which shall be held on the first Tuesday in June, at

such hour and place as the by-laws of said company may direct, and until such annual election shall take place the associates named in this act shall be directors of said corporation; and a majority of the directors at any time or place ascertained, according to the regulations prescribed by the by-laws of said corporation, shall constitute a board competent to transact business, and all business before them shall be decided by a majority of votes of those present; and in case any vacancy shall occur in the board by death, resignation, failure to act, or otherwise, the directors who remain, or a majority of them, for the time being, may appoint any stockholder to fill the said vacancy.

4. *And be it enacted*, That in case an election for directors shall happen not to take place upon the day herein designated for that purpose, the said corporation shall not be deemed dissolved, but the stockholders may proceed to hold an election on any other day, ten days' notice of the time and place of said election having been given. Corporation not dissolved for failure to elect.

5. *And be it enacted*, That the said corporation shall have power to deepen the channel of the Maurice river at any point above the mouth of Manantico creek, so as to allow vessels drawing eight feet or more of water to approach the upper wharves at Millville; and as compensation for any expense that may be incurred, the said corporation shall be entitled to collect toll upon all vessels having a registered tonnage of not less than sixty tons, which shall enter the river above the mouth of Silver creek, at a rate not exceeding six cents per ton for any such vessel. May deepen Maurice river.

6. *And be it enacted*, That the capital stock or property of said corporation, of whatever nature or kind, shall be deemed personal estate, and be transferable in such manner as shall be prescribed by the by-laws of said corporation. Stock transferable.

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

8. *And be it enacted*, That regular books of account shall be kept, in which shall be entered all the transactions of the said corporation; and that books of transfer of stock shall also be kept, and shall be evidence of the ownership of said Books of account to be kept.

stock; and further, that no transfer of stock shall be valid and effectual until such transfer shall be entered and registered in the books to be kept by the president for that purpose.

Restrictions
and liabilities.

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

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

Approved March 10, 1865.

CHAPTER CLXXIV.

An Act to incorporate Mystic Lodge, Number Forty-six, of the Independent Order of Odd Fellows, of the borough of Bordentown, and State of New Jersey.

Names of cor-
porators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That James W. Allen, James Stratton, J. Price Campbell, Irene D. Young, Ephraim F. Wright, Peter Nevius, Andrew J. Kinch, Charles Scott, John P. Brown, Lewis C. Claypole, William Grimshaw, George W. Bunting, Daniel Hull, and their associates, officers and members of "Mystic Lodge, Number Forty-six, of the Independent Order of Odd Fellows, of the State of New Jersey," and their successors, be and they are hereby constituted and declared to be a body corporate and politic in law, by the name, style and title of "Mystic Lodge, Number Forty-six, of the Independent Order of Odd Fellows, of the State of New Jersey," and by that name, they and their successors shall and may at all times hereafter, be capable in law, of having, purchasing, holding and possessing any lands, tenements, hereditaments and personal estate, purchased, devised, or bequeathed by any person or persons, body corporate or politic, capable of making the same; and also to have a common seal, and use the same at pleasure; *provided always*, that the said corporation or body politic,

Proviso.

shall not at any time hold or possess property, real, personal or mixed, exceeding in value the sum of ten thousand dollars,

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

Approved March 10, 1865.

CHAPTER CLXXV.

An Act to legalize certain acts of the township committee, and of the inhabitants of the township of Egg Harbor, in the county of Atlantic, in raising bounties to fill their several quotas of troops for the war.

WHEREAS, the inhabitants of the township of Egg Harbor, in Preamble. the county of Atlantic, did, at sundry times in eighteen hundred and sixty-four, assemble and organize themselves into a town meeting, due notice having been given by the township clerk of said meetings, the said meetings thus assembled did by large majorities at each meeting, vote that the township committee of said township be authorized to issue bonds of the township for the purpose of raising bounties; and at the first meeting above mentioned, held on the nineteenth day of July, it was determined that the township committee should give the township's bonds payable in one, two, and three years, to the amount of three hundred dollars to each person that entered the service of the United States, or put in a substitute; in accordance with the above, said committee issued bonds to the amount of nineteen thousand dollars, and it was further ordered by said meeting, that one-tenth of the amount of said bonds be assessed as a poll tax and the balance on the taxable property of the township; and it was further ordered by said meeting that all drafted men that paid their commutation should be exempt from paying any part of the above assessment; and at a second meeting held on the twenty-second day of August, it was determined that the township committee should raise a sum of money sufficient to fill the township quota for the call of July eighteenth, eighteen hundred and sixty-four, by issuing township bonds payable in one, two, and three years, and in accordance with the

above, said committee issued bonds to the amount of twenty-five thousand dollars; and it was further determined by said meeting that one-half of the above amount shall be assessed as a poll tax and the balance assessed on the taxable property of the township; therefore,

Act legalized.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the acts and doings of the township committee and of the inhabitants of the township of Egg Harbor, in the county of Atlantic, mentioned in the preamble of this act, and the bonds given by the committee of said township, shall be and are hereby declared to be valid in law against the said township, the same as if they had been done by an express act of the legislature for that purpose.

When to be assessed and collected.

2. *And be it enacted*, That it shall be the duty of the assessor and collector to assess and collect the amount ordered by the township committee, and pay the same over to the township committee, and by them or their clerk it shall be paid to the legal holders aforesaid of the township bonds.

Authorized to issue bonds.

3. *And be it enacted*, That it shall be lawful for the inhabitants of said township, in town meeting assembled, by a two-third vote of those voting at said meeting, to order the township committee to issue bonds to raise bounties to fill the call of December, eighteen hundred and sixty-four, and any future call; *provided*, said amount shall not exceed four hundred dollars per man, and said meeting shall vote *viva voce*.

Proviso.

4. *And be it enacted*, That this act shall be deemed a public act and take effect immediately.

Approved March 10, 1865.

CHAPTER CLXXVI.

An Act to provide for the raising of moneys paid to volunteers and drafted persons in the township of Sandyston, in the county of Sussex.

Preamble.

WHEREAS, the inhabitants of the township of Sandyston, in the county of Sussex, did on the third day of October, eighteen hundred and sixty-four, in special town meeting for that purpose assembled, vote to raise on the credit

of said town an amount of money sufficient to pay to each inhabitant of said township who had been or should be drafted, in the United States service under the calls of July and October, eighteen hundred and sixty-four, and to such as furnished substitutes in anticipation of the draft then ordered, the sum of six hundred dollars each, and to such as had paid the commutation money having been drafted under the call of July, eighteen hundred and sixty-four, the sum of three hundred dollars, and that the money thus expended be levied and raised by a tax upon the taxable inhabitants and property of said township; and whereas, by a resolution passed at said meeting, Hezekiah Smith, John Schooley, John S. Jaggars, John Nice, Daniel Carmer, Sylvester Layton, and Obadiah Bevans, were appointed a committee to raise said money, or so much as might be required for said purpose, and to pay out and expend the same; and whereas, the said committee did on their individual credit raise said money, and did pay out the same according to the vote and resolutions of said meeting; therefore,

1. BE IT ENACTED by the Senate and General Assembly of ^{Money to be refunded.} the State of New Jersey, That the town committee of the said township or a majority of them, proceed as soon as may be after the passage of this act to ascertain the amount of money raised and paid out by the committee mentioned in the preamble to the act, or for which they have become liable in carrying out the votes and resolutions of said meeting, with the interest which has or may accrue thereon, and the expenses necessarily connected therewith, to be computed to the first day of January next, and shall file a written report of the same with the clerk of said township, on or before the first day of April next; and the said township of Sandyston shall be liable in its corporate capacity for the said amount so found to be due to the persons composing said committee, or to whoever shall have raised and furnished said money, and if need be, such person or persons to be designated in such report, may have an action of debt to recover the same with interest and costs in any court of competent jurisdiction, and any judgment that may be obtained therefor and the execution that may be issued thereon, shall be a lien upon any and all the taxable property within the said township, and the said town committee shall, in addition to the fees now allowed them by law, be entitled to receive for such service the sum of two dollars each.

Money to be
raised by tax.

2. *And be it enacted*, That it shall be lawful for and it shall be the duty of the inhabitants of said township to levy and raise by taxation in the manner and within the time other township taxes are levied and raised, the said sum of money so found to be due as aforesaid, and the assessor and collector, with the other proper officers of said township, are hereby enjoined and required to proceed in the assessment and collection of the same within the time and under the obligations prescribed by law for the assessment and collection of other township taxes, and when collected, the same shall be paid to the person or persons entitled thereto as ascertained by the report of the town committee aforesaid.

Money to be
raised by loan

3. *And be it enacted*, That the inhabitants of said township may if they choose, determine at their next town meeting by a majority of votes, whether they will raise the said money or any part thereof, and what part by loan upon their obligations; and for the amount so determined to be raised by loan it shall be lawful to issue obligations in their corporate name, payable at the time and place, and in such sums and such rate of interest not exceeding seven per centum per annum, as may be determined at said town meeting, and the said obligations shall be signed by the township collector of said township and countersigned by the clerk thereof, and shall be payable to such order or to the bearer as the town committee shall direct, and shall be disposed of and sold by said town committee or a majority of them, at not less than their par value, and the proceeds thereof shall be applied by them to the payment of said indebtedness; and it shall be lawful for said township from time to time to raise money by assessment and taxation, as hereinbefore directed, to pay the interest which may accrue on said obligation, and for the payment and redemption thereof when they fall due.

Balance, how
raised.

4. *And be it enacted*, That in case said money shall not be raised by loan on the obligations of said township, and if the same or any part thereof remains unpaid on the first day of September next, that then the same shall be raised by taxation as hereinbefore provided.

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

Approved March 10, 1865.

CHAPTER CLXXVII.

An Act to incorporate the Hoboken Ferrymen's Association.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That John Eberhard, Benjamin G. Campbell, John Logan, James Housman, John Smith, German Rouse, William W. Shippen, Philip Timm, James McCulloch, Peter McDermott and William T. Havens, and such other persons as may become associated with them, be and they are hereby constituted and made a body politic and corporate, to be known in fact and law as "The Hoboken Ferrymen's Association;" and by that name they and their successors shall be 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 they and their successors respectively may have and use a common seal and have power to make, alter and renew the same at pleasure; and by their common seal may make, enter into and execute any contract or agreement touching the objects of said incorporation, and may acquire and hold real and personal estate necessary for the objects of the incorporation; *provided*, the same shall not exceed the sum of ten thousand dollars.

Names of corporators

Proviso.

2. *And be it enacted*, That the object of said association is purely benevolent: to collect, manage and control a fund, and to distribute the same from time to time, or any portion thereof, towards the relief of sick or disabled members, the care of families and the protection of the widows and orphans of deceased members, and the expenses incident thereto.

Object.

3. *And be it enacted*, That the members of said association shall have power at their annual meeting, to be held on the last Tuesday in February, to elect from among their number a president, vice president, secretary, assistant secretary, treasurer and doorkeeper, who shall hold their offices until others are elected in their stead; they shall also have power to elect at said annual meeting three trustees, who shall hold office three years, one of whose terms shall expire each year in rotation, to be determined among themselves by lot; that said trustees shall invest all funds the association may order, in a safe and profitable manner, and shall deposit their vouchers with the treasurer, and shall be subject to such duties as

Officers.

shall be required of them by the constitution and by-laws of said association.

By-laws.

4. *And be it enacted*, That the said association shall have power to make and prescribe such by-laws, rules and regulations as to them may seem needful; *provided*, the same shall not be inconsistent with this act or the constitution of this state.

Proviso.

Not to be taxed.

5. *And be it enacted*, That the property and effects of the said association held or used for the purposes designed by this act, shall not be subject to the payment of any tax under the laws of the state.

Limitation.

6. *And be it enacted*, That this act shall continue in force for thirty years; *provided always*, that the senate and general assembly may at any time hereafter amend, repeal or modify this act as they shall think proper.

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

Approved March 10, 1865.

CHAPTER CLXXVIII.

An Act to legalize the acts of the township of Marlboro, in Monmouth county, to pay bounties, and for other purposes.

Preamble.

WHEREAS, the president, July, eighteen hundred and sixty-four, made a call for five hundred thousand men, and in December, eighteen hundred and sixty-four, another call for three hundred thousand men; and whereas the township of Marlboro' at a special town meeting, regularly called and held, August, eighteen hundred and sixty-four, did authorize and direct the raising of twelve thousand dollars, to pay volunteers, recruits and substitutes, to fill her said quota for July call; and the said township of Marlboro', at a regularly called special town meeting, January sixteenth, eighteen hundred and sixty-five, did authorize and direct twelve thousand dollars to be raised, to fill the quota of said township for the present call, to be paid to recruits, substitutes or drafted men, and at said meeting it was also unanimously resolved, that a tax of ten dollars should

be levied on each man liable to be drafted, and the balance on the taxable property of the township; and it was resolved that the township committee give bonds for the money until liquidated by tax, and also that the said money be raised as soon as legalized by the legislature; the township requests that its action be sanctioned and legalized by this legislature; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Acts legalized} *the State of New Jersey*, That the township of Marlboro' shall have full power and authority, to provide by taxation for said liabilities, and interest thereon, and it shall be lawful for the said township to tax each man liable to do military duty, ten dollars, and to tax each man five dollars who is liable to pay a poll tax, and the balance to be raised from the taxable property of the township; and the town committee may issue bonds for the indebtedness of the township, the same to be assessed and collected by the same persons in the same manner, and under like fees, fines and penalties as other taxes are in said township, and at such times as the township shall direct.

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

Approved March 10, 1865.

CHAPTER CLXXIX.

An Act to authorize the township committee of the township of Union, in the county of Camden, to raise moneys for the payment of volunteers to fill the quota of said township and for other purposes.

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Assessment and taxation} *the State of New Jersey*, That for the purpose of raising money to pay bounties and other expenses, already or hereafter incurred, and other indebtedness of said township, there shall be assessed, levied, collected and raised as a personal poll or capitation tax upon every male inhabitant of the said township of Union, of twenty-one years and upwards, the sum of ten dollars, excepting those who have served two years or upwards in the military or naval service of the

United States, during the present rebellion, and have been honorably discharged; and there shall also be assessed, levied, and collected and raised, on the taxable real and personal property of the inhabitants of said township, and upon all real estate and other objects of taxation therein of every kind, including the stock of corporations taxable in said township, the sum of one per cent.

When tax to
be assessed
and collected.

2. *And be it enacted*, That it shall be the duty of the assessor of the said township of Union, within ten days after the passage of this act, to assess the sums ordered to be assessed and raised by the next preceding section of this act, upon the persons, property and objects of taxation, therein specified, and to deliver the assessment and duplicate thereof to the collector of said township, and said collector shall within ten days after he shall receive the same, demand payment of the taxes or sums assessed against the persons in said township by virtue of this act as a poll tax or as a tax on property, either in person or by notice left at their place of residence, or place of business, or principal office, and shall also, within that time, give notice, by notices put up in at least three public places in said township, that if any of the persons against whom such assessment is made shall neglect or refuse for the space of ten days after the date of such notice to pay the tax assessed as aforesaid against them, they will thereupon be regarded as delinquents, and be at once proceeded against in the same manner as delinquents in the payment of other taxes are by law proceeded against.

Fees.

3. *And be it enacted*, That the assessor and collector of said township shall receive for assessing and collecting the taxes provided by this act, such compensation as is now provided by law for assessing and collecting the annual taxes of said township, and that the collector shall give such other and additional security for the collection and paying over of this special tax as the said township committee shall by resolution determine.

Overplus, how
appropriated.

4. *And be it enacted*, That should any moneys so assessed and collected by said township collector over and above the amount requisite for filling said quota, remain in his hands, such moneys shall be applied to the liquidation of liabilities heretofore created in filling previous quotas of said township.

Acts and de-
cisions legalized.

5. *And be it enacted*, That all debts and liabilities already incurred in said township of Union, in consequence of bounties heretofore paid to volunteers, and the action of said township committee thereupon be and the same are hereby legal-

ized; and the said township committee shall have power and they are hereby authorized to issue the bonds of the said township for the purpose of raising money to fill the quota of said township under the present call of the president, of the United States, to any sum not exceeding in all the sum of ten thousand dollars; the said bonds to be issued in such sums and to be payable at such times as said township committee may determine; *provided*, that the whole shall be Proviso. payable within five years from the date thereof; and said bonds and the debt thereby incurred shall be legal and binding on said township and the taxable property thereof.

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

Approved March 10, 1865.

CHAPTER CLXXX.

An Act to incorporate the "South Jersey Cranberry Company."

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Emmor Reeve, Daniel R. Gowdy, William S. Sharp, Ralph B. Gowdy, James W. Campbell, James G. Gowdy and Martin P. Grey, and such others as may be associated with them, and their successors, are hereby declared to be a body politic and corporate, by the name of "The South Jersey Cranberry Company." Names of cor-
porators.

2. *And be it enacted*, That the amount of the capital stock of said company shall be one hundred thousand dollars, with the privilege to the said company of increasing the same to two hundred thousand dollars, to be divided into shares of twenty dollars each, to be deemed personal property, and to be transferable only on the books of this corporation. Amount of
capital stock.

3. *And be it enacted*, That the above named persons, or a majority of them, shall be commissioners to receive subscriptions to the capital stock aforesaid, at such time or times, place or places in this state, and upon such notice as they or a majority of them shall think proper; and at the time of subscribing for said stock, five dollars on each share shall be paid to said commissioners, or shall be satisfactorily secured, a Commission-
ers to receive
subscriptions.

and the residue of the subscription shall be paid in such installments, and at such times and places, and to such person or persons as the directors of said company shall from time to time direct, by giving twenty days' notice in two or more newspapers printed and circulated in this state; and upon failure of payment thereof, the said directors shall have power to forfeit the shares of each and every person so failing to pay said installments or any of them, to and for the use of the said company; and whenever twenty thousand dollars of the capital stock aforesaid shall have been subscribed, such commissioners shall, as soon as they deem it expedient, give like notice of a meeting of the stockholders, at such time and place as they may designate, to choose five directors, who shall hold their office for one year, or until others are duly elected; and such election shall be made at the time and place appointed, by such of the stockholders as shall attend for that purpose, either in person or by proxy, each share of the capital stock entitling the holder thereof to one vote; and the directors chosen at such meeting, or at the annual elections of said corporation, shall, as soon as may be, after every election, choose out of their own number a president; and the said board of directors shall have power to elect a secretary and treasurer for the said company, to serve for one year and until a successor or successors shall be chosen by the said board, and in case of the death, resignation or removal of the president, secretary or treasurer, or any director, such vacancy or vacancies may be filled, for the remainder of the then current year, by the said board of directors.

Election of directors.

May purchase and hold lands, &c.

4. *And be it enacted*, That the said company, when organized as aforesaid, shall be and they are hereby authorized to purchase, hold, occupy and convey such and so much land as they may deem proper, situate in the counties of Burlington, Ocean, Camden and Atlantic, or in any or either of them, and to improve the same for the cultivation of cranberries, and to sell and convey the same, and to erect such buildings thereon as may be necessary or convenient for the use of said company, and to lay, keep and maintain drains through the contiguous and adjacent lands, for the benefit of their said lands.

May borrow money.

5. *And be it enacted*, That it shall be lawful for the directors of said company from time to time to borrow such sum of money as may to them seem advisable for the purposes of their said business, and to secure the same by a mortgage or mortgages on the lands or other property of the said company

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

Approved March 10, 1865.

CHAPTER CLXXXI.

An Act to authorize the inhabitants of the township of Woodbridge, in the county of Middlesex, to raise money by issuing bonds.

WHEREAS, the inhabitants of the said township, in consequence of the payment of bounties by the township committee thereof, pursuant to the directions of said inhabitants, in special town meeting convened, for the purpose of filling the late quotas assigned to said township upon the calls of July and December nineteenth, eighteen hundred and sixty-four, of the government for troops; and whereas, it is necessary that provisions be made for the payment of such indebtedness, and for assessing and collecting the same. Preamble.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the township committee of the township of Woodbridge, in the county of Middlesex, to provide for the payment of the said indebtedness by issuing bonds in the name of the inhabitants of the township of Woodbridge, in the county of Middlesex, under the respective hands and seals of the said township committee, or any three of them, for any amount of money that may be necessary for such purposes, in such sum or sums, and payable at such time or times as the said township committee shall deem proper, bearing interest at a rate not exceeding seven per cent. per annum, payable annually, and to pledge the property and the credit of the said township for the payment of the same, which bonds it shall be lawful for the said township committee, and their successors in office, to sell and assign. To provide for payment of indebtedness by issuing bonds.

2. *And be it enacted*, That the township committee of the township of Woodbridge shall have power and authority to provide by taxation for the payment of said bonds and the interest thereon, and that the said township committee shall To provide for payment of bonds by tax.

yearly and every year, until the bonds to be issued by the authority hereof shall be redeemed and paid off, order and cause to be assessed and collected by tax, at the time and in the manner that other taxes in the said township are assessed and collected, a sum of money sufficient to pay the interest, and to pay said bonds as the same shall become due and payable, and that the township collector of said township, or special collector for that purpose appointed by the town committee, shall when such tax or any part thereof shall be collected, pay the same to the township committee of the said township, and all such moneys to be raised by virtue of this act, shall be inviolably applied by said township committee to pay the interest and principal of said bonds as the same shall become due and payable.

Proceeds, how
applied.

3. *And it be enacted*, That it shall be the duty of the said township committee to apply the net proceeds of the bonds, that may be issued by virtue of this act, to the payment and satisfaction of the debts and liabilities incurred in said township by the township committee thereof, for bounties to substitutes, volunteers or drafted men as aforesaid.

Acts ratified.

4. *And be it enacted*, That the debts and liabilities incurred in said township of Woodbridge, in consequence of the payment of bounties to volunteers, substitutes and drafted men, as aforesaid, and the action of the said committee thereupon, are hereby ratified and confirmed.

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

Approved, March 14, 1865.

CHAPTER CLXXXII.

An Act to authorize the inhabitants of the township of Monroe in the county of Middlesex, to raise money by issuing bonds.

May issue
bonds.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That for the purpose of enabling the inhabitants of the township of Monroe, in the county of Middlesex, to pay bounties to volunteers to fill the quota of said township under the last call of the federal government,

and any other call that may be made during the present year, it shall be lawful for the township committee of said township to issue bonds in the name of "the inhabitants of the township of Monroe, in the county of Middlesex," under the respective hands and seals of the said township committee or any three of them, for such sum or sums as may be necessary, not exceeding two hundred dollars for each man furnished; said bonds to be in such sum or sums and payable at such time or times as the said township committee shall deem proper, not exceeding ten years from the date or time of issuing the same, bearing interest at a rate not exceeding seven per cent. per annum, payable annually; and the property and credit of said township is hereby pledged and made liable for the payment and redemption of said bonds; and the said township committee and their successors in office may sell, dispose of and assign such bonds, and shall apply the same or the proceeds thereof, exclusively in payment of bounties as aforesaid; *provided*, that no bond shall be sold or parted with by said township committee for less than its par value. Proviso.

2. *And be it enacted*, That said bonds may be exempted from taxation. Bonds exempt from taxation.

3. *And be it enacted*, That the township committee of said township of Monroe, shall raise or cause to be raised by taxation, at the time and in the manner that other taxes in said township are or shall be assessed and collected, such sum or sums of money as shall be sufficient to pay and satisfy the principal and interest of said bonds, as the same shall from time to time become due and payable; and all moneys so raised shall be paid to said township committee and be inviolably applied by them to pay the principal and interest of said bonds as aforesaid; *provided*, that not less than two thousand dollars, nor more than five thousand dollars, shall be raised for the purpose of paying said bonds in any one year, including the interest thereon; *provided further*, that in assessing the said money, it shall be lawful to increase the poll tax to twice the amount now by law authorized to be imposed in the said township. Payment of principal and interest by tax. Proviso.

4. *And be it enacted*, That this act shall be deemed a public act and shall take effect immediately. Proviso.

Approved March 14, 1865.

CHAPTER CXXXIII.

A Supplement to an act entitled "An act to incorporate the Warren Foundry and Machine Company," approved March third, Anno Domini eighteen hundred and fifty-six.

Capital stock
may be in-
creased.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the said "The Warren Foundry and Machine Company," to increase their capital stock one hundred thousand dollars, to be issued at such times and in such manner as the board of directors may deem best.

To manufac-
ture iron, &c.

2. *And be it enacted*, That in addition to the purposes specified in the first section of the act to which this is a supplement, the said company shall be and hereby is authorized to manufacture iron and other commodities and articles of which iron forms a constituent part, and for the transaction of such business as may be properly connected therewith.

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

Approved March 14, 1865.

CHAPTER CLXXXIV.

An Act to authorize the inhabitants of the township of Downe, in the county of Cumberland, to raise money.

Preamble.

WHEREAS, the inhabitants of the township of Downe, in the county of Cumberland, New Jersey, at special town meetings assembled and held on the sixteenth day of May, eighteen hundred and sixty-four; ninth day of July, eighteen hundred and sixty-four; and seventh day of January, eighteen hundred and sixty-five, did pass resolutions authorizing the township committee to borrow moneys, issuing bonds therefor, on the credit of the township, for the purpose of procuring volunteers and substitutes, to be credited to the township of Downe, under the several calls for men made by the general government, thereby saving

the township from the odium of a draft; and whereas, it is necessary that a law should be passed by the legislature to legalize the raising of such moneys borrowed, by taxation; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the inhabitants of the township of Downe shall have full and legal right to assess and levy a tax upon personal and real estate situate within the boundaries or limits of said township; together with a poll tax of ten dollars upon every single man in said township, not widowers or householders; also a poll tax of five dollars upon, all legal voters in said township, not assessed with the first poll tax of ten dollars, sufficient to meet the expenses and obligations incurred by the proceedings of the said township committee. Money to be raised by tax.

2. *And be it enacted*, That the said assessment, levy or tax may be made at any time hereafter, whenever at a lawful township meeting a majority of the legal voters may determine. When assessment to be made.

Approved March 14, 1865.

CHAPTER CLXXXV.

An Act to authorize the inhabitants of the township of Bernards, in the county of Somerset, to raise money for volunteer purposes.

WHEREAS, the inhabitants of the township of Bernards, in the county of Somerset, have ordered the township committee of said township to raise money to pay to volunteers and substitutes to fill the quotas for said township, and the said township committee having given notes for the said township to secure the payment of said money; therefore, Preamble.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all notes and bonds given by the said township committee of Bernards, for the purposes above named, shall be valid and effectual in law, and shall be a debt due against the said township of Bernards, and Bonds, &c., made valid.

shall be assessed and collected by the assessor and collector of the said township.

Future calls provided for.

2. *And be it enacted*, That if there should be a call for more men by the general government, and the township of Bernards being called upon for that purpose, that if the inhabitants of said township so order, the township committee of said township shall raise the money for that purpose and give the notes and bonds of said township to secure the payment thereof, and that the same shall be assessed and collected as other taxes of the said township are assessed and collected, but there shall not be paid for any one volunteer, substitute, or drafted man any sum exceeding eight hundred dollars.

Special tax.

3. *And be it enacted*, That every person in said township liable to the draft, who pays only a poll tax, shall pay a special tax, which, together with his poll tax, shall amount to ten dollars; if said tax is not paid by the twentieth of December next after the assessment, the delinquent will not be entitled to receive the township bounty.

Duties of assessor and collector.

4. *And be it enacted*, That it shall be the duty of the assessor of said township to assess the amounts raised from time to time, as the township committee shall order, until the indebtedness of said township for paying bounties is liquidated, and it shall be the duty of the collector of the said township to collect the same and pay it over to the township committee, to be applied by them to the payment of bounty debts of said township exclusively.

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

Approved March 14, 1865.

CHAPTER CLXXXVI.

An Act to confirm certain acts of the inhabitants of the township of Stillwater, in the county of Sussex, and to authorize the raising of money to pay volunteers credited and to be credited to said township.

Liability of inhabitants.

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That the inhabitants of the town-

ship of Stillwater, in the county of Sussex, shall be held and deemed to be liable, in their corporate capacity, for all moneys raised and paid, or which may be raised and paid for bounties to volunteers or substitutes, credited or to be credited to said township under the calls for volunteers from the state, made by the president of the United States, in December and September last, together with the interest and expenses thereon; and that any and every person or persons, or corporation that has loaned or advanced, or may loan or advance said money for the payment of such bounties or any of them, may have an action of debt to recover such money, with interest and costs from the inhabitants of said township, in their corporate capacity; *provided*, that the amount for which the inhabitants of said township shall be liable, and which may be recovered from them, shall not exceed the whole amount for that purpose voted and ordered to be raised by the inhabitants of said township in special town meeting assembled, with the interest and expenses thereon.

Proviso.

2. *And be it enacted*, That it shall be lawful, and it is hereby made the duty of the inhabitants of said township, to levy and raise by taxation, in the manner other township taxes are levied and raised, the amount of money paid or to be paid for volunteers and substitutes under such calls, with the interest and expenses thereon; and the township committee of the said township shall proceed, as soon as may be after the passage of this act, to ascertain the amount thereof, and shall file a written report of the same with the clerk of said township, on or before the first day of April next; and the assessor and collector of said township, with the other proper officers, are hereby enjoined and required to proceed in the assessment and collection of said moneys so found to be due, not to exceed the sum for which the said township is made liable by the first section of this act, in the same manner, at the same time, and under the same obligations that other township taxes are assessed, levied and collected, and when collected the same shall be paid to the person or persons, or corporation entitled thereto; *provided*, that in assessing and collecting said tax, a poll tax of five dollars shall be levied and collected of such inhabitants of said township by the existing laws subject to a poll tax.

Money to be raised by tax.

Proviso.

3. *And be it enacted*, That it shall be lawful for the inhabitants of said township to determine by a majority of votes, at their next annual town meeting, whether they will raise said money by a special tax or not, and that if they

To determine how to raise money.

shall so determine, the proper officers of such town are hereby required to proceed, in the manner and within the time directed by said meeting, to levy and collect said moneys, by taxation, according to law and the provisions of this act; and the said inhabitants may also have power, and it shall be lawful for them at said meeting, to determine whether they will proceed to raise said moneys so found to be due as aforesaid, by a special tax, or whether they will raise the same or any part thereof, and if part, which part, by a loan on their obligations; and for the amount so determined to be raised by loan, it shall be lawful to issue obligations in their corporate name, payable at such time and place, to such order or to the bearer, and at such rate of interest not exceeding seven per cent. per annum, as may be determined at said meeting, and the said obligations shall be signed by the collector and countersigned by the clerk of said township, and shall be disposed of and sold at not less than their par value by the town committee of said township, and the proceeds thereof applied by them to the payment of the said indebtedness; and it shall be lawful for said township, from time to time, to raise money by assessment and taxation, as hereinbefore directed, to pay the interest which may accrue on said obligations, and for the payment and redemption thereof when they fall due.

4. *And be it enacted*, That in case said moneys shall not be raised by loan on the obligations of said township, nor by a special tax as hereinbefore provided, and the same remains unpaid on the first day of September next, or any part thereof, then the same shall at once be raised by taxation, as hereinbefore provided.

5. *And be it enacted*, That this act shall be deemed a public act, and take effect immediately.

Approved March 14, 1865.

CHAPTER CLXXXVII.

An Act to confirm certain acts of the township committee of the Lower Township, in the county of Cape May.

WHEREAS, the inhabitants of the Lower Township of the county of Cape May, at a special town meeting, held on the twenty-sixth day of August, eighteen hundred and sixty-four, for the purpose of encouraging volunteering from said township, into the service of the United States, and for the relief of those who had, or should hereafter be drafted into, and enter the service aforesaid, or who had, or should hereafter put in acceptable substitutes, it was unanimously resolved, that the township committee of said township, be, and they are hereby empowered and authorized to furnish to each and every person, volunteering, drafted, or furnishing a substitute as aforesaid, a bond or bonds of the inhabitants of said township, for the sum of four hundred dollars, and further, that a bond of the inhabitants as aforesaid, for the sum of one hundred and fifty dollars, be furnished to each and every person of said township, who had commuted under any previous call of the president of the United States, for troops from said township, said bonds to be signed by the clerk of the township, and the chairman of the township committee; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the acts and doings of the Lower Township, in the county of Cape May, and the debt and liabilities incurred or to accrue to said township, by the township committee, in the issuing of the bonds of said township, in accordance with the resolution mentioned in the foregoing preamble, be and the same are hereby legalized, ratified and confirmed.

2. *And be it enacted*, That the township committee aforesaid, are hereby authorized and empowered to provide by taxation, for the payment of the indebtedness incurred, or to accrue to said township, and to assess from time to time upon the taxable property of said township, such sum or sums of money as shall be sufficient, including a poll tax hereinafter provided for, to meet the interest thereon, and for the payment of such portion of the principal as a majority of said committee shall deem expedient; *provided*, that not more than three

Preamble.

Acts legalized

To provide for payment of indebtedness by taxation.

Proviso.

thousand dollars of said principal shall be paid in any one year, unless so ordered by said township, at any annual, or special town meeting.

When to be assessed and collected.

Proviso.

3. *And be it enacted*, That the township committee shall have power to levy and collect a special poll tax of three dollars on every male inhabitant in said township above the age of twenty-one years, in addition to all other poll taxes now authorized by law; *provided*, said township committee shall have the power at their discretion to exonerate from the assessment of said poll tax, all aged, infirm and indigent persons, who in the judgment of said committee are not able to pay the same, and that the balance or residue be assessed and collected on the real and personal property in said township, which amount so assessed shall be levied and collected by the same persons, in the same manner, at the same time, and under like fees, fines and penalties as other township taxes are levied and collected, and the township collector of said township shall, when such tax or any part thereof shall be collected, pay the same to the township committee of said township, and all such moneys so to be raised by virtue of this act, shall be exclusively applied by said committee to pay the interest and principal as the same shall become due and payable, and that said township committee shall before receiving any of the money mentioned in this act, enter into bonds with the inhabitants of said township, to be approved by the moderator and clerk of said township, in a sum not less than five thousand dollars, for the faithful performance of their respective duties under this act, and said township committee shall report to every annual town meeting, or oftener if required by said township, the amount of bonds by them issued, the amount of money received by them by virtue of this act, and the amount of disbursements during the year, or since their last report.

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

Approved March 14, 1865.

CHAPTER CLXXXVIII.

An Act to provide for raising moneys paid volunteers in Frankford township, in the county of Sussex.

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That the inhabitants of the township of Frankford, in the county of Sussex, shall be held and deemed to be liable in their corporate capacity, for all the moneys raised and paid for bounties to volunteers or substitutes credited to said township under the calls for volunteers from this state, made in July and October last for five hundred thousand men, together with the interest and expenses thereon, and that any and every person or persons, or corporation that has loaned or advanced money for the payment of such bounties, or any of them, may have an action of debt to recover such money with interest and costs from the inhabitants of said township in their corporate capacity; *provided*, the amount for which they shall be liable, or which may be recorded shall not exceed the sum of twenty thousand dollars, and the interest which may have accrued, or may accrue thereon, and the expenses connected therewith. Liability of inhabitants. Proviso.

2. *And be it enacted*, That it shall be lawful, and it is hereby made the duty of the inhabitants of the said township to levy and raise by taxation in the manner other township taxes are levied and raised, the moneys paid for bounties to volunteers and substitutes credited to said township under said calls, with the interest and expenses thereon to the extent for which they are made liable by the first section of this act, and the assessor and collector of said township with the other proper officers are hereby enjoined and required to proceed in the assessment and collection of the same within the time and in the manner, and subject to the obligation, per cent. and by law for the assessment and collection of other township taxes, and when collected the same shall be paid to the person or persons, or corporation entitled thereto, and the township committee of said township, or a majority of them shall proceed as soon as may be after the passage of this act to ascertain the amount of money so lent and advanced, and the name of the individuals or corporations to whom the same is due, and shall file a written report thereof with the town clerk of said township, on or before the first day of April next, and for Money to be raised by tax.

such service they shall be allowed and paid the sum of ten dollars each.

Poll tax.

3. *And be it enacted*, That in assessing and levying said tax, each inhabitant of said township, by the existing laws, subject to a poll tax, shall be assessed with, and shall pay a poll tax of ten dollars; *provided*, that all persons who furnished substitutes, which substitutes were credited to said township under said call shall be exempt from the payment of said poll tax.

Proviso.

May issue bonds.

4. *And be it enacted*, That it shall be lawful for the inhabitants of said township, if they shall so determine at their next annual town meeting by a majority of votes, to issue the bonds or obligations of said township in its corporate capacity, for the whole or any part of the sum so found to be due as aforesaid by the said town committee, which obligations shall be made payable at such time and place, and at such rate of interest not exceeding seven per centum per annum as the said town meeting shall determine, and if issued, said obligations shall be signed by the township collector of said township, and countersigned by the clerk thereof, and shall be numbered and registered by the said clerk, and the said town committee or a majority of them shall negotiate said obligations at not less than their par value, and the money arising from the sale thereof, shall be paid by them in satisfaction of the indebtedness aforesaid, and it shall be lawful to levy and raise money from time to time by taxation as hereinbefore directed, to pay the interest which may accrue upon said obligations, and for the payment and redemption of the same when they fall due.

5. *And be it enacted*, That in case the amount determined to be raised by loan as in the last preceding section provided, shall not be raised and paid by the first day of September next, then the same shall be raised by taxation as hereinbefore provided.

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

Approved March 14, 1865.

CHAPTER CLXXXIX.

An Act to confirm the acts of the inhabitants of the township of Alexandria, in the county of Hunterdon, in raising money to fill the quotas of said township.

WHEREAS, the inhabitants of the township of Alexandria, in Preamble. the county of Hunterdon, at town meetings held on the fifteenth day of September, eighteen hundred and sixty-four, and on the fifth day of January, eighteen hundred and sixty-five, did authorize their township committee to borrow money, and issue the bonds of said township therefor, and pay certain amounts to fill the quotas of said township under the calls of the president for five hundred thousand men, and three hundred thousand men respectively, and to provide for the payment of the same by taxation; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of* Acts legalized *the State of New Jersey,* That the acts and proceedings of the inhabitants of said township at the town meetings aforesaid, and of the assessor and collector, and town committee, done or to be done in conformity with the resolutions of said town meetings are hereby made valid and effectual in law; and the bonds or obligations issued in pursuance thereof, are hereby made binding upon said township.

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

Approved March 14, 1865.

CHAPTER CXC.

A Supplement to an act entitled "An act to authorize the town committee of the township of Raritan, in the county of Hunterdon, to borrow money for the purpose of filling the quota of soldiers of said township under the call of the president of the United States of the nineteenth day of December, Anno Domini eighteen hundred and sixty-four," approved the twentieth day of February, Anno Domini eighteen hundred and sixty-five.

Authorized to
borrow money

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the town committee of the township of Raritan, in the county of Hunterdon, be and they are hereby authorized to borrow the sum of fifteen thousand dollars in addition to the amount which they are authorized to borrow under the act to which this is a supplement; and any note, bond, or other security given to any person or persons of whom said sum or any part thereof shall be borrowed, shall have the same force and effect that the notes, bonds, or other securities have which have been or shall be given under the act to which this is a supplement.

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

Approved March 14, 1865.

CHAPTER CXCI.

An Act to legalize the acts of the inhabitants of the township of Montague, in the county of Sussex, in raising money for war purposes.

Preamble.

WHEREAS, the inhabitants of the township of Montague, in the county of Sussex, at a town meeting held on the twenty-third day of November, eighteen hundred and sixty-four, did authorize their town committee to procure money to pay certain sums for volunteers and substitutes to fill the

quotas of said township under calls of the president, and provided the manner of taxation for the repayment of such sums; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Acts made valid.} *the State of New Jersey*, That the votes and resolutions of the inhabitants of said township of Montague, at the town meeting aforesaid, and the acts and proceedings of the town committee, the assessor and collector of said township, heretofore done in conformity with said votes and resolutions, are hereby declared to be valid and effectual in law; and all bonds, notes or other obligations heretofore made and issued for the purpose aforesaid are hereby made valid and binding upon said township.

2. *And be it enacted*, That the moneys required to repay ^{Poll tax.} the sums obtained by the town committee of said township for the purpose aforesaid, with the interest thereon, shall be raised by a poll tax of ten dollars on each single taxable male inhabitant of said township over twenty-one years of age, and a poll tax of five dollars on each male inhabitant over twenty-one years of age, having a family, and the balance shall be levied upon the property of said township, and shall be assessed and collected in the same manner that other township taxes are assessed and collected, and at the times directed by the town committee.

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

Approved March 14, 1865.

CHAPTER CXCI.

An Act to legalize certain acts of the township committee and inhabitants of the township of Bridgeton, in the county of Cumberland, in raising money for volunteers for the war.

WHEREAS, the inhabitants of the township of Bridgeton, in ^{Preamble.} the county of Cumberland, upon due notice given, did assemble in public meeting on the sixth day of July, Anno Domini eighteen hundred and sixty-four, and the said meeting thus assembled did unanimously order and direct the

township committee to issue a bond or note of the township of the value of six hundred dollars to any individual who shall furnish a substitute for three years; and one of the value of four hundred dollars for a substitute for two years and one of two hundred dollars for a substitute for one year; and also did request the said committee to procure the passage of a law to assess and collect a poll tax of ten dollars from every person enrolled in said township for military service under the laws of the United States, and liable to render such service; and whereas, the inhabitants of said township upon public notice given, did again assemble in public meeting, on the eleventh day of February, eighteen hundred and sixty-five, to devise ways and means to fill the quota of said township, under the call for troops made December nineteenth, eighteen hundred and sixty-four, by volunteers, and there assembled did again authorize the township committee to pay for all volunteers and drafted men the sum of five hundred dollars, and to any person who should put in a substitute for three years six hundred dollars, and did request the passage of an act authorizing the assessment and collection of a special poll-tax of ten dollars for all male citizens of the age of twenty-one years and over; and whereas, the credit of said township was pledged at said meeting by votes for the payment of the same, so directed to be raised, and to that end the same was directed to be assessed and collected from the poll and the taxable property of said township; and whereas the said township committee hath borrowed divers sums of money and issued the notes of the said township, and propose to borrow other sums of money, issue other notes for the payment of bounties to volunteers or drafted men, until the quota of said township is filled, and it is desirable that all their acts in the premises, done and to be performed should be legalized; therefore,

Acts made
valid.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the acts and doings of the township committee, and the inhabitants of the township of Bridgeton, in said county of Cumberland, mentioned in the preamble, to raise money by loan and assessment and collection, to pay bounties as aforesaid, are made valid in all respects, and binding upon the inhabitants and taxable property of said township.

To provide for
payment by
taxation.

2. *And be it enacted*, That the said township committee shall have power and authority to borrow, or to issue the

notes and bonds of said township, for such sums of money as may have been, or shall be expended by said committee in the payment of said bounties, under the limitations mentioned in said preamble, and to provide by taxation for the payment of such liabilities from year to year, as they may direct, until such liabilities shall be redeemed and paid; which tax shall be levied, assessed and collected by the same persons, in the same manner as other taxes therein are or may be levied, assessed and collected.

3. *And be it enacted*, That in making said assessment, for Poll tax. the current year, it shall be lawful for the township committee of said township, to direct a poll tax of ten dollars, to be levied upon every person resident therein, enrolled and liable to perform military service under the laws of the United States, on the sixth day of July, eighteen hundred and sixty-four; and also a poll tax of ten dollars upon all male citizens of the age of twenty-one years and upwards, residents therein, *provided nevertheless*, in each case, such persons as have already paid, or shall hereafter pay the said sum of ten dollars to the township committee, shall be exempted from each assessment. Proviso.

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

Approved March 14, 1865.

CHAPTER CXCIIL.

A Supplement to an act entitled "An act revising and amending the act to incorporate the city of Paterson," passed March fourteenth, eighteen hundred and sixty-one.

WHEREAS, the mayor and aldermen of the city of Paterson Preamble. have by resolution offered a bounty of five hundred dollars, to be paid by a bond of said city, to every person who shall volunteer to enter the army or navy upon the present quota of said city, or procure a substitute to be credited thereupon, or who being drafted upon said quota, shall enter the service; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the To provide for payment of indebtedness by issuing bonds.

mayor and aldermen of the city of Paterson to provide for the payment of such bounties, in the manner and for the purpose in the above preamble stated, by issuing bonds under their corporate seal and the signature of the mayor, for an amount not exceeding one hundred and thirty-six thousand dollars, in such sums, and payable at such time or times as the said mayor and aldermen shall fix by ordinance, bearing interest at a rate not exceeding seven per centum per annum, payable semi-annually, and with coupons attached, and to pledge the property and credit of said city for the payment of the said bonds, which bond it shall be lawful for the mayor and aldermen, if it shall be deemed expedient, to assign and sell, at not less than par, and to appropriate the proceeds thereof to the payment of bounties, as stated in the preamble hereto; *and provided further*, that the bonds to be issued by virtue of this act shall be redeemable at a period of time not exceeding fifty years from the passage hereof.

Proviso.

To provide by taxation for payment of principal and interest.

2. *And be it enacted*, That the said mayor and aldermen shall have power and authority to provide by taxation, for the payment of the said bonds and the interest thereon, and that they shall yearly and every year, until the bonds so to be issued shall be redeemed and paid off, order and cause to be assessed and collected by tax, at the time and in the manner that other taxes of said city are assessed and collected, a sum of money sufficient to pay the interest on the said bonds as the same shall become due, and to pay and discharge the principal at the several times it shall become due and payable.

Acts ratified.

3. *And be it enacted*, That the payment of bounties by said mayor and aldermen as provided by this act, and their proceedings in the premises be, and the same are hereby authorized, ratified and confirmed; and that the third and fourth sections of an act entitled "A further supplement to the act entitled 'An act to incorporate the city of Paterson,' approved March nineteenth, eighteen hundred and fifty-one," and which supplement was approved February twelfth, eighteen hundred and fifty-eight, be, and the same are, so far as they in anywise affect this act, hereby repealed.

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

Approved March 14, 1865.

CHAPTER CXCIV.

An Act to confirm and legalize the action of the city council of the city of Cape Island in issuing bonds, and to raise money for bounties, and provide for the payment of the same.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the action of the city council of the city of Cape Island, by ordinance passed September the eighth, eighteen hundred and sixty-four, for the making and issuing bonds of said city, under the corporate seal thereof, and the use and negotiation of said bonds for the purpose of paying, or raising money to pay bounties to volunteers, and in aid of those procuring substitutes, to be credited on the quotas of said city, and the offering and payment of said bounties, and the borrowing of money for the purpose of paying the same, and the expense incident thereto, and all other acts by the said city council done in the premises, and all the indebtedness thereby incurred, be, and the same are, each and all, hereby authorized, sanctioned and confirmed, and made and declared to be legal, valid and effectual in law, as if done by virtue and according to the provisions of an act of the legislature of the state specially authorizing the same; and that the said bonds so issued by direction of the said city council, and the indebtedness thereby incurred, shall be, in all respects, valid, legal and binding upon the said city of Cape Island, and the inhabitants thereof, and the property and objects of taxation therein, in the same manner and to the same extent as other legally authorized debts of said city. Debts and liabilities legalized.

2. *And be it enacted*, That the assessor of said city shall be empowered, under the direction of the said city council, to levy and assess a poll tax, not exceeding ten dollars on every male citizen over the age of twenty-one years, except those who volunteered under the first call of the president of the United States for three years' men, and have served in the armies of the same, who shall be exempt from any such tax so levied or assessed. Poll tax.

3. *And be it enacted*, That the assessor and collector of said city, by virtue, and according to the provisions of said ordinance authorizing the same, are hereby authorized to proceed to carry on and complete the levy, assessment and col- When to be assessed and collected.

lecting of said tax, at the same time and in the same manner as the regular state, county, or township taxes are levied, assessed and collected.

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

Approved March 14, 1865.

CHAPTER CXC.V.

An act to legalize certain acts of the inhabitants of the township of Randolph, in the county of Morris, and also certain indebtedness incurred by the said inhabitants, and to authorize them to create certain other debts hereafter, to furnish men for the military and naval service of the United States, and to issue bonds of indebtedness, and impose taxes to repay the same, and for other purposes.

Preamble.

WHEREAS, the inhabitants of the township of Randolph, in the county of Morris, being desirous to fill the quota of said township under the call of the president of the United States, of July eighteenth, eighteen hundred and sixty-four, for five hundred thousand men, for service in the army by volunteers, so as to avoid a draft in said township, under said call, did, by virtue of public meetings in said township, in the months of August and September last past, among other things, appoint a military committee of five persons of said township to procure volunteers to fill the quota of said township under said call, and that to create a bounty fund for that purpose, each person in said township liable to draft, should make an unconditional payment of twenty-five dollars towards the same, and also that the township committee should borrow money in such manner as to them might seem best, and that in order to repay such money as said town committee might borrow, a poll tax of two dollar per head per year, be levied upon the taxable inhabitant of said township for the next five years, and that the balance of all such moneys should be assessed and collected in said township by tax on the inhabitants and taxable property of said township in five years then next ensuing, and that an additional sum for

the expenses of said military committee in procuring said volunteers and filling said quota, be assessed and collected as other township expenses during the next fiscal year; and whereas, in pursuance of the above, said town committee realized towards said bounty fund for the use of said military committee, the sum of five thousand two hundred dollars from said twenty-five dollar payments; and whereas, the chairman of the town committee of said township, for that purpose, and by special authority and direction to him given by said town committee, did sign and issue eighty-five certificates of loan or scrip, numbered from one to eighty-five inclusive, and countersigned by the treasurer of said military committee, setting forth among other things that the sum of money on said certificates respectively specified, should be repaid with interest at the rate of six per cent. per annum, payable semi-annually, from moneys that should be collected in said township from taxes, under provisions of an act to be passed by the legislature for that purpose, by means whereof said township committee realized for the use of said military committee, the further sum of twenty-five thousand nine hundred and forty-five dollars (\$25,945), to said bounty fund; and the same having been applied in and about filling the quota of said township, under said call, and procuring volunteers therefor, said township having thereby been freed from a draft; and whereas, said certificates of loan are still outstanding against said township and unpaid, and no provision being as yet made to enable said township, or the town committee thereof, to provide for the payment of the same; and whereas, the expenses of said military committee, in filling said quota, and procuring volunteers for said township, have been paid and satisfied; and whereas, the inhabitants of said township of Randolph, at another town meeting duly held on the twenty-fourth day of January, eighteen hundred and sixty-five, being desirous to raise a bounty for such persons as should be drafted in said township, to fill the quota of said township, under the call of the president of the United States, of December nineteenth, eighteen hundred and sixty-four, for three hundred thousand men, or such persons as should volunteer, or furnish a substitute, and who should be in each case duly mustered into the service of the United States, and credited against the quota of said township, under said call, did vote that said township pay in scrip or otherwise, the sum of six

hundred dollars to each person so drafted, or who should volunteer, or furnish a substitute, mustered and credited as aforesaid, but that such payment should not be made to any person, who, subject to a draft in said township, had not, prior to the fifteenth day of February, eighteen hundred and sixty-five, paid the twenty-five dollars mentioned in resolution second, of the special town meeting of said township, of August eighth, eighteen hundred and sixty-four, and that all such payments be made to the chairman of the town committee of said township, and be applied towards such bounty, and that the balance of such bounty be raised by tax, to be levied on the taxable inhabitants and property of said township during the next five years, and that said township committee be authorized to carry out the vote of said inhabitants, at said last named meeting of January twenty-fourth, eighteen hundred and sixty-five; and whereas, said inhabitants are desirous of having their acts and doings, and the acts and doings of said township committee, and said military committee legalized, and provision made for issuing bonds of indebtedness, and paying the money so as aforesaid borrowed on said certificates of loan or scrip, to the person or persons holding the same under said call of July eighteenth, eighteen hundred and sixty-four, and also for issuing bonds of indebtedness under said call of December nineteenth, eighteen hundred and sixty-four, and for paying the same; therefore,

Acts legalized.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That as well the aforesaid acts and doings of the said inhabitants of the township of Randolph aforesaid, as of the said military committee, and said town committee, under and relating to each of said calls for men for the military service of the United States, and relating to everything therewith connected, are hereby respectively legalized and confirmed, and the signing and issuing of said certificates of loan or scrip, shall be considered and held to be a debt against "The inhabitants of the township of Randolph, in the county of Morris," and declared to be legal and valid in law against the same, and binding upon the said "The inhabitants of the township of Randolph, in the county of Morris," and taxable property thereof, and the same in all respects as if the said acts and doings, and the signing and issuing of said certificates of loan or scrip had been expressly authorized by law prior thereto.

2. *And be it enacted*, That in order to make provision for

the redemption of said certificates of loan or scrip, so as ^{To issue bonds of indebtedness.} aforesaid issued and now outstanding under said call of July eighteenth, eighteen hundred and sixty-four, and for the payment of the money borrowed thereon, and the interest, that it shall be lawful for the town committee of the township of Randolph aforesaid, as soon as conveniently can be after the passage of this act, and the said town committee shall have power and authority, and power and authority is hereby given them so to do, to issue bonds of indebtedness, in the aggregate not exceeding the amount pledged by said certificates of loan or scrip, in the name and on the faith and credit of "The inhabitants of the township of Randolph, in the county of Morris," signed by the chairman of said town committee and countersigned by the clerk of said township, in such sums each as said chairman shall deem best and most convenient to the holders of said certificates of loan or scrip; *provided* ^{Proviso.} *however*, that no one of said bonds by this section authorized, shall be for a greater sum than five hundred dollars; the interest on said bonds last mentioned shall be paid semi-annually from the day of the date of said certificates of loan or scrip, until the principal shall be paid, and said bonds herein authorized shall be divided into five classes of equal amounts; the principal of the first class shall be paid on the twentieth day of December, in the year eighteen hundred and sixty-five; the principal of the second class shall be paid on the twentieth day of December, in the year eighteen hundred and sixty-six; the principal of the third class shall be paid on the twentieth day of December, in the year eighteen hundred and sixty-seven; the principal of the fourth class shall be paid on the twentieth day of December, in the year eighteen hundred and sixty-eight; and the principal of the fifth class on the twentieth day of December, in the year eighteen hundred and sixty-nine, together with all interest moneys thereon; and which said bonds by this section authorized, shall be tendered to the holders of said certificates of loan or scrip, or delivered to them on presentation thereof in lieu of the same, and said certificates of loan or scrip to be thereupon surrendered to said town committee duly cancelled, and the same to remain as vouchers in their hands; and said bonds of indebtedness by this section authorized shall be debts of and legally binding upon "The inhabitants of the township of Randolph, in the county of Morris" aforesaid; *it is hereby provided, however*, that it shall and may ^{Proviso.} be lawful for said town committee to pay the first semi-

annual interest money on said bonds above mentioned, as the same shall grow due, out of any township funds in their hands not otherwise appropriated; and in case of any such payment being made, then the amount so paid not to be included in the amount hereinafter authorized to be raised by tax; and in case there shall not be any funds on hand to pay said interest last above mentioned, then it shall be lawful for said town committee to borrow money sufficient to pay the same on the bond or bonds of said township to be issued and paid, in the same manner as the said principal bonds in this section named, are to be issued and paid, and the same, if heretofore or hereafter issued are hereby legalized, and the amount so borrowed shall be collected and paid by the taxes of eighteen hundred and sixty-five.

To provide for
payment of
bounty money

3. *And be it enacted*, That in order to provide for the said bounty money of six hundred dollars to each drafted man, volunteer or person furnishing a substitute, under said proclamation of December nineteenth, eighteen hundred and sixty-four, and credited against said quota of said township, it shall be lawful for the town committee of said township, as soon as conveniently can be after the passage of this act, and that said committee shall have power and authority, and power and authority is hereby given to said town committee, to issue bonds of indebtedness, in the name and on the faith and credit of "The inhabitants of the township of Randolph, in the county of Morris," in such sums as they shall deem expedient; *provided*, that no one of said bonds shall be for a less sum than twenty-five dollars, nor for a greater sum than six hundred dollars, signed by the chairman of said town committee, and countersigned by the clerk of said township; the interest on the said bonds by this section authorized, shall be paid on the first day of January, in each and every year until the principal shall be paid; the whole amount of bonds last mentioned, including the amount of said twenty-five dollar payments shall not exceed in the aggregate six hundred times the number of men which shall be assigned or fixed by the provost marshal as the quota of said township of Randolph, on the said last call of nineteenth of December, eighteen hundred and sixty-four; said last mentioned bonds shall be debts of and legally binding upon the said "The inhabitants of the township of Randolph, in the county of Morris," and shall be divided into five classes of equal amounts; the principal of the first class shall be paid on the first day of January, eighteen hundred and sixty-six; the principal of the second class

Proviso.

shall be paid on the first day of January, eighteen hundred and sixty-seven; the principal of the third class shall be paid on the first day of January, eighteen hundred and sixty-eight; the principal of the fourth class shall be paid on the first day of January, eighteen hundred and sixty-nine, and the principal of the fifth class shall be paid on the first day of January, eighteen hundred and seventy; and authority is hereby given to the town committee of the township of Randolph, to deliver to every citizen of said township, liable to be drafted under said call of December nineteenth, eighteen hundred and sixty-four, who shall upon being drafted, or being drafted enter into the military or naval service of the United States, and be credited to the said last mentioned quota of said township, or to any person who shall put in said service a substitute and have the same credited to said last mentioned quota, or who shall volunteer into said service and be credited to said last mentioned quota, and in each case in reduction of said quota, bond or bonds in this section authorized to the amount of six hundred dollars at their par value.

4. *And be it enacted*, That the said township committee, or the persons from time to time acting as such, or their successors in office, shall have power and authority, and power and authority is hereby given them to provide by taxation for the payment of all the said bonds by this act authorized, and the interest thereon, and said town committee of said township of Randolph, without any other or further vote of said inhabitants, shall yearly, and every year, until said bonds by this act authorized as aforesaid, shall be redeemed and paid off by said township, order and cause to be assessed and collected, by tax on the persons and property of said township at the time, and in the manner other taxes in said township are assessed and collected (except that a poll tax of two dollars, be levied upon the taxable inhabitants of said township for the next five years, as part of said payment of said bonds of indebtedness authorized by the second section of this act), a sufficient sum of money, allowing for said yearly poll tax, to pay the interest on said bonds, as the same shall become due, and to pay and discharge the principal at the several times it shall become due and payable according to the tenor and effect of said bonds respectively; and that it shall be lawful for, and the same is hereby declared to be the duty of the assessor of said township of Randolph to assess, and of the collector of said township of Randolph to collect all such sums of money so ordered by said town committee in

Payment of
principal and
interest by tax

any year, for the purposes aforesaid, and said township collector shall, as soon as such tax, or any part is collected, pay the same in to the town committee of said township; and that all such moneys so raised, by virtue of this act, shall be inviolably applied by the said town committee to pay the principal and interest of said bonds.

May resolve when to pay and discharge indebtedness.

5. *And be it enacted*, That the inhabitants of said township of Randolph may at any town meeting hereafter legally called and held, resolve to pay and discharge the principal of said bonds of indebtedness in this act authorized, at earlier periods than are specified for the payment of the same, and in case said inhabitants shall so resolve, then and in that case the money to pay the same shall be assessed and collected at such time, and in such sums as the said inhabitants at such town meeting shall resolve and direct.

Assessment and collection of taxes.

6. *And be it enacted*, That the taxes authorized to be levied and collected by this act (except as to said poll tax) shall be apportioned upon the same basis as other taxes in said township are.

Liabilities of assessor and collector.

7. *And be it enacted*, That the assessor and collector of said township, shall in all matters and things relating to the taxes in this act named, be under like fees, fines and penalties as now are, or may be imposed upon them in all matters and things relating to the township taxes.

Repealer.

8. *And be it enacted*, That so much of the act entitled "An act incorporating the inhabitants of townships, designating their powers, and regulating their meetings," approved April fourteenth, eighteen hundred and forty-six, as limits and restrains their powers, and the amount and object of taxes to be assessed, levied and collected in any one year, be and the same is hereby repealed, so far as the purposes of this act may require.

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

Approved March 15, 1865.

CHAPTER CXCVI.

An Act to authorize the inhabitants of the township of Lower Penns Neck, in the county of Salem, to borrow or raise, by issuing bonds or by taxation, a sufficient amount of money to pay bounties to volunteers and to drafted men.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the township committee of the township of Lower Penns Neck, in the county of Salem, and they are hereby authorized and empowered to borrow, or cause to be raised, by issuing bonds or by taxation, an amount of money which may be paid to encourage enlistments of volunteers and to pay drafted men in said township, under the calls of the president of the United States for troops to assist in putting down the rebellion, the said amount so raised to be applied exclusively to the liquidation of indebtedness that may be incurred by the payment of said bounties. Money to be raised by tax.

2. *And be it enacted*, That the debt and liabilities which may be incurred by said township, in consequence of the payment of said bounties to volunteers and drafted men for the said township, and the action of the said township thereon, are hereby ratified and confirmed. Acts ratified.

3. *And be it enacted*, That this act shall be deemed a public act, and shall take effect immediately.

Approved March 15, 1865.

CHAPTER CXCVII.

An Act making an appropriation to defray the expenses of commissioners appointed by "An act to ascertain the rights of the state and of the riparian owners in the lands lying under the waters of the bay of New York, and elsewhere in the state," approved April eleventh, eighteen hundred and sixty-four.

Treasurer to
pay money.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the treasurer of this state, upon the warrant of the governor, to pay out, on the order of Jacob R. Wortendyke, Esq., chairman of said board of commissioners, at such times and in such sums as he may order, an amount sufficient to defray the costs and expenses incident to said commission; *provided* the same shall not exceed in the aggregate the sum of eleven thousand dollars, and that the accounts shall be audited according to law.

Proviso.

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

Approved March 15, 1865.

CHAPTER CXCVIII.

An Act to amend "An act for the incorporation of companies to navigate lakes, ocean and inland waters," approved March seventeenth, eighteen hundred and fifty-four.

Act amended.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section nineteen of the "Act for the incorporation of companies to navigate lakes," &c approved March seventeenth, eighteen hundred and fifty-four, be so amended that companies may be organized with not less than ten thousand dollars capital.

Approved March 15, 1865.

CHAPTER CXCIX.

An Act to legalize certain acts of the township of Jefferson, in the county of Morris, relative to raising money to pay bounty to volunteers or drafted men, and to provide for the payment of the same.

WHEREAS, the inhabitants of the township of Jefferson, in Preamble. the county of Morris, did, on the twentieth day of August, eighteen hundred and sixty-four, at a public town meeting of said inhabitants, vote to pay a bounty of four hundred dollars to each man who should volunteer or be drafted, and who should serve personally or by substitute in the army of the United States, to fill the quota of said township under the call then ordered by the president of the United States, and that said bounty be raised by tax, one-half in eighteen hundred and sixty-five, and one-half in eighteen hundred and sixty-six, in part by a poll tax of ten dollars on each single man and five dollars on each married man, annually, in each year, and that the balance be levied on the taxable property of said township in the same manner as other county and township taxes; and that those persons of said township who have been drafted under the last previous draft, and who had furnished substitutes, should be exempt from said tax, and did empower three commissioners then and there duly elected and appointed to raise the moneys necessary to pay such bounty, or to issue the scrip of said township therefor, to be delivered to such men as should be drafted, or volunteer as aforesaid, under said call then made; and whereas, in pursuance of such vote and in filling the said quota of said township, twenty-four several certificates of indebtedness, or township scrip, bearing date on or about the third day of October, eighteen hundred and sixty-four, for the sum of four hundred dollars each, with interest at six per cent., payable in two equal annual payments on the first day of January, in each successive year, commencing on the first day of January, eighteen hundred and sixty-five, were duly issued and delivered to such persons as were drafted or who volunteered to fill said quota under said call; and whereas, said inhabitants are desirous of having said acts and doings legalized, and provisions made for

collecting the moneys due or to become due on said several certificates of indebtedness or scrip, so as to pay the same at maturity; therefore,

Acts legalized

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That the aforesaid acts and doings of the said inhabitants of the said township of Jefferson, are hereby legalized, and the issue of the said certificates of indebtedness or scrip is hereby declared to be legal and valid in law, against the said township and binding upon the inhabitants and taxable property thereof, and the same in all respects as if the making and issuing of said certificates of indebtedness or scrip had been expressly authorized by law prior to the making of such vote, or the issuing of said certificate of indebtedness or scrip, and the delivery thereof to said drafted persons or volunteers.

To provide for
payment by
taxation.

2. And be it enacted, That the said township committee, or the persons acting as such from time to time, or their successors in office, shall have power and authority to provide by taxation for the payment of said certificates of indebtedness or scrip, and the interest thereon, yearly, from the date of said certificates of indebtedness or scrip, and the said township committee without any other or further vote, order or direction of the inhabitants of said township, shall yearly and every year, until all the said certificates of indebtedness or scrip, issued as aforesaid, shall be redeemed and paid off, order and cause to be assessed and collected by tax, at the time and in the manner other taxes in said township are assessed and collected, except that the poll tax on single men shall be ten dollars, and the poll tax on married men shall be five dollars each, annually, in each of said years, as part of the moneys to be raised under this act, a sufficient sum of money to pay the interest on the said certificates of indebtedness or scrip, as the same shall become due and payable, according to the tenor and effect of the same, and also to make up for any and all deficiencies resulting from erroneous taxation or assessments and from taxes not collectable, authorized by this act, and that the township collector of said township, or other person for that purpose appointed, shall, when such tax or any part thereof shall be collected, pay the same to the said township committee of said township, and that all such moneys so to be raised by virtue of this act shall be inviolably applied, by said township committee, to pay the interest and principal of said certificates, or scrip, as the same shall become due and payable.

3. *And be it enacted*, That the taxes authorized to be levied and collected by this act, except, however, as to said poll tax, shall be apportioned upon the same basis as other taxes are in said township; *provided however*, that nothing herein contained shall apply to those persons, or to the property of those persons of said township, who have been drafted, and who had purchased substitutes prior to the said twentieth day of August, eighteen hundred and sixty-four, and the same are hereby declared to be exempt from the tax or taxes in this act named.

Taxes, how
apportioned.

Proviso.

4. *And be it enacted*, That the assessors and collectors of said township shall, in all matters and things concerning the taxes in this act named, be under like fees, fines and penalties as now are or may be imposed upon them in all matters and things relating to other township taxes.

Liabilities of
assessor and
collector.

5. *And be it enacted*, That so much of the act entitled "An act incorporating the inhabitants of townships, designating their powers and regulating their meetings," approved April fourteenth, eighteen hundred and forty-six, as limits and restrains the amount and purposes of taxes to be assessed and levied in said township in any one year, be and the same is hereby repealed, so far as the purposes of this act may require.

Repealer.

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

Approved March 15, 1865.

CHAPTER CC.

An Act to authorize the township of East Orange, in Essex county, to grade and work the streets, avenues roads and sidewalks in said township, and to borrow money for that purpose.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said township of East Orange, under the direction of the township committee, shall properly grade and work the streets, avenues, roads and sidewalks in the said township of East Orange; and that the

To grade and
work streets,
&c

grading and working of said streets, avenues, roads and sidewalks be commenced by the first day of May next.

Authorized to borrow money

2. *And be it enacted*, That the township committee of said township of East Orange shall have power and authority to borrow, upon the bonds or notes of said township, in their corporate capacity, to be signed by the said township committee, or a majority of them, such sum or sums of money not exceeding ten thousand dollars as may be necessary to fully grade said streets, avenues, roads and sidewalks, as required by the first section of this act, payable in annual payments of not more than one thousand dollars after five years, with interest at seven per centum per annum, payable half yearly; and to provide by taxation in said township for the payment of the principal and interest of said loan until the same shall be fully paid; which tax shall be levied, assessed and collected by the same persons, at the time and in the same manner that other taxes are or may be levied, assessed and collected in said township.

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

Approved March 16, 1865.

CHAPTER CCI.

A Supplement to the act entitled "An act to authorize the establishment, and to prescribe the duties of companies for manufacturing and other purposes."

May carry on business out of the state.

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That any company organized under the provisions of the act to which this is a supplement, may carry on a part of its business out of this state; *provided* that a majority of the persons associated in the organization of such company shall be citizens and residents of this state.

Proviso.

Certificate, what to specify.

2. *And be it enacted*, That the certificate of the organization of any company partaking of the privileges of this act, shall state what portion of its business is to be carried on out of this state, and in what place or places it is to be so carried on; and shall also state the name of the town, or city, and county, in which the principal part of the business of said

company within this state is to be transacted, and such town or city and county within this state shall be deemed the town, place and county in which the operations and business of the company are to be carried on, and its principal place of business within the provisions of the said act and the several supplements thereto.

3. *And be it enacted*, That all companies that may be established under this act, shall be subject to all the provisions, liabilities, and restrictions of the act to which this is a supplement, excepting only so far as the same are modified by the provisions of this act. Restrictions and liabilities.

4. *And be it enacted*, That all the stockholders of any company incorporated under this act shall be severally individually liable to the creditors of the company in which they are stockholders, to an amount equal to the amount of stock held by them respectively, for all debts and contracts made by such company until the whole amount of capital stock fixed and limited by such company shall have been paid in. Liability of stockholders.

5. *And be it enacted*, That if the indebtedness of any such company shall at any time exceed the amount of its capital stock, the trustees of such company assenting thereto shall be personally and individually liable for such excess to the creditors of such company. Liability of trustees.

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

Approved March 16, 1865.

CHAPTER CCII.

An Act to incorporate the New Jersey Classical and Scientific Institute at Hightstown, New Jersey.

WHEREAS, the Baptist denomination have no chartered institute of learning in this state; therefore, Preamble.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the literary institution hereafter named, established in the borough or vicinity of Hightstown, in the county of Mercer, shall be known by the title of "The New Jersey Classical and Scientific Institute." Corporate name.

2. *And be it enacted*, That the board of trustees of said

Board of trustees, and their powers.

institute shall consist of twenty-one persons; the board of trustees shall be and they are hereby constituted and created a body politic and corporate in law and fact, under the style of "The Board of Trustees of the New Jersey Classical and Scientific Institute," and as such they shall be and are hereby invested with all the powers and privileges of a corporation for the permanent establishment of said institute to promote the moral and literary education of both sexes; they may have a corporate seal, may receive and hold in trust for the said institute, by purchase, devise, bequest or gift, any property or estate, real, personal or mixed, and may sell, lease and dispose of the same, in whole or in part; *provided*, the yearly income of said estate shall not exceed twenty thousand dollars; it shall be the duty of the board of trustees to watch over the institute as its constitutional guardians, to advise with the faculty in relation to the course of study to be pursued, to conferring degrees, and in whatever else may promote the welfare of the institution and the interest of the students; and the said trustees shall organize and hold their first meeting at the call of the trustee first named, and shall have power from time to time to enact such by-laws, not repugnant to the constitution or laws of the United States or of this state, for the regulation and management of all the interests of said institution; and special meetings of said trustees shall be called by the president, or of any five or more of said trustees, upon ten days' notice, in writing, of the time and place thereof being given, or sent by mail to each of said trustees.

Proviso.

Election of trustees.

3. *And be it enacted*, That the said corporation hereby created shall have and maintain a succession in the following manner, viz.: that the board of trustees shall have power, in their discretion, in each and every year to elect one-third of said trustees by the appointment of others, and also to fill all vacancies which may occur, but the said trustees shall hold their offices until their successors are appointed, and the corporation shall not be dissolved on failure to elect trustees.

First trustees.

4. *And be it enacted*, That the following named persons, and their successors, two-thirds of whom shall be members of regular Baptist churches, holding the doctrine set forth in the New Hampshire Articles of Faith, be and they are hereby constituted and appointed a board of trustees of the institute aforesaid, viz.: Reverend J. Butterfield, Matthias Rue, James C. Norris, Enoch Allen, Furman Jobs, J. H. Walters,

E. T. R. Applegate, Omsted Reed, E. B. Hall, M. D., Joseph S. Ely, Samuel Fisher, John Woolley, J. E. Rue, Sidney Denise, Daniel M. Wilson, Horatio Ely, Enoch A. Ely, John C. Fisher, Archibald F. Job, James Paxton.

5. *And be it enacted*, That there shall be a faculty of said institute, to be composed of two principals, one of whom shall have charge of the male department and the other of the female department of said institute, who shall nominate to the board of trustees, for their appointment, the professors and teachers it may be deemed expedient to employ; the faculty shall have the care of, government and instruction of the students, and, with the advice of the board, may confer degrees and give diplomas; the members of the faculty, the principals excepted, shall be removed and appointed with the consent and concurrence of the board; and the principals shall be liable to removal by the consent of two-thirds of the board of trustees of said institute.

Faculty, and their duties.

6. *And be it enacted*, That no misnomer of the said corporation shall defeat or annul any gift, grant, devise or bequest to or from the said corporation; *provided*, the intent of the parties shall sufficiently appear upon the face of the gift, grant, will or writing whereby any estate or interest was intended to pass to or from said corporation.

Misnomer not to annul gift, &c.

Proviso.

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

Approved March 17, 1865.

CHAPTER CCIII.

A Supplement to the act entitled "An act to incorporate the Franklin Agricultural Society, of Somerset County," approved March thirteenth, eighteen hundred and fifty-seven.

WHEREAS, the Franklin Agricultural Society are desirous of making improvements in their grounds, enlarging their track from one half mile in length to one mile, and of purchasing and importing blooded stock, and as doubts have arisen whether they have the legal right to expend the funds of the association for such purposes under the provisions of their charter; therefore,

Preamble.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall and may be lawful for the directors of said association to appropriate such amount of money for the purpose of enlarging their track, and of buying and importing such cattle and horses, as they, or a major part of them, may deem advisable, not to exceed the amount of capital authorized by the act of incorporation.
2. *And be it enacted*, That it shall be lawful for said association, at their fairs, to improve the condition of stock on exhibition in speed, strength and general usefulness.
3. *And be it enacted*, That at the election for officers each stockholder may vote in person or by proxy, and shall have as many votes as he or she shall have shares of stock; *provided, nevertheless*, that no stockholder shall have more than ten votes, although he may have a greater number of shares; and that so much of the act to which this is a supplement as conflicts with this supplement is hereby repealed.
4. *And be it enacted*, That this act shall take effect immediately.

Approved March 17, 1865.

CHAPTER CCIV.

An Act to further extend the charter of the New Brunswick Mutual Fire Insurance Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the act entitled "An act to incorporate the New Brunswick Mutual Fire Insurance Company," approved February twentieth, one thousand eight hundred and forty-six, shall be and hereby is extended and continued, so far as regards "The President, Directors and Company of the New Brunswick Mutual Fire Insurance Company," for and during the further term of twenty years from and after the time limited for its continuance by the act entitled "An act to incorporate the New Brunswick Mutual Fire Insurance Company," approved February twentieth, one thousand eight hundred and forty-six.
2. *And be it enacted*, That nothing in this act contained shall be construed to alter or change the present charter of

said corporation, but the same shall continue as if this act had not been passed, up to the expiration of the time limited for its continuance, when this act shall take effect.

Approved March 17, 1865.

CHAPTER CCV.

An Act to authorize the inhabitants of the township of Ocean, in the county of Monmouth, to raise moneys relative to the township's former quotas of troops.

WHEREAS, the citizens of the township of Ocean, in the county of Monmouth, at various meetings heretofore held, authorized and required the township committee of said township to raise moneys wherewith to procure volunteers or substitutes to fill their quotas of said township, and pay commutation moneys to relieve the township from the draft for troops; and by virtue of said proceedings, the township committee, with several citizens of said township, procured a loan of seventeen thousand dollars, on a note for that purpose, by which the said quotas were heretofore filled and commutation money paid; and whereas, the sum of (\$18,785) eighteen thousand seven hundred and eighty-five dollars will be required to satisfy said loan and the interest accruing and to accrue thereon, and the expenses,

Preamble.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the acts and doings of the township committee of the township of Ocean, mentioned in the preamble of this act, are hereby made legal and valid in all respects, and binding upon the inhabitants of the township of Ocean, in the county of Monmouth, and upon the taxable property in said township.

Acts legalized

2. *And be it enacted*, That the said sum of eighteen thousand seven hundred and eighty-five dollars shall be assessed and raised by a poll tax and by a tax on the real and personal property taxable in said township, and that the poll tax shall be ten dollars on all single men and five dollars on all married men, and the remainder of said money shall be assessed in the same proportion as the ordinary town and county taxes are assessed.

Money to be raised by tax.

Duties of as-
sessor and col-
lector.

3. *And be it enacted*, That it shall and may be lawful for the assessor of said township, and said assessor is hereby required and directed to assess as aforesaid, at the same time that the other taxes of said township may be assessed, and in addition thereto, during the present year, the said sum of money so required as aforesaid, and deliver the assessment thereof to the collector of said township, which said sum of money so assessed, shall be levied and collected by the same officer or officers, in the same manner and at the same time and under like fees fines and penalties as the other township taxes of said township shall be levied and collected during the present year.

Proceeds, how
applied.

4. *And be it enacted*, That the said officer or officers so collecting said money shall immediately pay the same when collected to the holder of said note, to satisfy the principal and interest thereof, and the balance if any to the township committee of said township to defray the expenses aforesaid.

5. *And be it enacted*, That this act shall take effect immediately, and be taken and held to be a public act.

Approved March 17, 1865.

CHAPTER CCVI.

An Act to incorporate the West Jersey Oil Company.

Names of cor-
porators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That William P. Stratton, Lewis Mulford, John G. Stevens, Francis Lee, Adrian Bateman, Edmund L. B. Wales, John McNeal, Furman L. Mulford and Richard Grier, and such other persons as may be associated with them, and their successors, are hereby created and declared to be a body politic and corporate in law, by the name and title of the "West Jersey Oil Company;" and by that name shall have perpetual succession, and all the privileges and franchises belonging or incident to a corporation.

Amount of
capital stock.

2. *And be it enacted*, That the whole amount of the capital stock of said company shall be five hundred thousand dollars, to be divided into shares of five dollars each, which shall be per-

sonal property and be transferable on the books of said company.

3. *And be it enacted*, That the above named corporators, Commissioners to receive subscriptions. or a majority of them, shall be commissioners to receive subscriptions to the capital stock of said company, at such time and place or places, in this state, and upon such notice as they shall direct; and at the time of subscribing for said stock, such amount on each share shall be paid, satisfied or satisfactorily secured to said commissioners as they, or a majority of them shall determine, and the residue of the subscription shall be paid, satisfied or secured as the directors may determine, in such installments, at such times and places, in such manner, and to such person or persons as said directors shall from time to time direct, giving notice of such time and place, and person or persons, by a notice published in a newspaper printed and circulating in the county of Cumberland, for two weeks, at least once in each week; and upon the failure by any person to pay, satisfy or secure the payment of the installments or any of them as aforesaid, the said directors shall have power to forfeit the shares of each and every person so failing, or any of them, to and for the use and benefit of the said company; and any shares of stock so forfeited as aforesaid, may be held by the said company, or any person or persons for its benefit, and may at any time be sold or disposed of for the benefit of the company, as said directors may direct, or divided proportionately among the remaining stockholders, to be by them held and enjoyed, or sold and transferred with all the rights and benefits incident thereto, the same in all respects as if they were original shares by them subscribed; and any land, property or materials used in the business of the said company, received in payment or satisfaction of subscriptions for stock, shall be taken at a valuation approved by a majority of the stockholders.

4. *And be it enacted*, That whenever fifty thousand dollars Election of directors. of the capital stock aforesaid shall have been subscribed, the commissioners, or a majority of them, shall as soon as they deem expedient, give notice in such manner as they may determine, of a meeting of the stockholders, at such time and place as they may designate to choose nine directors, who shall hold their office for one year and until others are duly elected; and such election shall be made at the time and place appointed by such of the stockholders as shall attend for that purpose, either in person or by proxy, each share of stock entitling the holder thereof to one vote; and the directors

chosen at such meeting, or at the annual elections of said corporation, shall, as soon as may be, after every election, choose out of their own number a president, who shall hold his office for one year, and until his successor is duly appointed, and in case of the death, resignation, or other incapacity of the president or any director, such vacancy may be filled by the board of directors for the remainder of the then current year.

Powers of
company.

5. *And be it enacted,* That the said company shall be and they are hereby authorized and empowered to establish and carry on the business of developing oil lands, digging, boring and excavating mines, shafts and wells, and mining, producing, and obtaining oil and other products or minerals from the earth, and manufacturing in forms, refining, transporting and vending the same, and for that purpose to purchase, rent, take, hold, occupy, and enjoy, grant, demise, lease and convey in this or any other state or territory, such and so many lands, mines, deposits, springs and wells and such parts, shares and interests therein, as they may deem proper, in fee simple, or any less estate; and to purchase, rent, hire, erect, build, hold, maintain and use, grant, demise, lease and convey such buildings, tramways, wells, aqueducts, drains, tanks, engines, machinery and other real and personal property as they may deem necessary or proper for developing their property and carrying on their business; and when, by the laws of the state or territory, where any of the property may be situate or be, the said company may not be authorized or capable to have, hold, enjoy, or convey, rent and lease the same, or the legal estate therein, themselves or otherwise when they may think proper, the said company may purchase, hire, rent, have, hold, use, enjoy, grant, lease and convey any trust or other equitable, or beneficial estate or interest, as cestui que trust or otherwise, in any property which may be purchased, hired, leased, or held by trustees or other person for the use or benefit of said company; and the same shall make part of the value of and be represented by, the stock of said company; *provided,* that the said company shall not be taxed in this state for, or by reason of, or of any interest in any real estate, situate in any other state or territory, and taxed therein.

Proviso.

Powers of di-
rectors.

6. *And be it enacted,* That the board of directors of said company shall have power to make and adopt a common seal for said corporation, to appoint from their own number or otherwise, a treasurer and secretary, and such other officers of the board and of the company as they may think necessary,

and to fix their salaries; to borrow such sums of money as they may from time to time deem advisable for the purposes of said company, and to issue the bonds of the said company therefor, and secure the payment of the same by a mortgage or mortgages on the lands, estate, and other property of said company, and to make such by-laws, not inconsistent with the provisions of this act, as they may think proper, regulating the issuing and transfer of stock, and for the general government and management of the affairs of the company.

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

Approved March 17, 1865.

CHAPTER CCVII.

Supplement to the act entitled "An act to incorporate Egg Harbor City."

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the assessor of said Egg Harbor City shall make the assessments annually required of him and return his duplicate to the treasurer at the same time assessors of townships are required to do according to the first section of the act entitled "An act concerning taxes," approved April fourteenth, eighteen hundred and forty-six. Assessor to return duplicate.

2. *And be it enacted*, That the commissioners of appeal in cases of taxation shall convene annually on the fourth Tuesday of November. Appeals.

3. *And be it enacted*, That the treasurer of said Egg Harbor City shall demand the taxes on sums so assessed, and give notice of the time and place of the meeting of the commissioners of appeal; and also, in case of non-payment of any taxes to make out the list of the names of delinquents, at the same time and in the same manner as required of the collectors of townships in the eleventh section of the act entitled "An act concerning taxes," approved April fourteenth, eighteen hundred and forty-six. Duties of the treasurer.

4. *And be it enacted*, That two chosen freeholders shall be elected at the annual elections of said city. Two chosen freeholders.

Repealer.

5. *And be it enacted*, That all parts of the act to which this is a supplement inconsistent to the provisions of this act be and the same are hereby repealed.

Approved March 17, 1865.

CHAPTER CCVIII.

An Act to legalize certain acts of the inhabitants of the township of Stoe Creek, in the county of Cumberland, and also of the assessor, collector, and township committee of said township.

Preamble.

WHEREAS, at a special town meeting of the inhabitants of the township of Stoe Creek, county of Cumberland, held on the thirteenth day of June, eighteen hundred and sixty-four, it was resolved, that for the purpose of avoiding a draft the township committee be authorized to borrow money, and to pay the same to volunteers under the late call of the president, and that such money be raised by tax; and at a subsequent town meeting of the inhabitants of said township, it was resolved that a special tax of ten dollars be assessed on all liable to the draft, and the money raised by said tax be appropriated towards paying the bounty to volunteers,

Debt or liability made valid

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any debt or liability incurred under the authority of the township committee or inhabitants of said township, and any bond, note or other security or evidence of indebtedness that has been given, or may hereafter be given, to secure the payment of liabilities incurred, or that may be incurred, for the payment of bounties to volunteers under said calls or future calls, and including liabilities for bounties to recruits in lieu of the draft ordered by the president of the United States, to be made on the fifteenth day of February, eighteen hundred and sixty-five, shall be as valid and effectual as if the contracting of such debt or liability or the making of such bond, note, security or evidence of indebtedness, had been expressly authorized by law prior to the making of such contract or security, or the contracting of such debt or liability.

2. *And be it enacted*, That it shall be lawful to raise by assessment on the taxable property of said township at the same time and in the same manner that other taxes are assessed and collected therein, and also by a war tax of ten dollars upon each and every male citizen of said township, money to pay said debts or liabilities and the interest thereon, in such proportion of said debts and liabilities, from year to year, as the township committee of said township may direct, until said debts and liabilities shall be redeemed and paid, and the collector of the said township shall have full power and authority to collect the sums so assessed, in the manner now prescribed by the acts relative to the collection of taxes, and shall be liable for neglect of duty, in respect to said tax, as he is by law for neglect of duty in respect to other taxes.

Money to be raised by tax.

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

Approved March 17, 1865.

CHAPTER CCIX.

A Supplement to the act entitled "An act to authorize a sluice and dam across Moonachie creek, in the county of Bergen," approved February seventh, eighteen hundred and sixteen.

WHEREAS, by an act entitled "An act to authorize a sluice and dam across Moonachie creek, in the county of Bergen," passed February seventh, eighteen hundred and sixteen, it was provided that it should be lawful for the owners of that tract of meadow adjoining the head of a tide creek, commonly called the Moonachie creek, then in the township of New Barbadoes, but now in the township of Lodi, in the county of Bergen, to erect a sluice and other water works in any part of said creek, between the head and branch thereof, known by the name of the second creek, so as to prevent the tide waters from flowing up the same; and whereas, in pursuance of the said act a sluice and other water works were erected by persons then owning said tract of meadow, the expense whereof was de-

Preamble.

frayed by voluntary contribution; and whereas, said sluice and other water works have become out of repair, and said tract of meadow is again overflowed by tide waters to the great injury thereof, and it is desirable that said sluice and other water works should be rebuilt; therefore,

Commissioners, and their duties.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Richard Vreeland, Jacob G. Van Riper, and George H. Brinkerhoff, of the county of Bergen, be and they are hereby appointed commissioners to ascertain and determine the number of acres each person may own in said tract of meadow, which will be benefitted by the erection of such sluice and other water works.

Notice to be given.

2. *And be it enacted*, That said commissioners shall appoint a time and place in said township of Lodi, of which ten days previous notice shall be given by them and set up in three public places in the township of Lodi, and also published for the like space in one of the newspapers of this state circulating in said township, when and where they will proceed to ascertain and determine the number of acres each person may own in said tract which will be benefitted by the erection of such sluice and other water works, and for that purpose they shall have power to swear and examine witnesses, and cause all necessary surveys to be made under their supervision, if they shall deem the same necessary; and they may adjourn from time to time, giving public notice to such owners as may be in attendance, of the time and place to which they may adjourn; and after they shall have ascertained and determined the number of acres each person may own in said tract, which will be benefitted by the erection of such sluice and other water works, they shall make a certificate thereof in writing, under their hands and seals, and deliver the same to the managers hereinafter named and appointed.

Commissioners to take oath.

3. *And be it enacted*, That said commissioners before entering upon the duties of their appointment under this act, shall be sworn before a person authorized by the laws of this state to administer oaths and affirmations, well, truly and faithfully to perform their duties under this act, according to the best of their skill, knowledge and judgment.

Managers, and their duties.

4. *And be it enacted*, That John H. Outwater, Jacob J. Hopper, and John H. Ackerman, are hereby appointed managers, who shall have all necessary authority to erect and cause to be erected such sluice and other water works, and contract for the using of the same, procure all proper

materials therefor, and have the general supervision of the work; and for the purpose of enabling them so to do, they shall form an estimate of the probable cost thereof and other expenses incurred under this act, and they shall apportion the whole amount thereof among the respective owners of said tract in proportion to the number of acres each may own therein, as ascertained and determined by said commissioners, and they shall make a certificate thereof in writing under their hands and seals, showing the amount apportioned to each owner, which they shall verify by affidavit that the same is true and correct according to the best of their knowledge and belief.

5. *And be it enacted*, That the said managers shall as soon as the amount apportioned to each owner shall have been ascertained, give notice thereof in writing to him or her, specifying the amount, and regulating payment of the same to be made to them or one of them, within thirty days from the time of the service of such notice, and in case of neglect or refusal so to do, the said managers may recover the amount in an action of debt in any court having cognizance thereof, in their own name; specifying themselves as managers under this act; the declaration may be general, setting forth that the amount claimed against the defendant is the sum apportioned to him by virtue of the proceedings had under this act, and the special matters may be offered in evidence under it.

6. *And be it enacted*, That in case any owner of any part of said tract shall be a non-resident of this state, the notice of apportionment hereinbefore mentioned, may in that case be served upon, and recovery of the amount apportioned to such owner had of the tenant of such land, in the same manner as if he were a resident owner, and in case the tenant shall pay the sum, he shall be entitled to deduct the sum from any rent that may at any time be due and owing from him to his landlord or person from whom he holds the said land.

7. *And be it enacted*, That the said commissioners and managers shall, for every day they shall be engaged in performing any services under this act be entitled to receive each the sum of two dollars.

8. *And be it enacted*, That this act, and the act to which it is supplementary are hereby declared public acts, and this act shall take effect immediately.

Approved March 17, 1865.

CHAPTER CCX.

An Act to provide for the payment of bounties in the township of Ocean, county of Monmouth, under the recent call, and the future calls that may be made for troops, and also for the raising of the amounts thereof by tax.

Preamble.

WHEREAS, the inhabitants of the township of Ocean, county of Monmouth, in view of the recent call of the president of the United States, of December nineteen, eighteen hundred and sixty-four; and of the probability of other calls for troops yet to be made; and further, in view of the general desire of the people of the said township to fill the quotas by volunteers, if possible, and if not, then by substitutes or otherwise, as readily as may be; therefore,

To pay bounties.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the township committee of the township of Ocean, in said county, to offer and pay such bounties to volunteers, substitutes, and drafted men, respectively, who shall be mustered into the military or naval service of the United States, and shall be accredited to said township upon its quota, under such recent call, and the pending draft, or any future draft that may be made, as to them shall seem proper, toward the filling thereof; *provided always*, that the consent of a majority of the legal electors of said township above designated, who shall vote at any such meeting as is hereinafter provided to be called and held shall first be obtained thereto, by a vote to be taken and given at a special election to be had for that purpose, and be called therefor by the said township committee of said township in the manner provided by law for any special meeting of the inhabitants thereof; and which election shall be held at the place where the last annual township election therein was held; *and provided further*, that no sum of money for bounties to be offered and paid to such volunteers, substitutes, or drafted men, respectively, shall be raised by tax in said township, which shall exceed the sum of three hundred dollars for the period of service of one year, nor more than four hundred dollars for the period of service of two years, nor more than five hundred dollars for the period of service of three years, respectively.

Proviso.

Proviso.

2. *And be it enacted*, That it shall be lawful for the said

township committee of said township to borrow, in the name, May borrow money and give bonds. and upon the credit of said township, any such sum or sums of money, from time to time, for the purposes, and subject to the limitations above specified, as may in their judgment be necessary, and to issue the bonds, scrip, notes, or other certificates of indebtedness of said township therefor, in such amounts, severally, as they may think most advisable, for the sums so borrowed, and to provide for the payment of the interest thereon and of the principal sums thereof by tax, in such installments and at such times as the said township committee shall determine; which tax shall be levied and assessed upon the polls and property of said township as shall, by such vote, have been determined.

3. *And be it enacted*, That it shall be lawful for said township, to assess upon the polls of said township, of all single men, a poll tax of ten dollars, and upon all married men a poll tax of five dollars, toward the liquidation of all indebtedness as shall be by the payment of bounties been or may hereafter be made; the residue of which indebtedness shall be assessed upon the real and personal estate liable to taxation in said township, any of which taxes shall be assessed, levied, and collected at the same time and in the same manner as other taxes therein shall be assessed, levied and collected. Taxes, how assessed and collected.

4. *And be it enacted*, That the clerk of such township meeting shall be clerk of such meeting and election as are hereinbefore authorized, and that such clerk shall deliver to the assessor or assessors of said township, on or before the first Monday in September ensuing, a true statement of the result and proceedings of such meeting, under his hand, and shall also file a duplicate thereof, in the records of said township; and it is hereby declared and provided that such statements and the delivery thereof shall be sufficient authority for the making and collection of such assessment and for the action of the authorities aforesaid, and for the issue and collection of the bonds, scrip, notes or other certificates as they shall have made or may make as above authorized to be done. Duties of clerk

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

Approved March 17, 1865.

CHAPTER CCXI.

An Act to incorporate the Elizabeth Horse Railroad Company.

Names of corporators.

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That James S. Green, John H. Rollston, Joseph C. Hinchman, Abel S. Hatfield, Luke H. Higgins, William H. Adams, Stephen W. Waterbury, Charles Giudet, and such other persons as may hereafter be associated with them, shall be and are hereby ordained, constituted and declared a body politic and corporate in fact and in law, by the name of the "Elizabeth Horse Railroad Company," and shall be capable of purchasing, holding and conveying any lands, tenements, goods and chattels necessary or proper for the object of the said corporation.

Amount of capital stock.

2. *And it be enacted,* That the amount of the capital stock of the said corporation shall be twenty-five thousand dollars with the privilege to increase the same to one hundred thousand dollars, and shall be divided into shares of twenty-five dollars each, which shall be deemed personal property, and transferable in such manner as the said corporation shall be their by-laws direct.

Commissioners to receive subscriptions.

3. *And be it enacted,* That the above named persons, or majority of them, shall be commissioners to open books to receive subscriptions to the capital stock of said corporation, at such time or times and place or places, in the city of Elizabeth, as they or a majority of them think proper, giving at least twenty days' notice of the same in one of the newspapers published in the city of Elizabeth, and at the time of subscribing ten per centum shall be paid for each share subscribed for to the commissioners, or some one of them, and as soon as twenty thousand dollars of the capital stock shall be subscribed, said commissioners shall give like notice for a meeting of the stockholders to choose five directors, a majority of whom shall be residents of the city of Elizabeth, and such election shall be made at the time and place appointed by such of the stockholders as shall attend for that purpose, either in person or by proxy, each share of the capital stock entitling the holder thereof to one vote, and the said above named persons, or any three of them, shall be inspectors of the first election of directors of the said corporation.

and shall certify, under their hands, the names of those persons duly elected, and deliver over the subscription books and money paid in, deducting all expenses previously incurred, to the said directors; and the time and place of holding the first meeting of said directors shall be fixed by the said persons named in the first section of this act, or a majority of them; and the directors chosen at such meeting, or at the annual election of said corporation, shall, as soon as may be after every election, choose out of their own number a president, who shall be a resident of the city of Elizabeth; and in case of the death, resignation or removal of the president, or any director, such vacancy or vacancies may be filled for the remainder of the year in which they may happen by the said board of directors or a majority of them, and in case of the absence of the president, the said board of directors, or a majority of them, may appoint a president pro tempore, who shall have such power and functions as the by-laws of the said corporation shall provide.

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

Not dissolved
for failure to
elect.

5. *And be it enacted*, That three directors of said corporation shall be competent to transact all business of said corporation, and shall have power to call in the capital stock of said company by such installments, and at such times as they may direct, and in case of the non-payment of such installments or any of them, to forfeit the share or shares upon which such default shall arise, and to make and prescribe such by-laws, rules and regulations as to them shall appear needful and proper touching the management and regulation of the stock, property, estate, and effects of the said corporation, and also shall have power to appoint such officers, clerks, and servants, as to them shall seem meet, and to establish and fix such salaries to them, and also to the president, as to the board shall appear proper.

Payment of in-
stallments.

6. *And be it enacted*, That the said corporation shall have power and authority to construct a railroad, with the necessary turn-outs from the railroad depot in Morris street, along Morris street to Broad street, thence along Broad to Water

Construction
of road.

street, thence along Water street to Elizabeth avenue, thence along Elizabeth avenue to Second street, thence along Second street to Livingston street, thence along Livingston street to the steamboat dock at Elizabethport, and also to continue said track along Second street to the northerly track of the Central railroad; *provided*, that the right to construct the said railroad through any of the said streets shall not vest in the said corporation until the consent of the city of Elizabeth shall be first had and obtained of the city council.

Proviso.

Regulations.

7. *And be it enacted*, That the track laid by the said company shall be the same width as the wagon track now established by law, and said track and rails shall, in all cases be laid level with the surface or face of the streets through which the same may pass, and in conformity with the grades of said streets as the same now are or hereafter may be established by the city council, so that said railroad shall not present any unnecessary obstructions to, or in any way to interfere with wagons or vehicles turning or crossing said streets; and further, that the said company shall pave between the rails of their track or tracks, turn-out or turn-outs, and for two feet on the outer side of said rail, which pavement, tracks and turn-outs shall be laid in conformity with the ordinances of the said city and under the supervision of the city council, and that the said company shall at all times, and in all things be subject to the provisions of the charter and ordinances of the city now being or hereafter to be in force; and when required by the city council, shall pay such tax per car to the city as shall be directed, not exceeding one dollar per month for each car.

May purchase
and hold
lands, &c.

8. *And be it enacted*, That the said company may purchase, have and hold real estate at the commencement and termination of their railroad, and at any other place or places in the city of Elizabeth, not exceeding two acres at each place, or five acres in the aggregate, and may erect and build thereon houses, warehouses, stables and machine shops, and such other buildings and improvements as may be necessary for the carrying on the objects of their incorporation.

Dividends.

9. *And be it enacted*, That the president and directors of said corporation shall declare and make such dividends as they may deem prudent and proper, from time to time, out of the net profits of the said railroad.

Powers of directors.

10. *And be it enacted*, That the president and directors of said corporation shall have power to have constructed, or to purchase with the funds of said corporation, all such machinery

horses, cars, wagons, carriages, or other vehicles, for the transportation of persons or any species of property on their railroad, as they may think fit, reasonable and expedient, or light (but no steam power shall be used as a motive or propelling power on said railroad, except that known as the lummy engine), and they are hereby authorized to demand and receive such sum or sums of money for the transportation of persons or property thereon as they may think reasonable and proper; *provided*, that not more than five cents per mile shall be demanded or received for conveying any person from one point to another on said road. Proviso.

11. *And be it enacted*, That if any person or persons shall wilfully, maliciously impair, injure, destroy or obstruct the use of said railroad, or any of its necessary works, carriages, animals or machines, such person or persons shall forfeit and pay therefor to the said corporation three times the amount of damages sustained by means of such injury, to be recovered in the name of the said corporation, with costs of suit, in any court having cognizance of the same. Penalty for Injuring works.

12. *And be it enacted*, That the said corporation shall have power to borrow such sum or sums of money, from time to time, as shall be necessary to build, construct, repair or equip said road, and to secure the payment thereof by bond or mortgage, or otherwise, on the said road, lands, privileges, franchises and appurtenances of or belonging to said corporation, at a rate of interest not exceeding seven per centum per annum. May borrow money.

13. *And be it enacted*, That the office of said company shall be in the city of Elizabeth, and if the said railroad shall not be commenced within two years and be completed within five years from the fourth day of July next ensuing, then and in that case this act shall be void; and the said corporation shall possess the general powers, and be subject to the restrictions and liabilities contained in the act entitled "An act concerning corporations," approved the fourteenth day of February, in the year of our Lord one thousand eight hundred and forty-six. Restrictions and liabilities

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

Approved March 17, 1865.

CHAPTER CCXII.

An Act creating the office of Comptroller of the Treasury, and defining the duties thereof.

Comptroller
to be appointed.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That there shall be appointed by the governor, with the advice and consent of the senate, a comptroller of the treasury, who shall hold his office three years, and until his successor is appointed.

Oath to be
taken and
bond to be
given.

2. *And be it enacted*, That the comptroller, before entering upon the duties of his office, shall take an oath or affirmation before one of the justices of the supreme court, that he will well, faithfully and impartially discharge all the duties required of him by law, and that he will not allow any claim, charge or account against this state, unless satisfied that the same is justly due; which oath or affirmation shall be filed in the office of the secretary of state to be there preserved among the public papers; and shall enter into bond with two or more securities, to be approved by the governor, in the sum of fifty thousand dollars, payable to the state of New Jersey, conditioned for the faithful performance of his official duties, which bond he shall file in the office of the secretary of state.

Compensation

3. *And be it enacted*, That the comptroller shall receive for his services annually, the sum of two thousand five hundred dollars, but no fees or other compensation shall be allowed him.

Comptroller
may administer
oath.

4. *And be it enacted*, That it shall be the duty of the comptroller to examine, audit, adjust and settle all accounts due to or presented against the state, and certify the amount adjusted or allowed, to the treasurer for receipt or payment and that in the performance of this duty he shall be, and is hereby, authorized and required to administer an oath or affirmation to the person or party presenting such account or to any witness presented on behalf of said person or party or presented by himself or the attorney general on behalf of the state and to examine the same, as to the truth, fairness correctness and justice of said accounts, and the said comptroller shall keep a record or registry of all accounts so audited, adjusted, allowed and certified, and the time when the same was done.

5. *And be it enacted*, That it shall be the duty of the comptroller to superintend the collection of the revenue, to take general charge and supervision of all rights, interests and property of the state, to institute and direct prosecutions against delinquent officers of the revenue, and for just claims and debts due to the state, and to draw all warrants on the treasurer in favor of such public officers as receive salaries from the state, and for the payment of all moneys directed by law to be paid out of the treasury, and such warrants shall designate the purpose for which they are drawn.

To superintend collection of revenue, &c.

6. *And be it enacted*, That the comptroller shall counter-sign and register all checks drawn by the treasurer, and all receipts for money paid to the treasurer; and no receipts shall be evidence of payment unless so countersigned, and no loans shall be made by the treasurer unless with the concurrence of the comptroller.

To counter-sign and register checks.

7. *And be it enacted*, That the comptroller shall, when necessary, draw in favor of the treasurer on all persons indebted to the state for moneys due, and on the presidents and directors of all corporations in which the state may own stock, for the dividends on such stock as the same may become due.

May draw in favor of treasurer for moneys due.

8. *And be it enacted*, That it shall be the duty of the assessor in each township and ward of this state, on or before the fifteenth day of September in each year, to make and transmit to the comptroller an abstract of the amount of all the ratables in their respective townships and wards, designating in separate columns in said abstract the amount of quotas of state, county, poor, road, and of all other taxes assessed and to be collected, and also the number of taxable inhabitants in such township or ward.

Assessors to transmit abstracts.

9. *And be it enacted*, That it shall be the duty of the board of chosen freeholders of each county, the committeemen of each township, the mayor and common council of each city, and the representative authority of each borough in this state, to transmit to the comptroller, on or before the first day of October in each year, a statement of the debt or debts of their respective county, township, city, or borough, the purposes for which incurred to be stated separately, and the rate of interest paid on each debt.

Chosen freeholders and town committees to transmit statement

10. *And be it enacted*, That the abstracts required to be made and transmitted by the clerks of the common pleas of the several counties of this state by the sixth section of the act entitled "An act relative to the office of secretary of

Abstracts of clerks of courts to be made to comptroller.

state and register of the prerogative court," approved April seventeenth, eighteen hundred and forty-six, shall hereafter be made and transmitted at the time therein stated, to the comptroller, instead of to the secretary of state.

Trustee of
school fund,
&c.

11. *And be it enacted*, That the comptroller shall be, ex-officio, a trustee of the school fund, commissioner of the state library, and general superintendent of banks, and all quarterly and annual statements which are now made by banks or other corporations shall be made to the comptroller.

Repealer.

12. *And be it enacted*, That so much of the "Further supplement to an act entitled 'An act to authorize the business of banking,' approved March twenty-sixth, eighteen hundred and fifty-two," as appoints the governor, secretary of state, and attorney general a board of commissioners, to be styled the board of bank commissioners, be and the same is hereby repealed, and all the powers and duties conferred by said act upon the said board be, and the same are hereby devolved upon the comptroller; and the commissioners in the several counties in this state, appointed by the governor, under the seventh section of the above mentioned supplement, shall file the affidavit required by said section in the office of the comptroller.

Proposals for
fuel.

13. *And be it enacted*, That it shall be the duty of the comptroller, on or before the first day of October in each year, to advertise for at least two weeks, in one or more of the newspapers published in the city of Trenton, for proposals to supply the necessary fuel for the use of the legislature for the ensuing year, and to contract for the same upon the most advantageous terms that may be offered, which proposals shall remain in his office, there to remain of record.

To examine
debts and
credits.

14. *And be it enacted*, That on the first Tuesday in March, June, September, and December, or oftener if he deems it necessary, the comptroller shall carefully examine the accounts of the debts and credits in the bank books kept by the treasurer, and if he discovers any irregularity or deficiency therein, he shall unless the same be rectified or explained to his satisfaction, forthwith report the same in writing to the governor.

Report to be
made.

15. *And be it enacted*, That the comptroller shall within ten days after the annual meeting of the legislature, report to each house the financial condition of the state, an estimate of expenditures for the succeeding year, arranged under their appropriate heads, together with all the transactions of his office; and the usual number of printed copies of the

report for the use of the senate and the general assembly, shall accompany the same; the printing to be executed by the current printer to the legislature of the year for which the report is made.

16. *And be it enacted*, That the accounts of the treasurer shall be examined immediately upon the close of the fiscal year, by a joint committee of the legislature, which committee shall report, to the next legislature, and the usual number of printed copies of the report for the use of the senate and general assembly, shall accompany the same; the printing to be executed as provided for by the fifteenth section of this act. Accounts of treasurer to be examined by joint committee.

17. *And be it enacted*, That so much of any law which conflicts with this act, or confers any of the powers and duties which by this act are vested in the comptroller, in any other officer or officers, be, and the same is hereby repealed. Repealer.

18. *And be it enacted*, That this act shall take effect immediately; *provided*, that until the comptroller is appointed and enters upon the duties of his office, or in case of a vacancy hereafter, all accounts shall be audited and the disbursements and receipts of the treasurer shall be made as heretofore. Proviso.

Approved March 17, 1865.

CHAPTER CCXIII.

A Further Supplement to the act entitled "An act concerning taxes," approved April fourteenth, eighteen hundred and forty-six.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all lands lying or situated in the township of Bayonne, in the county of Hudson, shall be assessed and the taxes of the same collected and paid to the treasurer of said township, whether the owner or owners reside in the township of Bayonne or elsewhere, and anything to the contrary in a supplement to said act, approved March third, eighteen hundred and fifty-four, is hereby repealed, so far as it concerns the township of Bayonne. Taxes, to whom paid.

2. *And be it enacted*, That this act shall be deemed a public act, and shall take effect immediately.
Approved March 17, 1865.

CHAPTER CCXIV.

An Act to authorize the inhabitants of the township of Raritan, in the county of Monmouth, to raise by tax, money to fill the quota of said township under the call of December, eighteen hundred and sixty-four.

Preamble.

WHEREAS, the inhabitants of the township aforesaid, did at a special town meeting, held on the twenty-first day of January, eighteen hundred and sixty-five, authorize the town committee to borrow on the credit of the township, to pay bounties to volunteers, substitutes and drafted men to fill the quota of said township, at the rates following: one hundred dollars for one years' service of each volunteer or substitute; one hundred and fifty dollars for two years' service of each volunteer or substitute; two hundred dollars for three years' service of each volunteer or substitute; and two hundred dollars for each drafted man under the call of December, Anno Domini eighteen hundred and sixty-four; and did also authorize that money to repay such sum should be raised by a tax upon the taxable property of said township.

Acts and doings legalized.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the votes and proceedings of the inhabitants of said township, at said town meeting, and the acts and doings of the town committee in carrying the same into effect be, and the same are hereby made valid and effectual in law; and the town committee are hereby authorized to assess and collect the said sum, with accruing interest and expenses, by taxation, at such time and in such amounts as the said town committee may order and direct, and that the amount thereof shall be assessed and collected in the same manner, and by the same officers, as other township taxes are assessed and collected.

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

Approved March 17, 1865.

CHAPTER CCXV.

An Act to provide for the raising of money paid for bounties in the town of Newton, in the county of Sussex.

WHEREAS, in pursuance of resolutions passed at meetings Preamble. held by the citizens of the town of Newton, in the county of Sussex, there has been advanced and paid for bounties to volunteers and substitutes, under the calls for troops made by the president of the United States in July and December last past, in all about the sum of thirty-six thousand dollars; now therefore, to provide for the repayment of the same to the persons who have made said advancements,

1. BE IT ENACTED *by the Senate and General Assembly of* Liability of township. *the State of New Jersey*, That the said town of Newton, in its corporate capacity, is and shall be held liable to the person or persons respectively who may have advanced the said money or any part thereof; and if the said town shall neglect or fail to raise and pay the said money at the time and in the manner hereinafter provided, any person or persons having advanced or paid the said money or any part thereof, may sue for and recover of said town, in an action of debt, the amount so by such person or persons respectively advanced or paid, with interest and costs of suit, and in any such action it shall only be necessary for the plaintiff or plaintiffs therein to declare upon the common money counts, and this act may be given in evidence under the same.

2. *And be it enacted*, That the town committee of said May issue bonds. town, for the time being, shall be and they are hereby authorized and empowered to issue, upon the credit and responsibility of the said town, the corporate bonds of the said town, to an amount not exceeding the sum of forty thousand dollars, to be signed by the town collector and countersigned by the town clerk of said town, and numbered and registered in

a book for that purpose to be kept by the said town clerk, to be of such denominations and payable at such times not exceeding five years from date, and at such rate of interest not exceeding seven per cent. per annum, as the said town committee shall deem best; and the said committee shall negotiate the same at not less than their par value, to satisfy the said money or part thereof with the interest; and the said committee shall from time to time cause to be assessed and collected, at the times and in the manner other town taxes are assessed and collected, the moneys necessary to redeem the said bonds and the interest thereon.

Duty of assessor.

3. *And be it enacted*, That if the said town committee shall fail to raise, by the first day of May next, by the sale and negotiation of said bonds, the sum of twenty thousand dollars, it shall then be the duty of said committee to inform the assessor of said town of the deficiency, when said assessor shall proceed immediately to assess on the inhabitants and property of said town, in the same manner that other town-taxes are assessed, the amount of such deficiency, (except that he shall assess a poll tax of ten dollars upon each male inhabitant of said town subject to a poll tax), and shall, by the first day of June next, deliver the duplicate of said assessment to the town collector of said town, to be by him collected, as hereinafter directed.

Notice to be given.

4. *And be it enacted*, That the town collector of said town, upon the receipt of said duplicate, shall immediately proceed to notify each taxable inhabitant of said town of the amount of said tax which has been assessed against him or his property; also that the commissioners of appeals, in cases of taxation, will meet at the court house, in Newton, on the fifteenth day of June next, for the purpose of hearing appeals and correcting assessments, as in other cases of taxation; and it shall be the duty of said commissioners to meet at said time and place, and hear all appeals from said assessments and correct the same, as in other cases.

Duty of collector.

5. *And be it enacted*, That it shall be the duty of said town collector, immediately thereafter, to proceed and collect said taxes, and on the first day of July next, to make return, as in other cases, of all of said taxes which may then remain uncollected by him, and the same shall be collected in the same manner as other taxes are collected by law.

Balance, how raised.

6. *And be it enacted*, That none of said bonds of said town shall be negotiated or sold after the first day of August next, and that whatever sum may then yet be required to make up

the balance of said forty thousand dollars, shall be assessed, levied and collected immediately, in the same manner and at the same time that other town taxes are assessed and collected in said town for the present year, except that in raising the same there shall be assessed and collected a poll tax of ten dollars upon each male inhabitant of said town subject to a poll tax.

7. *And be it enacted*, That all moneys levied and collected by virtue of this act, shall be paid by the town collector, under direction of the town committee, to such person or persons as may have advanced or paid the same for the purposes mentioned in the preamble of this act. Proceeds, how applied.

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

Approved March 17, 1865.

CHAPTER CCXVI.

Supplement to an act entitled "An act to incorporate Jersey City," approved March eighteenth, eighteen hundred and fifty-one.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the said common council, by resolution passed according to the provisions of the act by which said city is incorporated, from time to time to pass resolutions designating an office in the city hall of said city, which the assessors shall occupy during certain hours of such days or evenings, and for such period not less than sixty days, as shall be fixed by said resolutions for the purposes hereinafter named. Assessors to have an office in city hall.

2. *And be it enacted*, That it shall be the duty of each of said assessors to cause notice to be given in at least one of the newspapers published in said city for at least twenty days between the first day of May and the fifteenth day of June in each year, and also by hand bills, five of which at least shall be posted in a conspicuous manner in each of the wards of said city during the said twenty days, of the giving of which notice the affidavit of the assessor of each ward filed Duty of assessors.

in the city clerk's office at any time before the meeting of the commissioners of appeal shall be sufficient evidence that they will be present at such place and at such times as may be designated by said resolution, to receive statements under oath or affirmation of the personal property liable to taxation of any person or persons or any corporation, and the exemptions or deductions claimed from taxation on real estate or personal property by such persons or corporations.

Statement
what to con-
tain.

3. *And be it enacted*, That the statement aforesaid shall contain the nature and particulars of the amount of stock, bonds, mortgages, or other evidences of indebtedness, assets, goods and chattels, or other personal property by law taxable, together with a specific account of the exemptions or deductions claimed from taxation, whether of personal or real estate, which statement shall be verified under oath by the persons or appropriate officers of the corporations offering the same; *provided*, that the oath or affirmation of no person shall be conclusive as to the facts therein stated.

Proviso.

Not deprived
of right of ap-
peal.

4. *And be it enacted*, That in case such statement shall not contain the particulars or specific account in the foregoing section named, and it shall appear to the commissioners of appeal that such person endeavored to act in good faith and without deception, he shall not be deprived of the right to appeal in order to correct such statement as to such particulars or specific account, but for no other purpose; and if no such statement under oath be made, no relief shall be afforded on appeal, or in legal proceedings of whatever kind, and in such cases such assessment for taxes shall be made by the assessor, as to him may seem reasonable.

Proviso in
case of ab-
sence.

5. *And be it enacted*, That if any person shall appear before the commissioners of appeal, and prove to the satisfaction of such commissioners under oath, in writing, that he or she was necessarily absent from the state of New Jersey, during the time in which such statement should have been left with the assessor, said commissioners shall not deprive him or her of their right of appeal; *provided*, that this section shall not be held to apply to any corporation or to any person or persons engaged in business in said city and having employees entrusted with such business; *and provided further*, that such oath shall not be conclusive, but that the circumstances of the case may be investigated by said commissioners.

Proviso.

Proviso.

Assessors to
receive state-
ments.

6. *And be it enacted*, That it shall be the duty of each of the assessors of said wards to attend in person, or by some person competent to discharge the duties incumbent upon

such assessor, for whose conduct said assessor shall be responsible at the place and time designated by said resolutions, then and there to receive and accept such statements from any person offering the same, which said statements shall be deposited by the respective assessors with the commissioners of appeal in cases of taxation, at their first meeting, who shall in turn cause the same to be filed in the office of the city clerk.

7. *And be it enacted*, That if either of said assessors or ^{Penalties.} commissioners of appeal shall neglect or refuse to perform any duty required by this act, he shall suffer the same penalties, to be recovered in like manner as is now provided by law for neglect or refusal to perform the duties of his office.

8. *And be it enacted*, That if any person shall deliver or ^{False statements.} send to any assessor or to the commissioners of appeal, in cases of taxation, any statement under oath or affirmation as aforesaid, which shall be false in any of the particulars or account, authorized by this act, he shall be deemed and taken to be guilty of perjury.

9. *And be it enacted*, That no deduction from the value of ^{Deductions.} real estate for mortgage, debt or debts of any kind whatever, shall be allowed, unless the owner thereof shall reside within the state of New Jersey, nor shall any deduction be made for any such debt on real estate in said city, owned by any person resident of the state and non-resident of said city, where the owner thereof shall fail or neglect to cause to be left with the assessor of the ward wherein the same is situate; the statement with the specific account heretofore required; *provided*, that corporations recognized by the laws of this state shall be deemed for the purposes of this act residents thereof.

10. *And be it enacted*, That so much of the forty-fourth ^{Repealer.} section of the act to which this act is supplementary as binds the common council to raise by tax so much money as they may deem expedient, not exceeding five mills on a dollar of the actual value of property assessed, and all provisions in any supplement to said act relative to such limit be, and the same are hereby repealed

11. *And be it enacted*, That the last clause in the seventy-^{Compensation} first section of said act shall not be held applicable to any officer heretofore or hereafter appointed or elected for a longer term than one year, and that the salary, pay, or compensation of such officers shall be fixed in the manner designated in

said act, in each and every year, and when once fixed shall not be increased during such year.

May pass ordinances regulating auctioneers.

12. *And be it enacted*, That in addition to the powers enumerated in the forty-second section of said act, the said common council shall have power to pass, alter, and repeal ordinances regulating and controlling the duties of auctioneers, and making them liable on their official bonds for the faithful performance of the duties enjoined upon them, as well as for the payment of any moneys collected by or entrusted to them by the said common council, or such persons as may employ them.

Proceedings in case of default by auctioneers.

13. *And be it enacted*, That if any person shall sustain loss by the neglect or default of any auctioneer licensed in said city, in the discharge of his duties, whereby such bond shall become forfeited, and shall by himself, his agent or attorney, make affidavit of such loss, before any person authorized to administer the same, and shall tender such affidavit to the city clerk, it shall be the duty of such officer to file the said affidavit in his office, and thereupon forthwith to deliver to the person or persons making such affidavit, his, her or their agent or attorney, a certified copy of such bond, to the end that an action may be brought upon such bond, and which certified copy shall be evidence in all courts and places.

Suit may be brought, and by whom.

14. *And be it enacted*, That it shall be lawful for any person or persons to bring suit on such bond in any court having jurisdiction of the amount of loss alleged in said affidavit to have been sustained, and that the process shall be in the name of said person as plaintiff, referring briefly to said bond and giving the date of the same, and that he shall in his declaration or state of demand, after setting forth the said bond according to the established practice and his cause of action, allege that said action is brought in pursuance of this act, and if upon the verdict of a jury or otherwise, judgment shall be given for the plaintiff, such judgment shall be for the amount found to be the loss of such plaintiff, and not for the penalty of said bond, and that the costs incurred in such action shall be incurred by the parties thereto in pursuance of law, and that the proceedings in any such action shall be in other respects regulated as in suits on bonds brought in this state.

15. *And be it enacted*, That such suits may be brought from time to time upon said bonds, or any of them, by any person

sustaining loss, as aforesaid, upon his complying with the provisions of this act.

AND WHEREAS, the mayor and common council of Jersey City Preamble. have contracted a large indebtedness for purposes relating to the maintenance of the federal government, and are desirous of providing a fund whereby the said debt may be decreased or liquidated; therefore,

16. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the mayor and common council of Jersey City, in addition to the taxes which they have been authorized to levy and impose, to raise by tax every year on real estate and chattels, in the same mode in which the taxes on real estate and chattels are now authorized to be raised in said city, so much money as they may deem expedient for the purpose of defraying the principal of the said money in the preamble to this act mentioned, which said tax shall not exceed, in any one year, one mill on the dollar of the actual value of property assessed. Money to be raised by tax.

17. *And be it enacted*, That the special tax hereby authorized, shall be assessed by the respective assessors of the wards of said city, on the order of the said common council designating the rate of said tax; and that said assessors when so ordered shall add to the rate of taxation required to raise the amount necessary for the support of said city and other lawful purposes, the rate so designated by the said common council; *provided*, that nothing in this section contained, shall be construed as changing the provisions of the first section of this act; and that upon the payment of a sufficient amount of money with the city treasurer, on account of taxes not required for the payment of state and county taxes, the common council shall order the same paid by the city treasurer to the commissioners hereinafter named. When to be assessed and collected.

18. *And be it enacted*, That the persons exercising the offices of mayor, city treasurer, comptroller, and chairman of the committee on finance of said common council, from time to time be, and they are hereby constituted and appointed a board of commissioners, which shall be known by the name of "The Commissioners of the Jersey City Sinking Fund," whose joint duty it shall be to invest, from time to time, the moneys so raised for the payment of the principal of said debt, and at the expiration of the first year after said investment of money shall be made, and every year thereafter, the interest accruing thereon, and on the interest so invested, when of a sufficient amount, shall be by them invested in the manner Proviso. Commissioners of sinking fund.

herein required for the investment of the principal, and that said moneys shall be, and remain, a sinking fund, and be appropriated to no purpose other than the payment of the principal of said debt.

May change investments, &c.

19. *And be it enacted*, That it shall be lawful for said commissioners, when, in their opinion, the safety of said fund, or any part thereof, or the public good may require it, to change said investments, and so manage said fund and the interest accruing thereon as in their judgment may tend to accomplish the object intended by this act, and that, when opportunity shall be afforded, the said funds shall be invested in first bonds and mortgages on unencumbered real estate.

Moneys, how applied.

20. *And be it enacted*, That it shall be the further duty of the said commissioners to appropriate the moneys so raised, and the accumulated interest thereon, to the payment of such part of the principal of said debt as the same shall from time to time become due, in such manner as in their joint judgment may be deemed advisable; *provided*, that no such payment shall be made by the said commissioners until the expiration of five years from the time of the approval of this act.

Proviso.

Moneys to be paid to commissioners.

21. *And be it enacted*, That it shall be the duty of the common council to cause all moneys arising from violations of the ordinances of said city, all license fees, and fees of whatever kind, which by the charter of said city, or by the ordinances thereof, are paid into the city treasury, to be paid to said commissioners as often as once in six months, who shall appropriate the same to said fund, and invest the same in the manner heretofore authorized for other moneys constituting said sinking fund.

Report to be made.

22. *And be it enacted*, That said commissioners, when called upon by resolution of the common council, shall report such particulars as may be required in relation to said fund and that they shall keep in the clerk's office of said city a book, to be provided for the purpose, and entitled "Statement of the Jersey City Sinking Fund," showing the manner in which said moneys shall have been invested, the rate of interest at which the same shall have been invested, the time of such investment, and any other particulars relating thereto which said commissioners shall think of consequence.

Proceedings in case of differences.

23. *And be it enacted*, That in case differences arise among said commissioners, as to the manner in which the aforesaid moneys, or any part of the interest thereon shall be invested or in relation to the appropriation of said moneys to the pay

ment of the principal of said debt, or any part thereof, the said commissioners, or any member of them, shall make known to the said common council the causes and particulars of such differences; whereupon the said common council shall proceed by resolution to instruct said commissioners as to such investment or appropriations, concerning which such differences shall arise; which instructions shall be at once obeyed by the said commissioners; and that said resolution, and all resolutions of the common council herein referred to, shall be valid and effectual without the approval of the mayor of said city.

24. *And be it enacted*, That the persons exercising the duties of mayor, city treasurer, comptroller and chairman of the committee on finance of said common council, shall, at the time of entering upon the duties of their respective positions, severally subscribe and take an oath before some person lawfully qualified to administer the same, faithfully and impartially to perform the duties required of them as "Commissioners of the Jersey City Sinking Fund," and shall also severally give bonds to the city, in its corporate name, in such sums and with such securities as the common council may approve for the faithful performance of their duties as such commissioners, which oaths and bonds shall be on the order of the common council for that purpose, filed in the office of the city clerk.

25. *And be it enacted*, That in case either of the officers hereinbefore named, except the mayor, shall at any time neglect or refuse to take the oath and give the bond hereinbefore specified, within ten days after entering upon the duties of their respective positions, it shall be the duty of the said common council to declare their said city offices vacant and proceed to fill the same in the manner provided in case of vacancies in city offices; and in case the mayor of said city shall so neglect or refuse within said time, his duties under this act shall devolve upon the president of the common council, who shall at once proceed to become qualified as directed by this act.

26. *And be it enacted*, That all acts inconsistent with this act be, and the same are hereby repealed, and that this act shall take effect immediately.

Approved March 17, 1865.

CHAPTER CCXVII.

A Supplement to an act entitled "An act to authorize the inhabitants of Clayton and Franklin townships, in the county of Gloucester, to raise and borrow money," approved March seventeenth, eighteen hundred and sixty-four, being an act authorizing bonds to be issued to pay drafted men for going or furnishing substitutes.

To whom provisions of act applicable.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the provisions of the act to which this is a supplement, "Authorizing the township committee of Clayton township to issue bonds or notes to raise money for the purpose of paying bounties to volunteers to fill quota of said township," shall be applicable to persons who shall furnish a substitute, or to any person drafted who shall either go himself or furnish a substitute duly credited to said township.

Tax to be assessed and collected.

2. *And be it enacted*, That whatever amount or sums of money the inhabitants of Clayton township, by vote at their annual or special town meetings have appropriated or may at any future annual or special town meeting appropriate for the purpose of paying to volunteers or to any person furnishing a substitute, or to any person drafted who shall either go himself or furnish a substitute, duly credited to said township, shall be assessed and collected according to the act to which this is a supplement.

Repealer.

3. *And be it enacted*, That all acts or parts of acts inconsistent with this act are hereby repealed.

4. *And be it enacted*, That this act shall be deemed and taken as a public act and shall take effect immediately.

Approved, March 17, 1865.

CHAPTER CCXVIII.

An Act to legalize the raising and payment of bounties to volunteers, substitutes and drafted men in the township of Washington, in the county of Warren, and to provide for the payment of debts and liabilities incurred in reference thereto.

1. BE IT ENACTED *by the Senate and General Assembly* ^{May borrow money.} of the State of New Jersey, That it shall be lawful for the township committee of the township of Washington, in the county of Warren, to borrow in the name and upon the credit of said township, any such sum or sums of money as may be necessary to pay all the debts contracted for and liabilities incurred by the said committee, to pay bounties to volunteers, substitutes and drafted men in filling the quota of said township in the last call for men by the president of the United States, and also any call made previous thereto, in such sums as the said committee may think most advisable, and to provide for the payment thereof and the interest thereon, at such times and in such installments as the said committee shall think proper.

2. *And be it enacted,* That the bonds and other certificates ^{Bonds made valid.} of indebtedness of whatever kind, the same may be heretofore issued or hereafter to be issued by the said township committee, or a majority of them for the purpose of paying the bounties mentioned in the first section of this act, and all incidental expenses paid or incurred by the said committee in reference to filling said quotas, are hereby ratified, confirmed and made lawful, and the said indebtedness, and certificates thereof, in whatever form the same are or may be issued, are hereby authorized to be raised by tax on the persons and property of said township.

3. *And be it enacted,* That it shall be the duty of the township committee of the said township of Washington, or a majority of them, to order and cause assessments of taxes to be made from time to time of such sum or sums as may be necessary to pay the bonds and other certificates of indebtedness now issued, or which may hereafter be issued for the purposes mentioned in this act, together with the interest which may become due thereon; which said taxes shall be assessed, levied and collected at the same time and in the

same manner as other taxes are assessed, levied and collected in said township for state, county and township purposes.

4. *And be it enacted*, That this act shall be a public act and take effect immediately.

Approved March 17, 1865.

CHAPTER CCXIX.

An Act to authorize the township of Greenwich, in the county of Cumberland, to raise money by taxation to liquidate liabilities for the payment of bounties to volunteers.

Debts legalized.

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That any debt or liability incurred under the authority of the township committee or inhabitants of said township, and any bond, note, or other security or evidence of indebtedness that has been given, or may hereafter be given, to secure the payment of liabilities incurred for the payment of bounties to volunteers under all past or future calls of the president of the United States, shall be as valid and effectual as if the contracting of such debt or liability, or the making of such bond, note, security or evidence of indebtedness had been expressly authorized by law prior to the making of such contract or security, or the contracting of such debt or liability.

Money to be raised by tax.

2. *And be it enacted*, That it shall be lawful to raise by assessment on the taxable property of said township, at the same time and in the same manner that other taxes are assessed and collected therein; and also by a war tax of ten dollars upon each and every male citizen of said township of the age of twenty-one years and upwards; said money to be used to pay said debts and liabilities and interest thereon, in such proportions from year to year as the township committee of said township may direct, until said debt and liabilities shall be redeemed and paid; and the collector of said township shall have full power and authority to collect the sums so assessed, in the manner now prescribed by the act relative to the collection of taxes, and shall be liable for neglect of duty

in respect to said tax as he is by law for neglect of duty in respect to other taxes.

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

Approved March 17, 1865.

CHAPTER CCXX.

A Further Supplement to the act entitled "An act to incorporate the West Jersey Marl and Transportation Company," approved March sixth, eighteen hundred and sixty-three.

WHEREAS, the construction of cars and the extension of the works of the West Jersey Marl and Transportation Company require an increase of the capital stock; therefore, Preamble.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the capital stock of the West Jersey Marl and Transportation Company, be and the same is hereby increased any number of shares, not exceeding twelve thousand, and the additional capital stock hereby created shall be part of the capital stock of said company, divided into shares of fifty dollars each, held, enjoyed and transferred in the same manner as the capital stock created by the act to which this is a supplement, is now held and enjoyed; and the directors of said companies are authorized from time to time, to issue said stock as they may deem expedient; *provided* always, that nothing in this act contained shall be so construed as to extend or enlarge any of the privileges or franchises mentioned in the acts to which this is a supplement, but only to increase the capital stock of said company by the amount aforesaid. Capital stock increased.

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

Approved March 17, 1865.

CHAPTER CCXXI.

A Supplement to an act entitled "An act to incorporate the Elizabeth and Newark Horse Railroad," passed March twenty-fifth, eighteen hundred and sixty-four.

May construct
road through
streets.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said corporation are hereby authorized to construct their said railroad through any streets which are now, or may hereafter be opened in the township of Union, between the cities of Elizabeth and Newark.

Time of com-
pletion.

2. *And be it enacted*, That the office of said company shall be in the city of Elizabeth, and if the said railroad shall not be commenced within two years and completed at the expiration of five years from the fourth day of July next ensuing, then and in that case the act to which this is a supplement shall be null and void.

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

Approved March 17, 1865.

CHAPTER CCXXII.

An Act authorizing the sale of tickets of the North American Transit Insurance Company in this state.

May sell insu-
rance tickets.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall and may be lawful for any railroad or steamboat company of this state, at any of their offices, to sell the insurance tickets of the North American Transit Insurance Company of Philadelphia to travellers on their trains or boats, either separately or in connection with their own tickets, and to charge and collect the premium for such insurance of said travellers from injury by accidents while travelling.

To make quar-
terly returns.

2. *And be it enacted*, That every railroad or steamboat company, or any of their officers, selling said tickets shall re-

tain out of the amount paid therefor one per centum of all receipts, and that the officers of said company shall make quarterly returns of said sales to the state treasurer, under oath, at times designated by him, and shall pay the amount thus retained by them into the state treasury.

3. *And be it enacted*, That any company or officer making false returns, or neglecting or refusing to make said returns as required by this act shall forfeit, for every offence, two hundred dollars, to be recovered by and in the name of the treasurer of the state for the time being, in any court of record where the same shall be cognizable, with costs of suit, and applied to and for the use of the state, and shall also be subject to an action of debt or trespass on the case at the suit of the said treasurer, on behalf of the state for recovery of the said one per centum of all said receipts for the sale of said tickets, with interest and costs of suit.

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

Approved March 17, 1865.

CHAPTER CCXXIII.

An Act to incorporate the Mariners' Mutual Insurance Company of New Jersey.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Joseph A. Yard, James Taylor, Charles Carr, Patrick Nolan, John S. Noble, Henry Wood, Henry Randall, J. H. Smith, James O. Lloyd, and all other persons who may hereafter associate with them in the manner hereafter prescribed, shall be a corporation by the name of "The Mariners' Mutual Insurance Company," for the purpose of insuring their respective vessels, buildings, merchandise, and other property against loss or damage by sea or fire, and by that name they and their successors may have perpetual succession, and shall have power to sue and be sued, and to defend and be defended in all courts, whether in law or equity, and by that name may also have, purchase, possess and enjoy to them and to their successors, lands,

tenements, hereditaments, goods, chattels, and effects of what nature and kind soever necessary for the purpose of said corporation, and the same may grant, demise, alien, and dispose of at pleasure, for the benefit of said company, and may have a common seal, and alter and renew the same at pleasure; also may make and establish such by-laws and regulations as to them shall seem necessary and expedient for the well-ordering and government of the said company, and to put the same into execution; *provided*, that they be not contrary to the laws of this state or the United States.

Proviso.

Insurers to become members.

2. *And be it enacted*, That all persons who shall insure with the said corporation, and also their heirs, executors, administrators and assigns, continuing to be insured in the same as hereinafter provided for, shall thereby become members thereof during the period they may remain insured by said corporation, and no longer.

Management of corporation.

3. *And be it enacted*, That all the affairs, property and concerns of said corporation shall be managed and conducted by nine directors, who shall continue in office one year, and until others shall be chosen in their place, all of whom shall be members of the said corporation, and shall take an oath or affirmation of office, and choose out of their number a president; all vacancies may be filled for the remainder of the year by such person or persons as a majority of the board of directors for the time being may appoint, and a majority of the whole shall constitute a quorum for the transaction of business.

Election of directors.

4. *And be it enacted*, That Joseph A. Yard, James Taylor, Charles Carr, Patrick Nolan, John S. Noble, Henry Wood, Henry Randall, James H. Smith and James O. Lloyd shall be the first directors of said corporation, and that annually hereafter a board of directors may be elected at such time and place in the city of Trenton, county of Mercer, and state of New Jersey, as the association in their by-laws shall appoint; of each election due notice shall be given in at least one of the public papers printed in said city, for two weeks immediately preceding such election, and it shall be the duty of the board of directors to appoint three discreet persons, not members of said board, to be inspectors of such election, and to count the votes that may be given in, and declare the result of such election, which shall be by a plurality of the votes of the members or their proxies then present, allowing one vote to each member for every one hundred dollars insured in said company at the time of such election, and it shall be

the duty of such inspectors or a majority of them to make and sign a certificate of the result of such election, stating who are elected by the greatest number of votes, and deliver such certificate to the secretary of the company for the time being, which certificate shall be filed and recorded by the secretary, and be conclusive evidence of the result of such election until set aside by some court having competent authority to do so.

5. *And be it enacted*, That the board of directors may ^{Officers.} appoint a secretary and such other officers and agents as may be requisite for effecting the business of said company, and allow them such compensation as may be agreed upon, and also determine the rates of insurance, the sum to be insured, and the sum to be deposited for any insurance.

6. *And be it enacted*, That all policies or contracts founded ^{Policies binding.} thereon, which shall be made under the seal thereof, and shall be subscribed by the president and attested by the secretary, shall be binding and obligatory upon said company, and the company shall be liable for all loss or damage sustained, agreeable to and on such terms and conditions as shall be contained in the policy.

7. *And be it enacted*, That every person who shall be- ^{Money to be paid.} come insured in said company shall, before receiving the policy, pay such sum of money, and deposit their promissory note for such sum of money, as shall be determined upon by the directors; such notes to be paid at such time and in such manner as the by-laws may determine; and it shall be lawful for said company to loan or put out on interest their moneys, or any part thereof, not immediately wanted for the purposes of said corporation, on bonds and mortgage on real estate, government stocks of the state of New Jersey and New York, and the cities of Newark, New York and Philadelphia, and may from time to time call in such money or change such investment.

8. *And be it enacted*, That there shall be a cash capital of ^{Capital.} fifty thousand dollars paid in before commencing operations upon other than a mutual plan as an additional security to the members and others effecting insurance therein, which cash capital shall be left open for accumulation and shall be loaned and invested, and the said company may allow an interest on said cash capital, and prescribe the liability of the owners thereof to share in the losses of the company, and such cash capital shall be liable in the payment of the debts of the company.

Yearly estimate to be made.

9. *And be it enacted*, That the officers of said company, at the expiration of one year from the time the first policy shall have been issued, or within one month thereafter, and within one month of every subsequent year, shall cause an estimate to be made of the profits or losses and true state of the affairs of said company to be made as near as may be for the preceding year, and so on for each successive year, which estimate shall be conclusive upon all persons entitled to receive certificates of profits as hereinafter mentioned.

Profits.

10. *And be it enacted*, That each member entitled shall receive a certificate for his proportion of the profits, if any, of each year's business, in proportion to the amount of premiums paid by him, but no person shall be entitled to a certificate for premiums paid that occasions loss, and no certificates shall be issued for the fractional parts of sums between even tens of dollars, but all such fractional parts shall be passed to the contingent account of said company and applied to the payments of said company.

Excess, how applied.

11. *And be it enacted*, That when the cash earnings on hand shall exceed twenty-five per cent. of the amount of the risks the company is liable for at any annual meeting, the excess may be applied to the payment of the certificates in such manner as the directors may determine.

Suits at law may be maintained.

12. *And be it enacted*, That suits at law or in equity may be maintained by said corporation, against any of its members for the collection of their deposit notes or any part thereof, or for any other cause relating to the business of said company; also suits at law or in equity, may be prosecuted and maintained by any member against said corporation for losses, if payment be withheld more than four months after the company are duly notified of such loss or damage; and no member of the corporation, not being in his individual capacity a party to such suit, shall be incompetent as a witness in any case on account of his being a member of said corporation.

Especial insurances.

13. *And be it enacted*, That especial insurances may be taken without the parties thereto becoming members of said corporation, if desired by the insured.

When policies to be issued.

14. *And be it enacted*, That no policy shall be issued by the said company until application shall be made for insurances to the amount of fifty thousand dollars at least.

Location.

15. *And be it enacted*, That the operations and business of the corporation shall be carried on and conducted at such place

in Trenton as shall be designated by a majority of the directors at their first regular meeting in every year.

16. *And be it enacted*, That this act shall take effect immediately, subject to be altered, amended, modified, or repealed by the legislature at any time hereafter when in their opinion the public good may require it. Act may be amended, &c.

Approved March 17, 1865.

CHAPTER CCXXIV.

A Further Supplement to the act entitled "An act to incorporate the New Jersey Railroad and Transportation Company."

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the New Jersey Railroad and Transportation Company be, and it is hereby authorized to increase its capital stock to six millions of dollars; which increase shall be divided into shares of fifty dollars each, and will be held and transferred in the same manner, entitled to the same privileges and benefits, and be subject to the same annual tax as the capital stock created by the act to which this is a supplement and the supplement thereto, approved March sixteenth, eighteen hundred and sixty-four. May increase capital stock.

Approved March 17, 1865.

CHAPTER CCXXV.

A Further Supplement to the act entitled "An act to incorporate the Northern Railroad Company of New Jersey," approved February ninth, eighteen hundred and fifty-four.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the Northern Railroad Com- May issue bonds.

pany of New Jersey may issue their bonds to an amount not exceeding in the whole the sum of one hundred and forty thousand dollars in addition to the sum of two hundred and sixty thousand dollars for which their bonds have been already issued; which bonds may be in such form and for such sums respectively as the directors of said company shall deem expedient, and shall bear interest at the rate of seven per centum per annum, and shall be payable at a period not exceeding twenty years from their date, and such bonds when issued in pursuance of this act, shall be a concurrent lien on the roadway, road, track, lands, rolling stock, equipment and franchises of said company, subject to such lien as the said bonds already issued and the mortgages given to secure the same now have by law upon such property and franchises; and said company may execute a mortgage on said property and franchises to secure the payment of said bonds.

Repealer.

2. *And be it enacted*, That so much of the eleventh section of the act to which this is a supplement as limits the said company to demand and receive not more than three cents per mile for each passenger, and six cents per ton per mile for the transportation of every species of heavy merchandise and produce on said road in the carriages of the company, be and the same is hereby repealed; and that they are hereby authorized to demand and receive such sum or sums of money for the transportation of persons and every species of property as they may think reasonable and proper; *provided*, that they shall not charge more than three cents and a half per mile for each passenger, and nine cents per ton per mile for the transportation of every species of heavy merchandise or produce on said road in the carriages of the company, and for dry goods and packages such reasonable rates as shall be fixed by the board of directors.

Proviso.

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

Approved March 17, 1865.

CHAPTER CCXXVI.

A Further Supplement to an act entitled "An act to incorporate the Hightstown and Perrineville Turnpike Company," approved the ninth day of March, Anno Domini, eighteen hundred and fifty-nine.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall and may be lawful for the said company to construct their turnpike road upon and along the public highway, or any part or parts thereof, known as the Hightstown and Perrineville road, commencing at the store-house of William H. Mount, at Perrineville, in the county of Monmouth, and ending in the borough of Hightstown, in the county of Mercer, without having the same vacated by surveyors of the highways; *provided*, that the said company shall pay the damages sustained by the respective owners of the land over which the same may pass, by reason of the construction thereof, the said damages to be ascertained and paid at the time and in the manner as provided in the act to which this is a further supplement; *and provided also*, that the said company shall have power to take only the right of way over the lands whereon their said road is to be constructed, paying damages which the owners will sustain thereby; and the commissioners, that may be appointed under said act, shall have power to assess damages for the right of way only.

2. *And be it enacted*, That all that part of the fifteenth section of the act to which this is a further supplement, as requires the vacation of the public highway or part thereof, upon which said turnpike road may be constructed, be, and the same is hereby repealed.

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

Approved March 17, 1865.

CHAPTER CCXXVII.

An Act to confirm the acts of the township committee and of the inhabitants of the township of Roxbury, in the county of Morris, in paying bounties for volunteers, and to provide for the raising of money therefor.

Preamble.

WHEREAS, the inhabitants of the township of Roxbury, in the county of Morris, in compliance with resolutions adopted at public town meetings of the citizens of said township, did issue bonds and scrip of the said township to the amount of fifty-eight thousand eight hundred and ten dollars, to pay bounties for volunteers for the war, to fill quotas for the said township; therefore,

Acts legalized.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the aforesaid acts of the said "The inhabitants of the township of Roxbury," are hereby legalized, and the issue of the said bonds and scrip, is hereby declared to be legal and valid in law against the said township.

Assessment and collection of taxes.

2. *And be it enacted*, That the assessors of said township of Roxbury shall, in the year of our Lord one thousand eight hundred and sixty-five, assess, levy, and collect at the same time that the state, county and township taxes are assessed and levied in said township, the sum of forty-three thousand two hundred and fifty-three dollars; first, by an annual poll tax for that purpose of five dollars upon every male inhabitant of said township of the age of twenty-one years and upward; and secondly, the balance of said amount to be raised by a tax, to be assessed and levied ratable upon and against the personal property and the real estate situated therein, in the same manner that state, township and county taxes are assessed, levied and collected therein.

To provide for payment by taxation.

3. *And be it enacted*, That the said "The inhabitants of the township of Roxbury," may provide for the payment of the balance of said bonds and scrip, viz: of fifteen thousand five hundred and fifty-seven dollars, shall be assessed, levied and collected in the years of our Lord one thousand, eight hundred and sixty-six, sixty-seven, sixty-eight, sixty-nine and seventy, in such proportion as the bonds and scrip of said township are issued, and be assessed, levied and collected at the same time and in the same manner, as state, county and township taxes are assessed, levied and collected in said town-

ship, which said taxes shall be collected by the collector of said township, at the same time, in the same manner, and with the same penalties and remedies, in case of delinquency in the payment thereof; as are prescribed by law for the collection of township and county taxes.

4. *And be it enacted*, That the assessor and collector of ^{Fees.} said township shall each be entitled, for the services required of them in making and collecting each assessment authorized by this act, to the sum of two cents for each name contained in the duplicate of said assessment.

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

Approved March 17, 1865.

CHAPTER CCXXVIII.

Supplement to an act entitled "An act to incorporate the Oxford Iron Company," approved March fifteenth, eighteen hundred and fifty-nine.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the Oxford Iron Company are hereby authorized to increase their capital stock to the amount of five hundred thousand dollars. ^{May increase capital stock.}

2. *And be it enacted*, That this act shall be deemed a public act and take effect immediately.

Approved March 17, 1865.

CHAPTER CCXXIX.

An act to authorize the township of Howell, in the county of Monmouth, to raise money by a special assessment.

WHEREAS, the inhabitants of the township of Howell, in the county of Monmouth, did order and direct the township committee to pay bounties to volunteers credited to said ^{Preamble.}

township; and whereas, the said committee did borrow and expend the sum of eighteen thousand dollars for the purposes aforesaid; and whereas, the said inhabitants of the said township, at a town meeting duly called, did resolve that the said indebtedness of eighteen thousand dollars should be raised by a special assessment in said township, and be collected on or before the twenty-fifth day of April next; therefore,

Special assess-
ment.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the township committee of the township of Howell, in the county of Monmouth, to order a special assessment for the purpose of raising the said sum of eighteen thousand dollars, and to cause the same to be collected on or before the said twenty-fifth day of April next.

On whom
levied.

2. *And be it enacted*, That in said special assessment a poll tax of fifteen dollars shall be levied on each person who was liable to draft at the time the said bounties were paid, and the balance of said indebtedness shall be levied on the ratables of said township; and the said assessment shall be collected at such time or times as the said township committee may appoint.

Apportion-
ment.

3. *And be it enacted*, That in apportioning the said assessment, the last annual assessment of the said township previous to the apportioning of the assessment hereby authorized, shall be taken as the basis of calculation.

Duty of asses-
sor.

4. *And be it enacted*, That the assessor of the said township shall deliver his duplicate to the collector thereof within ten days after being directed by the said township committee so to do; and the said collector shall immediately set up notices in ten of the most public places in said township, that the commissioners of appeals will meet at a certain time and place therein specified, to be determined by the said township committee; and the said collector shall notify each person assessed residing within said township of the amount of tax due from him or her respectively, at least three days before the time appointed for the meeting of the said commissioners of appeals.

Compensation

5. *And be it enacted*, That for making the said assessment the assessor of the said township shall receive such compensation as the said township committee shall deem equitable and just; and for collecting the same the collector of the said township shall receive the same compensation as for the collection of the usual taxes of the said township.

6. *And be it enacted*, That the said collector shall make his return of those delinquents who shall refuse or neglect to pay the amount of said tax assessed against them within the time above specified, in the same manner as now required by law; and the tax assessed against said delinquents shall be collected by the issuing of warrant or warrants, and sale of goods, chattels, lands, tenements and hereditaments, with interest at the rate of twelve per centum per annum, and costs, and the proceedings shall all be conducted in the same manner as now directed by the statutes in such cases made and provided.

Delinquent
taxes, how
collected.

7. *And be it enacted*, That the provisions of the general laws relating to the assessment and collection of taxes shall apply to the special assessment authorized by this act, in all cases not herein otherwise provided for.

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

Approved March 17, 1865.

CHAPTER CCXXX.

An Act to incorporate the Union Car Spring Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That John Haldeman, Charles Butler, LeGrand B. Cannon, Robert S. Green, Charles R. Cornwell, or the survivor or survivors of them, and all such persons as may hereafter be associated with them, or the said survivors, their successors and assigns, shall be, and they are hereby constituted and declared a body politic and corporate, in fact and in law, by the name of "The Union Car Spring Manufacturing Company," to be located at such point in the counties of Union or Hudson, in this state, as said company shall deem most advantageous for carrying on their manufacture, for the purpose of manufacturing springs for railroad cars, and springs for other purposes in all its branches, and granting rights to others under patents now in existence, or which may be possessed by the said company; and that the persons above named, and their successors, by the same name,

Names of cor-
porators.

shall be able and capable in law to acquire, purchase, receive, have, hold and enjoy any lands, tenements and hereditaments and any goods and chattels of whatsoever kind and quality whatsoever, and the said lands, tenements and hereditaments, goods and chattels, or any part thereof, to sell, grant, demise, alien, mortgage and dispose of; to sue and be sued, plead and be impleaded in courts of justice, or in any other place whatever, and to make and use a common seal.

Amount of capital stock.

2. *And be it enacted*, That the capital stock of said company shall be one million five hundred thousand dollars, and shall be divided into shares of one hundred dollars each, and after fifty thousand dollars shall have been paid in, in cash, such company may purchase manufactories, patent rights, and other property necessary for their business, and issue stock to the amount of the value thereof, in payment therefor, and the stock so issued shall be declared and taken to be full stock and not liable to any further calls.

Books of subscription to be opened.

3. *And be it enacted*, That the subscription of said stock shall be open at such place as the directors shall designate, for any time not exceeding sixty days, under the direction of the board of directors, or such of them as shall be designated by the said board for that purpose.

Election of directors.

4. *And be it enacted*, That the stock, property and concerns of said company shall be managed and conducted by five directors, who shall be stockholders, one of whom shall be president, who shall hold their offices for one year, from the first day of April in every year, and that the said directors shall be chosen on the third Monday of March in every year, at such hour and place as shall be designated by the by-laws of said company, of which notice shall be given in the manner to be provided for in the by-laws, and the five persons shall be the directors who shall receive the greatest number of votes; and if it shall happen that any vacancies occur, in any manner, such vacancy may be filled by the remaining directors, or a majority of them, at any meeting of the board of directors, until the time when the persons elected, at the next election for directors, shall take their offices by virtue of said election; and until after those elected at the first election shall enter upon the duties of their office, the following persons shall be directors of the company: John Haldeman, Charles Butler, Robert S. Green, LeGrand B. Cannon and Charles R. Cornwell.

Stock transferable.

5. *And be it enacted*, That the stock of said corporation shall be deemed personal estate, and transferable in such

manner as shall be prescribed by the by-laws of said company; and no dividend shall be made to and among the stockholders, except from and out of the profits of the said corporation.

6. *And be it enacted*, That in case it should happen, at any time, that an election should not be made on the day on which, pursuant to this act, it ought to be made, the said corporation shall not, for this cause, be deemed to be dissolved, but it shall and may be lawful to hold such election on such other days as shall be directed by the said company.

Corporation
not dissolved
for failure to
elect.

7. *And be it enacted*, That the directors shall, at all times, keep, or cause to be kept, proper books of account, in which shall be regularly entered and kept all the transactions of the said company, which books shall at all times be open to the inspection of the stockholders of the said company; and a correct and full statement of the affairs of said corporation shall be made to the stockholders at their annual meeting for the election of directors, hereinbefore provided.

Books of ac-
count to be
kept.

8. *And be it enacted*, That no transfer of stock shall be valid or effectual until such transfer shall be entered or registered in the book or books to be kept by the president and directors for that purpose.

Transfers to
be entered

9. *And be it enacted*, That this act shall continue in force for a period of fifty years, and shall take effect immediately; but it shall and may be lawful for the legislature of this state, at any time hereafter, to alter, amend or repeal this act, or any part thereof, whenever they shall see proper; and that the said corporation shall possess the general powers and be subject to the restrictions and liabilities contained in the act entitled "An act concerning corporations," approved February fourteenth, eighteen hundred and forty-six, as far as the same is applicable.

Limitation.

Approved March 17, 1865.

CHAPTER CCXXXI.

An Act to confirm certain debts and liabilities, incurred by the township of Bridgewater, in the county of Somerset, in raising money for military bounties, and to authorize the raising, by special tax, additional sums of money for that purpose, to secure the filling the quota of said township by volunteers and substitutes.

Debts legalized.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all debts and liabilities incurred by the township of Bridgewater, or by the township committee thereof, in the name and on behalf of said township, in raising money for the payment of bounties to volunteers, or substitutes, on any previous military draft, and all notes or bonds of said township, in its corporate capacity, or other securities issued by the township committee thereof for loans made for the purposes aforesaid, since the twenty-third day of February, eighteen hundred and sixty-four, shall be valid and binding upon the inhabitants and taxable property of said township; and the said inhabitants may, at their annual township election, or the township committee, for the time being, of said township, may order such sums of money to be assessed and collected, in the same manner as other lawful taxes and assessments, or as herein specially provided.

Preamble.

WHEREAS, the inhabitants of said township, on the twenty-seventh day of January, eighteen hundred and sixty-five, upon due and written notice given by the town clerk, by the order of the township committee, did assemble and organize themselves into a special town meeting, at which meeting, among other things, it was ordered and resolved that the township committee of said township be authorized and instructed to borrow any sum or sums of money that might be found necessary, not exceeding in the whole fifty thousand dollars, and from such sum so borrowed to pay bounties to volunteers or to substitutes for three years not exceeding seven hundred dollars per man to fill the quota of the township under the then pending draft, and that a poll tax of ten dollars should be assessed and levied upon every such inhabitant liable to the draft, and did further resolve that women of limited means and income should be relieved from the tax to discharge such indebtedness, and

at a subsequent meeting of the said inhabitants held on the seventeenth day of February, in the year last aforesaid upon the like notice, and order therefore the said inhabitants in special town meeting did resolve that of the indebtedness so ordered to be incurred, the sum of twenty thousand dollars should be levied and collected by a special tax on or about the first day of June next; therefore,

2. *And be it enacted*, That the foregoing acts and proceedings of the inhabitants of said township be and they are hereby ratified and confirmed, and that all notes or bonds of said township, issued or to be issued by the township committee thereof, not exceeding in the whole fifty thousand dollars, and the interest thereon shall be valid and binding upon the inhabitants and taxable property of said township. Liability of inhabitants.

3. *And be it enacted*, That the assessor of said township shall within the time between the day of the approval of this act, and the twentieth day of April next assess the sum of twenty thousand dollars upon the inhabitants and taxable property of said township, all persons subject and liable to military draft being assessed a poll tax of ten dollars each, on which last mentioned day he shall deliver the duplicate of said assessment to the collector of said township; the commissioners of appeal shall meet on the fifth day of May next, and the collector shall within fifteen days after the receipt of the duplicate by him demand payment of said special tax of each individual in said township in person or by notice left at his or her place of residence, and also give notice of the time and place of the meeting of the commissioners of appeal; in case any of said taxes should not be paid on or before the first day of June next, the collector shall return a list of the names of the delinquents to a justice of the peace of said township, and thereupon such other proceeding shall be had to collect the taxes in arrear, with costs, and twelve per cent. interest as is directed to be done and had, in other cases of taxation, and said officers shall be subject to the same liabilities, fines and forfeitures, and shall be paid the like fees as in other cases of taxation. Duties of assessor and collector.

4. *And be it enacted*, That the township committee shall have power to require a special bond to be given by the collector of said township with sufficient securities, and in such sum as they may deem proper for the faithful performance of his duties under this act, and said township committee shall have power to remit such special tax upon widows and other women having limited and scanty incomes, whenever in Special bond.

the judgment of said committee such tax would diminish an income necessary for their support, and that said town committee to meet the deficiencies that may occur in the collection of said tax shall have power to direct the assessor to assess any sum they may deem necessary in addition to said twenty thousand dollars not exceeding twenty per cent. thereof to meet such deficiency.

Proceeds; how applied.

5. *And be it enacted*, That the special tax so to be assessed and levied shall be applied solely to the payment of the bounty money required to procure volunteers or substitutes for drafted men under the draft aforesaid.

May raise money for any future calls.

6. *And be it enacted*, That in case any other draft shall be ordered before the next annual session of the legislature, that upon like resolutions and proceedings of said inhabitants, such sums of money as they may by a vote of two-thirds of such meeting order to be raised for bounties to soldiers to fill the quota of the township for such draft, the town committee are hereby authorized to borrow upon the credit of the township, and that the notes, bonds and securities thereupon given by the town committee therefor shall be valid and binding upon the property and taxable inhabitants of said township.

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

Approved March 17, 1865.

CHAPTER CCXXXII.

An Act to authorize the township of Harrison, in the county of Gloucester, to raise money by taxation to pay the indebtedness incurred in filling the quota of said township, under the call of the president of the United States for five hundred thousand men, and to provide for any future call or calls.

Preamble:

WHEREAS, the township committee of the township of Harrison, in the county of Gloucester, has, in pursuance of the direction of the inhabitants of said township, borrowed and expended the sum of forty-one thousand dollars (\$41,000)

in filling the quota of said township under the above call, and have issued bonds and notes in the name of the inhabitants of the said township for the payment of the same; and whereas, it is necessary to legalize said obligations so issued and to provide for the same; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the debt and liabilities incurred in said township of Harrison, in consequence of the payment of bounties to volunteers, as mentioned in the preamble hereto, and the action of the said committee thereupon are hereby legalized, ratified and confirmed. Debts and liabilities ratified

2. *And be it enacted*, That the township committee of said township shall have power and authority to provide by taxation for the payment of said obligation with interest thereon, such sums yearly and every year until the whole indebtedness shall be paid, to be assessed and collected by tax at the same time and in the same manner that other township taxes are assessed and collected, such sums as the committee of said township shall deem necessary, *provided*, that not less than one-eighth or more than one-fourth of such indebtedness shall be assessed in any one year, first by a poll tax of five dollars on every male tax payer resident in said township for every ten thousand dollars ordered to be raised, and the balance on the taxable property in said township; *provided*, that the above poll tax shall not be assessed upon such persons as have been in the service of the United States, so long as they shall be exempt from draft by reason of such service; and the township collector of said township shall, upon receiving any or all of said taxes, immediately pay the same over to the township committee of said township, who shall apply the same towards the liquidation of the debts above mentioned. To provide by taxation for payment of principal and interest. Proviso. Proviso.

3. *And be it enacted*, That should there be any future call or calls of the president of the United States for troops, it shall and may be lawful for the township committee of said township to issue such further obligations as may be necessary to fill the quota of said township; *provided*, that said obligations shall not be sold by the committee at less than par value; *provided also*, that all future obligations so issued shall be exempt from township taxation; and that the indebtedness thus created shall be provided for in the same manner as prescribed in the second section of this act. Future draft provided for. Proviso. Proviso.

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

Approved March 17, 1865.

CHAPTER CCXXXIII.

A Further Supplement to an act entitled "An act to incorporate the Elizabeth and Newark Horse Railroad," passed March twenty-fifth, eighteen hundred and sixty-four.

Authorized to
construct
road through
streets.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said corporation are hereby authorized to construct their said railroad from the point designated in the sixth section of the said act, to wit: "at or near the present depot of the New Jersey Railroad and Transportation Company, on Morris street," through such streets as are now or may hereafter be opened to the sound or near the same, within the limits of the said city of Elizabeth; *provided*, that the said railroad shall not be constructed through any of the streets of the said city of Elizabeth, without the consent of the common council of the said city.

tes of fare.

2. *And be it enacted*, That the said company is hereby authorized to charge for carrying passengers on the said road not over five (5) cents for any distance under two miles nor over ten (10) cents for any distance over two and under four miles, nor over twenty (20) cents for any distance exceeding four miles.

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

Approved March 20, 1865.

CHAPTER CCXXXIV.

An Act to divide School District Number Two, in the township of Lodi, in the county of Bergen, into two school district.

New school
district.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all that part of School District Number Two, in the township of Lodi, in the county of Bergen, which is embraced in lands heretofore or now owned

by "The German Democratic Land Association," at Carlstadt, is hereby created a new and separate school district, in the same manner as if said district had been set off and divided by the town superintendent of said township according to law; and that the residue of said School District Number Two, shall be and remain an incorporated school district by its old name of incorporation, "The Mount Pleasant New School," until abolished or altered, according to existing laws relating to incorporated school districts.

2. *And be it enacted*, That the taxable inhabitants of said respective school districts shall, on the day fixed by law for holding annual district meetings, elect in the manner provided by law, three persons, being residents and tax-payers in said respective districts, to be trustees of said respective districts; and that thereafter said school districts shall be regulated and governed by the act entitled "An act to establish public schools," and the several supplements thereto.

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

Approved March 21, 1865.

CHAPTER CCXXXV.

An Act to vacate a portion of an alley called Court street, in the city of Hoboken.

WHEREAS, upon a certain map of Hoboken, made by Charles Loss, a certain alley, called Court street, was marked and established, and as that portion of said alley lying between Seventh and Eighth streets has never been opened; therefore,

WHEREAS, upon a certain map of Hoboken, made by Charles Loss, a certain alley, called Court street, was marked and established, and as that portion of said alley lying between Seventh and Eighth streets has never been opened; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all that part of Court street, as the same is laid out on the map of Hoboken made by Charles Loss, lying between seventh and eighth streets, in the city of Hoboken, be, and the same is hereby vacated.

2. *And be it enacted*, That the land of said Court street shall revert to the owners of lots fronting upon said street, from the sides of the street to the centre thereof.

3. *And be it enacted*, That this act shall be deemed and taken to be a public act and shall take effect immediately.
Approved March 21, 1865.

CHAPTER CCXXXVI.

A Further Supplement to "An act to incorporate the city of Hoboken," approved March twenty-eighth, eighteen hundred and fifty-five.

Recorder to be elected.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That hereafter, and until otherwise provided by law, there shall be elected in and for the said city of Hoboken, a recorder, who shall hold his office for three years, and who shall receive for his pay and compensation eight hundred dollars per annum, payable in equal quarterly payments.

Powers.

2. *And be it enacted*, That the said recorder shall have such powers and authority in the city of Hoboken, as is now conferred by law upon the recorder in Jersey City.

Policemen and their duties.

3. *And be it enacted*, That hereafter the council may appoint such number of policemen as they may deem necessary, not exceeding in all twenty-five, and the policemen in said city are hereby authorized and empowered to serve all process issued by said recorder, and to convey prisoners to the county jail and to serve all criminal process within the limits of the said city, issued by justices of the peace, but such policemen shall not be entitled to receive for such service any additional compensation, other than his regular monthly salary, except the money actually expended in the conveyance of prisoners to the county jail.

Compensation of councilmen

4. *And be it enacted*, That each of the councilmen hereafter elected in said city, shall receive for his pay and compensation, the sum of two hundred dollars per annum, payable in equal quarterly payments.

Compensation of clerk, &c.

5. *And be it enacted*, That the city clerk, the city treasurer, and the collector of taxes in said city, hereafter elected, shall receive for their pay and compensation the following sums of money per annum: the city clerk one thou-

sand dollars, the city treasurer and the collector of taxes five hundred dollars each.

6. *And be it enacted*, That section sixteen of the act to which this is a supplement, be amended by striking out the words "justice of the peace," wherever they occur in in said section, and inserting the word "recorder" in their stead. Amendment.

7. *And be it enacted*, That upon the return of any writs issued by the said recorder, if the same shall be in the nature of a warrant, and the said recorder shall see fit to adjourn the hearing of the charge made and so orders, then the said defendant or defendants named in the said warrant shall enter into recognizance, as near as may be in the manner directed in courts for the trial of small causes in the amount of the penalty named in the process, with such surety as may be approved by the recorder, unto the mayor and council of the city of Hoboken, for his appearance on the day to which said hearing may be adjourned; and in default of his appearance, the said recognizance may be collected in the same manner as the same might have been, had the said recognizance been taken in a proceeding in courts for the trial of small causes. Defendants to enter into recognizance.

8. *And be it enacted*, That whenever the mayor and council of said city shall by resolution require any person or persons to be prosecuted for the breach of any of the ordinances of the said city, it shall be the duty of the said recorder to issue process as in other cases against such person or persons, without any oath, affirmation or affidavit being made that such person or persons has or have been guilty of a violation of such ordinances; *provided*, that such resolution shall specify the name or names of such person or persons, and the ordinances which he or they has or have been guilty of violating. Breach of ordinance.
Proviso.

9. *And be it enacted*, That until the first Monday in May, eighteen hundred and sixty-five, the justices of the peace in said city shall be vested with the same powers they now possess by virtue of the provisions of the act to which this is a supplement. Justices of the peace.

10. *And be it enacted*, That each of the wards of said city shall, at their annual charter election, elect three trustees of the public schools, in the manner and form that other city officers are elected, and who together shall constitute a board of education; the powers and duties of which board School trustees.

shall be prescribed and defined by general ordinance of the council of said city.

Moneys to be paid to treasurer.

11. *And be it enacted*, That all moneys apportioned to the said city by the state, together with all moneys raised by tax for public schools, shall be paid to the treasurer of said city.

School superintendent abolished.

12. *And be it enacted*, That the office of school superintendent shall be abolished from and after the first Monday in May, eighteen hundred and sixty-five.

Street commissioner, &c.

13. *And be it enacted*, That the street commissioner, overseer of the poor, collector of the arrears of taxes, and one assessor for each ward, shall be appointed by the council of said city, and that so much of sections three and four of the act to which this is a supplement as provides for the election of these officers, be and the same is hereby repealed.

Powers of council.

14. *And be it enacted*, That the council of the city of Hoboken shall have power and authority, and they are hereby authorized to raise by general ordinance such sum or sums of money as may from time to time be assessed upon or charged to any of the public squares, or other public property belonging to the said city or to any part or portion of the same, for the regulating, improving, paving or flagging any street or streets in said city, or for building sewers or drains under any such street or streets, and that such sum or sums of money, when lawfully assessed to such public squares or property, or any part of the same, shall be included in the next general tax ordinance for the raising and collecting the annual taxes for said city; and the same shall be assessed, collected and raised as other taxes in said city are assessed, collected and raised; *provided*, that all such sums of money shall be assessed upon all the real estate in said city, and not on goods and chattels.

Proviso.

May borrow money.

15. *And be it enacted*, That the council shall have power to borrow a sum of money not exceeding two thousand dollars, to enable them to pay the assessment made against the public square on the westerly side of Garden street, between Fourth and Fifth streets, for certain street improvements already completed, until the same can be raised and collected in the manner herein provided.

May appropriate money from contingent fund.

16. *And be it enacted*, That the said council shall have power to appropriate from the contingent fund of said city, a sum of money not exceeding one thousand dollars, for the purpose of paying such compensation as they shall deem just to those members of the council whose time has been employed in discharging any of the duties connected with fur-

nishing men for filling the quotas of said city under the respective calls of the president of the United States, or with the raising of moneys or means therefor.

17. *And be it enacted*, That the several amounts hereby authorized to be paid, shall be assessed by the assessor of said city in addition to the amounts now authorized by law, and in the same manner as other taxes are now assessed, except those for improvements of streets and building of sewers, which shall be assessed on the real estate only. ^{Assessment to be made.}

18. *And be it enacted*, That this act shall be deemed a public act and take effect immediately, and that so much of the act to which this is a supplement and all other supplements thereto, inconsistent with the provisions of this act, be and the same are hereby repealed. ^{Repealer.}

Approved March 21, 1865.

CHAPTER CCXXXVII.

An Act to repeal an act entitled "An act to facilitate judicial proceedings in the county of Camden."

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the act entitled "An act to facilitate judicial proceedings in the county of Camden," approved April thirteenth, eighteen hundred and sixty-four, be and the same is hereby repealed, and the said act and various sections thereof be of non-effect. ^{Repealer.}

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

Approved March 22, 1865.

CHAPTER CCXXXVIII.

Supplement to an act entitled "An act to authorize the inhabitants of the township of Hamilton, in the county of Mercer, to raise bounty money, and to legalize the acts of said township for bounties paid heretofore," approved the twenty-second day of February, eighteen hundred and sixty-five.

Amount in-
creased

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the sum of sixty thousand dollars, limited in and by the second section of the act to which this is a supplement, be, and the same is hereby increased to the sum of seventy thousand dollars.

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

Approved March 22, 1865.

CHAPTER CCXXXIX.

An Act to incorporate Vincentown Lodge, No. Twenty-three, of the Independent Order of Odd Fellows, of Vincentown, in the county of Burlington, and state of New Jersey.

Names of cor-
porators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Ambrose E. Dobbins, William T. Jones, Jacob Heisler, William M. Allen, Charles B. Jones, James Thorne, Samuel B. Fenton, John Mac Henry, and their associates, officers and members of "Vincentown Lodge, Number Twenty-three, of the Independent Order of Odd Fellows of the State of New Jersey," and their successors be and they are hereby constituted and declared to be a body corporate and politic in law, by the name, style and title of "Vincentown Lodge, Number Twenty-three, of the Independent Order of Odd Fellows of the State of New Jersey," and by that name they and their successors shall and may at all times hereafter be capable in law of having, purchasing, hold-

ing and possessing any lands, tenements, hereditaments and personal estate purchased, devised or bequeathed by any person or persons, body corporate or politic, capable of making the same, and also to have a common seal and use the same at pleasure; *provided always*, that the said corporation or body politic shall not at any time hold or possess property, real, personal or mixed, exceeding in value the sum of five thousand dollars. Proviso.

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

Approved March 22, 1865.

CHAPTER CCXL.

An Act to authorize the township of Ewing, in the county of Mercer, to vote by ballot at their town meetings.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the inhabitants of the township of Ewing, in the county of Mercer, are hereby authorized and required to elect by ballot, and not otherwise, the following officers, whose qualifications shall be the same as are or may be required by law, that is: a township clerk, a judge of election, an assessor, a collector, one or more chosen freeholders, two surveyors of the highways, three commissioners of appeal, one or more overseers of the poor, one or more poundkeepers, a township committee consisting of five persons, a town superintendent of public schools, as many justices of the peace as the township shall be legally entitled to elect, one or more constables, one overseer of the roads for each district in the township, and shall also upon the same ballot vote for the amount of money to be raised for the support of the poor, for school purposes, for the repair of roads, and all other money necessary for township purposes, and the places for holding the next annual town meetings and the election of state and county officers. Officers to be elected by ballot

2. *And be it enacted*, That the judge of election elected at the last or any future town meeting, shall preside at and conduct the election at the next annual town meeting, and By whom conducted.

the clerk of the township shall be the clerk thereof, and the officers of said election shall be eligible to any office at said election except that of justice of the peace.

Duties of
clerk, &c.

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

Vacancies,
how supplied.

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

Notice to be
given.

5. *And be it enacted*, That when the township committee shall fill a vacancy or elect in case of a tie between candidates, they shall immediately notify the town clerk, who shall enter the same on the township book containing the minutes of the proceedings of the town meetings, and shall notify the person or persons appointed or chosen, and shall transmit a statement thereof to the clerk of the county.

Reports to be
filed, &c.

6. *And be it enacted*, That the reports of the township committee, the overseers of the poor, and town superintendent of public schools, shall be presented to the township committee and filed and preserved by the town clerk; in posting up the list of officers elected, as required by law, the clerk shall add

thereto the result of the election in other particulars; the first election under this act shall be held at the place appointed at the last town meeting; the same ballot box shall be used at the town meeting, and provided by the clerk, which is used at the state and county election; the judge of election and clerk shall receive the same compensation for attending any town meeting as for attending a state or county election, and the township committee may allow the clerk such compensation for the additional duties required by this act as they may deem reasonable.

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

Approved March 22, 1865.

CHAPTER CCXLI.

An Act to prevent horses, cattle, sheep and swine from running at large in the Middle Township, in the county of Cape May.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for any person who may reside within the limits of the Middle Township, in the county of Cape May, to drive or convey to any public pound which may be in the said township, any horses, cattle, sheep or swine, found running at large in the public highways, or elsewhere within the bounds aforesaid, and impound the same, and the keeper or keepers of any public pound in said township is and are hereby authorized and required to receive such horses, cattle, sheep or swine; and the party (or the pound keeper, if the duty be performed by him) shall have thirty cents per head for driving or conveying to the pound each horse, head of cattle or swine, and ten cents for each sheep; and the pound keeper shall also have thirty cents per head for every horse, head of cattle or swine, and ten cents for every sheep, for letting in the pound, and shall have the same fees per head on horses, cattle, sheep and swine for letting out of the pound; and for feeding and attending, twenty-five cents per head for horses, cattle and swine, and ten cents

Cattle, &c., to be impounded

per head for sheep, for every twenty-four hours or fractional part thereof they shall continue in said pound; and if the owner or owners of said horses, cattle, sheep or swine so impounded, shall not pay the charges of impounding and keeping within four days after such beasts shall be impounded and take the same away, it shall then be the duty of the pound keeper to set up advertisements in five of the most public places in said township, describing such horses, cattle, sheep or swine, and giving at least ten days' notice of an intended day and place of sale; and if the owner or owners of such horses, cattle, sheep or swine, do not appear and redeem the said beasts before the time so notified, the said pound keeper shall sell the same accordingly to the highest responsible bidder present, and out of the money arising from such sale, shall pay the charges arising from conveying to the pound, and retain in his hands his fees for impounding, keeping and feeding and letting out of the pound, said horses, cattle, sheep or swine, and fifty cents for advertising sale and collecting the money for each horse, cattle, sheep or swine, and return the overplus to the owner or owners of the said beasts, if they shall appear to claim the same; and if no owner or owners shall appear and claim such overplus within six months after such sale, the same shall be paid to the collector of taxes of said township, by him to be held and accounted for as a part of the funds of said township.

Poundkeepers
to be elected.

2. *And be it enacted*, That it shall be lawful for the inhabitants of the said Middle Township, at their annual town meeting to elect annually, any number of pound keepers not exceeding four, and authorize the erection of an equal number of pounds, to be situate at such places as shall be most convenient for purposes of impounding in said township.

Repealer.

3. *And be it enacted*, That all acts and parts of acts inconsistent with the provisions of this act, so far as the same may apply to the said Middle Township, be and the same are hereby repealed.

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

Approved March 22, 1865.

CHAPTER CCXLII.

An Act to authorize the inhabitants of the township of South Amboy, in the county of Middlesex, to raise money to pay bounties.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the township committee of the township of South Amboy, in the county of Middlesex, to raise money for the purpose of paying a bounty of two hundred and fifty dollars to each person who may be enlisted by volunteering, or drafted, or furnishing a substitute into the armies of the United States, under the last call or any other call of the president hereafter to be made, in order to fill the quota of said township, by issuing promissory notes in the name of the inhabitants of the township of South Amboy, in the county of Middlesex, executed under the hands of the said township committee, or a majority of them, for the amount above named for each man, unless otherwise decided by a majority of the legal votes cast at the annual meeting, or by order of the town committee, by giving lawful notice of the meeting, in such amount, payable at such times and bearing interest at such rate not to exceed seven per centum per annum, as the said township committee shall deem proper, and with the said notes or the proceeds thereof, to make payment with.

2. *And be it enacted*, That the township committee of the said township be and they are hereby authorized and requested to add to the amount of money to be raised by tax for township purposes, sufficient money to pay off and discharge the said notes and interest as the same shall fall due; and that they shall cause the amount so added to be assessed and collected in the said township in the manner and at the time of assessing and collecting other township taxes, and with the money so collected to pay off, discharge and take up the said notes as the same shall fall due as aforesaid.

3. *And be it enacted*, That the township committee of said township be and they are hereby authorized and requested to add the sum of ten dollars in making up the sum of two hundred and fifty dollars as above named, on all persons liable to draft that pays no tax on personal property and real estate in said township.

May issue
promissory
notes.

To provide for
payment by
taxation.

Ten dollars to
be added.

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

Approved March 22, 1865.

CHAPTER CCXLIII.

An Act further supplementary to the act entitled "An act to incorporate trustees of religious societies," approved April seventeenth, eighteen hundred and forty-six.

Certificate to
be filed.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any association of persons heretofore incorporated under the act to which this is a further supplement, or under or by virtue of any law of this state, except the act approved February seventeenth, eighteen hundred and sixty-four, entitled "An act supplementary to the act entitled 'An act to incorporate religious societies,'" approved April seventeenth, eighteen hundred and forty-six, be, and they are hereby authorized to organize under the provisions of the last named act, approved February seventeenth, eighteen hundred and sixty-four; and upon the filing of a certificate according to the provisions of the second section of that act, together with a certificate signed by the trustees of such association, consenting to such organization, all the right, title and interest of such association, in any estate, real or personal, shall, with all its franchises and chartered rights, be vested in said body corporate and politic, so created, subject to all the legal liabilities of said association, and the original incorporation of such association shall be null and void.

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

Approved March 22, 1865.

CHAPTER CCXLIV.

An Act to incorporate the Schooley's Mountain Turnpike Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the subscription books of the capital stock of the Schooley's Mountain Turnpike Company, shall be opened by William Delliker, William W. Marsh, Jesse Hoffman, Joseph Heath, O. Latourette, William McCracken, Israel Sweasey, Morris Dufford, or a majority of them, who are hereby appointed commissioners to receive subscriptions to the said stock, at such times and places as they, or a majority of them may direct, giving notice at least twenty days prior to the opening of said books, by publishing the same in one of the newspapers published in the county of Morris, in this state. Commissioners to receive subscriptions.

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

3. *And be it enacted*, That at the time of subscribing for said stock, two dollars shall be paid upon each share subscribed to the commissioners, or any of them, which money shall be paid over to the treasurer of the company, as soon as one shall be appointed, and the residue of the subscription shall be paid in installments at such times and places, and to such persons as the president and directors of the company shall from time to time direct, and give public notice thereof in the manner aforesaid; and upon failure of the payment thereof, as so directed, the said president and directors shall have power to forfeit the shares of each and every person so failing to pay the installments as aforesaid, or any of them, to and for the use of said company; *provided*, that the stockholders shall, upon request, have the right to pay the stock Payment of installments. Proviso.

subscribed, except the first installment, by work upon said road, they doing the work as cheaply as it otherwise can be done, under such regulations, at such times, and upon such notice by either party, as the directors may determine.

Act void if shares not subscribed in certain time.

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

Election of directors.

5. *And be it enacted*, That when one hundred shares of said stock shall be subscribed for, the said commissioners shall call a meeting of the stockholders, giving at least twenty days notice of the time and place of said meeting, as hereinbefore directed with regard to the opening of said books, at which meeting the subscription books shall be laid before the stockholders, who shall thereupon proceed to elect by ballot five directors, a majority of whom shall be citizens of this state, to manage the affairs of said company for one year, of which election the said commissioners, or a majority of them, shall be judges; and at the expiration of that term, and annually thereafter, upon like notice to be given by the directors for the time being, the said stockholders shall elect by ballot the same number of directors, a majority of whom shall be citizens of this state as aforesaid; and at every such election, and in all other cases in which the stockholders shall be entitled to vote, a vote may be given for each share of the holder or holders thereof, either in person or by proxy.

Duties and powers of president.

6. *And be it enacted*, That within twenty days after the annual election as aforesaid, the said directors shall elect from their number a president of their said company, who shall hold his office for one year and until another shall be elected, and receive such compensation as a majority of the directors shall direct, and shall be the presiding officer of all meetings of said directors, and shall have the casting vote when they shall be equally divided; he shall have charge of the seal of the company, and shall appoint the judge or judges of all elections of the stockholders, or in case of his death, absence or inability so to do, the said directors shall appoint some other suitable person, who, for the time being

shall possess the same powers and authority and perform all the duties herein prescribed.

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

Duties and powers of directors.

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

Annual statement to be made.

9. *And be it enacted*, That special meetings of the stockholders may be called by order of said president, or by the stockholders owning one-fourth of the whole stock of the company, by giving notice of the time and place of holding the same, as hereinbefore directed with regard to the annual meetings, which said notice shall specify the particular object of the meeting, but that no business of the company shall be transacted at such special meeting, unless a majority in value of the stockholders attend and concur therein, who may require the books, accounts, and all other papers and proceedings of the company to be exhibited to them by the president and directors.

Special meetings.

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

Not dissolved for failure to elect.

11. *And be it enacted*, That it shall and may be lawful

Construction
of road.

for the said company to construct and make a turnpike road from the bridge over the South Branch, in German Valley, to the bridge over the Musconetcong, all in the county of Morris, which said turnpike road shall be constructed on and along the public highway leading from German Valley to Hackettstown, except in those places where the said public highway is not straight, then and in those places the said company shall have power to construct the said turnpike road where they may deem proper, and the width of said turnpike road shall be governed by the public road upon which it may be made; *provided*, that before the said com-

Proviso.

pany shall construct the said turnpike road aforesaid, they shall pay to the respective owners of the lands over which the said turnpike road is constructed, all damages which the said owners will sustain by reason of the construction of the said turnpike road; and in case said company and any of the owners cannot agree upon the amount of the said damages, the said damages shall be ascertained and determined, as nearly as may be, in the manner hereinafter provided for ascertaining and determining the damage which any land owner or owners shall sustain by the taking of stone, gravel, or other materials from his or her land for the constructing or maintaining of said turnpike road; *provided also*, that the said company shall have power to take only the right of way over the lands whereon the said road is to be constructed, paying damages which the owners will sustain thereby; and the commissioners hereafter named, if appointed, shall have power to assess damages for the right of way only.

Proviso.

Breadth of
road.

12. *And be it enacted*, That the said turnpike road shall be constructed at least thirty feet in breadth along the middle, as near as may be, of the said highway, and shall be sufficiently arched and drained to make and keep the same dry, and at least fifteen feet thereof shall be sufficiently bedded and faced with stone or gravel to make a solid, firm and even road, and shall be so graded that in its progress no part of said road shall rise above an angle of six degrees with the plane of the horizon; and the said company shall make and keep in good repair all necessary bridges along the line of said road; and whenever the said road, in passing over low ground, shall be raised so much at the margin or side as to render carriages passing thereon liable to overset, the said company shall cause good and sufficient railings to be erected and maintained on the sides, so as to prevent horses and carriages from running off.

13. *And be it enacted*, That it shall be lawful for the said company, their officers, superintendents, engineers and workmen, with carts, wagons and other carriages, and with beasts of burthen and draught, and all necessary materials, tools and implements, to enter upon all lands contiguous or near to the route of the said road, doing as little damage thereto as possible, repairing any breach they may make in the enclosure thereof, and to make all ditches and underdrains across and through such lands necessary for properly draining said road, and that when the said company or its agents cannot agree with the owner or owners of such required land or materials for the use or purchase thereof, or when, by reason of legal incapacity or absence of such owner or owners, no such agreement can be made, a particular description of the land or materials so required for the use of said company in the construction of the said road shall be given in writing, under the oath or affirmation of some engineer or agent of the company, and also the name or names of the occupant or occupants, if there be any, and of the owner or owners, if known, and their residence, if the same can be ascertained, to one of the judges of the court of common pleas of the county of Morris, who shall cause said company to give notice thereof to the person interested, if known and in this state, and if unknown and out of this state, to make publication thereof as he shall direct for any term not less than twenty days, and to assign a particular time and place for the appointment of commissioners hereinafter named, at which time, upon satisfactory evidence to him of the service or publication of such notice aforesaid, he shall appoint under his hand and seal, three disinterested, impartial and judicious freeholders commissioners to examine and appraise the said land or materials and to assess the damage, upon notice to be given to the persons interested, as shall be directed by the judge making such appointment, to be expressed therein, not less than twenty days; and it shall be the duty of said commissioners, having first taken and subscribed an oath or affirmation before some person duly authorized to administer an oath or affirmation, faithfully to examine the matter in question and make a true report according to the best of their skill and understanding, to meet at the time and place appointed and proceed to view and examine the said lands or materials, and make a just and equitable estimate or appraisal of the value of the same, and assessment of the damages to be paid by said company for such land or materials and damages aforesaid, and to make a report thereof,

Proceedings
when compa-
ny and owners
cannot agree.

under the hands and seals of the said commissioners, or any two of them, and file the same within ten days thereafter, together with the aforesaid description of the land or materials, and the appointment and oaths or affirmations aforesaid, in the clerk's office of the county of Morris, to remain on record therein, and shall be recorded by the said clerk; which report, or a copy thereof, certified by the clerk of said county, shall at all times be considered plenary evidence of the right of said company to have, hold, use, occupy and enjoy the land and materials after payment of the value and damages so assessed, and of the right of said owner or owners to recover the amount of said valuation, with interest and costs, in an action in any court of competent jurisdiction, in a suit to be instituted against the company, if they shall neglect or refuse to pay the same for twenty days after demand of their treasurer, and shall constitute a lien upon the property of the company in the nature of a mortgage; and the said judge shall tax and allow such costs, fees and expenses to the judge, commissioners, clerks and other persons performing any of the duties prescribed in this section, as he shall think equitable and right, which shall in all cases be paid by the said company.

Toll-gates to
be erected.

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

Rates of toll.

For every carriage, sleigh or sled drawn by one beast,	one cent;
For every additional beast,	one cent;
For every horse and rider, or led horse or mule,	five mills;
For every dozen of calves, sheep or hogs,	one cent;
For every dozen of horses, mules or cattle,	four cents;

And it shall and may be lawful for the toll gatherers to stop persons riding, leading or driving any horses, mules or calves, sheep or hogs, or carriages of burden or pleasure, from passing through the said gates or turnpikes until they shall have paid the toll as above specified; that nothing in this act shall be so construed as to entitle the said company to demand or receive toll of or from any person passing to or from public worship on the Sabbath day, or passing to or from a funeral,

or any person passing to or from his common business on his farm, or any militia man passing to or from training on a muster day appointed by law, or any other military officer or soldier passing or repassing when called to do duty by the laws of this state, or of the United States.

15. *And be it enacted*, That before the said company shall receive toll for travelling said road, they shall cause mile stones or posts to be erected and maintained, one for each and every mile on said road, and on each stone or post shall be fairly and legibly marked the distance the stone or post is from German Valley, and shall cause to be fixed and always to be kept up at the gates or turnpikes aforesaid, in a conspicuous place, a printed list of the rates of toll which may be lawfully demanded, and also a board, on which shall be printed in large letters, "Keep to the right as the law directs." Mile stones to be erected.

16. *And be it enacted*, That if any person wilfully breaks down or throws down, or defaces any of the milestones or posts so erected on the said road, or wilfully tear down or deface any of the printed rates of toll or directions, or shall cut, break down or destroy, or otherwise injure any gates, turnpikes or bridges that shall be erected pursuant to this act, or already exist upon said road, or shall forcibly pass the gate or gates without having paid the legal toll at such gates or turnpikes, such person or persons shall forfeit and pay the sum of twenty dollars, besides being subject to an action for damages for the same, to be recovered by said company by action of debt or other proper action, in any court of competent jurisdiction with costs of suit; and if any person with his or her carriage, team or horse, turn off said road to pass a gate or gates, again enter on the said road, with intent to avoid the toll due by virtue of this act, such person or persons shall forfeit and pay five dollars, to be recovered by said company for the use thereof, in an action of debt, with costs of suit. Penalty for injuring works.

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

18. *And be it enacted*, That all drivers of carriages, sleighs or sleds of every kind and description, whether of burden or pleasure, or persons on horseback, using the said Penalty for obstructing passage.

road, shall keep their horses, carriages, sleighs or sleds on the right hand of said road, in the passing direction, leaving the other side of the road free and clear for carriages or persons on horseback; and if any person shall offend against this provision, such person shall forfeit and pay the sum of ten dollars to any person who shall be obstructed in his or her passage and will sue for the same, and shall also be subject to an action for damages for every such offence, to be recovered with costs of suit.

Proceedings
when road
and bridges
are not kept in
repair.

19. *And be it enacted*, That if the said company shall not keep the said road and bridges in repair, and complaint thereof in writing be made by three responsible persons of the county of Morris, to any justice of the peace of the said county who may be disinterested, the said justice shall immediately inform the president of the company of the complaint, its nature and locality, and unless the cause, if any, be removed within three days, shall appoint by writing, under his hand and seal, three reputable freeholders of the township wherein the cause of complaint arose, which three persons, being disinterested in said road, on notice being given to the keeper of the nearest gate or turnpike, shall meet at such time and place as the justice may appoint, and having taken an oath or affirmation to act impartially, shall proceed to view and examine said road so complained of, and to report to the said justice in writing, under their hands and seals, or under the hands and seals of any two of them, whether it be in such state as the law requires it to be kept; and if the report be unfavorable to said road, the said justice shall immediately, in writing, under his hand and seal, order the keeper of the said gate or turnpike to keep the same open until otherwise ordered; and if the said keeper shall, notwithstanding the order of the said justice to open the said gate or turnpike, exact toll of travellers, the said company shall for each offence forfeit and pay twenty dollars, to be sued for by any person who will prosecute for the same, in an action of debt with costs of suit; and the justice shall be allowed for his services fifty cents, and the persons appointed one dollar each, to be paid by the company; and it shall be the duty of the persons so appointed, or a majority of them, on application of said company, again to view said road and report as aforesaid their opinion to the said justice, who shall if authorized by the report of said persons or any two of them, by license under his hand and seal directed to the toll-gatherer, permit the gate or turnpike to be shut and the toll

to be collected as before; and the said fees shall be allowed and paid as before directed; but if, on the first view, as before mentioned, the report of the persons appointed shall be in favor of the company, the same fees shall be allowed as before prescribed, and paid by the person or persons making the complaint.

20. *And be it enacted*, That if the said road is not com- Limitation.
menced within three and completed within five years from the passage of this act, then and in that case this act shall be void.

21. *And be it enacted*, That when the said company shall When toll
may be taken.
have completed two consecutive miles of said road according to the directions and meaning of this act, it shall be lawful for the said company to erect a toll-gate across the said road, and demand and receive toll for traveling thereon, agreeable to the foregoing rates.

22. *And be it enacted*, That the said corporation shall Restrictions
and liabilities.
possess the several powers and be subject to the restrictions and liabilities contained in the act entitled "An act concerning corporations."

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

Approved March 22, 1865.

CHAPTER CCXLV.

An Act to authorize the inhabitants of the township of Dennis, in the county of Cape May, to raise money by issuing bonds, to pay bounties to volunteers or drafted men.

WHEREAS, the inhabitants of said township, in town meeting Preamble.
assembled, on the fourth day of January, Anno Domini eighteen hundred and sixty-five, did order their township committee, to pay a bounty of five hundred dollars to volunteers, and all who should furnish substitutes to be accredited on the quota of the said township under the call of December last, for three hundred thousand men, to the number necessary to fill the quota of said township, or in case of a draft, to pay three hundred dollars to each drafted

man, not otherwise exempted; and did further order their said committee to issue the bonds of the township for the purpose of raising the necessary funds to pay said bounties, and did instruct said committee to procure the passage of an act or acts by the legislature of the state, to legalize the said bonds, and all former bonds of said township which have been issued for the purpose of paying bounties to volunteers under previous calls; therefore,

To provide for
payment of in-
debtedness by
issuing bonds.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the township committee of the township of Dennis, in the county of Cape May, to provide for the payment of moneys heretofore expended, or hereafter to be expended, for the purpose of paying bounties to volunteers and drafted men, not otherwise exempted, as set forth in the preamble hereto, by issuing bonds in the name of the township committee of the township of Dennis, under the seal of the township, to be signed by the chairman and clerk of said committee, in such sums and payable at such times as the said township committee shall deem advisable, bearing interest at a rate not exceeding six per cent. per annum, payable annually, and to pledge the property and credit of the township for the payment of the same, which bonds it shall be lawful for the said committee to sell and assign; *provided*, that said bonds shall not be issued to an amount exceeding twenty thousand dollars, and shall be made redeemable in not less than four nor more than six years from the date thereof.

Proviso.

Payment of
principal and
interest by tax

2. *And be it enacted*, That the said township committee shall have power and authority to provide by taxation for the payment of said bonds, and the interest thereon, and shall cause to be assessed and collected, by tax, at the time and in the manner in which other taxes are assessed and collected, and in such sums as they shall deem necessary to pay the said bonds and the interest thereon—first a yearly poll tax of five dollars on each white male inhabitant of the township above the age of twenty-one years, and the balance on the taxable property of said township; *provided*, that none of said taxes shall be assessed and collected until after the first day of January, eighteen hundred and sixty-eight, except such amounts as shall be necessary to pay the annual interest accruing on said bonds; *and provided*, that all persons who have paid commutation money under any former draft, shall be exempt from the payment of said poll tax; *provided also*, that when said taxes are collected, the township collector shall pay the

Proviso.

Proviso

Proviso.

same to the township committee of said township, to be by them inviolably applied to pay the interest and principal of said bonds, as the same shall become due and payable and for no other purpose.

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

Approved March 22, 1865.

CHAPTER CCXLVI.

A Further Supplement to the act entitled "An act to prevent horses, cattle, sheep and swine, from running at large in the township of Clinton, in the county of Essex, and the township of Rahway, in the county of Union," approved March fourth, eighteen hundred and fifty-eight.

1. BE IT ENACTED *by the Senate and General Assembly of* Act extended. *the State of New Jersey*, That the provisions of the act entitled "An act to prevent horses, cattle, sheep and swine, from running at large in the township of Clinton, in the county of Essex, and the township of Rahway, in the county of Union," approved March fourth, eighteen hundred and fifty-eight, be and the same are hereby extended to the townships of Gloucester and Delaware, in the county of Camden.

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

Approved March 22, 1865.

CHAPTER CCXLVII.

An Act to authorize the township of South Orange, in the county of Essex, to raise money by taxation, to liquidate liabilities for the payment of bounties to volunteers.

Preamble.

WHEREAS, the inhabitants of the township of South Orange, in the county of Essex, being desirous that the call of the government for troops to be supplied by said township, to aid in suppressing the present rebellion, should be filled with volunteers, rather than with drafted men, did recommend to the township committee of said township, to offer bounties for that purpose; and whereas, the said township committee, acting upon said recommendation, have paid bounties to volunteers; and whereas, it is deemed desirable that the indebtedness so created should be gradually paid off; therefore,

Debt or liability made valid

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any debt or liability incurred under the authority of the township committee of said township, and any bond, note, or other security or evidence of indebtedness, that has been given or may hereafter be given to secure the payment of liabilities incurred for the payment of bounties to volunteers, shall be as valid and effectual as if the contracting of such debt or liability, or the making of such bond, note, security, or evidence of indebtedness had been expressly authorized by law prior to the making of such contract or security, or the contracting of such debt or liability.

Money to be raised by tax.

2. *And be it enacted*, That it shall be lawful to raise by assessment, on the taxable property of said township, at the same time and in the same manner that other taxes are assessed and collected therein, money to pay said debts or liabilities and the interest thereon, in such proportion of said debts and liabilities from year to year, as the township committee of said township may direct, until such debts and liabilities shall be redeemed and paid; and the township collector of said township, or other person for that purpose appointed, shall, when such tax or any part thereof shall be collected, pay the same to the township committee of the said township; and all such money so to be raised by virtue of this act shall be inviolably applied by said township com-

mittee to pay the interest and principal on said debts or liabilities, as the same shall become due and payable.

3. *And be it enacted*, That the debt and liabilities incurred Acts ratified. in the said township of South Orange, in consequence of the payment of bounties to volunteers, as mentioned in the preamble hereto, and the action of the said committee thereupon, are hereby ratified and confirmed.

4. *And be it enacted*, That this act shall be deemed and taken to be a public act, and shall take effect immediately.

Approved March 22, 1865.

CHAPTER CCXLVIII.

An Act to legalize certain acts of the township of Jefferson, in the county of Morris, relating to bounties, under the call of the president of the United States, of December nineteenth, eighteen hundred and sixty-four, for three hundred thousand men, to serve in the army of the United States.

WHEREAS, the inhabitants of the township of Jefferson, in Preamble. the county of Morris, did, on the twenty-fourth day of January last past, at a public town meeting duly called for that purpose, resolve that the sum of four hundred dollars be raised by tax for each man who should volunteer or be drafted in the draft then pending under said call of December nineteenth, eighteen hundred and sixty-four, to fill the quota of said township, and be offered as a bounty for volunteers, or given to each man who should be drafted and should procure a substitute, or as a bounty for his personal services in the army of the United States, and that said tax should be raised in five years in equal annual installments, in part by a poll tax of ten dollars on each single man and five dollars on each married man, annually, and the balance to be levied on the taxable property of said township, in the same manner as other county and township taxes are raised; and that John P. Brown, Benjamin Hopper and Jacob Talman, should act as commissioners, with power to raise the necessary moneys to pay such sums

as aforesaid, or to issue the scrip of said township therefor, to be delivered to such drafted man or volunteer; and whereas, said inhabitants are desirous of having said town meeting and their acts and doings legalized, and provision made for issuing said scrip or bonds, or certificates of indebtedness for paying the moneys so as aforesaid voted; therefore,

Acts and doings legalized

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all and singular the acts and doings of said inhabitants and said town meeting, and all things relating thereto, or done in pursuance thereof, be, and the same are hereby respectively legalized and confirmed, and held to be legal and valid in law against the said township, and binding upon "The inhabitants of the township of Jefferson, in the county of Morris," and taxable property thereof, and the same in all respects as if the said acts and doings and the holding of said town meeting and all things relating thereto had been expressly authorized by law prior thereto.

To provide for payment of bounty money

2. *And be it enacted*, That in order to provide for the payment of said bounty money in said preamble named, it shall be lawful for the town committee of said township of Jefferson, in connection with said commissioners, and said committee and said commissioners shall have power and authority, and authority is hereby given to said committee and said commissioners to issue scrip or bonds of indebtedness, in the name and on the faith and credit of "The inhabitants of the township of Jefferson, in the county of Morris," in such sums as they shall deem expedient; (*provided*, that no scrip or bond of indebtedness shall be for a less sum than twenty-five dollars, nor for a greater sum than four hundred dollars,) signed by the chairman of said township committee and countersigned by said commissioners; the interest on said scrip or bonds of indebtedness shall be paid on the first day of January in each and every year, until the principal shall be paid; the whole amount of said scrip or bonds of indebtedness shall not exceed in the aggregate four hundred times the number of men which shall be required by the provost marshal to fill the quota of said township of Jefferson on said call of the president of the United States of December nineteenth, eighteen hundred and sixty-four, said scrip or bonds of indebtedness shall be debts of, and legally binding upon "The inhabitants of the township of Jefferson, in the county of Morris," and shall be divided into five classes of equal

Proviso.

amounts ; the principal of the first class shall be paid on the first day of January, eighteen hundred and sixty-six ; the principal of the second class shall be paid on the first day of January, eighteen hundred and sixty-seven ; the principal of the third class shall be paid on the first day of January, eighteen hundred and sixty-eight ; the principal of the fourth class shall be paid on the first day of January, eighteen hundred and sixty-nine ; and the principal of the fifth class shall be paid on the first day of January, eighteen hundred and seventy ; and authority is hereby given to the said town committee, and to said commissioners, to deliver to every person who shall volunteer in the military or naval service of the United States, and credited on the quota of said township, and to every citizen of said township of Jefferson liable to be drafted under said call of December nineteenth, eighteen hundred and sixty-four, who shall report being drafted, or being drafted, enter the said service and be credited on said quota, and to every such citizen who shall put into said service a substitute, and have the same credited to said township quota, and the same being in each of said cases in reduction of said quota, scrip or bonds of indebtedness hereinbefore named and authorized, to the amount of four hundred dollars, at its par value.

3. *And be it enacted*, That the town committee of said township of Jefferson, and their successors in office, shall have power and authority, and power and authority is hereby given them, to provide by taxation for the payment of said scrip or bonds of indebtedness, and the interest thereon, and said town committee, without any other or further vote of said inhabitants, shall yearly and every year, until all the said scrip or bonds of indebtedness, by this act authorized, shall be redeemed and paid off, order and cause to be assessed and collected, a sufficient sum of money for that purpose, and the money to pay the interest and principal in this act authorized, and so ordered, shall be raised by taxes on the inhabitants of said township, and the taxable property in said township, to be assessed and collected in such sums, every year, as will pay the interest and principal which will fall due on the first day of January next, succeeding each assessment, and that in the year eighteen hundred and sixty-five, there shall be assessed and collected in said township an additional sum sufficient to defray the expenses of carrying into effect said resolutions or anything therewith connected, not to exceed however the sum of one hundred dollars,

To provide by
taxation for
payment.

and it shall be lawful for, and the same is hereby declared to be the duty of the assessor of said township, and of the collector of said township, respectively to assess and collect all such sums of money so ordered by said town committee in any year, for the purpose aforesaid, and that the township collector of said township shall, as soon as such tax or taxes or any part thereof shall be collected, pay the same to the said township committee of Jefferson, and that all such moneys so to be raised by virtue of this act, shall be inviolably applied by said township committee to pay the principal and interest of said scrip or bonds of indebtedness.

When to be assessed and collected.

Proviso.

4. *And be it enacted*, That the taxes authorized to be assessed, levied and collected by this act, shall be apportioned upon the same basis as other taxes are in said township, and the moneys so to be raised shall be assessed and collected in the same manner and at the same time as other township taxes in said township are assessed and collected; *provided, however*, that to aid in paying the moneys required by this act to be paid, that in every year, until and including the year eighteen hundred and sixty-nine, a special poll tax of ten dollars shall be assessed against and collected from every single male taxable inhabitant of said township, and a special poll tax of five dollars shall be assessed against and collected from every married male taxable inhabitant of said township, and all payments of interest and principal shall be made to the parties legally entitled to receive the same.

Liabilities of assessor and collector.

5. *And be it enacted*, That the assessor and collector of said township shall, in all matters and things relating to the taxes in this act named, be under like fees, fines and penalties, as now are or may be imposed upon them in all matters and things relating to other township taxes.

May resolve when to pay and discharge indebtedness.

6. *And be it enacted*, That the inhabitants of said township of Jefferson may, at any town meeting hereafter legally called and held, resolve to pay and discharge the principal of said bonds of indebtedness in this act authorized, at earlier periods than are specified for the payments of the same, and in case said inhabitants shall so resolve, then and in that case, the money to pay the same shall be assessed and collected, at such times and in such sums as the said inhabitants at such town meeting shall resolve and direct.

Repealer.

7. *And be it enacted*, That so much of the act entitled "An act incorporating the inhabitants of townships, designating their powers and regulating their meetings," approved April fourteenth, eighteen hundred and forty-six, as limits and re-

strains their powers and the amount and object of taxes to be assessed, levied and collected in said township in any one year, be, and the same are hereby repealed, so far as the purposes of this act may require.

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

Approved March 22, 1865.

CHAPTER CCXLIX.

An Act to legalize certain acts of the inhabitants of Walpack township, in the county of Sussex, in raising money to pay bounties.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the inhabitants of the township of Walpack, in the county of Sussex, be and they are hereby made liable in their corporate capacity for all the money heretofore raised and paid for volunteers and substitutes which have been credited to said township, and also for all money paid by such of the inhabitants thereof as, having been drafted into the service of the United States, have paid commutation money, and that the person or persons or corporations who have advanced and paid said moneys may have an action of debt against said township, in its corporate capacity, in any court of competent jurisdiction, to recover the said moneys so paid and advanced, with the interest which has or may accrue thereon and the expenses connected therewith and with costs of suit, and any judgment which may be recovered in such suit or suits shall be a lien on all or any of the taxable property of said township.

2. *And be it enacted*, That it shall be lawful for the town committee of said township, or a majority of them, to issue the bonds or obligations of said township for the amount of money so raised and paid or lent and advanced, payable at such time and place and at such rate of interest not exceeding six per cent. per annum, as said committee, or a majority of them, shall determine, and to sell and dispose of the same at not less than their par value to pay off said money so raised and

paid, lent and advanced, and the said committee shall proceed at once, or as soon as may be convenient after the passage of this act, to determine the amount of said moneys for which said township is hereby made liable, and the person or persons to whom the same is due, and shall file a written report thereof with the town clerk of said township, on or before the first day of April next, and for such service said committee shall be allowed and paid by said township the sum of two dollars each.

Money to be raised by tax.

3. *And be it enacted*, That it shall be lawful and it is hereby made the duty of the said township to raise the said money so found to be due as aforesaid, by taxation; and the assessor and collector of said township are hereby authorized and required to levy and collect the same within the time and in the manner and under the obligations that other township taxes are levied and collected, and to pay the same to the person or persons to whom the same shall be due, as ascertained by the report aforesaid; *provided*, that in levying and collecting the said tax, a poll tax of ten dollars shall be levied and collected from all persons in said township between the ages of twenty-one years and forty-five years, who by the existing laws are subject to a poll tax.

Proviso.

Amount to be paid volunteers and others.

4. *And be it enacted*, That the sum paid to volunteers and to persons who shall have furnished substitutes credited to said township for which it shall be liable under this act, shall not exceed the sum of six hundred dollars each, and to such as have paid the commutation money, the sum of three hundred dollars each.

To provide for payment of bonds by tax.

5. *And be it enacted*, That in case the town committee of said township shall determine to issue the bonds or obligations of said township as by the second section of this act they are authorized to do, that then it shall be lawful for said township to raise money by taxation as hereinbefore provided, to pay the interest which may accrue thereon from time to time, and to pay off and redeem the same when they fall due.

When tax to be assessed and collected.

6. *And be it enacted*, That in case the said bonds or obligations shall not be issued and sold on the first day of September next, that then the same shall be raised by taxation as hereinbefore provided; and the assessor and collector of said township with the other proper officers are hereby directed to proceed at once with the assessment and collection thereof.

Provisions of act extended.

7. *And be it enacted*, That the provisions of this act shall extend to and embrace all moneys which shall hereafter be

expended to procure volunteers or substitutes to fill the quota of said township, on the present or any future call; *provided*, the same shall have been ordered to be raised and paid by a majority of the tax paying inhabitants of said township, at a special town meeting to be held for that purpose upon due notice to be given by the clerk thereof.

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

Approved March 22, 1865.

CHAPTER CCL.

An Act to authorize the inhabitants of the township of Stockton, in the county of Camden, to raise and borrow money.

WHEREAS, the township of Stockton, in the county of Camden, is now considerably in debt by the payment of bounties, and it is desirable that the indebtedness so created should be gradually paid off; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the inhabitants of the said township of Stockton, be authorized, at their next annual town meeting or at any special township meeting, to order and cause to be assessed and collected by tax, at the time that other taxes in the township are assessed and collected, yearly and every year, a sum not more than one-fourth nor less than one-fifth of the whole indebtedness, with the interest thereon, to be applied to the liquidation of the debt so created, until the whole shall be paid off.

2. *And be it enacted*, That the amount so ordered to be raised by the town meeting aforesaid, in any one year, for the purpose herein specified, there shall be assessed and collected upon each male inhabitant of said township of the age of twenty-one years and upwards, a poll tax of ten dollars, and the balance shall be assessed and collected upon the real and personal property in the township aforesaid.

3. *And be it enacted*, That the township committee of the said township be authorized to borrow any amount contem-

Preamble.

Money to be raised by tax.

Poll tax.

May borrow money and give bonds.

plated by this act, in anticipation of the levying and collecting the same as aforesaid, by giving notes and bonds, in the name of the inhabitants of the township of Stockton, in the county of Camden, under the respective hands and seals of said township committee or any three of them, and that the money so ordered to be raised by taxation as aforesaid, shall be applied to the paying off the notes and bonds so made by the said township committee.

Special tax
may be or-
dered.

4. *And be it enacted*, That the inhabitants of the township of Stockton, in the county of Camden, are hereby authorized and empowered, at their annual town meeting, or at any special town meeting called for the purpose, according to law, to order, by resolution or resolutions passed by a vote of not less than two-thirds of the tax payers present at said meeting, the raising by a special tax in said township of such sum or sums of money not exceeding in the whole the sum of fifty thousand dollars, as they may deem necessary and proper, and to order the same assessed and collected at such time and in such manner, and in such proportions of personal or capitation tax and per centage upon the value of property as they may by such resolution or resolutions passed as aforesaid direct, and such assessment and collection, and all proceedings in relation thereto, shall in all respects not particularly provided for in such resolutions, be had and made in the same manner as provided by law, for the assessment and collection of state, county, and township taxes.

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

Approved March 22, 1865.

CHAPTER CCLI.

An Act to authorize the township of Harmony, in the county of Warren, to raise money by taxation, to liquidate liabilities for payment of bounties to volunteers and recruits.

Acts made
valid.

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That any debt or liability, by bond, note, or other written evidence of indebtedness, incurred under

the authority of the township committee or inhabitants of the township of Harmony, in the county of Warren, for the payment of bounties to volunteers and substitutes or recruits, under the calls for volunteers or orders for draft, heretofore made by the president of the United States, to fill the quota of said township, shall be as valid and effectual as if the contracting of such debt or liability, or the making of such bond, note, or written evidence of indebtedness, had been expressly authorized by law prior to the making of such contract or the contracting of such debt or liability.

2. *And be it enacted*, That the inhabitants of said township be, and they are hereby authorized at any annual town meeting, or at any special town meeting called for that purpose, to authorize and require the township committee of said township to incur any debt or liability which said meeting may order, for the payment of bounties to volunteers, substitutes or recruits, under any future calls for volunteers or orders for draft by the president of the United States during the present war. Township committee may incur debt.

3. *And be it enacted*, That the moneys required to repay the sums necessary to meet and discharge the bonds, notes, or other obligations heretofore or hereafter to be given by the town committee of said township, with the interest thereon, for the purpose aforesaid, and at the times the same become due and payable, shall be raised by a poll tax of fifteen dollars upon every single man liable to draft, and a poll tax of ten dollars upon every married man liable to draft, and the balance to be raised by a tax upon the property of said township, and shall be assessed and collected in the same manner, and by the same officers, as other township taxes are assessed and collected. To provide for payment by taxation.

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

Approved March 22, 1865.

CHAPTER CCLII.

An Act to authorize the township of Lopatcong, in the county of Warren, to raise money by taxation, to liquidate liabilities for the payment of bounties to volunteers and recruits.

Preamble.

WHEREAS, at a special town meeting held for that purpose, on the thirty-first day of December last, the inhabitants of the township of Lopatcong, in the county of Warren, did resolve to pay a sum not exceeding five hundred dollars, for each recruit or volunteer, to fill the quota of said township under the late order of the president of the United States for a draft.

Debts and liabilities legalized.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any debt or liability incurred under the authority of the township committee or inhabitants of said township, and any bond, note, or other security, or evidence of indebtedness that has been given, or may hereafter be given, to secure the payment of liabilities incurred, or that may be incurred, for payment of bounties to volunteers or recruits, to fill the draft lately ordered by the president of the United States, and all indebtedness incurred by the township committee or inhabitants of said township for bounties to volunteers or recruits, under the calls for volunteers or orders for draft heretofore made, shall be valid and effectual, as if the contracting of such debt or liability or the making of such bond, note, security or evidence of indebtedness had been expressly authorized by law prior to the making of such contract or security, or the contracting of such debt or liability.

Money to be raised by tax.

2. *And be it enacted*, That the inhabitants of said township be, and they are hereby authorized to raise, by assessment, on the taxable property in said township, from year to year, and in such proportion as the township committee of said township shall direct, such sum or sums of money as may be sufficient to liquidate said liabilities.

3. *And be it enacted*, That said assessment shall be made and collected at the same time and manner as other taxes are assessed and collected.

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

Approved March 22, 1865.

CHAPTER CCLIII.

An Act to confirm certain acts of the township committee and of the inhabitants of the township of Holmdel, in the county of Monmouth, and for other purposes.

WHEREAS, the inhabitants of the township of Holmdel, in the county of Monmouth, did, at a special town meeting held on the fourteenth day of September, Anno Domini eighteen hundred and sixty-four, and at another special town meeting held on the twenty-eighth day of January, Anno Domini eighteen hundred and sixty-five, by resolutions, order and direct the township committee to borrow any sum or sums of money which might be necessary to fill the quota of said township under the call of the president of the United States of the eighteenth day of July, eighteen hundred and sixty-four, and the deficiency under previous calls, also to fill the quota of said township under the call of December nineteenth, Anno Domini eighteen hundred and sixty-four, by paying bounties to volunteers and substitutes as follows: for one year's men one hundred dollars, two years' men two hundred dollars, and three years' men three hundred dollars each; and whereas, the said committee, in obedience to the said resolutions, have borrowed at sundry times divers sums of money, and have given and executed bonds, notes and certificates of indebtedness for that purpose for the money so borrowed; and whereas, it is deemed necessary to borrow additional sums of money to pay bounties to volunteers and substitutes to fill the quota of said township under the present call for men by the general government; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the bonds, notes and certificates of indebtedness so heretofore given and executed, and the acts so done by the said township committee of the said township of Holmdel for the purposes aforesaid, be and the same are confirmed and made good and effectual in law to all intents and purposes, and binding upon the inhabitants and taxable property of said township, as if said bonds, notes and certificates of indebtedness had been given and executed under and by virtue of the express authority of law.

2. *And be it enacted*, That it shall be lawful for the town-

May borrow
money.

ship committee of said township to borrow any additional sum or sums of money to pay bounties to volunteers and substitutes to fill the quota of said township under the present call for men by the general government, and execute bonds, notes and certificates of indebtedness in the name of the inhabitants of said township, binding the said inhabitants and making the property in said township liable for the payment of the same, which said bonds shall be payable at such time or times as the said township committee for the time being may determine.

Money to be
raised by tax.

3. *And be it enacted*, That it shall be lawful for the inhabitants of the said township immediately after the passage of this act, at any lawfully convened town meeting to order and cause to be assessed and collected by tax in the same manner that other taxes in the said township are assessed and collected, within sixty days from the time of holding such town meeting, all or so much of the indebtedness of said township as may be determined by said inhabitants, which sum so raised shall be applied towards paying off the debts so created and the interest due by said township.

Balance of
money to be
raised.

4. *And be it enacted*, That it shall be lawful for the said inhabitants at their next or any subsequent annual town meeting, to cause to be assessed and collected the whole or any part of any balance of the debt or debts heretofore by them created, or any debts which may hereafter be by them created for the purpose aforesaid.

Special tax.

5. *And be it enacted*, That of the sum or sums so ordered to be raised by the town meeting to fill the quota under the call of July eighteenth, eighteen hundred and sixty-four, there shall be assessed and collected upon each person then liable to said draft the sum of fifty dollars as a special war tax.

Additional
money may
be borrowed.

6. *And be it enacted*, That it shall be lawful for the township committee of said township to borrow in manner before provided, such an additional sum of money as will be sufficient to pay such of the inhabitants of said township who shall have furnished substitutes or paid commutation money under the calls of March and July, eighteen hundred and sixty-four, each the sum of three hundred dollars, and to provide for the payment thereof in the same manner, at the same time, and under the same provisions and penalties as the other moneys to be raised by virtue of this act are assessed, collected and paid.

7. *And be it enacted*, That this act be taken and deemed

a public act and shall take effect immediately; and that all ^{Repealer.} acts or parts of acts inconsistent with this act be and the same are hereby repealed.

Approved March 22, 1865.

CHAPTER CCLIV.

An Act to incorporate the Trenton Chain Manufacturing Company.

1. BE IT ENACTED *by the Senate and General Assembly of* <sup>Names of cor-
porators.</sup> *the State of New Jersey,* That Louis Chevrier, Charles N. Chevrier, Henderson G. Scudder, Samuel J. R. Salter, Voorhees Vannest and Frederick Rippart, and their successors, be and the same are hereby created a body corporate by the name of "The Trenton Chain Manufacturing Company," and by the said name the said corporation can sue and be sued, plead and be impleaded, contract and be contracted with, and shall have power to make, manufacture and sell chains of all kinds and description, and shall also be capable in law, of purchasing, holding and disposing of any real or personal estate which may be necessary in conducting the business of said corporation.

2. *And be it enacted,* That the capital stock of the com- <sup>Amount of
capital stock.</sup> pany shall be twenty-five thousand dollars, divided into shares of one hundred dollars each.

3. *And be it enacted,* That the business of said corporation shall be managed by not less than three nor more than five <sup>Election of di-
rectors.</sup> directors, all of whom shall be stockholders, and one of whom shall be president, who shall hold their offices for one year and until others are elected in their stead; and every year thereafter at such time and place, and upon such notice as the by-laws may appoint, an election shall be held, at which election every stockholder shall be entitled to one vote, either in person or by proxy, for every share of stock he may own.

4. *And be it enacted,* That the directors of said corpora- <sup>Duties and
powers of di-
rectors.</sup> tion shall have power to make by-laws for its government, not inconsistent with the laws of this state or of the United

States, and may appoint such subordinate officers as the business of the corporation may require.

Stock trans-
ferable.

5. *And be it enacted*, That the stock of said corporation shall be deemed personal estate, and shall be transferable in such manner as the by-laws may prescribe, but no dividends shall at any time be made to the stockholders except from the net profits of the corporation.

May increase
capital stock.

6. *And be it enacted*, That the said corporation may from time to time hereafter, increase the said capital stock to any sum not exceeding fifty thousand dollars, giving ten days' notice of their intention to do so in two of the newspapers printed in Trenton.

Books of ac-
count to be
kept.

7. *And be it enacted*, That regular books of account shall be kept in the office of said company in the city of Trenton, to which books every stockholder shall have free access, at all reasonable times, for the purpose of inspection.

Restrictions
and liabilities

8. *And be it enacted*, That the corporation hereby created shall possess the general powers and be subject to the general restrictions and liabilities set forth in "An act concerning corporations," approved on the fourteenth day of February, eighteen hundred and forty-six, as far as the same are applicable; and the legislature may at any time hereafter modify or repeal the same.

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

Approved March 22, 1865.

CHAPTER CCLV.

A Further Supplement to the act entitled "An act to establish public schools," being an act authorizing the inhabitants of Bethel School District Number Two, Washington township, in Camden county, to raise money for school purposes.

Poll tax.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That if at the annual district school meeting hereafter held in Bethel School District, Number Two, of Washington township, Camden county, any money

shall be ordered raised in addition to the moneys appropriated to said district, there shall be raised by a tax on the poll of each taxable inhabitant of such district, not exceeding three dollars and not less than one dollar and fifty cents, as a majority of said inhabitants present at such meeting shall order, and that the amount so ordered to be raised shall be certified in writing by the trustees of such school district, or by a majority thereof, to the assessor of such township of Washington; *provided*, such poll tax shall not exceed two-fifths of any Proviso. such sum of money ordered to be raised in any one year.

2. *And be it enacted*, That it shall be the duty of the as- Duties of as-
sessor and col-
lector. sessor and collector of said township of Washington, to assess and collect such poll taxes so ordered raised at the same time as the township taxes are assessed and collected, and that such assessor and collector shall have each five cents per name for such assessing and collecting.

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

Approved March 22, 1865.

CHAPTER CCLVI.

An Act to authorize the township of Dennis, in the county of Cape May, to raise by taxation, the amount of money paid by them to volunteers or drafted men.

WHEREAS, the inhabitants of said township, in town meeting Preamble. assembled, on the ninth day of August, Anno Domini eighteen hundred and sixty-four, did order their township committee to pay a bounty of three hundred dollars to each volunteer or drafted man, under the recent call of the president for five hundred thousand men; and whereas, the inhabitants of said township, at a public meeting, held on the fourteenth day of September, Anno Domini eighteen hundred and sixty-four, did authorize and request the said township committee to increase the amount of bounty to volunteers, or to any who might furnish substitutes to be credited on the quota of the township under said call to five hundred dollars; and whereas, the said township

committee, acting upon said authority and recommendation, have paid the sum of sixteen thousand dollars, and have issued the bonds of the township therefor, bearing interest at the rate of six per centum per annum, payable yearly; and whereas, it is deemed desirable that the said indebtedness so created should be gradually paid off; therefore,

Payment of principal and interest by tax.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the township committee of the said township of Dennis, shall have power and authority to provide by taxation for the payment of said bonds and the interest thereon, and the said township committee shall, yearly and every year, until all the bonds issued shall be redeemed and paid off, order and cause to be collected, by tax, at the time and in the manner that other taxes are assessed and collected, such sums of money as the said committee shall deem necessary to pay the said bonds and the interest thereon; first, by a yearly poll tax of ten dollars on each white male inhabitant of said township above the age of twenty-one years, and the balance on the taxable property of said township; *provided*, that not more than one third of the said sum of sixteen thousand dollars, together with the amount necessary to pay the interest on the whole of said bonds, shall be raised in any one year; *and provided further*, that all persons who have heretofore paid commutation money or have furnished substitutes, to be accredited on the quota of said township, shall be exempt from the payment of said poll tax; and the township collector of said township, when such tax or any portion thereof shall be collected, shall pay the same to the township committee of said township, and all such moneys so to be raised by virtue of this act shall be inviolably applied by said township committee to pay the interest and principal of said bonds, as the same shall become due and payable.

Proviso.

Proviso.

Acts legalized.

2. *And be it enacted*, That the debt and liabilities incurred in said township of Dennis, in consequence of the payment of bounties to volunteers, as mentioned in the preamble hereto, and the action of the said committee thereupon, are hereby legalized, ratified and confirmed.

Future calls provided for.

3. *And be it enacted*, That whenever, under any future calls of the president for troops, the inhabitants of said township, in special town meeting assembled, after due notice given by the clerk of said township, as is now provided by law, shall, by a majority of their votes so direct, it shall and

may be legal for the township committee to make such further issues of the bonds of said township, for the purpose of paying bounties, as may be ordered by such town meetings.

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

Approved March 22, 1865.

CHAPTER CCLVII.

An Act to incorporate the New Jersey Produce Company.

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Names of cor-}
the State of New Jersey, That J. Galusha Staunton, Henry ^{porators.}
 F. Cox, O. S. Winans, Frank L. Stowell, Stephen D. Cald-
 well, Andrew A. Gaddis, and their associates, and all persons
 who are, or may be holders of the stock hereinafter mentioned,
 are constituted a body corporate, by the name of the "New
 Jersey Produce Company," with full power to sue and be
 sued, implead, and be impleaded, in all courts both of law
 and equity, to make and use a common seal, to purchase, hold,
 possess, and enjoy such real estate and personal property as
 may be necessary for the convenient carrying on of their
 business, and to dispose of and convey the same; to transport
 fresh meats, produce and merchandize, from states and terri-
 tories of the United States in the west, to Jersey City and
 New York, and return, and wherever else the business of the
 company may require; to acquire the whole or any part of
 any patent rights which may be convenient for the carrying
 on of their business, and to make and use such patented ar-
 ticles as they may acquire the right to make and use.

2. *And be it enacted*, That the capital stock of said cor-
 poration shall be fifty thousand dollars, with liberty to increase ^{Amount of}
 the same by a vote of the majority of the board of directors ^{capital stock.}
 to a sum not exceeding three hundred thousand dollars, to
 be divided into shares of one hundred dollars each, which
 shall be personal property; the said corporation may begin
 operations when fifty thousand dollars shall have been sub-
 scribed, and ten thousand dollars thereof shall have been paid
 in, in cash.

May borrow
money.

3. *And be it enacted*, That after fifty thousand dollars shall have been subscribed, and ten thousand dollars paid in, the said company shall be empowered to borrow any sum or sums of money, not to exceed at any time the amount of capital stock actually paid in, and secure the same by bond, mortgage, pledge, hypothecation, or otherwise.

Commission-
ers to receive
subscriptions.

4. *And be it enacted*, That the persons first above named shall be commissioners to receive subscriptions for such capital stock, at such time and place in the city of Jersey City as they shall appoint, by giving five days notice thereof in one or more of the newspapers published in Jersey City, and if the whole capital stock shall not be subscribed at the time and place so appointed, other subscriptions may be received until the whole capital stock shall be subscribed, under such regulations as the board of directors shall designate.

Election of di-
rectors.

5. *And be it enacted*, That as soon as fifty thousand dollars of said capital stock shall have been subscribed, and ten thousand dollars thereof paid in as aforesaid, the said commissioners shall call a meeting of the stockholders by giving five days notice thereof in one or more newspapers published at Jersey City, in this state, and said stockholders shall elect by ballot at said meeting, or at any subsequent general meeting, five directors, being stockholders, to manage and conduct the affairs, concerns and business of said corporation, who shall hold their office for one year, and until others shall be chosen in their places; the directors, except for the first year, shall be annually chosen at such time and place as shall be directed by the by-laws of the said corporation; in all meetings of the stockholders, each share shall entitle the stockholder to one vote, and the election shall be made by such of the stockholders as shall attend for that purpose either by person or by proxy; in case it should at any time happen that an election shall not be made on the day appointed by the by-laws of said corporation, the said corporation shall not for that cause be deemed dissolved, but such election may be held on any other day which shall be appointed by the directors of said corporation, in pursuance of notice to be published in one or more newspapers published in Jersey City; any three directors of said corporation shall form a quorum for the transaction of all the business of said corporation.

Corporation
not dissolved
for failure to
elect.

Payment of in-
stallments.

6. *And be it enacted*, That it shall be lawful for the directors of said corporation to call in, and demand from the stockholders respectively all such sums of money by them subscribed

and remaining unpaid, at such times, and in such payments or installments, as the directors shall deem proper, and the said corporation may sue for and recover all such sums of money as may from time to time be due on subscription, with interest from the the time of default on payment thereof, or if payment shall not be made by any stockholder or stockholders within sixty days after personal demand, or after notice requiring such payment shall have been published for the period of two months, at least once in each week, in one or more newspapers published at Jersey City, in this state, the board of directors may declare the share or shares of stock so subscribed for by such stockholder or stockholders forfeited, and the same shall thereby be forfeited, together with all previous payments thereon.

7. *And be it enacted*, That said corporation shall keep an office in Jersey City, in this state; the directors of this corporation may appoint one of their members to be president, and such other officers and agents as they may deem proper for the government of the corporation and the management of their business, and make and establish all needful by-laws, rules and regulations for the conduct of their affairs; *provided*, such by-laws, rules and regulations shall not conflict with the constitution and laws of this state or of the United States. ^{Powers of directors.}

8. *And be it enacted*, That it shall be the duty of the said corporation to cause a book to be kept containing the names of all persons who are stockholders in said corporation, showing their places of residence and the number of shares of stock held by them respectively; and also such books of accounts as shall show the transactions and business of the said company. ^{Books of account to be kept.}

9. *And be it enacted*, That said corporation shall continue in existence for thirty years, and shall possess the general powers and be subject to the restrictions and liabilities contained in the act entitled "An act concerning corporations," approved February fourteenth, eighteen hundred and forty-six, as far as the same are applicable; and this act shall be deemed and taken as a public act and shall take effect immediately, and shall be subject to the provisions of an act entitled "An act to increase the revenue of the state of New Jersey," approved March sixth, eighteen hundred and fifty-eight. ^{Limitation.}

Approved, March 22, 1865.

CHAPTER CCLVIII.

Supplement to an act entitled "An act to divide the township of North Bergen, in the county of Hudson, passed February twenty-eighth, eighteen hundred and sixty-one.

Judge of election and clerk

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the judge of election elected at the last or any future town meeting shall preside at and conduct the election at the next town meeting, and the clerk of the township shall be the clerk thereof; and the officers of said election shall be eligible to any office at said election, except that of justice of the peace.

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

Approved March 22, 1865.

 CHAPTER CCLIX.

An Act to authorize the inhabitants of the township of Caldwell, in the county of Essex, to raise money for war purposes.

Preamble.

WHEREAS, the inhabitants of the township of Caldwell did at a special town meeting held on the fifteenth day of September, Anno Domini, eighteen hundred and sixty-four, authorize their township committee to issue scrip or bonds bearing interest from date at seven per centum per annum, payable on or before the first day of January, eighteen hundred and sixty-six, to fill their quota under the call of July eighteenth, eighteen hundred and sixty-four.

Acts made valid.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the scrip or bonds so issued by the said township of Caldwell, in the county of Essex, mentioned in the preamble, be made valid and legal in all respects and binding upon the inhabitants and taxable property in said township.

2. *And be it enacted*, That the township committee of said township, or a majority thereof, shall immediately after the passage of this act, ascertain, and certify in writing to the assessor of said township, the amount of money necessary to be raised for the payment of said scrip or bonds, *provided* the amount so certified to shall not exceed the sum of twelve thousand dollars.

Powers and
duties of
township
committee.

Proviso.

3. *And be it enacted*, That the said amount shall be assessed and raised by a poll tax and a tax on the real and personal property taxable in said township.

Poll tax.

4. *And be it enacted*, That there shall be a poll tax of five dollars assessed and raised upon every taxable male inhabitant of said township, and the remainder of said money shall be assessed on the real and personal property of said township.

How raised.

5. *And be it enacted*, That it shall and may be lawful for the assessor of said township, and the said assessor is hereby directed and required to assess as aforesaid, at the same time that the other taxes of said township are assessed during the present year, and in addition thereto such amount of money as shall be certified to him by the town committee of said township, or a majority of them as aforesaid, which amount of money so assessed shall be levied and collected by the same persons, in the same manner, at the same time, and under like fees, fines and penalties, as other township taxes are levied and collected.

When to be
assessed and
collected.

6. *And be it enacted*, That the collector of said township shall pay said money, when collected, to the township committee of said township, and said township committee shall immediately apply and appropriate said moneys towards the payment of said scrip or bonds.

Moneys, how
applied.

7. *And be it enacted*, That all laws of this state in relation to taxes, not inconsistent with the provisions of this act, shall apply to the taxation of the above named moneys.

8. *And be it enacted*, That this act shall take effect immediately, and be taken and held to be a public act.

Approved March 22, 1865.

CHAPTER CCLX.

A Further Supplement to an act entitled "An act revising and amending the act to incorporate the city of Paterson," passed March fourteenth, eighteen hundred and sixty-one.

Only one-half of expenses to be assessed.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That one half, only, of all expenses for improvements, hereafter made, in opening, altering and widening streets in the city of Paterson, shall be assessed upon and paid by the lands and real estate benefited by the same.

Seventy-ninth section altered

2. *And be it enacted*, That the seventy-ninth section of the act to which this is a supplement shall be so altered, that of the amount reported by the commissioners appointed by the mayor and aldermen, upon any application for opening, altering or widening any street in the said city, pursuant to the provisions of the said section, as the value of any lands and buildings to be taken therefor, and the damages for taking the same, and the expenses of the said improvements when completed, including all interest and the costs of the proceedings, one half thereof only, shall be assessed upon the property reported by the said commissioners as benefited thereby, and in the proportion reported by them; and the other half thereof shall be paid and borne by the mayor and aldermen of the said city.

Tax to be assessed and collected.

3. *And be it enacted*, That the said mayor and aldermen shall have power and authority, and are hereby required, to provide by taxation for the amount of money they may have so paid, and which shall be assessed and collected at the time and in the manner as other taxes in said city are assessed and collected.

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

Approved March 22, 1865.

CHAPTER CCLXI.

An Act to incorporate the Normal School Boarding House Association.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That William White, Jonathan Stewart, Charles Brearley, Henry B. Pierce and Elias Cook, and all other persons who shall become subscribers and owners of the capital stock hereby created, shall be and they and their successors are hereby constituted and declared a body politic and corporate in fact and in law by the name of "the Normal School Boarding House Association," and by that name shall have power to lease, purchase and hold real estate in the city of Trenton, and to erect and maintain thereon a boarding house and other buildings and improvements for the accommodation of the teachers and pupils in the normal and model schools; and to transact all such business as may be incident or appertain to the erecting, furnishing, conducting, leasing or otherwise disposing of said premises for the purposes aforesaid, and also to lease, mortgage, or sell and convey the said real estate or any part thereof in fee simple.

Names of corporators.

2. *And be it enacted*, That the said corporation shall have power to raise by subscription a capital stock of twenty thousand dollars, with liberty to increase the same from time to time whenever a majority of the directors shall so determine, to any sum not exceeding fifty thousand dollars.

Amount of capital stock.

3. *And be it enacted*, That the capital stock of said corporation shall be divided into shares of fifty dollars each, which shall be personal property, and shall be transferable in such manner as the by-laws of the corporation shall direct, and each share of the capital stock shall entitle the holder thereof to one vote, either in person or by proxy at all elections and meetings of the stockholders.

Stock transferable.

4. *And be it enacted*, That the persons named in the first section of this act shall be commissioners to receive subscriptions to said capital stock, and when one hundred shares of said stock shall be subscribed, the said commissioners or a majority of them shall call a meeting of the stockholders for the purpose of organizing said corporation and electing directors, and all subsequent elections shall be held at such time, and in such manner as the by-laws shall prescribe, and

Election of directors.

the directors and officers of the corporation shall hold their respective offices until others are elected and qualified in their stead, and in case of a vacancy in the board of directors by death, resignation or otherwise, a majority of the remaining directors shall have power to fill such vacancy.

Powers of directors.

5. *And be it enacted*, That the property and affairs of the said corporation shall be managed by five directors to be elected as aforesaid, a majority of whom shall be a quorum for the transaction of business; the said directors shall have power and authority to make all necessary by-laws and regulations for the transaction of the business of the corporation, to prescribe the time and mode of payment of subscriptions to the capital stock, and to forfeit the stock of any stockholder for neglect to make such payment in the mode prescribed; to appoint such officers and agents as they may deem requisite for the management of the business of the corporation, and such agents to remove at pleasure; to demise and lease the real estate, and to secure by mortgage on the same, the whole or any part of the debts of the association.

May sell and dispose of property.

6. *And be it enacted*, That the directors of the association for the time being shall have power and authority, by and with the written consent of stockholders holding in their own right three-fourths of the amount of the capital stock to sell, dispose of and convey all the property of the corporation, and to divide the proceeds of such sale or sales after payment of all the debts and liabilities of the corporation among the stockholders in a ratable proportion to the amount of stock held by them respectively.

Approved March 22, 1865.

CHAPTER CCLXII.

A Further Supplement to "An act to authorize the inhabitants of the township of Bloomfield, in the county of Essex, to raise money for the support of free schools," approved March first, one thousand eight hundred and forty-nine.

Trustees may call meeting of inhabitants.

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That if in any year the amount of

money which the trustees of the Montclair School District, one of the districts organized under the act to which this act is a supplement, shall receive from the township collector as their proportion of the township school tax, shall be insufficient to meet the annual expenses of the schools in said district, the said trustees shall be and are hereby authorized to call a meeting of the taxable inhabitants of said district, in the manner prescribed in the fifth section of the act to which this act is a supplement, at which time they, or a majority of them then present may, at their discretion, direct the said trustees to make an assessment upon the taxable property of the district sufficient to meet the aforementioned deficiency; which assessment shall be made and collected in the same way as other assessments are provided for in the first section of said act; *provided*, that the amount of the assessment so Proviso. made, together with the portion of the township tax received by the district, does not exceed ten dollars for every child in the district between the ages of five and eighteen.

2. *And be it enacted*, That all acts and parts of acts com- Repealer. ing within the purview of this act, and being repugnant thereto, be and the same are hereby repealed, so far as they relate to or concern the said Montclair School District.

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

Approved March 22, 1865.

CHAPTER CCLXIII.

A Further Supplement to the act entitled "An act to authorize the inhabitants of the township of Plainfield, in the county of Union, to raise money."

WHEREAS, the town committee of the township of Plainfield, Preamble in the county of Union, have expended the sum of three thousand six hundred and ninety-seven dollars and eighty-seven cents, in enlisting volunteers under the call of July last; and the further sum of seven thousand six hundred and fifty dollars in filling the quota of said township under the call of December nineteenth, eighteen hundred and

sixty-four, making an aggregate of eleven thousand three hundred and forty-seven dollars and eighty-seven cents, expended for the purposes aforesaid; the said expenditure having been authorized by a meeting of the inhabitants of said township, convened according to law; therefore,

Money to be raised by tax.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the inhabitants of the township of Plainfield, in the county of Union, are hereby authorized and required to raise by an assessment of a poll tax of four dollars on each married male taxable inhabitant, and of eight dollars on each single male taxable inhabitant of said township, and the balance, if any, by an assessment and tax on the taxable property in said township, the said several sums of money, amounting in the aggregate to the said sum of eleven thousand three hundred and forty-seven dollars and eighty-seven cents, together with the interest which shall accrue thereon, and the legal expenses of collecting the same; *provided*, that not over one-half of said last mentioned sum be so raised, levied and collected in any one year.

Proviso.

Assessment and collection of taxes.

2. *And be it enacted*, That the said assessment be made, levied and collected, at the same time, by the same persons, in the same manner, and subject to the same fees and penalties, as other taxes are assessed, levied and collected in said township.

3. *And be it enacted*, That this act shall take effect immediately, and be deemed and taken as a public act.

Approved March 22, 1865.

CHAPTER CCLXIV.

An Act to incorporate the Franklin Mining Company of New Jersey.

Preamble.

WHEREAS, Albert Cammann, William G. Steele and Walter Cammann have, in behalf of themselves and their future associates, by their petition, set forth that they are in possession of a considerable mining district in the 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 also to manufacture the ores thereof in such manner as they may think proper; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Names of corporators.} *the State of New Jersey,* That Albert Cammann, William G. Steele and Walter Cammann, 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 Franklin Mining Company of New Jersey;" 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 may 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.

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

Not dissolved for failure to elect.

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

Amount of capital stock.

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 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' notice of such call and demand in the newspaper before mentioned.

Powers of directors.

5. *And be it enacted*, That a majority of the directors for the time being shall form a board or quorum for the transaction of the business of the said corporation, and shall have power to make and prescribe such by-laws, rules and regulations not repugnant to the constitution and laws of the United States and of this state, as to them shall appear needful and proper, touching the concerns of the said corporation, and shall also have power to appoint and employ so many officers, clerks and servants for carrying on said business, and with such salaries and allowances as to them shall seem meet.

Restrictions.

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

Liability of stockholders.

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.

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 book shall at all times be open to the inspection of the stockholders. ^{Transfers to be entered.}

9. *And be it enacted*, That the contracts entered into by the said Albert Cammann touching and concerning leases of any part of the said tracts of land, shall be and the same are hereby made obligatory on the president and directors hereafter elected, and their successors, to fulfill the same as if made by themselves. ^{Contracts binding.}

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

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

Approved March 22, 1865.

CHAPTER CCLXV.

A Supplement to an act entitled "An act concerning executors and the administration and distribution of intestates' estates."

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the whole surplusage of the goods, chattels, and personal estate of any illegitimate person, who has died, or shall hereafter die, intestate and unmarried, and leaving no lawful issue, or the issue of any, him or her surviving, shall go to, and be paid over to, the mother of such illegitimate person. ^{Surplusage, to whom paid.}

2. *And be it enacted*, That if the mother of any illegitimate child or children, shall die without leaving a husband sur-

living her, and having no lawful issue, or the issue of any, then the surplusage of her goods, chattels, and personal estate shall be paid to her illegitimate child or children.

3. *And be it enacted*, That this act shall not apply to any estate that has been settled, and the surplusage has been disposed of according to law, before the passage thereof.

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

Approved March 22, 1865.

CHAPTER CCLXVI.

An Act to incorporate the Paterson Land Improvement Company.

Names of cor-
porators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Jacob Mercelis, Lees Garside, Henry Smith, Francis Scett, James Crooks, John Byard and Daniel H. Winfield, and all such persons as may hereafter be associated with them, their successors and assigns, shall be and they are hereby constituted and declared a body corporate and politic in fact and in law, by the name of "The Paterson Land Improvement Company," and by that name shall be capable, in law, of purchasing, using, holding, letting, improving, disposing and conveying any land, tenements, hereditaments and appurtenances thereto belonging, goods and chattels, and of performing all other acts necessary or proper for accomplishing the objects of the said corporation hereby granted; and may receive and make all deeds, transfers, conveyances, covenants, grants, contracts, agreements and bargains, whatsoever necessary, for the said purposes.

Amount of
capital stock.

2. *And be it enacted*, That the capital stock of the said company shall be one hundred thousand dollars, with the privilege, from time to time, of increasing the same to any sum not exceeding two hundred thousand dollars, divided into shares of twenty-five dollars each; but as soon as twenty-five thousand dollars of said capital stock shall have been subscribed, and shall be paid or secured to be paid, it shall be lawful for said company to proceed to carry into effect the

objects of said corporation; and it shall be lawful for the directors of said company to call and demand from the stockholders thereof respectively such installments, and at such times and in such proportions and upon such notice as they shall deem proper, not exceeding five dollars on each share at any one time, and in case of failure by any stockholder to pay his or her installment or installments, as the case may be, at the time and place appointed for the payment thereof, or within thirty days thereafter, such stockholder shall incur a forfeiture of his or her share or shares and of all previous payments made thereon, for the use of the said company.

3. *And be it enacted*, That the capital stock of said company shall be deemed personal property, and the said shares shall be transferable only on the books of the said company, in such manner as the board of directors by their by-laws may direct; and every share of said stock shall entitle the holder thereof to one vote, either in person or by proxy.

4. *And be it enacted*, That the affairs of the said company shall be managed by a board of not less than seven, nor more than thirteen directors, to be chosen by the stockholders of the said company annually, at such time and in such manner as by the by-laws of the said company may be directed, and who shall serve for one year and until others shall be chosen in their stead; notice of which said election shall be given previously, for two weeks at least, in some newspaper published in the county where the said election is to be held; that a majority of said board shall constitute a quorum for the transaction of business; that the said directors shall, from time to time, elect a president out of their body, and shall also elect and employ such other officers as may be convenient and necessary; that said directors may fill vacancies in their own board until the next annual election; and that Jacob Mercelis, Lees Garside, Henry Smith, Francis Scott, James Crooks, John Byard and Daniel H. Winfield, shall be the first directors of said company, who, or a majority of them, shall as soon as convenient after the passage of this act, assemble and organize said company, and shall continue in office until others, as hereinbefore directed, shall be chosen in their stead.

5. *And be it enacted*, That the said company may be dissolved by a general meeting of the stockholders, specially called for that purpose; *provided*, that at least three-fourths in value of the stockholders shall concur therein; and upon such dissolution the directors for the time being, and the sur-

vivor or survivors of them, or such persons as the said stockholders shall appoint, shall be trustees for settling all the affairs of the company, collecting and disposing of its property and assets, paying its debts, and dividing the surplus among the stockholders, in proportion to their respective interests in the stock.

Limitation.

6. *And be it enacted*, That this act shall continue for twenty years, and it shall be lawful for the legislature of this state to alter, modify or repeal the same, whenever in their opinion the public good may require it.

Restrictions and liabilities.

7. *And be it enacted*, That the said corporation shall possess the general powers and be subject to the restrictions and liabilities contained in the act entitled "An act concerning corporations," approved February fourteenth, eighteen hundred and forty-six, so far as applicable.

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

Approved March 22, 1865.

CHAPTER CXXLVII.

An Act empowering railroad companies to employ a police force.

Governor to commission policemen.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any railroad corporation or which steam is used as a motive power may apply to the governor of the state of New Jersey, to commission such persons as any such railroad corporation may designate, to act as policemen for such corporation.

Commission to be filed.

2. *And be it enacted*, That the governor, upon such application, may appoint such persons, or so many of them, as he may deem proper to be such policemen, and shall issue to such person or persons so appointed, a commission to act as such policemen; a copy of such commission shall be filed in the office of the secretary of state.

Powers.

3. *And be it enacted*, That every person so appointed shall, in the counties through which such railroad may run possess all the powers of policemen and of constables in

criminal cases, of the several cities, wards of cities, and townships in such counties.

4. *And be it enacted*, That such railroad policemen when on duty, shall severally wear a metallic shield or device with the words "Railway Police," and the name of the corporation for which appointed inscribed thereon; and such shield or device shall be worn in plain view, except when such policemen shall be employed as detectives. To wear shield or device.

5. *And be it enacted*, That the compensation of such policemen shall be paid by the companies for which the policemen are respectively employed and commissioned, and shall be such as shall be agreed upon by any such company and such policemen. Compensation

6. *And be it enacted*, That whenever any such company shall no longer require the service of such policeman so appointed as aforesaid, such company shall file a notice to that effect in the office of the secretary of state of this state, and thereupon the power of such policeman shall cease and be determined. May be discontinued.

7. *And be it enacted*, That this act shall be deemed and taken as a public act, and shall take effect immediately.

Approved March 22, 1865.

CHAPTER CCLXVIII.

A Supplement to an act entitled "An act for the relief of creditors against corporations," approved April fifteenth, eighteen hundred and forty-six.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in all personal suits or actions hereafter brought in any court of this state against any foreign corporation or body corporate, not holding its charter under the laws of this state, process may be served upon any officer, director, agent, clerk or engineer of such corporation or body corporate, either personally or by leaving a copy thereof at the dwelling house or usual place of abode of such officer, director, agent, clerk or engineer, or by leaving a true copy of such process at the office, depot or usual place of business Process may be served.

of such foreign corporation or body corporate, and such service shall be good and valid to all intents and purposes.

2. *And be it enacted*, That when the sheriff or other officer shall return such process "served" or "summoned," the defendant shall be considered as appearing in court, and may be proceeded against accordingly.

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

Approved March 22, 1865.

CHAPTER CCLXIX.

An Act to incorporate Varick Lodge, Number Thirty-one, Free and Accepted Masons, of the state of New Jersey.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Theodore R. Varick, Josiah J. Burgess, Daniel S. Sinclair, Leopold Lithauer, Isaac S. Miller, Abram Quackenbush, Alexander McMillin, Theodore F. Randolph, N. Pendleton Rogers, James S. Gamble, Henry E. Phelps and James Crawford, and their associates, officers and members of Varick Lodge, Number Thirty-one, Free and Accepted Masons, of the state of New Jersey, and their successors, be and they are hereby constituted and declared to be, a body corporate and politic in law, by the name, style and title of "Varick Lodge, Number Thirty-one, Free and Accepted Masons of the State of New Jersey," and by that name they and their successors, shall and may at all times hereafter be capable in law of having, purchasing, holding and possessing any lands, tenements, hereditaments and personal estate purchased, devised or bequeathed by any person or persons, body corporate or politic, capable of making the same; and also to have a common seal and the same to use at pleasure; *provided always*, that the said corporation or body politic shall not at any time hold or possess property, real, personal or mixed, the net income of which shall exceed the sum of five thousand dollars.

Proviso.

2. *And be it enacted*, That this act shall be deemed a public act, and take effect immediately.

Approved March 22, 1865.

CHAPTER CCLXX.

A Supplement to the act entitled "An act relative to the supreme and circuit courts," approved April sixteen, eighteen hundred and forty-six.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That if the justice of the supreme court, by whom any circuit court, or court of oyer and terminer, and general jail delivery, is to be held, shall be prevented from attending on the day and at the place when and where any such court is commenced, the court of common pleas then and there held may, at any time during the first three days of the term, order the clerk, instead of proceeding as is required by the eighteenth and nineteenth sections of the act to which this is a supplement, to adjourn said circuit court, and court of oyer and terminer and general jail delivery, by proclamation, to any subsequent day that shall be requested by any justice of the supreme court in writing or otherwise, and to enter said adjournment in the minutes of said circuit court, and court of oyer and terminer, and general jail delivery; and all suits, indictments, processes, orders, rules, recognizances, returns of jurors and other proceedings pending in such courts, shall be continued to the time to which such adjournment shall be made, without prejudice to any parties therein, and may then be proceeded in according to law in the same manner as if such courts had been regularly adjourned from day to day.

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

Approved March 22, 1865.

Courts may be
adjourned to a
subsequent
day.

CHAPTER CCLXXI.

An Act to authorize the inhabitants of the township of Clark, in the county of Union, to raise money.

Preamble.

WHEREAS, the inhabitants of the said township, in consequence of the payment of bounties to volunteers by the township committee thereof for the purpose of filling the quotas assigned to said township upon the call of the government for troops, have become considerably indebted; and whereas, it is necessary that provisions be made for the payment of such indebtedness, therefore,

Acts and doings legalized.

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That the acts and doings of the said township committee and the inhabitants of the township of Clark, in the county of Union, to raise money by loan and assessment and collection to pay bounties to volunteers to fill the quotas apportioned to said township, are made valid in all respects and binding upon the inhabitants and taxable property in said township.

Duties of assessor and collector.

2. *And be it enacted*, That the assessor of the said township shall have full power and authority to assess upon persons and taxable property of the said township all sums of money borrowed and expended for the purpose of procuring volunteers as aforesaid, in the ratio determined by the township committee of said township, and the collector of said township shall have full power and authority to collect the same so assessed in the manner now prescribed by the acts relative to the collection of taxes, and shall be liable for neglect of duty in respect to said tax as they are by law for neglect of duty in respect to other taxes.

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

Approved March 22, 1865.

CHAPTER CCLXXII.

An Act to authorize the township of Princeton, in the county of Mercer, to raise money by taxation, and to issue bonds, to pay the indebtedness incurred in filling the quotas of said township.

Jan 21/65

WHEREAS, the township committee of the township of Princeton, in the county of Mercer, have, in pursuance of the direction of the inhabitants of said township, in town meeting assembled, borrowed and expended about seventy-five thousand dollars, in filling the quotas of said township under the several calls of the president of the United States heretofore made for troops; and whereas, it is necessary that a law be passed by the legislature to legalize the raising of said amount.

Preamble.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said sum of seventy-five thousand dollars shall be assessed and collected by installments as follows, viz: twenty-five thousand dollars shall be assessed and collected immediately, as hereinafter provided; twenty-five thousand dollars and the accrued interest shall be assessed on the first day of March, eighteen hundred and sixty-six, and the remainder shall be assessed on the first day of March, eighteen hundred and sixty-seven.

Tax to be assessed and collected by installments.

2. *And be it enacted*, That the assessor of said township of Princeton shall, immediately after the passage and approval of this act, assess and levy the sum of twenty-five thousand dollars; and on the first day of March, eighteen hundred and sixty-six, assess and levy the sum of twenty-five thousand dollars and accrued interest; and on the first day of March, eighteen hundred and sixty-seven, assess and levy the remaining sum required, by assessing and levying, first, a personal bounty tax of ten dollars upon each male inhabitant between the ages of twenty-one and forty-five, and of five dollars upon each other male inhabitant of said township whose names appear upon the last tax duplicate for state, county, and township purposes; and the remainder of the said sums specified shall be assessed upon the personal property of the inhabitants of said township and the real estate situated therein, according to the valuation thereof at the last regular annual assessment.

Duty of assessor.

✓

Duty of collector.

3. *And be it enacted,* That the assessor of said township shall, within ten days after receiving notice from the chairman of the township committee of the passage and approval of this act, and within ten days after the first day of March, eighteen hundred and sixty-six, and within ten days after the first day of March, eighteen hundred and sixty-seven, deliver to the collector of said township, a duplicate of such assessment, and the collector shall immediately give notice in writing, set up in three of the most public places in said township, that the said tax is due and payable, and within twenty days after receiving said duplicate shall demand of each person assessed the sum due, or leave a printed notice of said amount at his or her usual place of residence; and in case any of the persons against whom an assessment shall be made under this act, shall neglect or refuse to pay his, her or their tax, within four weeks from and after the date of the public notice to be given by the collector, they shall be deemed delinquents, and the said collector shall, within two days after the expiration of the time limited for the payment of said taxes, make out a list of said delinquents, with the sums due from them respectively, thereto annexed, and deliver the same to any justice of the peace of said township, and the justice of the peace to whom such lists of delinquents is delivered shall, within three days thereafter issue his warrant in the same manner and form as he is now directed and required by law for the collection of taxes, and shall deliver said warrant to the collector of said township, who shall proceed to execute it in the same manner that the ordinary tax warrant is required by law to be executed.

Proceeds, how applied.

4. *And be it enacted,* That all moneys received by the collector, under such assessments and tax warrants, shall be paid by him to the township committee of said township, whenever the chairman of said committee shall demand the same, and the said township committee shall apply the money as soon as received from said collector, in liquidating the debt incurred as aforesaid, in filling the quotas of said township under said several calls, until the same shall be fully paid.

Fees.

5. *And be it enacted,* That the assessor for making the assessments authorized by this act, shall receive six cents for each name on the duplicate, and the collector, for collecting said taxes, shall receive twelve cents for each name on the duplicate, and the justice of the peace to whom the list of

delinquents may be delivered, shall receive the legal compensation for the services required of him by this act.

6. *And be it enacted,* That the assessor is hereby empowered to add to each assessment authorized by this act, a sum sufficient to defray the necessary expenses of assessing and collecting the same.

Expenses how paid. ✓

7. *And be it enacted,* That the township committee of the township of Princeton are hereby authorized to issue bonds, under the signature of the chairman of said committee, in sums of not less than fifty dollars, or in any multiple of the same, until an amount sufficient to meet the liabilities of said township as aforesaid, incurred in raising volunteers under said several calls as aforesaid, and not exceeding fifty thousand dollars, shall have been issued, bearing seven per cent. interest, payable annually; twenty-five thousand dollars of said bonds shall become due on the first day of July, eighteen hundred and sixty-six, and the remainder shall become due on the first day of July, eighteen hundred and sixty-seven.

May issue bonds.

Approved March 22, 1865.

*John has the money to record
Application of Collector*

CHAPTER CCLXXIII.

An Act to authorize and enable the Thomas Iron Company to hold lands and real estate in this state.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey,* That the Thomas Iron Company, a corporation of the state of Pennsylvania, chartered on the fourth of April, in the year eighteen hundred and fifty-four, shall be and said company is hereby authorized and empowered to receive and hold, in fee simple or otherwise, lands, tenements, hereditaments and real estate situate in this state, not exceeding two thousand acres, and to lease, sell, mortgage, or otherwise use or dispose of, the interest and estate of said corporation in said lands.

May hold lands in this state.

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

Approved March 22, 1865.

CHAPTER CCLXXIV.

A Further Supplement to an act entitled "An act to revise and amend the charter of the city of Perth Amboy," approved March eighth, eighteen hundred and fifty-nine.

Fifth section amended.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section five of said act be amended, by striking out the words "one clerk," and the words "one, or more, overseers of the poor."

Eighth section amended.

2. *And be it enacted*, That section eight (8) of said act be amended by adding, after the word "clerk," the words "of the city council, who shall also be the city clerk."

Tenth section amended.

3. *And be it enacted*, That section (10) ten of said act be amended by inserting in said section (see line twenty-four, page one hundred and twelve, of printed laws of eighteen hundred and fifty-nine), after the words "regular annual," the words "or special," and also by inserting in said section (see line thirty-two, page one hundred and twelve, of printed laws, eighteen hundred and fifty-nine), after words "use of the city," the words "special city or town meetings may be called by resolution of the city council, giving (8) eight days' notice thereof, with the particular business or intention thereof;" also, by inserting in said section (see line thirty-three, page one hundred and twelve, printed laws, eighteen hundred and fifty-nine), after words "recommend to such," the words "annual or special," also by striking out of said section (see line two, page one hundred and thirteen, laws of eighteen hundred and fifty-nine), after the words "shall not exceed," the words "for city, county and state purposes."

Eleventh section amended.

4. *And be it enacted*, That section (11) eleven, of said act, be amended, by inserting, at the close thereof, the following provision; "and the said city council may license such and so many ale, beer, or drinking saloons, under such restrictions and penalties as they may deem proper, or prohibit the same entirely."

Twelfth section amended.

5. *And be it enacted*, That section (12) twelve of said act, be amended by inserting after the words "shall appoint," the words, "by the consent of a majority of all the members elect, a city clerk, one or more overseers of the poor;" also, by inserting at the close of said section the following: "which officers shall remain in office until their successors are appointed."

6. *And be it enacted*, That section (13) thirteen of said act be amended, by inserting after the words "fiscal year, preceding such statement," the words "which fiscal year shall close on the first day of March, of each and every year;" also, by striking out after the words "vacancies," the words "the city council," and inserting the words "any of the elective offices created by virtue of this act."

Thirteenth
section
amended.

7. *And be it enacted*, That section (19) nineteen of said act shall be amended by striking out the words "to the collector of arrears of taxes, who shall proceed and issue a tax warrant thereon, as provided by law in cases of taxes in townships, who shall have power to collect the same in like manner, in all things, as the constables in townships are directed by law," and insert the words "to a justice of the peace in said city, who shall proceed and issue a tax warrant thereon, as provided by law in cases of taxes in townships, which shall be directed and delivered to the collector of arrears of taxes," and said section shall be further amended, by inserting at the close thereof the following: "it shall be the duty of the collector of arrears of taxes, immediately after the delivery to him of the tax warrant, by the justice of the peace, to proceed to collect the arrear of taxes, and for that purpose he shall possess all the powers conferred on constables in the several townships, in like cases, and in case any such delinquent shall neglect or refuse to pay such arrears of taxes, and in case no sufficient goods or chattels of any such delinquent can be found, to levy and make the amount of such arrears, together with the fees, costs and charges, then it shall be the duty of the collector of arrears of taxes to arrest the body of such delinquent and commit him to the keeper of common gaol of the county of Middlesex, there to remain until he shall pay such arrears of taxes and the costs, charges and expenses, or to be delivered by due course of law; and no goods or chattels of any kind, except wearing apparel, shall be exempt from sale for taxes in said city; and upon the expiration of the office of such collector of arrears of taxes, it shall be his duty to return to the city council all warrants which he may have received, and if any taxes remain uncollected upon such warrant, it shall be the duty of said council to deliver such warrant to the new collector of arrears of taxes, who shall proceed thereon for the collection of the same, in like manner, as above directed, and said collector of arrears shall report to city council, from time to time, as may be by them directed."

Nineteenth
section
amended.

8. *And be it enacted*, That section (22) twenty-two be re-

Twenty-second section repealed, and new one substituted.

pealed, and the following be inserted instead thereof; "*And be it enacted*, That it shall and may be lawful for the city council, upon petition therefor, to lay out and open any street, road, highway or driftway in the said city, and to cause any street, road, highway or driftway, already laid out in any part of said city, to be vacated, altered, extended, opened or widened, wherever and so often as they shall judge the public good requires the same; *provided*, that before the passage of any ordinance for such purpose, thirty days' notice shall be given by the city council, and any person interested therein shall have a hearing before the city council or its appropriate committee, and no ordinance for such purpose shall be passed unless six members vote in the affirmative, the mayor concurring, or seven members vote in the affirmative, without concurrence of the mayor, and the said city council shall cause maps and surveys of all streets, roads, highways and driftways so laid out, opened, altered, extended or widened to be made and certified under the city seal, and cause the same to be recorded in the clerk's office of the county of Middlesex, in the book of records of roads and highways for said county."

Proviso.

Twenty-third section amended.

9. *And be it enacted*, That section (23) twenty-three be amended by striking out all the remainder of section after the words "road, highway or driftway" (see line five, page one hundred and nineteen, printed laws of eighteen hundred and fifty-nine.)

Twenty-eighth section amended.

10. *And be it enacted*, That section (28) twenty-eight be amended by striking out after the words "county of Middlesex," the words "one of which shall be published," and insert the words "and circulating;" and by inserting after the words "shall have been assessed" (see line ten, section twenty-eight, page one hundred and twenty-two, printed laws, one thousand eight hundred and fifty-nine), the words "together with all costs;" and further, by inserting after the words "advertisement and sale" (see line one, page one hundred and twenty-three, printed laws, eighteen hundred and fifty-nine), the words "together with all the costs;" and further, by inserting after the word "advertisement" (see line four, page one hundred and twenty-three, printed laws, eighteen hundred and fifty-nine), the words "with all other costs."

Thirty-first section amended.

11. *And be it enacted*, That section (31) thirty-one be amended by striking out the words, "and for flagging sidewalks and for filling and resetting flagging in or on the sidewalks, and for repairing and resetting curb and gutters and

bridge stone and bridging," and insert the words "for filling sidewalks, for repairing and resetting bridge stone and bridging;" and further, by inserting after the words, "shall constitute a lien on the property assessed for the amount of such assessment," the words "*provided*, that the city council, Proviso. upon hearing any objection or exception that may be made to any assessment pursuant to this section, if they deem it proper so to do, may refer back to the commissioners who made the assessment the said report and exceptions thereto, and the said commissioners may reconsider, and if they think it right and just so to do, correct or amend the same, and then to again report the same to the city council, which shall thereupon either approve and confirm or reject such reports," and further by inserting after words in "section twenty-seven," the words "sections twenty-eight and twenty-nine;" and further, by inserting at the close of section the following: "Whenever the city council shall direct by ordinance that the sidewalks of any street shall be regulated, flagged, paved, or the gutters curbed and paved, it shall be lawful for the city council to require the work to be done by the owner or occupants of lots fronting or adjoining such streets; and if the owner or legal representatives or guardian of the owner of any lot in front whereof such work shall by such ordinance or regulation be directed to be done, shall neglect to comply with such ordinance or regulation within two months after the passage and publication of the same, it shall be lawful for the city council to cause the work to be done agreeably to the ordinance, for such person so neglecting, and to cause a particular statement and account of the expenses of said work to be rendered to them and recorded in their minutes and properly filed, which expenses and costs shall be and remain a lien upon such lot or lots until paid, and shall be collected as prescribed by this act for the collection of assessments for improvements; and whenever any ordinance shall be passed by the city council for making any improvement or performing any work under and by virtue of the provisions of the twenty-seventh, twenty-eighth, twenty-ninth or thirty-first sections of the city charter, all further acts and proceedings which it may be necessary for the city council to take in order to carry out said improvemets or work to completion, and all orders relating thereto, shall be by resolution and not by ordinance; and whenever any repairs shall be necessary on or in any sidewalk or gutter, the city council may by resolution require such work to be done by the owner or occupant of

the lots in front of which such repairs are needed ; and if any owner or occupant shall neglect or refuse to comply with such resolution, it shall be lawful for the city council to complete such work and collect the expenses and costs thereof in the manner provided above ; which expenses and costs shall remain a lien upon such lot, in the same manner as in cases of flagging and paving sidewalks and gutters."

Thirty-third
section
amended.

12. *And it be enacted*, That section (33) thirty-three be amended by striking out after the words "and be it enacted," the words "that the salary of no public officer shall be increased or diminished during his official term," and further, by striking out the words "and then for no more than one meeting in each month."

Thirty-fourth
section
amended.

13. *And be it enacted*, That section (34) thirty-four be amended by striking out after the words "and the city shall not owe more than," the word "five," and insert the word "fifteen."

Repealer.

14. *And be it enacted*, That all such parts of the act to which this is a supplement, and any supplement thereto, as are inconsistent with any of the provisions of this act, are hereby repealed, and that said act shall hereafter be taken and read as if the amendments and alterations by this act provided for had originally been made in said act.

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

Approved March 23, 1865.

CHAPTER CCLXXV.

An Act to protect butter and cheese manufacturers.

Penalty for of-
fending.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That whoever shall knowingly sell, supply or bring to be manufactured, to any cheese or butter manufactory in this state, any milk diluted with water or in any way adulterated, or milk from which any cream has been taken, or milk commonly known as "skimmed milk," or whoever shall keep back any part of the milk known as "strippings," shall for each and every offence forfeit and

pay a sum of fifteen dollars, with costs of suit, to be sued for in an action of debt, in any court of competent jurisdiction, for the benefit of the person or persons, firm, association or corporation upon whom such fraud shall be committed.

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

Approved March 23, 1865.

CHAPTER CCLXXVI.

An Act amendatory of an act entitled "A further supplement to an act entitled 'an act to revise and amend the charter of the town of Bergen,'" approved March ninth, eighteen hundred and sixty-five.

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Town council to appoint judges of election and clerks.} *the State of New Jersey*, That the councilmen of the town of Bergen shall appoint three judges of election for each of the wards created by the act of which this is amendatory, and also a ward clerk for each of the said wards, who shall be clerks of the elections, before the thirtieth day of March, eighteen hundred and sixty-five, under whose direction the first election for officers in the said respective wards or election districts (to be held on the second Tuesday of April next), shall be conducted; and the said election shall be conducted in the same manner, and be subject to the same rules, as are prescribed in relation to elections by the former acts respecting the said town of Bergen; and the councilmen of the said town of Bergen shall procure a ballot-box for each of said wards; and the term of office of such officers as shall be elected therein shall commence on the last Monday of April next after their election, and they shall continue in office until the end of the respective terms now prescribed by law for holding such offices, and as their said respective terms expire such officers shall hereafter be elected as provided by law.

2. *And be it enacted*, That an election by ballot shall be held in each of said wards on the second Tuesday of April next, and on the second Tuesday of April in every year thereafter, at such place as the said councilmen shall appoint, of ^{Time of holding election.}

which the said councilmen shall cause such public notice to be given as is now required by law.

Ward clerks.⁷

3. *And be it enacted*, That the ward clerks whose election is provided for shall be clerks of the elections in their said respective wards, and shall perform all the duties as such clerks of elections, and they shall hold their offices for the term of one year, anything hereinbefore to the contrary notwithstanding.

4. *And be it enacted*, That this act shall be deemed a public act, and take effect immediately.

Approved March 23, 1865.

CHAPTER CCLXXVII.

An Act to prevent horses, cattle, sheep and swine from running at large in the township of Lumberton, in the county of Burlington.

Act extended.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the provisions of the act entitled "An act to prevent horses, cattle, sheep and swine from running at large in the township of Clinton, in the county of Essex, and the township of Rahway, in the county of Union," approved March fourth, eighteen hundred and fifty-eight, be, and the same hereby are, extended to the township of Lumberton, in the county of Burlington; and that this act shall take effect immediately.

Approved March 23, 1865.

CHAPTER CCLXXVIII.

Supplement to the act entitled "An act to incorporate the Cooper's Point and Philadelphia Ferry Company."

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Repealer.} *the State of New Jersey*, That the last thirty-four words of the seventh section of said act shall be and the same is hereby repealed; *provided*, that it shall not be lawful for the ^{Proviso.} said corporation to charge more than five cents for each passenger, under the penalty of fifty dollars for each offence, to be sued for in any court of competent jurisdiction by the party aggrieved, *and provided*, that the said company shall ^{Proviso.} sell packages of tickets not to exceed the rate of three dollars per hundred.

Approved March 23, 1865.

CHAPTER CCLXXIX.

A Supplement to the act entitled "An act to incorporate the Peapack Railroad Company," approved March twentieth, eighteen hundred and fifty-seven.

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Time extend} *the State of New Jersey*, That the time limited by the seven-^{ed.}teenth section of the act to which this is a supplement, for the Peapack Railroad Company to commence the building of their road and have the same completed, be and the same is hereby extended ten years from the passage of this supplement within which the building of said road shall be commenced, and to fifteen years within which time it shall be completed; and whereas, doubts have arisen whether said act is in full force and effect as a valid and subsisting law, by reason of the failure of said company to commence the building of said road within the time therein limited; therefore,

2. *And be it enacted*, That the said act entitled "An act ^{Act not val-} to incorporate the Peapack Railroad Company," be and the ^{idated.}

same is hereby declared to be in all respects in full force and effect, and a valid and subsisting law.

Tax on capital stock.

3. *And be it enacted*, That from and after the said railroad or any part thereof shall be in operation, the said corporation shall pay to the treasurer of this state a tax of one-half of one per centum on the capital stock of said road to be paid annually thereafter on the first Monday in January of each year and such other tax as may be assessed from time to time, by a general law applicable to all railroads over which the legislature shall have power for that purpose at the time of the passage of such law or laws.

Repealer.

4. *And be it enacted*, That so much of the sixteenth section of the act to which this is a supplement as pertains to taxation and provides that no other tax or other impost, shall be levied and assessed upon the said company, be and the same is hereby repealed.

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

Approved March 23, 1865.

CHAPTER CCLXXX.

An Act relative to the compensation and duties of the law and chancery reporters of the state.

Salary of law and chancery reporters.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the law and chancery reporters of this state shall each be entitled to receive an annual salary, at the rate of five hundred dollars, to commence from the date of their respective commissions, and to be paid in the manner now provided by law.

Five dollars per copy to be paid for reports.

2. *And be it enacted*, That the treasurer shall pay to the law and chancery reporters, respectively, the sum of five dollars per copy, for the copies of reports which the said reporters are, respectively, required by law to deliver to the said treasurer; *provided however*, that this section shall only remain in force for two years, unless sooner altered or repealed.

Proviso.

Reports to be bound.

3. *And be it enacted*, That the treasurer shall cause the copies of said reports, which shall be hereafter delivered to

him by said reporters, respectively, to be bound, at the expense of the state, in good and substantial law binding, which work shall be done under the direction and superintendence of said reporters, respectively.

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

Approved March 23, 1865.

CHAPTER CCLXXXI.

A Further Supplement to an act entitled "An act concerning roads," approved April sixteenth, eighteen hundred and forty-six.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the overseers of the high-ways of the several road districts in the county of Cape May, shall be elected by the legal voters of the said districts, at the regular town meetings, at the times and in the manner the said town meetings are now held in the different townships of said county. Election of overseers of highways.

2. *And be it enacted*, That so much of all acts and parts of acts as are inconsistent with this act, be and the same are hereby repealed. Repealer.

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

Approved March 23, 1865.

CHAPTER CCLXXXII.

An act authorizing the Weldon Iron Mining Company to hold lands in the state of New Jersey.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That "The Weldon Iron Mining Company," a corporation organized under the laws of the May hold lands in this state.

state of New York, be and the same is hereby authorized to purchase, hold, work, lease and convey the mining lands and premises known as the Weldon Mine, and containing about eleven acres of land, described in a deed of conveyance of the same from William A. Wood to John B. Bloodgood and Harvey M. Lockwood, situated in Jefferson township, Morris county, and state of New Jersey; and also any other mining lands adjoining thereto not exceeding one hundred acres.

Approved March 23, 1865.

CHAPTER CCLXXXIII.

An Act to incorporate the "Travers Land and Mining Company."

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Aaron Ogden, Francis Skiddy, and William R. Travers and their successors, be, and they are hereby constituted a body politic and corporate, under the name and style of the Travers Land and Mining Company, for the purpose of acquiring, working and disposing of lands and mines of metaliferous ores in the territory of Arizona, the state of Nevada, and Mexico, and reducing, manipulating and manufacturing said ores in this state, and that by that name they and their successors shall be a body corporate and politic, capable in law of suing and being sued, pleading and being impleaded, answering and being answered unto, defend and be defended, in all courts and places, and in all manner of actions and complaints whatsoever; they may have a common seal, and may alter the same at pleasure, and by their corporate name shall be capable in law of buying, holding and conveying any lands, tenements, mineral lodes or veins, goods, wares, or merchandise whatsoever; *provided*, that in this state they do not hold over one hundred acres; *and provided further*, that no part of the capital stock be used in banking operations.

Proviso.

Election of directors.

2. *And be it enacted*, That the stock, property and concerns of said company shall be managed and conducted by not less than three nor more than seven directors, being

stockholders, one of whom shall be the president, who shall hold their offices for one year from the first Tuesday in October in every year, and they shall be elected on the last Tuesday in September in every year, at such time and place as the by-laws shall direct, public notice being given not less than ten days previously, in one or more newspapers, published in Trenton or Newark, in this state, where such elections shall be made by such stockholders as shall attend in person or by proxy, and such election shall be by ballot, each stockholder being entitled to as many votes as he may own shares of the capital stock, and the persons having a majority of the votes shall be directors, and they shall proceed to elect one of their number for president; and if a vacancy occur from any cause they may fill the same for the remainder of the year, and the first directors shall be John Travers, William Kemble, Joel C. Garthwaite, H. S. Little, and A. W. Canfield, until an election.

3. *And be it enacted*, That the capital stock shall be five hundred thousand dollars, with power at any time to increase the same to five millions of dollars, divided into shares of ten dollars each; and should said capital be required in payment by installments, the directors may forfeit all stock and payments thereon of any stockholder defaulting or otherwise indebted to said company. Amount of capital stock.

4. *And be it enacted*, That the stock and property of said company shall be deemed personal stock, transferable agreeably to the by-laws; and said stockholders shall be liable individually to the extent only of their respective shares in the corporate property, and no further in any suit or action. Stock transferable.

5. *And be it enacted*, That in case an election shall not be held on the day named in this act, the corporation shall not for this cause be dissolved, but they may order an election on any other day in the manner directed in this act. Not dissolved for failure to elect.

6. *And be it enacted*, That a majority of the directors, for the time being, shall form a board for the transaction of business, and have power to make such by-laws, rules and regulations, not repugnant to the laws and constitution of this state or of the United States, as shall appear to them needful or expedient, touching the government, management, and disposition of the stock, property, effects and profits of said corporation, and the officers, clubs, and servants, and their duties, salaries, and allowances, as to them shall seem necessary and expedient. Duties and powers of directors.

7. *And be it enacted*, That the directors shall at all times

Books of account to be kept.

cause to be kept at their office in this state proper books of account, containing all the transactions, which shall at all times be open to the inspection of the stockholders, and no transfer of stock shall be valid until it be duly registered in a transfer book to be kept for that purpose.

8. *And be it enacted*, That the legislature shall have power to alter or amend this act, whenever the public good may require.

Approved March 23, 1865.

CHAPTER CCLXXXIV.

An Act to enable the owners and possessors of the meadow and marsh lands adjoining the creek commonly called Birch Creek, in the county of Gloucester, to dam the same, and to erect and maintain banks, dykes, dams and water works sufficient to prevent the tide from overflowing the same.

May construct dam.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall and may be lawful for the owners and possessors of the meadow and marsh lands lying on and adjoining the creek commonly called Birch Creek, in the county of Gloucester, to make and construct a dam across said creek, at or near the mouth thereof, of not less than five rods in length, with such sluices and other water works, and of such material, character and dimensions as they may deem necessary or proper to exclude the tide from said meadows and marsh, and to drain, irrigate, and otherwise improve the same; and after the said dam and water works shall be so made and constructed, the same to maintain and keep in suitable and proper repair.

Commissioners, and their duties.

2. *And be it enacted*, That Caleb Kirby, John Burk, and William H. Featherer, of the county of Gloucester, shall be, and hereby are appointed commissioners for the purposes hereinafter stated; and it shall be the duty of said commissioners, or a majority of them (they having first taken severally an oath or affirmation, faithfully and impartially to execute and perform the duties required of them by this act,

according to the best of their skill and understanding), as soon as practicable after the passing of this act, to make an estimate of the sum or sums of money which they shall think necessary to defray the expenses of making and constructing said dam and water works, and they, or a majority of them, shall make a just and equitable assessment upon the several owners of meadow in "Birch Creek Meadow Company," of the sum of money which each shall pay of the aforesaid estimated expenses; and in making said assessment they shall make it according to the last valuation of meadow in said company; and the said commissioners, or a majority of them, shall state the said assessment in a regular duplicate, containing the names of the owners, the number of acres and parts of acres held by each, the sums assessed on them severally, and the time or times of payment, which duplicate shall be delivered by them to a treasurer, to be chosen by said commissioners; and it shall also be the duty of the said treasurer to keep a full and complete record of all the proceedings of said commissioners.

3. *And be it enacted*, That the treasurer, on the receipt of the aforesaid duplicate of assessment, mentioned in the second section of this act, shall in person or by notice in writing, left at the usual place of abode of each owner, demand of and from each owner, twenty days before the time of payment the sum assessed by said commissioners as aforesaid; and if any of the said owners shall neglect or refuse to pay the sum assessed as aforesaid against him, her or them, for the space of twenty days after the time fixed for the payment thereof, it shall and may be lawful for the said treasurer to seize and rent out, by public vendue, to the lowest bidders, the said meadow ground of said delinquent, for so long a time and no longer, as may suffice to discharge said assessment, and all expenses attending the recovery thereof, having first advertised the same for the space of three weeks in three of the most public places in the neighborhood where the meadow lies or may be sold.

Duties and powers of treasurer.

4. *And be it enacted*, That the commissioners above named shall have full power and authority to make and construct said dam and water works in such way (said dam being not less than five rods in length) and of such materials, and of such character and dimensions, as they shall think necessary or proper to carry into full effect the object of this act, out of the money or moneys which may be assessed and collected as aforesaid; and if the aforesaid estimate should not

Regulations.

produce a sufficient sum of money to make and construct said dam and water works, said commissioners shall make such other and further assessment or assessments as may be necessary for that purpose, and the same may and shall be assessed and collected as is hereinbefore directed for the assessment and collection of the original assessment.

Powers of
commission-
ers.

5. *And be it enacted*, That for the purpose of making and constructing said dam and water works, the said commissioners shall have full power to take and use any earth, mud or sod or other material, in any part of the said meadow and marsh land, the most convenient thereto, and to have free egress and ingress for themselves and their hands and teams, through any part thereof, doing no unnecessary damage to the owners thereof; and if unnecessary damage should be done to any of the said owners such damage to be assessed by three disinterested persons mutually chosen by such aggrieved owner, and said commissioners, and the decision of any two of said arbitrators shall be final, and the amount of the damages so assessed shall be paid by the treasurer.

Meadow, &c.,
security for
expenses.

6. *And be it enacted*, That for the security of moneys expended, or to be expended or assessed by virtue of this act, all the meadow, marsh and ground that shall be included within the limits of Birch Creek Meadow Company, shall be a pledge for the payment thereof, into whose hands the same may come, notwithstanding any judgment, execution, sale or alienation thereof; and the said sum or sums of money so assessed to be recovered as directed in the third section of this act.

Vacancies,
how supplied.

7. *And be it enacted*, That in case of the death, removal, inability, refusal or neglect to serve, of all or either of the said commissioners, it shall and may be lawful for the said owners or possessors, or any two of them to call a meeting of the owners of Birch Creek Meadow Company, in the neighborhood of said premises, by advertising the same in three of the most public places in the neighborhood of said meadows at least one week previous to the time of meeting, to choose one or more judicious, disinterested person or persons, as the case may require, to supply the vacancy or vacancies so occasioned, and such commissioner or commissioners so appointed, having first taken the proper oath or affirmation, as prescribed in the second section of this act, shall have full power and authority to act in the place or stead of such commissioner or commissioners as may die, refuse, or be incapable to act as aforesaid.

8. *And be it enacted*, That the commissioners appointed Compensation by the second section of this act shall receive from the treasurer two dollars and fifty cents per day for every day they, or either of them, respectively, shall be employed in discharging any of the duties herein enjoined; all other aids and assistants by them employed, such compensation as the said commissioners shall deem equitable and just, to be paid by the treasurer out of the funds assessed and collected as aforesaid.

9. *And be it enacted*, That after the said dam and water- Dam to be kept in repair. works shall be made, constructed and repaired as aforesaid, the same shall be maintained and kept in repair by the said Birch Creek Meadow Company, and thereafter no water from any other meadow now embanked, shall be drained into the water courses of said company.

10. *And be it enacted*, That in case the owners or possessors Banks or dykes to be kept in repair. of the meadows or marsh lands adjoining to Birch Creek Meadow Company, or adjoining said dam and waterworks, shall neglect or refuse to immediately build or keep in suitable repair sufficient banks or dykes to prevent the overflow of said meadow or marsh, it may and shall be lawful for the managers of Birch Creek Meadow Company to build all such banks and dykes as they may deem necessary for the purpose of protecting their water courses, and to keep the same in repair; and they shall make an assessment and collection of such sum or sums of money, from said owner or owners so refusing or neglecting, as will defray the expenses of such works and cost of collection; said assessment and collection to be made as directed in the second and third sections of this act; but if the owners of meadow in Birch Creek Meadow Company shall neglect to keep their present bank in good repair, then the whole meadow protected from overflow by the bank adjoining to the aforesaid dam and waterworks shall be taxed in just proportion to its value, for the purpose of raising such sum or sums of money as shall be necessary for the purpose of keeping said outside bank in good and sufficient repair.

11. *And be it enacted*, That all other acts of this state Repealer. inconsistent with the provisions of this act be, and the same are hereby repealed.

12. *And be it enacted*, That this act shall go into effect immediately after the passing thereof.

Approved March 23, 1865.

CHAPTER CCLXXXV.

A Supplement to the act entitled "An act to incorporate the Lodi Manufacturing Company," approved March second, eighteen hundred and fifty-five.

Corporate
name.

Amount of
capital stock.

Election of di-
rectors.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That hereafter the corporation created by the act to which this is a supplement, and therein designated "The Lodi Manufacturing Company," shall hereafter be called and known by the name of "The New Jersey Hosiery and Glove Company;" and the capital stock of the said company shall be one hundred and twenty-five thousand dollars, divided into shares as in said act is provided, and twenty dollars shall be paid on each share of stock at the time of subscribing, forty dollars per share shall be paid within one month from the time of subscribing, and the remainder in four months from the date of subscription; and when nine hundred shares of said capital stock has been subscribed, and thirty-six thousand dollars paid in, it shall be lawful for the said company to commence business; and the said company shall give notice of the calling in of the second and third installments for twenty days before the time of payment, in a newspaper printed in the county of Bergen or Passaic.

2. *And be it enacted*, That the stock, property and affairs of the said corporation shall be managed by five directors, to be chosen from among the stockholders, which directors shall, after the first election of directors provided for in the fifth section of the act to which this is a supplement, be annually elected, at such time and place as the directors for the time being shall appoint, of which public notice shall be given not less than twenty days next preceding said election, by advertisement in a newspaper circulating in the county of Bergen; and the election of directors shall be made by such of the stockholders as shall attend for that purpose, either in person or by proxy, each share of stock entitling the holder to one vote, and the persons having the greatest number of votes shall be the directors; and the said directors as soon as may be after their election, shall proceed to elect one of their own number to be president; and all vacancies which shall happen in the board of directors shall be filled for the re-

mainder of the year by the other directors; and the said directors shall hold their office for one year and until others are elected in their stead.

3. *And be it enacted*, That the president and directors of the said company be and they are hereby authorized and empowered to take and hold in fee such lands, mills, dams, water rights and powers situate in Lodi and Saddle River townships, in Bergen county, as the said corporation hath agreed to purchase from Daniel Romaine, or shall hereafter agree to purchase from said Romaine or any other person, situate along or upon the Saddle river, in said townships of Lodi or Saddle River, and erect all necessary buildings and factories thereon, and to increase their water power upon said Saddle river by raising the present dam or building new dams across the said Saddle river above or below the present dam; and they are authorized and empowered to take necessary lands on said Saddle river for the erection of such new dam or dams, and whereon to flow back the water by such raising or building, not exceeding in the whole five acres, they making compensation to the owners of the lands so taken or overflowed in the manner hereinafter provided.

4. *And be it enacted*, That the said corporation be and they are hereby authorized and invested with the rights and powers necessary to survey, lay out, and construct a railroad track from their works to be erected on the Saddle river, to the Lodi branch of the Hackensack and New York railroad, and on the said track to carry the goods and freight to be used or manufactured in the said works by the said company, said track to be located and constructed not exceeding twenty feet in width on the surface of the road-bed; and it shall be lawful for said corporation, their agents, and others in their employ, to enter upon lands to survey and lay out a suitable route for said railroad track and locating the same, doing no unnecessary damage to private property; and when the said route and location shall have been determined upon, and a survey thereof shall have been filed in the clerk's office of the county of Bergen, it shall be lawful for said company, its agents and employees, to enter upon, take possession of, hold, use, occupy and excavate such lands and to erect embankments and bridges and other necessary works thereon, and lay rails and do all other things suitable and necessary for the completion of said work, subject to such compensation and upon such terms as are hereinafter provided.

Proceedings
when compa-
ny and owners
cannot agree.

5. *And be it enacted*, That if the said corporation cannot agree with the owner or owners of any such lands required for said railroad track or for building the said dams or flowing back the water, as in this act mentioned, for the use or purchase thereof, or if by reason of the legal capacity or absence of such owner or owners no such agreement can be made, a particular description of the land so required for the use of the company shall be given in writing, under oath or affirmation of some officer or agent of said company, and also the name or names of the occupant or occupants, if there be any, and of the owner or owners, if known, and their residence, if the same can be ascertained, to one of the judges of the court of common pleas of the said county of Bergen, who shall cause the said company to give notice thereof to the persons interested, if known and in this state, or if unknown or out of this state to make publication thereof as he shall direct, for any time not less than twenty days, and to assign a particular time and place for the appointment of the commissioners hereinafter named, at which time, upon satisfactory evidence to him of the service or publication of such notice as aforesaid, he shall appoint under his hand and seal three disinterested and impartial freeholders, residents of this state, commissioners to examine and appraise the said lands and assess the damages, upon such notice, not less than twenty days, to be given to the persons interested, or otherwise, as shall be directed by the judge making the appointment of commissioners; and it shall be the duty of said commissioners (having first taken and subscribed an oath or affirmation before some person authorized to administer the same faithfully and impartially to examine the matter in question and make a true report according to the best of their skill and understanding,) to meet at the time and place appointed, to examine the said lands and to make a just and equitable appraisement of the value of the same, and an assessment of the damages to be paid by the said company; which report shall be in writing, under the hands and seals of said commissioners, or any two of them, and filed with the other papers in the clerk's office of said county, to remain of record; which report, or in case of appeal, the verdict of a jury and judgment thereon, and a certified copy thereof, (the damages and costs assessed and adjudged being first paid,) shall at all times be taken as plenary evidence of the right of the said company to have, hold, use, occupy, possess and enjoy the said lands; and the said judge shall have power to determine, upon the applica-

tion of either party, what costs, fees and expenses shall be allowed to the persons performing the duties prescribed in this section, and to order and direct by whom the same shall be paid.

6. *And be it enacted*, That in case the company or owner of any lands shall be dissatisfied with the award of the commissioners, the party so aggrieved may appeal to the circuit court of said county, at the next term after filing the said report, by proceeding in the form of petition to said court; and the said court shall have power to direct a proper issue for the trial of said controversy between the parties, and may order a jury to be empannelled and sworn as in other cases, and a view of the premises to be had if either party desire it, and the issue to be tried at the next term of said court, in the same manner, and upon the same notice, that other issues in said court are tried; and the jury shall assess the value of the said lands and the damages sustained, and if they find a greater sum than the commissioners have awarded or the company have offered to said owners, then judgment thereon, with costs, shall be entered against the said company, and execution awarded thereon; and if the owner of the land appeals and the jury find the same or a less sum than the commissioners awarded or the company offered, then the costs shall be paid by the said owner, and deducted from the amount awarded, or execution issued therefor; but such appeal shall not prevent the company from taking said land upon filing the aforesaid report, and depositing with the clerk of the county the amount of such assessment, for the use of said land owner.

Parties ag-
grieved may
appeal.

7. *And be it enacted*, That the second section of the act to which this is a supplement, and so much of the fourth and fifth sections as is inconsistent herewith, be and the same is hereby repealed.

Repealer.

Approved March 23, 1865.

CHAPTER CCLXXXVI.

An Act to legalizè certain acts of the citizens and township committee of Galloway township, in the county of Atlantic, in raising bounties.

Preamble.

WHEREAS, the inhabitants of the township of Galloway, did, at various times, in eighteen hundred and sixty-four, assemble and organize themselves into a town meeting, said meetings thus assembled did, by large majorities at each meeting, vote that the township committee be authorized to issue bonds of the township for the purpose of raising money to pay bounties, on the several calls for troops; and at the first meeting above mentioned, it was determined that the township committee should give the township's bonds, payable in one, two and three years, to the amount of three hundred dollars to each person that entered the service of the United States, or put in a substitute; and it was further ordered by said meeting that one-tenth of the amount of said bonds be assessed as a poll tax, and the balance on the taxable property of the township; and it was further ordered by said meeting that all drafted men that paid their commutation should be exempt from paying any part of the above assessments, and at a second meeting held for the purpose of increasing the bounty, on the call for July eighteenth, eighteen hundred and sixty-four, it was ordered that the same bounty be continued, and an additional sum of three hundred dollars be added to the same, and it was further ordered that one-half the last named sum shall be assessed as a poll tax, and the balance on the taxable property of the township; therefore,

Acts legalized.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the acts and doings of the citizens and township committee of the township of Galloway, in the county of Atlantic, mentioned in the preamble of this act, and the bonds given by the committee of said township, shall be, and are hereby declared to be valid in law against the said township, the same as if they had been done by an express act of the legislature for that purpose.

Duties of assessor and collector.

2. *And be it enacted*, That it shall be the duty of the assessor and collector to assess and collect the amount ordered by the township committee and pay the same over to the town-

ship committee, and by them or their clerk it shall be paid to the legal holders aforesaid of the township bonds.

3. *And be it enacted*, That it shall be lawful for the inhabitants of said township in town meeting assembled, by a two-third vote, to order the township committee to issue bonds to raise bounties, to fill the call of December, eighteen hundred and sixty-four, and any future call; *provided*, said amount shall not exceed six hundred dollars per man. May issue bonds.

4. *And be it enacted*, That it shall be the duty of the township committee to order the town clerk to call the meeting mentioned in section third of this act, by setting up one notice in each school district in said township, and said meeting shall appoint a chairman, and the town clerk act as clerk of said meeting, and said meeting shall vote viva voce. Clerk to call meeting.

5. *And be it enacted*, That this act shall be deemed a public act, and take effect immediately.

Approved March 23, 1865.

CHAPTER CCLXXXVII.

An Act to authorize the Glassborough and Carpenter's Landing Turnpike Company, in the county of Gloucester, to surrender a part of their road.

WHEREAS, the Glassborough and Carpenter's Landing Turnpike Company, in pursuance and by virtue of their charter, did construct and make a turnpike road from the Ellis Mill Road, near Whitney's Glass Works, in Glassborough, to a point in the Mullica Hill and Woodbury Turnpike in the village of Carpenter's Landing, a distance of nearly seven and a-half miles; and whereas, upon that part of their turnpike from Whitney's Glass Works to the seventh mile stone on said road, a distance of about three-eighths of a mile, the company have never charged or collected toll, and the company are desirous of surrendering that part of said road to the township of Clayton, in which it lies; therefore, Preamble.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said the Glassborough and Carpenter's Landing Turnpike Company be, and they are Part of road surrendered.

hereby authorized and empowered to surrender and give up that part of their said turnpike road, from the Ellis Mill Road, near Whitney's Glass Works aforesaid to the said seventh mile stone in Glassborough; and from and immediately after the passage of this act, the same shall be a public highway of the said township of Clayton, and be maintained and repaired as other public roads in said township; and the said company relieved of all liabilities and penalties to which they were liable under their said charter.

Approved March 23, 1865.

CHAPTER CCLXXXVIII.

An Act to incorporate the Union Car Manufacturing and Transportation Company.

Names of cor-
porators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That William A. Newell, William Cook, Benjamin Fish, William P. McMichael, William H. Van Nortwick, William A. Shreve and Robert S. Van Renselaer, and their associates, shall be and they are hereby declared to be a body corporate and politic, in fact and in law, by the name of "The Union Car Manufacturing and Transportation Company," for the purpose of manufacturing railroad cars of all descriptions and running the same upon all railroads with which said company may contract, and for that purpose shall be capable of purchasing, holding, leasing, mortgaging and conveying any lands, tenements, privileges, rights, goods and chattels, as may be useful or necessary for the purpose aforesaid.

Amount of
capital stock.

2. *And be it enacted*, That the capital stock of the said corporation shall be two hundred and fifty thousand dollars, divided into shares of one thousand dollars each, and the persons named in the first section of this act shall be commissioners to receive subscriptions to said capital stock, at such place in Bordentown, in the county of Burlington, as a majority of them may appoint, giving at least one week's notice thereof in two newspapers published in this state, one of which shall be published in the county of Burlington, and as

soon as one hundred thousand dollars of said capital stock is subscribed, and ten per centum thereof paid in, shall, upon such public notice as to said commissioners shall seem proper, call a meeting of the stockholders, for the purpose of choosing directors, and completing the organization of said company; *provided*, that each stockholder shall be entitled Proviso. to one vote for every share of stock, either in person or by proxy, by him or her held.

3. *And be it enacted*, That the affairs of said company shall be managed by not less than five nor more than seven directors, one of whom shall be president, and a majority of whom shall be a quorum for the transaction of business, who shall hold their offices for one year, and until others are chosen in their stead, and every year thereafter, at such time and place, and upon such notice as the by-laws may appoint, an annual election shall be held for directors; and the said directors may call in, collect and demand from the stockholders respectively, all such sums of money by them subscribed at such times and in such payments or installments as they shall deem expedient, and if default of payment shall be made for twenty days after personal demand, or by advertising at least three weeks in a newspaper printed in the county of Burlington, the directors may declare the shares so subscribed forfeited, together with all previous payments thereon. Election of directors.

4. *And be it enacted*, That the said directors shall have power to make by-laws needful for the government of said company concerning the management of its affairs; and in case of any vacancy in their number by death, resignation, or otherwise, the remaining directors shall fill such vacancy; and they may appoint such and so many subordinate officers as the business of the company may require, and fix their salaries, and also that of the president. Duties and powers of directors.

5. *And be it enacted*, That the stock of the said company shall be deemed personal estate, and shall be transferable upon the books of the company in such manner as the by-laws shall direct; and no dividends shall at any time be made except from the net profits of the company. Stock transferable.

6. *And be it enacted*, That in case an election for directors shall not be made on the day prescribed by the by-laws, the said corporation shall not therefor be deemed dissolved, but the said election shall be held on such other day that the directors may appoint. Not dissolved for failure to elect.

7. *And be it enacted*, That regular books of account shall

Books of account to be kept.

be kept in the office of the company at Bordentown, in the county of Burlington, to which books every stockholder may have free access at all reasonable times, for inspection.

Approved March 23, 1865.

CHAPTER CCLXXXIX.

Supplement to the act entitled "An act to incorporate the Paterson Orphan Asylum," approved March eleventh, eighteen hundred and sixty-four.

Trustees to be elected.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the property, affairs and concerns of the said corporation shall be managed and conducted by not less than fifteen nor more than thirty trustees, to be elected in the manner provided in the act to which this is a supplement.

Powers of trustees.

2. *And be it enacted*, That the said trustees, or a majority of them, shall have power to bind out the children which shall from time to time be under their care in the said Asylum to trades or domestic services, or otherwise to dispose of them so as to secure their future welfare.

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

Approved March 23, 1865.

CHAPTER CCXC.

An Act to revise and amend the charter of the city of Rahway.

TITLE FIRST.

OF THE BOUNDARIES AND CIVIL DIVISIONS OF THE CITY.

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Boundary} *the State of New Jersey,* That all that district of country in ^{lines.} the county of Union, contained within the boundary lines of the city of Rahway as now established by law, shall continue to be a city by the name of the city of Rahway, and all the inhabitants of this state, within the limits aforesaid, shall continue forever hereafter to be a body corporate and politic in fact and in name, by the name, "The Mayor and Common Council of the city of Rahway."

2. *And be it enacted,* That the city of Rahway shall con- ^{Four wards.} tinue to be divided into four wards, the boundaries of which shall be the same as heretofore constituted by law.

TITLE SECOND.

OF THE ELECTION, APPOINTMENT AND REMOVAL OF CITY AND WARD OFFICERS.

3. *And be it enacted,* That the mayor shall be the chief ex- ^{Mayor.} ecutive officer of the city of Rahway; he shall be elected at the annual charter election in each and every year, and hold his office for the term of one year, and shall possess the powers and privileges, and perform the duties which are hereinafter specified.

4. *And be it enacted,* That the city officers shall consist ^{City officers.} of a mayor, a city clerk, a city treasurer, a receiver of taxes, an overseer of the poor, a city attorney, a superintendent of the almshouse, three chosen freeholders, one coroner, and such other officers as are hereinafter mentioned.

5. *And be it enacted,* That the ward officers of said city ^{Ward officers.} shall consist of three councilmen, one assessor, one commissioner of appeals in cases of taxation, three commissioners of public schools, one judge of election, two inspectors of election,

one ward clerk, one constable, and such other officers as are hereinafter mentioned.

Board of education.

6. *And be it enacted*, That the board of education of said city shall consist of three commissioners of public schools in and for each of the wards of said city as heretofore.

Council.

7. *And be it enacted*, That the common council of the city of Rahway shall consist of three members in and for each of the wards of said city, who shall be divided into classes as hereinafter provided.

Annual election of officers

8. *And be it enacted*, That an election by ballot shall be held in each of the wards of said city on the second Tuesday of April next, and on the second Tuesday of April in every year thereafter, between the hours designated by law for holding the annual state elections, at such places as the common council shall appoint, and of which at least two weeks previous notice shall be given by the common council, in one or more of the newspapers published and circulated in said city; at which time there shall be elected in and for the said city, one mayor, three chosen freeholders, and one coroner, who shall hold their offices respectively for one year; and at the said election on the second Tuesday in April next, in and for each of the wards of said city, there shall be elected three councilmen, who shall at their first meeting divide by lot the members from each ward into three classes; the seats of the first class shall be vacated at the end of the first year; the seats of the second class shall be vacated at the end of the second year, and the seats of the third class shall be vacated at the end of the third year, and at each annual election thereafter there shall be elected one councilman in each ward who shall hold his office for the term of three years; and at the said election on the second Tuesday in April next, and on the second Tuesday in April in every year thereafter, in and for each of the wards of said city, there shall be also elected one assessor, one judge of election, two inspectors of election, one ward clerk, one commissioner of appeal in cases of taxation and one constable, who shall hold their offices respectively for the term of one year, and one commissioner of public schools, who shall hold his office for the term of three years; *provided*, that in the election of inspectors of election no ballots shall contain the name of more than one person to be voted for as an inspector of elections, and in case any ballot voted shall contain the names of more than one person voted for said office, both names shall be rejected; when justices of the peace for the several wards of said city are required to be chosen, they

Proviso.

shall be elected at the time prescribed by this act for the election of city and ward officers.

9. *And be it enacted*, That every person who shall by the existing laws of the state be entitled to vote at an election for members of the legislature, if held on that day shall be entitled to vote at said charter election; and that every person voting shall vote in the ward in which he actually resides on the day of election, and in no other. Who entitled to vote.

10. *And be it enacted*, That all elections hereafter to be held within the said city for officers of the county of Union, or any officer or officers of the state or general governments, shall be held in the several wards of the said city on the day or days which may be appointed for holding such elections, at such places as may be designated by the common council; the judges and inspectors of elections, in the several wards, shall preside at and conduct such elections, and the ward clerks of the said wards shall be the clerks of such elections in their respective wards; every person in said city entitled to vote at such elections shall vote in the ward wherein he actually resides at the time of such election, but not elsewhere; and such elections shall be conducted according to the act entitled "An act to regulate elections," and the several supplements thereto. Manner of conducting election.

11. *And be it enacted*, That the said judge and inspectors of election shall take the same oaths, and conduct such elections and make returns thereof in the same manner, except as hereinafter provided in reference to the annual charter election, as township officers of elections are or may be required by law to do, and shall be vested with the same powers and authority, entitled to the same compensation, and perform the same duties, and be subject to the same penalties as the like officers of the townships of this state are, or may be, by law vested with, allowed or subject to; and if any of said officers of election shall neglect to take the oath of office and file the same with the city clerk within ten days after having been notified of their election, the common council may appoint others in their stead; and in case of the absence by death, incompetency or refusal to serve, of any of the said officers of election, at any election provided for by this act, such vacancy or vacancies shall be supplied in the manner prescribed by law for supplying such vacancies in the townships of this state; and the ward clerks of the said wards respectively shall procure election boxes for the use of their wards, in such manner and of such description as are required. Powers and duties of officers.

to be procured by the township clerks of this state, and be subject to the same penalties as township clerks are subject to for neglecting to procure such boxes, and keep the same in repair.

Statement to
be made.

12. *And be it enacted*, That at every annual charter election immediately after the closing of the poll, the judges of election in each ward shall count the votes given for the several candidates, and certify the result, in the manner required by law for making a statement of the result of state elections for members of the legislature, and deliver the same to the ward clerk, who shall, within three days after such election, deliver the same to the city clerk, who shall lay the same before the common council of said city, at a meeting which they are hereby required to hold on the Monday next succeeding such election, at ten o'clock in the forenoon, and the common council, shall, at said meeting, in a public manner, proceed to canvass the number of votes given for the respective candidates, and the persons having the highest number of votes shall be declared elected, the original certificates of the officers of the several wards shall be filed by the city clerk, in his office, the result of said canvass by the said council shall be recorded in the book of minutes of said council, and the persons so declared elected to the offices for which they have been voted for respectively, shall enter into and continue in office, as is hereinbefore in that behalf provided; and if any officer, except mayor, councilmen, or justice of the peace, shall not have been chosen by reason of two or more candidates having received an equal number of votes, the common council of said city shall, at their first meeting, elect by ballot such officer from the candidates having such equal number of votes.

Special elec-
tion to fill va-
cancies.

13. *And be it enacted*, That whenever a vacancy shall occur in the office of mayor, councilmen or justice of the peace by the refusal or neglect of such officer to take the oath of office within the time required by law, by his resignation, death, ceasing to be an inhabitant of the city or ward for which he shall have been elected, or by any other cause, the common council of said city may appoint a special election to be held in the several wards of said city, or in the ward in which such vacancy has taken place, to supply such vacancy, of which special election the same notice shall be given as is required by this act to be given of the annual charter election of said city; and such special election shall be conducted, and the result be determined and certified in the

manner prescribed in this act for conducting and determining the result of the annual election in the said city for the same office.

14. *And be it enacted*, That in case of death, resignation, inability, disqualification, removal from office, neglect or refusal to act, or removal out of the city or ward, of any of the officers thereof, (except mayor, councilmen, or justices of the peace), it shall be lawful for the common council to appoint others in their stead until the next charter election, or, in the case of appointed officers, until the regular period for appointment, who shall during the said time perform the like services, be entitled to the same fees and be subject to the same responsibilities as though elected at the annual election or appointed at the regular time.

15. *And be it enacted*, That every person elected or appointed to any office, in pursuance of this act, or of any law or ordinance of the common council, shall, before he enters upon the duties of such office, take and subscribe, before any person residing within the limits of said city, authorized to administer oaths or affirmations, an oath or affirmation faithfully and impartially to execute the duties of his office, according to the best of his knowledge, skill and ability, and such other oaths as may be required by the laws of this state; all such oaths or affirmations shall be filed by the city clerk in his office, and there preserved; the city treasurer, assessors, receiver of taxes, constables, and such other officers as the common council may require, shall also, before entering upon their duties, each give bond to the said mayor and common council in such sum and with such sureties as the common council may direct and approve, or as may be required by any act of the legislature of this state, conditioned for the faithful performance of the duties of their respective offices; and if any person shall neglect to take such oath or give such security as may be required of him, as aforesaid, for ten days after notice of his election or appointment, he shall be considered as having declined such office, and the same shall be deemed vacant.

16. *And be it enacted*, That no person shall be eligible to any office in said city, unless he shall then be an elector and resident thereof; nor shall he be eligible to any office for any ward, unless he shall then be an elector and resident of such ward; and when any officer elected at any such election shall cease to reside in said city, or if elected for any ward,

shall cease to reside in such ward, his office shall thereby become vacant.

Term of office,
when to com-
mence.

17. *And be it enacted*, That the term of office of the justices of the peace and chosen freeholders of said city, shall commence at the time or times provided by law; the term of office of all other officers elected at the annual charter election, as herein provided, shall commence on the first Monday in May succeeding such election; the term of office of the street commissioner or street commissioners and superintendent of the alms house, shall commence on the first Monday in February; the term of office of all the other officers appointed by the common council, and of all officers appointed by the mayor with the advice and consent of the common council, shall commence on the second Monday in May; and no appointment of any officer for the full term, shall be made more than one week prior to the commencement of the official term of the office to which such officer may be appointed.

Officers to be
appointed by
council.

18. *And be it enacted*, That the common council shall from time to time appoint by a majority of the whole number of the members of said common council, a city clerk, a receiver of taxes, one or more street commissioners, a city surveyor, a city attorney, an overseer of the poor, a superintendent of the alms house, two or more police justices, two or more policemen, and such other subordinate officers not herein named as they shall deem necessary for the better ordering and governing of said city, and the carrying into effect the powers and duties conferred and imposed upon the said common council by this act; and there shall be nominated by the mayor and appointed by him, with the advice and consent of a majority of the whole number of councilmen, one person to be chief of police, and one person to be city treasurer, who shall also be auditor of accounts.

Term of office.

19. *And be it enacted*, That every person who shall be appointed to any office under the provisions of this act shall continue in office for one year from the commencement of the official term of said office, and until his successor is appointed and qualified to succeed him, unless the office to which he may have been appointed shall be declared vacant, or unless he shall be removed in the manner hereinafter prescribed; persons appointed to fill vacancies shall be appointed for the unexpired term only.

Officers may
be removed.

20. *And be it enacted*, That any city or ward officer, except the mayor, may be removed from office for cause, by res-

olution of the common council; *provided*, that no such removal shall take place until the party sought to be removed has had an opportunity to be heard in his defence, nor unless two-thirds of all the members of the common council elected vote therefor; whenever any such removal shall take place, the cause therefor, together with the ayes and nays upon the vote taken, shall be entered at large on the journal of the common council; *provided further*, that police officers may be removed in such manner as shall be prescribed by ordinance of the common council.

Proviso.

Proviso.

TITLE THIRD.

POWERS AND DUTIES OF THE COMMON COUNCIL.

21. *And be it enacted*, That the councilmen of the said city duly elected by the several wards thereof, shall constitute and be called the "Common Council of the city of Rahway."

Common council.

22. *And be it enacted*, That the common council shall annually elect a president from its own body, and in case of his absence, a president pro tempore, determine the rules of its own proceedings, require the attendance of absent members, and be judge of the election, returns and qualifications of its own members, and shall have power to issue writs of subpoena ad testificandum for, and administer oaths and affirmations to witnesses, keep a journal of its proceedings, and may fine, punish or expel a member for disorderly conduct or a violation of its rules; the first meeting of the common council shall be on the first Monday in May, yearly and in every year.

President to be elected.

23. *And be it enacted*, That a majority of the whole number of councilmen shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time and compel the attendance of absent members; the mayor and the president of the common council, or either of them, shall be authorized to call special meetings of the common council; and on the request of three members of the common council, in writing addressed to the mayor, it shall be his duty to call a special meeting.

Quorum.

24. *And be it enacted*, That no ordinance shall be passed by the common council except with the concurrence of a majority of all the members of the common council; and no ordinance shall be adopted, unless introduced at a previous meeting of the common council; every ordinance passed by the common council shall before it takes effect, be presented to the mayor by the clerk of the common council, duly certi-

Of ordinances.

fied by said clerk, and signed by the president or president pro tempore of the common council; if he approve it he shall sign it; if not, he shall return it with his objections, and file it with the clerk within five days after he shall have received it; and the said common council shall, at its first regular meeting thereafter, proceed to reconsider the same, and if two-thirds of all the members of the common council agree to pass the same it shall take effect; if such ordinance shall not be returned within five days, as aforesaid, it shall take effect in like manner as if he had signed it; but no ordinance shall become operative until it shall be published for one week in at least one newspaper published in said city; *provided*, that whenever the common council shall cause a revision of the ordinances of the city to be made, and shall direct the same to be published in a printed volume, it shall not be necessary to publish such revised ordinances in a newspaper.

Proviso.

Duties and powers of council.

25. *And be it enacted*, That the common council of said city shall have power, within the said city, to make, establish, publish, and modify, amend or repeal ordinances for the following purposes:—

Finances.

I. To manage, regulate, and control the finances and property, real and personal, of the city.

To preserve public peace.

II. To prevent vice and immorality, to preserve public peace and good order, to prevent and quell riots, disturbances, and disorderly assemblages in said city, and at the depots of the railroad companies, at or near public schools, engine houses, or places of worship; to restrain and punish all acts tending to disturb the public schools or places of worship, or to annoy and disturb persons passing to and from such places, and to prevent and punish the unauthorized riding upon locomotive engines, or cars of the railroad companies passing through the said city.

Gaming houses, &c.

III. To restrain and suppress disorderly and gaming houses, and houses of ill fame, all instruments and devices used for gaming, and to prohibit all gaming and fraudulent devices;

Victualing houses.

IV. To regulate victualing houses, or cellars, billiard tables and bowling saloons;

Public performances.

V. To prohibit, restrain and regulate all sports, exhibitions of natural or artificial curiosities, caravans of animals, theatrical exhibitions, circuses or other public performances and exhibitions for money.

VI. To ascertain and establish the boundaries of all streets,

highways, public lanes, and alleys in said city, and to prevent and remove all encroachments upon said streets, highways, lanes and alleys; Boundaries of streets.

VII. To regulate, clean, and keep in repair the streets, highways, bridges, wharves and docks in said city, and to prevent and remove obstructions and incumbrances in and upon all streets, highways, sidewalks, crosswalks, bridges, sewers, drains, aqueducts, water-courses, wharves or docks, in any manner whatever; to prescribe the manner in which corporations or persons shall exercise any privilege granted to them in the use of any street, highway or alley in said city, or in digging up said street, highway, or alley for the purpose of laying down pipes, or any other purpose whatever, and to prohibit and prevent any such use or work at such times and seasons of the year as they may designate; to direct and regulate the planting, rearing, trimming and preserving of ornamental shade trees in the streets, parks, and grounds of the city, and to authorize or prohibit the removal or destruction of such shade trees; and to enforce the removal of snow, ice or dirt from the sidewalks and gutters, by the owners or occupants of the premises fronting thereon; Regulation of streets.

VIII. To prevent or regulate the erection or construction of any stoop, step, platform, bay window, cellar door, area, descent into a cellar or basement, sign or any post or erection, or any projection or otherwise, in, over or upon any street or avenue, and to remove the same in a summary manner, at the expense of the owner or occupant of the premises; To regulate the erection of stoops, &c.

IX. To prevent and punish horse-racing, and immoderate driving or riding in any street, and to authorize the stopping and detaining of any person who shall be guilty of immoderate driving or riding in any street, and to regulate the speed and running of locomotive engines and railroad cars through said city, and designate the crossings at which any railroad company shall be required to station flag-men or signals to warn travellers of the approach of locomotive engines or railroad cars. To prevent fast driving.

X. To prohibit the driving of any drove or droves of cattle through any of the streets of the city on the first day of the week, commonly called Sunday, and to regulate the same at other times; Cattle.

XI. To regulate, protect, and improve the parks, and other public grounds in said city; Public grounds.

XII. To provide lamps and gas fixtures, and to light the Lamps, &c.

streets, parks, and public places of every description in said city;

Aqueducts,
&c.

XIII. To make and regulate wells, pumps, aqueducts and cisterns in the public streets and squares;

Pounds.

XIV. To establish and regulate one or more pounds, and to prevent the running at large of horses, cattle, swine and other animals, geese and other poultry, and to authorize the impounding and sale of the same for the penalty incurred and the costs of keeping, impounding, and sale thereof;

Dogs.

XV. To regulate and prevent the running at large of dogs, to authorize the destruction of dogs running at large, and to impose taxes on the owners of dogs;

Contracts.

XVI. To prescribe the manner in which all contracts for performing work or furnishing materials for the city shall be made and executed;

Markets.

XVII. To locate, regulate and remove slaughter houses, establish and regulate public markets, license and regulate butchers, designate the places, times and manner of selling meats, fish, fruits and vegetables, and to prohibit persons from selling such articles without license;

Sale of hay,
&c.

XVIII. To prescribe and regulate the places of vending or exposing for sale hay, straw or wood from wagons or other vehicles;

To prevent
annoyances.

XIX. To regulate and prohibit any practice having a tendency to frighten animals or to annoy persons passing in the streets or on the sidewalk in said city;

Vagrants.

XX. To restrain and punish drunkards, vagrants, mendicants and street beggars;

Board of
health.

XXI. To establish a board of health, to define its powers and duties, and provide for the protection and maintenance of the health of the city;

Nuisances.

XXII. To abate or remove nuisances of every kind, and to compel the owner or occupant of any butcher's stall, tallow chandler shop, soap factory, cellar, stable, privy, hog pen, sewer, or other offensive or unwholesome house or place, to cleanse, remove or abate the same from time to time, in a summary manner, as often as they deem necessary for the health, comfort and convenience of the inhabitants of the city, at the expense of the owner or occupant thereof;

Burial of the
dead.

XXIII. To regulate the burial of the dead, prohibit interments within such limits as it may prescribe, and direct the keeping and return of bills of mortality;

Cartmen, ped-
lars, &c.

XXIV. To license and regulate cartmen, hackmen, auctioneers, common cryers, hawkers, pedlers, pawnbrokers, junk

shop keepers, dealers in second-hand articles, and scavengers, and to fix the rates of compensation to be allowed to them, and to prohibit unlicensed persons from acting in such capacities;

XXV. To regulate the ringing of bells, and the crying of ^{Ringings of} goods and other commodities for sale at auction or otherwise, ^{bells.} and to prevent disturbing noises in the street;

XXVI. To regulate or prohibit swimming or bathing in the ^{Bathing.} waters of or bounding the city;

XXVII. To regulate weights and measures in conformity ^{Weights and} with the standard of weights and measures established by law, ^{measures.} and to require every merchant, retailer and dealer in merchandise or property of any description, which is sold by measure or weight, to cause his or her weights and measures to be sealed by the city sealer, and to be subject to his inspection;

XXVIII. To establish, regulate and control a day and ^{Police.} night police, and to regulate and define their duties;

XXIX. To establish, regulate and control a fire depart- ^{Fire depart-} ment; to regulate and define the manner of appointment ^{ment.} and removal of the officers and members of the fire department, their duties and their compensation; to provide fire engines and other apparatus, and engine houses and other places for keeping and preserving the same, and to provide water for extinguishing fires;

XXX. To regulate and control the manner of building ^{Regulation of} dwelling houses and other buildings, and to prohibit within ^{buildings.} certain limits, to be from time to time prescribed, the building or erection of any dwelling house, store, stable or other building of wood or other combustible materials; to regulate the construction of chimneys, and to compel the sweeping thereof; to prevent the setting up or construction of furnaces, stoves, boilers, ovens, or other things in such a manner as to be dangerous; and to require all such acts to be done, and to regulate or prohibit the doing of all such acts as they may deem proper, to prevent the occurrence and provide for the extinguishment of fires in said city;

XXXI. To widen, level, grade, flag or re-flag, curb or ^{Paving} re-curb, gutter or re-gutter, pave or re-pave, or gravel the ^{streets, &c.} side walks in any highway, avenue, street, or section or sections thereof, to prescribe the manner in which any such work shall be performed, and the mode in which the expense thereof shall be ascertained, and to cause such expense to be assessed on the adjoining lots, whether improved or unim-

proved, and to determine the time and manner in which such assessment shall be collected;

Draining and filling up lots, &c.

XXXII. To direct the digging down, draining, filling up or fencing of lots, pieces, or parcels of ground, in said city which shall be deemed dangerous or unwholesome, or necessary to carry out any improvement authorized by this act, to prescribe the manner in which the said work shall be performed, and to cause the expense thereof to be assessed on such lots, pieces, or parcels of ground, whether improved or unimproved, and collected in the same manner as for regulating, grading, and paving streets;

Taxes.

XXXIII. To adopt all legal and requisite measures for levying and collecting the taxes;

To define duties of officers.

XXXIV. To prescribe and define the duties of all officers appointed by the common council, and their compensation, and the penalty or penalties for failing to perform such duties, and to prescribe the bonds and sureties to be given by the officers of the city for the discharge of their duties, and the time for executing the same, in cases not otherwise provided for by law;

To fix compensation.

XXXV. To fix and determine a reasonable compensation to be paid to any officer of said city, or other person employed by them, for any service required of him by this act, or by any ordinance or resolution passed by them, for which no specific fee or compensation is provided by this act, to be paid by the person or persons for whom such service shall be performed for the use of the city.

Council may make ordinances.

26. *And be it enacted*, That the common council shall have power to make, establish, alter, modify, amend and repeal all such other ordinances, not contrary to the laws of this state or of the United States, as they may deem necessary to carry into effect the powers and duties conferred and imposed on them by this act, or by any other law of this state; and the said common council shall have power to adopt by-laws, resolutions, rules and regulations, to carry out any ordinance duly enacted, or to enforce any law of this state, or any part of this act, which they may be authorized or required to perform without an ordinance.

Penalties for violation of ordinances.

27. *And be it enacted*, That in all cases where, by the provisions of this act, the common council have authority to pass ordinances on any subject, they may prescribe a penalty or penalties for the violation thereof, either by imprisonment not exceeding ten days, or by fine not exceeding one hundred dollars, to be recovered with costs, in an action of debt,

and in the name of "The treasurer of the city of Rahway," for the use of the said city, before any police justice thereof, justice of the peace, or court having cognizance thereof; the books of record of the ordinances of the city of Rahway shall be taken and received as evidence of the passage, according to law, of all ordinances duly recorded therein; and the publication of the said ordinances in a newspaper, according to law, shall in all cases be presumed to have been made, until the contrary be proved.

28. *And be it enacted*, That the common council shall have power to build, establish, keep, and maintain one or more workhouses, and one or more almshouse or almshouses, for the relief of the poor; and shall have power, by ordinance, to regulate the said houses, and to direct or order what persons shall be placed therein, and for what length of time, and the manner of ordering, placing and keeping persons therein. Council may establish work houses.

29. *And be it enacted*, That the sole and exclusive power to grant licenses to persons to keep inns and taverns, within said city, shall be vested in the common council; and they are authorized to revoke such licenses, for cause shown. Licenses.

30. *And be it enacted*, That the common council shall have power to borrow money from time to time, for all purposes for which they are authorized to raise money by tax, not exceeding in the whole the sum of fifty thousand dollars, and to secure the payment thereof by bond or other instrument, under their common seal, and the signature of the mayor of said city, and to provide by tax for the payment thereof; but notwithstanding the limitation aforesaid, it shall be lawful for the common council to make temporary loans for a period not exceeding, with any renewals thereof, one year, in anticipation of city taxes, and of assessments for laying out and opening, straightening, altering or widening any street, road, highway, or alley, and for the construction of sewers, and the regulating, grading and paving of streets and sidewalks, which loan shall not exceed the amount of such anticipated assessments and taxes, and to secure the payment thereof in manner aforesaid; *provided*, it shall also be lawful for the common council to borrow such sum or sums of money as shall be requisite to defray the expense of any work or improvement by them ordered or executed, in pursuance of any of the provisions of this act, and to issue the bonds of the city for any sum or sums borrowed for such purposes, redeemable in not over ten years from the issue May borrow money. Proviso.

thereof; and the common council are hereby authorized to postpone the collection of any assessment on the owners of lands and real estate for any such work or improvement, until the said bonds shall become due and payable; but an assessment may be yearly levied on the owner or owners of such lands and real estate for the interest on such assessment or assessments, and such per centum of the principal as the common council shall direct.

TITLE FOURTH.

OF THE POWERS AND DUTIES OF CITY OFFICERS, AND THE ENFORCEMENT OF THE ORDINANCES OF THE CITY.

Mayor to
make state-
ment.

31. *And be it enacted*, That it shall be the duty of the mayor to communicate to the common council, at their first meeting in each year, and at other times when he shall deem it expedient, a general statement of the situation and condition of the city in relation to its government, finances and improvements, with such recommendations as he may think proper; to be vigilant and active in causing the laws and ordinances of the city to be duly executed and enforced, and to exercise a constant supervision over the conduct and acts of all subordinate officers, and to examine into all complaints preferred against them for a violation or neglect of duty, and generally to perform all such duties as may be required of him by law; he may, under the direction of the common council offer rewards for the detection or apprehension of the perpetrator of any offences against the city ordinances, or of any high crime or misdemeanor committed within the city, to be paid on the conviction of the criminal.

Powers of
mayor.

32. *And be it enacted*, That the mayor is hereby invested with all the powers which any police justice of the said city is now or may hereafter be invested with, and that the said mayor is hereby authorized, on witnessing any breach of the peace, forthwith to commit the offender for a hearing, without the issuing of any warrant or process; and that for the purpose of quelling any insurrection, riot, disturbance or disorderly assemblage, the said mayor shall have the control of the constables and police force of said city, and the power to call upon the citizens for aid in all cases of insurrection, riot, or disturbance of the public peace; and when he shall deem it necessary, to call out the militia of the said city, and to employ the same in quelling such insurrection, riot, or

disturbance; every member of the common council shall have the power, and it shall be his duty to arrest or cause to be arrested, any person engaged in his presence in disturbing the public peace, or violating any law of the state or ordinance of the city for the preservation thereof, or of good order or morality, and to bring, or cause such person or persons to be brought before some magistrate, to be dealt with according to law.

33. *And be it enacted*, That whenever there shall be a vacancy in the office of mayor, or whenever the mayor shall be prevented, by absence from the city, sickness, or any other cause, from attending to the duties of his office, the president of the common council, or if the said president shall be absent or disabled, the president to be elected pro tempore, shall act as mayor, and possess all the rights and powers of the mayor during the vacancy in office caused by the absence or disability of the mayor or president of the common council.

34. *And be it enacted*, That the chosen freeholders, commissioners of appeal in cases of taxation, overseer or overseers of the poor, constables and city clerk elected or appointed as aforesaid, shall respectively possess the powers and perform the duties of the like officers of any township of this state so far as such powers and duties shall be consistent with the provisions of this act; and that the receiver of taxes shall possess the powers and perform the duties of collectors of the several townships; so far as such powers and duties shall be consistent with the provisions of this act; the assessor and judge and inspectors of election of each of the wards of said city shall respectively possess the powers and perform the duties of the like officers of any township of this state, to the same extent and in the same manner in all respects as if each of the wards of said city was constituted a separate township of the county of Union, so far as such powers and duties shall be consistent with the provisions of this act; and that the members of the common council of the said city, collectively and individually shall possess the powers and perform the duties which by law belong to or are imposed upon members of the township committee of any township in this state, collectively or individually, so far as such powers and duties are consistent with the provisions of this act; and each of the wards of said city for general purposes not provided for by this act, shall be regarded as a township.

35. *And be it enacted*, That the city treasurer shall receive Treasurer.

all moneys belonging to the city, and shall deposit and keep the same as directed by the common council, and shall keep an account of all receipts and expenditures in such manner as the common council shall direct, and shall perform such other duties appertaining to his office as may be required of him by law, or by any ordinance or resolution of the common council; as auditor of accounts he shall receive all accounts against the city, except those contracted for school purposes by the board of education, examine them and ascertain if they are correct, and determine what amount, if any, should be allowed thereon, and report the same to the common council; he shall keep a book or books of all accounts brought to him to be audited, in which shall be entered the name of the claimant, the nature of the claim, work done or service rendered, and the amount allowed thereon, which book or books shall be at all times open to the inspection of the public; and the common council shall have authority to reject or pay the amount allowed on any account audited by said treasurer; but no account, and no portion of any account, disallowed by said treasurer, shall be ordered to be paid by the common council except by a vote of three-fifths of the whole number of councilmen elected; and he shall cause to be made out and published in one or more newspapers printed in said city, at least ten days before the annual city election, a detailed statement of the amounts received into the treasury from the taxable inhabitants, under the different heads of assessment, and all other sums received, specifying from what source; also the disbursements from the treasury under the different heads of appropriation; *provided*, that the bonds of the city, when they become due and payable, with the interest thereon, and the interest on loans in anticipation of taxes or assessments, the monthly payment to families of militiamen, and the state and county taxes, may be paid on the report of the city treasurer, by the warrant of the mayor, countersigned by the city clerk, without an order of the common council; *and provided further*, that the common council may order warrants drawn for extraordinary purposes, by resolution adopted by the affirmative vote of two-thirds of the whole number of councilmen, and approved by the mayor or acting mayor; and the common council may also regulate by ordinance the manner in which advances shall be made by the treasurer, to contractors and others, for account of the street improvements, or to the overseer of the poor or superintendent of the almshouse, for the purchase of supplies for the relief of the poor.

Proviso.

Proviso.

36. *And be it enacted,* That the receiver of taxes for said city shall, before entering upon the duties of his office, enter into bond to the mayor and common council of the city of Rahway, with at least two sureties, to be approved by the mayor and common council of said city, in the penal sum of ten thousand dollars, conditional for the faithful performance of the duties of his said office as prescribed by this act. Receiver of taxes.

37. *And be it enacted,* That the receiver of taxes shall have the power to appoint, with the consent of the common council, one or more deputies, who shall have power to do all and every act or acts which it may be lawful for the said receiver of taxes to do; and every warrant directed to him may be executed, by his deputy or deputies, or either of them, in as full and complete a manner as if executed by the said receiver of taxes; the said deputy or deputies to give such security for the faithful performance of their respective offices, as the common council shall direct. May appoint deputy.

38. *And be it enacted,* That the office of the said receiver of taxes shall be kept in such place in said city, and for such time as shall be, by resolution of the said common council, assigned for that purpose; and it shall be the special duty of the said receiver of taxes to receive all taxes which may be paid at the said office, and to retain the possession in the said office, and not elsewhere, of the warrants and assessment rolls which shall from time to time be delivered to the said receiver of taxes by the assessors of the different wards of said city, as prescribed by this act. Where office to be kept.

39. *And be it enacted,* That the said receiver of taxes shall enter, in suitable books to be kept for that purpose, the sums received by him for taxes, respectively, and the ward for which received, with the names of the persons on whose account the same shall be paid, on each day, and shall at least twice in each week, furnish to the treasurer a detailed statement of such sums, designating the amounts received under the different heads of assessment, and the ward for which received, and shall also at the same time pay over to the said treasurer the amount so received; he shall thereupon receive from the said treasurer a voucher for the payment of such sum or sums, which he shall file in the office of the city clerk, to be presented to the common council. Taxes to be entered in books.

40. *And be it enacted,* That if at any time during the continuance in office of the said receiver of taxes, the said common council shall deem the sureties of the said receiver of taxes insufficient, they may require him to enter into a new bond, with the like sureties, and to be approved in like man- Sureties.

ner as hereinbefore prescribed, within such time as they may direct: and in case of his neglect or refusal to furnish such bond within the time so directed, the said common council may declare his office vacant; and in case of the inability of the said receiver to perform the duties of his office, by reason of sickness or absence from the city, the common council may designate some suitable person to perform the duties of his office during such inability, and shall, in their discretion, take from such person a bond, with sufficient sureties.

City clerk.

41. *And be it enacted,* That the city clerk shall be the clerk of the common council, and in addition to the other duties required of him by this act or by the common council of said city, shall have charge of all the records, books, papers, and documents of the city, countersign all licenses signed by the mayor, and keep the record of the proceedings of the common council; he shall engross all the ordinances of the common council in a book to be provided for that purpose, with proper indices, which book shall be deemed a public record of such ordinances, and each ordinance shall be signed, in said book, by the mayor or acting mayor, and said clerk; copies of all papers, duly filed in his office, and transcripts thereof, and of the records and proceedings of the common council, and copies of the laws or ordinances of the said city, certified by him, under the corporate seal, shall be evidence in all courts and places; he shall also receive and pay over to the treasurer all moneys which by any law or usage may be paid to the clerk of the city; he shall draw all warrants on the treasurer, and all such warrants shall be signed by the mayor and city clerk; no warrant shall be drawn on the treasurer, unless in pursuance of an order of the common council and entered in their minutes, except as otherwise authorized by this act; all such warrants shall be numbered and made payable to the order of the person or persons entitled to receive the same, and shall specify for what purpose the amount therein mentioned is directed to be paid; the city clerk shall enter in the margin of a book, to be provided for that purpose, to be called "the warrant book," opposite to said warrant, the number, date, and amount of the same, the date of the order or resolution authorizing it to be drawn, the purposes for which it was ordered, and the name of the person or persons to whose order the same is made payable; and before he delivers the same, shall take a receipt therefor in said book at the bottom of said marginal entry, from the party to whom the said warrant is made payable, or his, her or their agent or attorney.

42. *And be it enacted,* That the city sealer of weights and measures shall possess the powers and be subject to the obligations conferred and imposed upon him by law, or by the ordinances of said city; and the standard of weights and measures of this state, for the approving and sealing of the same in the several counties thereof, shall be the standard of weights and measures for the said city of Rahway. Scaler of weights and measures.

43. *And be it enacted,* That the street commissioner or street commissioners, city attorney, chief of police, and all other officers appointed by the common council not herein named, shall possess the powers and be subject to the obligations conferred and imposed upon them by law, or by the ordinances, by-laws, rules and regulations of the common council; the street commissioner or street commissioners shall also possess the powers and perform the duties of surveyors of the highways in townships where such powers and duties are not inconsistent with the provisions of this act. Powers of street commissioners &c.

44. *And be it enacted,* That all citizens in the military service of the United States, the chief engineer of the fire department, assistant engineers and firemen of said city, shall during their term of service be exempt from all poll and state military taxes, and from serving as jurors, or in the militia in time of peace; exempt firemen, who have received, or shall hereafter receive certificates, under the common seal, that they have served as firemen in the said city for the term of five years shall be exempt from further duty as firemen, and shall be and remain thereafter exempt from all poll and state military taxes, and from serving in the militia in time of peace; members of the active uniformed militia shall be exempted from poll and state military taxes; all citizens who have been honorably discharged from the military service of the United States shall be exempt from all poll and state military taxes and state and municipal poll taxes for war purposes during the period of their exemption from military duty by reason of such service; *provided,* that the persons hereby exempted from poll and military taxes, shall not be exempted from the assessment and payment of any taxes on the real and personal property held by them. Who exempted from poll tax, &c.

45. *And be it enacted,* That the special police justices appointed by authority of this act shall have jurisdiction within the limits of said city to hear, try and determine all causes and complaints arising from the violation of any city ordinance, and shall have power, on oath, affirmation or affidavit made according to law, that any person or persons has or have violated any of the ordinances of the city, to issue a process in Police justices

the corporate name of said city, either in the nature of a summons or of a warrant, as to him may seem most advisable, against the person or persons so charged with violating such ordinance, which process shall, when in the nature of a warrant, be returnable forthwith, and when in the nature of a summons, be returnable in not less than five nor more than fifteen days from the service thereof; such process shall state what ordinance the defendant or defendants named therein has or have violated, and in what manner and the time when the same has been violated; on the return of such process, or at the time to which the same shall be adjourned, the justice who shall have issued said process shall proceed to hear testimony and to determine and give judgment in the matter, without the filing of any pleadings, and, if judgment shall be rendered for the plaintiff, forthwith issue execution against the goods and chattels, and the person of the defendant or defendants; and if judgment of imprisonment be given, to carry such judgment into effect, by warrant of commitment, under his hand and seal, directed to the keeper of the common jail of the county of Union. and the keeper of the said jail is required to receive into his custody, and keep in the same manner as other prisoners of the county of Union, all persons committed to his charge by virtue of any execution or warrant of commitment issued by any such justice; *provided*, that in all cases where the fine or penalty shall exceed twenty dollars or where the punishment may be imprisonment, there may be a trial by jury, to be conducted as in cases now triable by jury in the courts for trials of small causes; there may be also an appeal from judgments rendered for fines and penalties only, as in cases where appeal may be now had from judgments in courts for the trial of small causes; *and provided also*, that in all cases an appeal may be made to the common council for a remission of any fine or penalty that may be inflicted or adjudged; *and provided nevertheless*, that the several justices of the peace elected in and for said city or the several wards thereof, shall have authority and are hereby declared and constituted a court of record to take cognizance of all offences against the ordinances and by-laws of said city, under such rules and regulations as the common council shall by ordinance prescribe, not inconsistent with the laws of this state or the provisions of this act.

Proviso.

Proviso.

Proviso.

Powers of policemen.

46. *And be it enacted*, That the chief of police and policemen appointed in pursuance of this act, shall (in addition to the authority conferred upon them by the ordinances, by-laws, rules and regulations of the common council), possess

and have all the powers of constables within the city limits, for the purpose of preserving the peace and enforcing the ordinances of the city.

TITLE FIFTH.

OF THE ASSESSMENT AND COLLECTION OF TAXES.

47. *And be it enacted*, That the common council shall have power to raise by tax, in each year, such sum or sums of money as they shall deem expedient, for the following purposes: Money to be raised by tax.

- I. For lighting the streets of the city;
- II. For the maintenance and support of the poor;
- III. For regulating, cleaning and keeping in repair the streets and highways, and the construction of cross-walks;
- IV. For establishing, regulating, improving and protecting the public grounds and parks;
- V. For the support of public schools, and for erecting and maintaining school houses;
- VI. For the support of the police department;
- VII. For the support of the fire department;
- VIII. For supplying the city with water for the extinguishment of fires, and other purposes;
- IX. For the payment of the interest upon the city debt, and upon temporary loans, and such part of the principal thereof as may be due and payable;
- X. For purchasing necessary real estate;
- XI. For the contingent expenses of the city; and for all other objects and purposes authorized by this act. Objects defined.

48. *And be it enacted*, That such sum or sums of money shall be assessed by the assessors and collected by the receiver of taxes of the said city, in the manner in which the taxes of the county of Union are assessed and collected, unless otherwise directed by the provisions of this act, except that so much of the said taxes as may be raised for the purposes mentioned in the first and sixth sub-divisions of the last preceding section shall be assessed and collected upon and from all persons residing, and lands located within the districts of said city, to be established from time to time by an ordinance of the common council, and to be called the lamp and police districts of the said city; which taxes, when collected, shall be paid to the city treasurer of the said city, and be subject to the order of the said common council; Tax to be assessed and collected.

Provido. . . *provided*, that they shall assess a poll tax on every white male resident over twenty-one years of age, excepting such as are hereinbefore exempted from such tax, who is not a pauper, of one dollar.

When assess-
ment to be
made. 49. *And be it enacted*, That the duties which the assessors of the several townships and wards in the county of Union are required by the provisions of an act entitled "An act concerning taxes," to perform, between the twentieth day of May and the twentieth day of August, shall be performed by the assessors of the several wards of the city of Rahway, between the twentieth day of April and the twentieth day of June, in each year hereafter.

Duty of asses-
sor. 50. *And be it enacted*, That the said assessors of the said city, in making their assessments as now provided by law, are hereby directed and required to assess all lands, tenements, hereditaments and real estate whether said lands and real estate be improved or not, in the names of the owners thereof respectively, and to designate the same by the street where situate, and by the number thereof, where the same is numbered, and if not numbered, then by such other short description as will be sufficient to ascertain the location and extent thereof; that only one assessment shall be made on any improved lot, together with unimproved lands adjacent thereto and connected therewith, and belonging to the same owner; and that the said assessors of the said city shall, when maps are for that purpose provided by the common council make their assessments, as nearly as may be, according to such maps.

Board of as-
sessor. 51. *And be it enacted*, That the assessors of the several

wards of the city of Rahway shall meet annually on the last Tuesday in June in each year, and may from time to time adjourn, and when so met, they shall constitute a board of assessors for the said city, and it shall then be their duty, as such board of assessors, to review the several assessments made by the respective assessors of the several wards of the said city, and to diminish, increase or alter any such assessments, in order that the assessments on property, whether real or personal, in the several wards of said city, may be made as just and as nearly equal as possible; which assessments so revised and approved by the said board shall be the assessment of the several wards of the city of Rahway, subject as heretofore to the action of the commissioners of appeal in cases of taxation.

52. *And be it enacted*, That the said assessors shall meet annually on the second Monday in July, instead of the first

Monday in September, to perform the duties required of them by law; *provided*, that the assessors of the several wards of the city of Rahway shall cause the corrected assessment roll of each ward of the city to be delivered to the receiver of taxes in the said city, on or before the twentieth day of July in each year.

Assessors to meet annually
Proviso.

53. *And be it enacted*, That to each assessment roll delivered to the receiver of taxes, a warrant, under the hands of the mayor and clerk of said city, and under the seal of said city, shall be annexed, commanding such receiver to demand and collect from the several persons named in the assessment roll, the several sums mentioned in the last column of such roll, opposite to their respective names, and to pay the same from time to time, when so collected, to the treasurer of said city according to the provisions of this act.

Warrant to be annexed.

54. *And be it enacted*, That the said receiver, upon receiving the said assessment rolls and warrants, shall proceed to collect the said taxes from the several persons assessed in the said assessment rolls, in the manner hereinafter mentioned.

Receiver to collect taxes.

55. *And be it enacted*, That the receiver shall annually on or before the first day of August give notice, by advertisements set up in one of the most public places in each ward, of the said tax, and that if not paid by a certain day therein mentioned the same will be collected in the manner in this act mentioned, in which advertisements, notice shall also be given of the time and place of the meeting of the commissioners of appeal in cases of taxation; he shall on or before the first Monday in September in each year demand payment of the tax or sum assessed on each individual named in the assessment rolls, in person, or by notice left at his or her place of residence, and also give notice of the time and place of the meeting of the commissioners of appeal.

Notice to be given.

56. *And be it enacted*, That the commissioners of appeal in cases of taxation, in and for the several wards of the said city, shall meet annually on the second Tuesday in September in each year hereafter, to perform the duties required of them by law, giving at least eight days notice of the time and place of meeting, which notice shall be fixed up in one of the most public places in each ward, and published one week in the newspapers printed and circulated in said city; immediately after concluding their duties in each year, the said commissioners of appeal shall cause to be delivered to the receiver of taxes, a true and particular statement of all taxes made or remitted, increased or reduced by them; they shall organize

Commissioners of appeal.

as a board, by choosing a chairman from among their own members, and a secretary, and all their transactions shall be faithfully entered in a book of minutes to be kept by the secretary, which book shall be deposited with the receiver of taxes; and no deductions from the amount assessed against any person or persons, shall be made by the receiver of taxes unless such person or persons produce as a voucher, the transcript from the judgment of the commissioners of appeal, as required by the fiftieth section of "An act concerning taxes," approved April fourteenth, eighteen hundred and forty-six.

Taxes to be a
lien on land.

57. *And be it enacted,* That on all taxes assessed and paid before the fifteenth day of October next after such assessment, the receiver of taxes shall deduct therefrom a discount at the rate of twelve per cent. per annum, from the time of such payment, up to the said fifteenth day of October; and on all taxes unpaid on the said fifteenth day of October, the receiver shall add thereto interest at the rate of twelve per cent. per annum from that time until the same shall be paid; and all taxes and assessments which shall be assessed or made upon any lands or real estate in said city, shall be and remain a lien thereon until paid, for the amount of such taxes or assessments, with interest thereon at the rate of twelve per cent. per annum, and all costs and fees; and such lien shall remain upon such lands and real estate, notwithstanding any devise, descent, alienation, mortgage or other incumbrance thereof, and notwithstanding any mistake in the name of the owner or owners, or omission to name the owner or owners of such land and real estate; and any assessment of taxes in which such mistake or omission occurs shall be valid and effectual in law, and if unpaid shall be returned in the list of delinquent taxes, and such lands and real estate may be proceeded against and sold in the manner provided by this act.

List of delin-
quents.

58. *And be it enacted,* That the receiver of taxes of the city of Rahway, in case of the non-payment of taxes on or before the fifteenth day of October next after the assessment thereof, shall make out a list of the names of the delinquents in each ward, with the sums due from them respectively thereto annexed, with an affidavit attached thereto, taken and subscribed before any person authorized to administer oaths or affirmations, testifying that the moneys in the said list mentioned had been duly demanded, or due notice thereof given or left at the usual place of residence of each delinquent who can be found or who may reside in said city or

ward; and the said receiver shall within ten days thereafter, deliver the said list of delinquents, with the affidavits aforesaid attached, to the city clerk, who shall lay the same before the common council of said city, at their first meeting thereafter.

59. *And it be enacted*, That it shall be the duty of the common council, immediately upon the receipt of the list of delinquents mentioned in the preceding section, to order and direct the mayor and city clerk to issue a warrant directed to the receiver of taxes of the city of Rahway, with the seal of the city attached, containing a list of the names of the said tax delinquents; and of the sums due from them respectively; and they shall thereby command the said receiver of taxes to cause the said several sums of money, with interest thereon as aforesaid, and all lawful costs and fees to be levied and made of the goods and chattels of the several persons therein named, and from whom the same are due respectively, by selling the same at public auction, giving at least six days' notice of the time and place of such sale, by advertisement set up in three public places in said city, and in case the said receiver of taxes cannot find sufficient goods and chattels of said persons, whereof the tax or taxes due from them respectively, with all costs and fees, can be made, and in case there are no lands and real estate of said persons within the said city, then the said warrant shall further direct the said receiver of taxes to take such further proceedings, to be set forth in said warrant, as are mentioned in the eighteenth section of the act entitled "An act concerning taxes;" and it shall be the duty of the said receiver of taxes to execute, according to the command thereof, all warrants which shall be issued and delivered to him as aforesaid; and if any property distrained shall be sold for more than the amount of the tax, the surplus shall be returned to the person in whose possession such property was when the distress was made, if no claim be made to such surplus by any other person; if any other person shall claim such surplus, on the ground that the property sold belonged to him, and such claim be admitted by the person for whose tax the same was distrained, the surplus shall be paid to such owner; but if such claim be contested by the person for whose tax the property was distrained, the surplus moneys shall be retained by said receiver until the rights of the parties shall be determined by due course of law.

Mode of proceeding to collect delinquent taxes.

60. *And be it enacted*, That within one week after the first

Transcript to
be prepared.

day of January, in each and every year, the receiver of taxes shall prepare a transcript of the unpaid taxes so far as the same have been assessed upon the lands or real estate within the said city, or are a lien upon such lands or real estate including in such transcript the names of the owners, if any be given, of such lands and real estate, the description thereof and the amount of taxes thereon respectively, and enter the same in a book to be kept for that purpose, which transcript shall be delivered to the city clerk, who shall present the same to the common council of said city, at their first meeting thereafter; the common council shall then issue a warrant, under their corporate seal, directed to the said receiver, therein and thereby commanding him to make said taxes, with the interests and costs thereon, as aforesaid, of the lands and real estate, on account whereof the same were taxed, by selling the same, or any part thereof, as will be sufficient for that purpose, for the shortest time, not exceeding fifty years, for which any person will agree to take the same, and pay such taxes, with all interests, costs and expenses; all such warrants shall be attested by the city clerk, and, before the execution thereof, shall be recorded in his office, in a book to be provided for that purpose; and it shall be the duty of the receiver of taxes, after the recording of the warrants as aforesaid, forthwith to cause public notice to be given in one or more newspapers published and circulated in said city, stating that such warrant has been issued, commanding him to collect the taxes mentioned therein; and that in pursuance thereof, unless such taxes are paid, with all interest and costs thereon, within twenty days after the first publication of said notice, he will proceed to collect the same by public sale according to law.

Lands to be
advertised at
public sale.

61. *And be it enacted,* That after the expiration of the said twenty days, the receiver of taxes shall give public notice of his intention to collect the taxes mentioned in said warrant then remaining unpaid, by public sale at auction of the lands and real estate whereon said taxes were imposed, which notice shall embrace the names of the owners, if any be given, of such lands or real estate, the description thereof, the amount of taxes unpaid, with interest and costs due thereon respectively, and shall designate the time and place of sale, and be signed by said receiver of taxes, and be printed in a newspaper or newspapers published and circulated in said city, once in each week for four weeks before the time appointed for such sale; and if any tax remains un-

paid on the day specified in such notice, the said receiver shall proceed to sell by public auction, at the time and place appointed therein, the lands and real estate on which said tax shall have been imposed, or may be a lien, for the lowest term of years, but in no case exceeding fifty years, for which any person will take the same and pay the amount of such tax with the interest thereon, and all costs, fees, charges and expenses; such payment shall be made before the conclusion of the sale, and if not so made, the receiver may resell the property; the sale may be adjourned from time to time until the land and real estate are disposed of, and such as are not bid for when offered for sale, or for re-sale as aforesaid, shall be struck off to the city for the term of fifty years; *provided*, that the advertisement of any adjourned sale shall be in general terms, and shall not embrace the detailed description required in the original advertisement of such sale. Proviso.

62. *And be it enacted*, That within ten days after the conclusion of such sale the receiver shall execute and deliver to each purchaser a certificate of sale for the property by him purchased, under the seal of the city, and signed by the mayor and attested by the said receiver, which certificate shall recite the fact of assessment, advertising, and sale, and date of sale, a short description of the property sold, the term for which sold, and the particular tax, with the amount thereof, and interest and expenses, on account whereof sold, and the terms upon which the same may be redeemed. Certificate of sale to be delivered.

63. *And be it enacted*, That every certificate of sale shall be presumptive evidence of the facts stated therein, and shall be recorded in the office of the city clerk in proper books kept for that purpose, and shall constitute a lien upon the lands and premises therein described, after the same shall have been so recorded, and no assignment of any certificate given on the sale of lands and real estate for any taxes or assessment, shall have any effect until the same shall be recorded as aforesaid in the office of the city clerk; a declaration of sale shall not be executed and delivered until the certificate has been cancelled and filed with the city clerk, unless the loss or destruction thereof be established by affidavit to the satisfaction of the common council. Certificate to be a lien.

64. *And be it enacted*, That if the city becomes the purchaser of any lands and real estate upon any such sale, the certificate of sale shall be assignable, and all the provisions Certificate assignable.

of this act in relation to such sale, shall apply to the city as to any other purchaser.

Liens and mortgages.

65. *And be it enacted*, That no mortgagee whose mortgage shall have been duly recorded before sale for any tax or assessment, shall be divested of his rights in such property, unless six month's notice, in writing of such sale shall have been given to him by the purchaser, or by any person or persons claiming under him, personally, if a resident of the city of Rahway, and if not such a resident, then upon the owner of the premises, if he be a resident of the city of Rahway, and by depositing such notice in the post office of said city, directed to the mortgagee at his place of residence, as stated in the mortgage or assignment thereof; but nothing herein contained shall be so construed as to impair the lien created by such sale; within a month after the service of such notice, it shall be the duty of the person serving or causing the same to be served, to file in the office of the city treasurer a copy of the notice served, together with the affidavit of some person who shall be certified by the officer before whom said affidavit shall be taken, to be a creditable person, proving the due service of the said notice.

How lands redeemed.

66. *And be it enacted*, That the owner, mortgagee, occupant, or any person or persons having a legal or equitable interest in any lands and real estate sold for taxes aforesaid, or for any assessment under the provisions of this act, may redeem the same at any time within two years from the time of such sale by paying to the city treasurer, for the use of the purchaser, his heirs and assigns, the said purchase money, together with any other tax or assessment chargeable thereon, and which the said purchaser may have paid, and any sum of money expended in any improvement made by order of the common council; *provided*, a notice of such payment has been filed in the office of the city treasurer, with interest on such purchase money at the rate of twelve per cent. per annum from the time of such sale and expenditure, and on such payment or payments from the time of filing such notice as aforesaid; and the certificate of such treasurer, stating the payment and showing what property such payment is intended to redeem, shall be evidence of such redemption; upon the receipt of such moneys by the city treasurer, he shall cause the same to be refunded to the purchaser, his heirs or assigns, and all proceedings in relation to said sale shall cease and determine; if the person so redeeming be a judgment creditor or mortgagee of the premises, he shall have a lien on the

Proviso.

lands and real estate redeemed by him by virtue of this act, for the amount paid by him to the said treasurer to effect such redemption with the interest which may thereafter accrue thereon, at the rate of seven per cent. per annum, in like manner as if the same had been included in his mortgage or judgment, and may enforce the same in the same manner.

67. *And be it enacted,* That if any lands and real estate so sold shall not be redeemed as by this act provided, the common council shall execute to the purchaser, his legal representatives or assigns, a declaration of sale under the common seal, signed by the mayor and attested by the city clerk, containing a description of the premises, the fact of assessment, advertisement and sale, the date of the sale and the period for which the premises were sold, which declaration shall be recorded in the office of the county clerk; and until the same shall have been so recorded, such lands and real estate may be redeemed as hereinbefore provided, notwithstanding the period of two years may have expired from the time of said sale; such declaration of sale shall be presumptive evidence, in all courts and places that such sale and proceedings were regularly made and had according to the provisions of this act; and such purchaser or purchasers and his and their legal representatives shall by virtue thereof, lawfully hold and enjoy such lands and real estate, with the rents, issues and profits thereof, for his and their own proper use, against the owner or owners thereof, and all persons claiming under him or them, until the term shall be completed and ended for which the purchaser or purchasers may have agreed to take the same, and at the expiration of the said term shall peaceably and quietly yield up such lands and real estate to the lawful owner or owners thereof, and shall be liable for any injury or waste by him or them done or committed therein in the same manner as a tenant for a term of years; *provided,* Record to be filed in office of county clerk. *Proviso.* that whenever satisfactory evidence shall be produced to the common council, that any lands so sold belong to an idiot, lunatic, or infant for whose estate no guardian shall have been appointed, they shall direct the mayor and city clerk to postpone the execution of a declaration of sale of such lands, until at least four months after they shall have evidence that such disability has been removed, or guardian or trustee of their estate appointed; and until the expiration of said four months such guardian or trustee, or person whose disability has been removed, may redeem such lands as hereinbefore provided.

68. *And be it enacted,* That it shall be the duty of the city

Book of record
of certificates.

clerk to record in proper books kept for that purpose, all certificates of sale and assignments thereof, to give certificates of search in relation thereto to any person or persons applying for the same, and to cancel such certificates of sale and assignments thereof so recorded, when the land and real estate for which they were given shall be redeemed on certificate of the city treasurer of such redemption, and to file such certificates in his office; it shall be the duty of the city treasurer to make out two receipts for all property redeemed, one for the person redeeming and one to be filed in the office of the city clerk.

Compensation

69. *And be it enacted*, That the said receiver of taxes shall be entitled to receive the sum of fifty cents for executing a tax warrant against each person named therein, and in addition thereto, two per centum, on all sums by him paid into the city treasury from sales made by him by virtue of this act; he shall also receive for the use of the city, for advertising any lot, tract or parcel of land and real estate, the sum of one dollar; and for a certificate of sale to a purchaser, the sum of one dollar.

TITLE SIXTH.

OF STREETS, HIGHWAYS, SEWERS, GENERAL AND LOCAL IMPROVEMENTS, AND ASSESSMENTS THEREFOR.

70. *And be it enacted*, That it shall be lawful for the common council of the city of Rahway, whenever in their opinion the public good requires it, by ordinance—

Mode of opening
streets.

I. To lay out and open any street, road, highway or alley, public park or square within said city; to order and cause any street, road, highway or alley already laid out, or which shall hereafter be laid out, to be vacated, straightened, altered or widened; and to take and appropriate for such purposes any lands and real estate, upon making compensation to the owner or owners thereof, as is hereinafter mentioned and provided;

Drains.

II. To order and cause sewers or drains to be constructed in any part of said city, and to assess the costs and expenses thereof upon the owners of lands and real estate benefited thereby, as hereinafter provided;

Grading and
gravelling.

III. To order and cause any street or section of a street to be graded, gravelled, paved, flagged, macadamized or otherwise improved and regulated in such manner as they may

deem advisable, at the expense of the owners of lands and real estate on the line of said street or section of a street.

71. *And be it enacted*, That no ordinance shall be adopted by the common council for making any improvement or performing any work, under and by virtue of the provisions of the last preceding section of this act, or either of the subdivisions thereof, or under and by virtue of subdivisions thirty-one and thirty-two of section twenty-five of this act, until public notice shall be given of the intention of the common council to cause such improvement to be made, or such work to be done and performed, and to that end it shall be the duty of the city clerk, by direction of the common council to give notice in a newspaper published and circulated in the city of Rahway, of the intention of the common council, to cause such improvement to be made, or such work to be done and performed, briefly describing such work or improvement and requesting such persons as may object thereto to present their objections in writing, at the office of the city clerk, on or before the expiration of ten days from the date of such notice, and at any time thereafter the common council may proceed to consider such ordinance as aforesaid.

Notice of intention to be given.

72. *And be it enacted*, That whenever any ordinance shall be passed by the common council for making any improvements, or performing any work in relation to the opening, altering or widening of any street, the laying out of any public park or square, the construction of any sewer or drain, the widening, levelling, grading, curbing, guttering, paving, flagging, graveling or planking any street or sidewalk, all further action, which may be necessary to carry out and complete such improvement or work, and all orders relating thereto, may be done by resolution, and not by ordinance.

Ordinances regulated.

73. *And be it enacted*, That whenever the common council shall determine by ordinance to lay out and open any street, road, highway or alley, public park or square within said city, or to vacate, alter, widen, or straighten any street, road, highway or alley, or to make any sewer or drain in any part of said city, and to take and appropriate for such purpose any lands and real estate, they are hereby authorized to treat with the owner or owners thereof for the same, and for the purpose expressed in such ordinance; they may purchase such lands and real estate of the owner or owners thereof and make such compensation therefor as they shall judge reasonable; and thereupon shall receive from such owner or owners a conveyance of such lands and real estate

Proceedings on opening streets.

to the city; and such compensation shall constitute a part of the whole amount of costs, damages and expenses, to be assessed, in accordance with the provisions of this act, upon the owners of land or real estate, benefited by any work or improvement for which such purchase was made.

Commissioners to be appointed.

74. *And be it enacted*, That in case no agreement for such purchase can be made, it shall be lawful for the common council to appoint three judicious freeholders of said city, residing as near as may be in different wards, commissioners to make an assessment of the damages that any such owner or owners will sustain by taking and appropriating in the manner aforesaid, such lands and real estate; and in estimating and assessing such damages, the said commissioners shall have due regard both to the value of the lands and real estate, and to the injury or benefit to the owner or owners thereof, by making such improvement as aforesaid; and after making their award of damages they shall deduct from the same the amount of the estimated benefits, if any, to such owner or owners; and if in any case the commissioners shall estimate the benefits to such owner or owners to be greater than the damages, they shall so declare in their report, and shall specially estimate and assess the value of the lands and real estate which are necessary to be taken and appropriated for such improvement; and after such award shall be made, the said lands and real estate of any such owner or owners shall nevertheless be liable to assessment for the payment of the costs, damages and expenses of such improvement, under and in pursuance of the provisions of this act.

Commissioners to take oath.

75. *And be it enacted*, That all commissioners of assessment, appointed under this act, before they enter upon the execution of the duty required of them, shall severally take and subscribe an oath or affirmation before any person authorized to administer oaths or affirmations, to perform the duties required of them, fairly and impartially, according to the best of their skill and judgment.

Notice to be given.

76. *And be it enacted*, That the said commissioners shall give public notice, by advertisement in a newspaper published and circulated in said city, of the time and place of their first meeting, at least one week before the time of said meeting; and the said commissioners, or a majority of them, when met, shall have power to issue writs of subpoena ad testificandum to, and to examine witnesses, under oath, to be administered by any one of them, to enter upon and view

the premises, if they shall deem it necessary, and to adjourn from time to time, and shall make a just and true estimate and assessment as aforesaid, and make and sign a certificate of such estimate and assessment, and file the same with the city clerk, and the same being ratified by the common council, shall be binding and conclusive upon the owner or owners of any such lands and real estate, and the said commissioners shall cause the same to be converted and used for the purposes aforesaid; *provided*, that any person or persons conceiving himself, herself, or themselves aggrieved by the proceedings of the said common council, or of the said commissioners, may appeal therefrom to the circuit court of the county of Union, within sixty days from the time of making the final order of the common council, and the circuit court shall order a trial by jury to assess the damages sustained by the party aggrieved, the trial whereof shall be conducted as in other cases of trial by jury; *provided*, that any person or persons intending to appeal from the action of the common council or of said commissioners, to the said court shall notify the city clerk of such intended appeal within ten days after the ratification by the common council, of the assessment from which such appeal is intended.

Persons aggrieved may have a jury.

Proviso.

77. *And be it enacted*, That in case of non-payment on demand of any damages estimated and assessed as aforesaid, which interest from the date of the assessment, in case of no appeal to the circuit court as aforesaid, the person or persons entitled thereto may sue for and recover the same from the said city in an action of debt, with costs, in any court having cognizance thereof; and the said proceedings of the said commissioners and common council, or the award of the said jury, as the case may be, shall be conclusive evidence against the defendants.

Damages, how recovered.

78. *And be it enacted*, That the city treasurer shall, under the direction of the common council, tender and pay to the owner or owners of such lands and real estate, if residents in said city, the amount of such estimate and assessment of damages due to him or them, or the excess of damages, after deducting the estimated benefits; but if any such owner is not a resident in the city, or upon due inquiry cannot be found therein, or is a lunatic or idiot, or under age, or if for any other lawful cause he is incapacitated to receive the same, or if such owner will not accept the same and sign a proper receipt therefor, when tendered, then the said treasurer shall make affidavit of such facts and file the same with the city

Cases of non-residents.

clerk; and the common council shall, after inquiry into the facts of the case, cause the amount to be placed in the city treasury, or invested on good security, for the use of the person to whom it may be due; and the said moneys shall be paid by the city to the person or persons entitled thereto, on demand, with the interest collected on the same; *provided*, that no interest shall be paid to any owner who has refused to accept and sign a proper receipt for the amount of any estimate of damages due such owner when tendered by the treasurer of said city; *and provided further*, that it shall be lawful for the common council to apply such portion of said moneys, so placed or invested, as may be necessary to the payment of the amount assessed for the costs, damages and expenses of the improvement for which such damages were awarded; or to pay the costs, damages and expenses of any other or future improvement made in pursuance of this act, and assessed to the owner or owners of the lands and real estate for whose account the said moneys were so placed in the city treasury or invested as aforesaid.

Proviso.

Proviso.

Proceedings in
case of refusal
to comply.

79. *And be it enacted*, That on the payment of such award of damages to any owner or owners of lands or real estate, if such award embraces damages for the alteration, removal or destruction of any building, porch or fence, by the said owner or owners, the said owner or owners shall remove, alter or destroy such building, porch or fence within such time as the common council shall by resolution direct; and in case said owner or owners neglect or refuse to comply with the direction of the common council within the time limited in such resolution, the said removal, alteration or destruction shall be done and performed by a street commissioner of said city, under the direction of the common council, and the cost and expenses of such removal, alteration or destruction, shall be a lien on the lands and real estate of any such neglecting owner or owners, and collected in the manner herein provided for the collection of unpaid assessments; or the common council may bring an action on the case in any court of competent jurisdiction, in the name of "the Treasurer of the city of Rahway," against the owner or owners of any such lands or real estate for the amount of money expended by them in causing the removal, alteration, or destruction of any such building, porch or fence; and where the award of such damages to any owner or owners who refuse to receive the same and give a proper receipt therefor, when tendered by the city treasurer, or to a non-resident, infant, or other

person incapacitated to receive the same, embraces and includes damages for the removal, alteration or destruction of any building, porch or fence, the common council shall cause such work to be done and performed, and deduct the amount of the costs and expenses of such removal, alteration or destruction from the amount of damages awarded to such owner who refuses to receive such award, or to such owner or owners incapacitated to receive such award; and in case the costs and expenses of such removal, alteration or destruction shall exceed the amount of damages awarded such owner or owners, the excess thereof shall be assessed and collected from the owner or owners of such lands and real estate, in the manner herein prescribed for the collection of unpaid assessments.

80. *And be it enacted*, That in order to provide for the payment of the costs, damages and expenses of laying out and opening any public park or square, laying out and opening, altering, widening or straightening any street, road, highway or alley, or constructing any sewer or drain within said city, the common council shall ascertain the whole amount of such costs, damages and expenses, and shall cause to be made a just and equitable assessment thereof, upon the owners of all the lands and real estate benefited thereby, in proportion, as nearly as may be, to the advantage each shall be deemed to acquire.

81. *And be it enacted*, That the common council shall appoint three judicious freeholders of said city, residing as nearly as may be in different wards, commissioners to make any such assessment, unless in the acts and proceedings of said common council, taken for the purpose of carrying out said improvement or work, commissioners shall have been appointed to make an estimate and assessment of the damages sustained by any owner or owners for lands and real estate when no agreement can be made by the common council for lands or real estate, taken and appropriated for such improvement or work, in which case the same commissioners appointed as aforesaid shall be the commissioners to make the assessment of the whole amount of the costs, damages and expenses of such improvement or work, in the manner herein required.

82. *And be it enacted*, That the said commissioners shall make a report by a certificate in writing, of the assessments so made, and before proceeding to sign the same shall place the said report in the office of the city clerk for examination by the parties interested therein, and shall give notice in a

newspaper published and circulated in the city of Rahway, which notice shall be published for one week, that such report has been deposited as aforesaid, and also of the time and place when and where the parties interested can be heard by the said commissioners; and after hearing the parties, the said commissioners shall proceed and complete the report, and sign the same, and return the said report, with all objections in writing, which shall be presented to and left with them, by any of the parties interested to the common council.

Costs of im-
provements to
be assessed on
owners of real
estate.

83. *And be it enacted*, That the whole amount of the costs and expenses of regulating, grading, paving, graveling, flagging, macadamizing, or otherwise improving any street or section of a street, shall be assessed upon the owners of lands and real estate upon the line of said street, or section of a street; and whenever such improvement shall have been made under the provisions of this act, the common council shall ascertain the whole amount of the costs and expenses of such improvement in any street or section of a street, and shall cause to be made a just and equitable assessment thereof upon the owners of lands and real estate on the line of said street or section of a street, by the city surveyor, which assessment shall be and remain a lien thereon from the time when said improvement shall have been made; *provided*, that the provisions of this section shall not be construed to apply to necessary repairs of any street, road, highway or alley; *provided also*, that after any street or section of a street, shall be once entirely paved or macadamized at the expense of the owners of property as aforesaid, the city shall take charge of and keep the same in ordinary repair, without further direct assessment on the property on such street or section of a street.

Proviso.

Proviso.

Surveyor to
make report.

84. *And be it enacted*, That the city surveyor shall make a report, by a certificate in writing, of the assessment so made, and before proceeding to sign the same shall give notice in a newspaper published and circulated in the city of Rahway, which notice shall be published for one week, that such report has been deposited in his office for examination by the parties interested therein, and also of the time and place when and where the parties interested can be heard by him; and after hearing the parties, the said city surveyor shall proceed and complete the report, and sign the same, and return the said report, with all objections, in writing, which shall be presented and left with him by any of the parties interested, to the common council.

85. *And be it enacted*, That every certificate of assessment made as aforesaid by the said commissioners or the city surveyor, under the provisions of this act, and presented to the common council, shall be referred by them to a committee for consideration; and in case of any objections in writing being returned with such report, the said committee shall publish a notice in a newspaper printed and circulated in the city of Rahway, which notice shall be published for one week to the parties interested, of the time and place when and where they will meet to hear them on the objections and report; the said committee shall thereupon examine the matter and report to the common council, and return to them the said report of the said commissioners, or of the said city surveyor, as the case may be, with the objections of the parties, together with the views and opinions of the said committee respecting the said report.

Certificate of assessment to be published.

86. *And be it enacted*, That the common council shall thereupon examine the matter, and may correct said report and assessment, if they deem proper, and ratify the same; and every certificate of assessment which shall be duly ratified by the common council shall be final and conclusive; and shall be and remain a lien on the lands and real estate assessed, until paid or otherwise satisfied; and every assessment shall be payable with interest thereon from the time when such assessment is ratified by the common council until the same is paid, and such interest shall be deemed and held, to all intents and purposes, to be a part of the assessment, and as such a lien upon the lands and real estate in respect whereof the assessment is made; *provided*, that any certificate of assessment made by said commissioners or the city surveyor may be altered or corrected by the vote of two-thirds of the whole number of councilmen elected.

Powers of council.

Proviso.

87. *And be it enacted*, That in case of the resignation, death or disability of one or more of the commissioners appointed under the provisions of this act, it shall be lawful for the common council to supply by appointment the vacancy or vacancies caused by such resignation, death or disability.

Vacancies. how supplied.

88. *And be it enacted*, That whenever any certificate of assessment, as aforesaid, has been ratified by the common council, such certificate shall be delivered to the city treasurer, and on the receipt by him of such certificate as aforesaid, the treasurer shall prepare an abstract of such assessment, and enter the same in a book to be kept for that purpose, and shall give notice, in one or more newspapers pub-

Certificates and notices to be published.

lished and circulated in the city of Rahway, which notice shall be published once in each week for three weeks successively, stating in general terms the streets or sections of streets comprised in such assessment, and requiring the owners of land and real estate assessed in such certificate to pay the amount to him, with interest thereon, at his office, within thirty days from the first publication of said notice; unless the common council shall determine to borrow for a term of years the money necessary to carry out the work or improvement for which any such certificate of assessment was ratified, in which case the same proceedings shall be had to enforce the collection of the amount of any such assessment or the interest thereon, or any installment thereof, with interest and costs thereon, when the money so borrowed, or any portion thereof, shall become due and payable; and when default shall be made in the payment of any installment on the amount of any such assessment, after publication of the notice requiring such payment, and after the expiration of the time limited in said notice for such payment, then the whole amount of any further installment or installments of such assessment unpaid, with the interest thereon, shall be due and payable, and collected in the manner authorized by this act for the collection of unpaid assessments; *provided*, it shall be optional for any owner or owners of land or real estate on which the amount of any assessment has been made payable at a future period or by installments, to anticipate such payments and pay the same to the city treasurer at any time before the same is due and payable.

Suit for delinquency.

89. *And be it enacted*, That if any such assessment upon any lot, tract or parcel of land or real estate, or any installment of such assessment, with the interest thereon, shall not be paid within the time appointed in the notice of publication requiring such payment, or if any owner shall neglect to pay the amount expended by the common council in flagging, paving or repairing any sidewalk, curb or gutter along such owner's property, the common council of the said city, may, as they shall deem proper, either bring an action on the case, in any court of competent jurisdiction, in the name of "The Treasurer of the City of Rahway," against the owner or owners of such lot, tract or parcel of land and real estate, for so much money laid out and expended by them for the use of such owner or owners, and declare generally, and give the special matter in evidence, and either party from any judgment rendered therein, may have the same remedy, by appeal

or otherwise, as if said parties were private individuals; or may order and direct the city treasurer to collect such assessment by public sale at auction of the lands and real estate whereon such assessment has been imposed, or may be a lien.

90. *And be it enacted*, That whenever the common council shall order and direct the city treasurer to collect such assessment or assessments so remaining unpaid, by public sale at auction of any such lands and real estate, the treasurer shall prepare a transcript of such assessments, including in such transcript a brief description of the improvement or work for which such assessment or assessments was or were made, the names of the owners, if any be given, of such lands and real estate, the description thereof, specifying the street, road or avenue on which each lot, tract or parcel of land and real estate fronts, on which side thereof, and near or between what streets it may lie, and the amount of the assessments thereon respectively, and enter the same in a book to be kept for that purpose; and immediately after completing such transcript he shall cause a notice to be printed in one or more newspapers published and circulated in said city, stating that the said transcript of unpaid assessments has been made, and that unless said assessments shall be paid at his office within twenty days after the first publication of said notice, he will proceed to collect the same by public sale according to law.

Treasurer to
prepare trans-
cripts.

91. *And be it enacted*, That after the expiration of said twenty days it shall be the duty of the said treasurer to collect the assessments in any such transcript then remaining unpaid, by public sale at auction of the lands and real estate whereon said assessments have been imposed or may be a lien; and public notice of the time and place of the sale of any such lands and real estate shall be given by advertisement signed by the city treasurer and printed in a newspaper published and circulated in said city, for the space of four weeks, at least once in each week, before the time appointed for such sale; and if any such assessment remains unpaid on the day specified in such notice for such sale, then the said treasurer shall proceed to sell by public auction, the lands and real estate on which said assessment shall have been imposed, or may be a lien for the lowest term of years, but in no case exceeding fifty, for which any person will take the same and pay the amount of such assessment, with interest thereon, and all costs, fees, charges and expenses; at the conclusion of such sale, the treasurer shall deliver to each purchaser of any lot, tract or parcel of land, a certificate of sale; and all further

Collect assess-
ments by pub-
lic sale.

proceedings which are authorized by this act in relation to the sale and redemption of lands or real estate for the non-payment of taxes, may in like manner be had in cases of sales of lands or real estate sold for the non-payment of assessments, where such assessments are made a lien on lands and real estate by the provisions of this act.

TITLE EIGHTH.

MISCELLANEOUS PROVISIONS.

Inhabitants not incompetent as witnesses.

92. *And be it enacted*, That upon the trial of any issue, or upon the judicial investigation of any fact to which the mayor and common council of the city of Rahway are a party, or in which the city of Rahway is interested, no person shall be deemed an incompetent judge, witness or juror, by reason of his being an inhabitant or freeholder of said city; and that if any person shall be sued or impleaded by reason of anything done by virtue of this act, it shall be lawful for such person to plead the general issue and give this act and special matter in evidence at the trial.

Former ordinances in force until repealed.

93. *And be it enacted*, That all ordinances of the said city passed by the common council under and by virtue of the provisions of the act entitled "An act to incorporate the city of Rahway," and the several supplements thereto, not inconsistent herewith, shall continue in force until altered or repealed by the common council.

Books of record to be taken as evidence.

94. *And be it enacted*, That the books of record kept by any of the officers of the city, under and by virtue of the provisions of any city ordinance, shall be admitted as evidence of the matters and things therein contained and recorded in all courts and places whatsoever.

Members of council not to hold certain offices.

95. *And be it enacted*, That no member of the common council shall be appointed to, or competent to hold any office, the salary or emoluments of which are paid from the city treasury, or be directly or indirectly interested in any contract, work or business, or in the sale of any article, the expense, price or consideration of which is paid from said city treasury, or become security for any officer appointed by said council, or for any contractor under the city government, under the penalty of five hundred dollars for each offence, to be recoverable by suit in the name of "The Treasurer of the City of Rahway," and the said penalties when received shall be paid into the city treasury; nor shall any member of the common council hereafter to be elected be competent to

hold and exercise the office of commissioner of public schools, or of police justice of the city of Rahway; but upon being qualified and entering upon the discharge of his duties as a member of the common council, such office of commissioner of public schools or police justice, if held by him, shall thereby become vacant, and may be filled according to law; no member of the common council shall receive any compensation for his services as such member.

96. *And be it enacted*, That all propositions for doing work, or furnishing materials for any improvement provided under this act, exceeding in amount two hundred dollars, shall be advertised for two weeks in a newspaper published and circulated in said city, and shall at all times be given to the lowest bidder, he or they giving ample and satisfactory security for doing the same according to contract, and payments may be made on all contracts for street improvements, in installments, as the work progresses.

Contracts for work to be done to be advertised.

97. *And be it enacted*, That all taxes assessed for road purposes, on lands lying outside of the city limits, shall be collected by the receiver of taxes and by him paid to the overseer of the road district in which such lands lie, notwithstanding the owner thereof may reside within the limits of said city.

Taxes for road purposes.

98. *And be it enacted*, That if any person, having been an officer of said city, shall not, within ten days after he shall have vacated or been removed from the office, and upon the notification and request by the city clerk, deliver over to his successor in office all the property, books and papers belonging to the city, or appertaining to such office in his possession or under his control, he shall forfeit and pay to the city the sum of five hundred dollars, to be sued for and recovered with costs.

Penalty for not delivering property, &c., to successors in office.

99. *And be it enacted*, That no compensation or damages shall be awarded or paid to the owner or owners of any building, porch, fence, or other improvement, for the destruction, damage or removal thereof, which may have been built, placed, made or erected, in part or in whole, on any street, avenue or public square, after such street, avenue or public square was regularly and lawfully laid out, opened, altered or widened.

No damages to be paid.

100. *And be it enacted*, That whenever any money shall be borrowed by the common council for any particular purpose, the money so borrowed shall be applied only to that purpose; and whenever any money borrowed shall be applied to any other purpose than to that for which the same was borrowed,

Moneys, how applied.

every member of the common council who shall knowingly vote for such misappropriation, or any officer of the city who shall knowingly carry, or assist to carry such misappropriation into effect, shall be guilty of a misdemeanor, and on conviction thereof shall be punished by fine not exceeding five hundred dollars, or imprisonment not more than six months, or both, at the discretion of the court.

May administer oath.

101. *And be it enacted*, That the chairman of any committee of the common council, charged with any investigation or inquiry, is hereby authorized to administer oaths or affirmations to such witnesses as may be examined before such committee; and any witness who shall swear falsely before any such committee shall be deemed guilty of perjury.

Council to correct rolls.

102. *And be it enacted*, That whenever there is a manifest error in copying any assessment rolls, or in levying and extending any tax or assessment, the common council may, at any time within six months after the delivery of the assessment rolls to the receiver of taxes, by a vote of two-thirds of all the members elected, correct, cancel, remit, or add to the same; but they shall have no power to alter any valuation made by the assessors, or in any way to alter any tax or assessment which has previously been considered and acted upon by the commissioners of appeal in cases of taxation.

Officers not to be interested in contracts.

103. *And be it enacted*, That it shall not be lawful for any officer of the city of Rahway to be interested, directly or indirectly, either as principal or surety, in any contract for furnishing any supplies or materials for the use of said city, or for performing any work authorized by the common council; and on the production of satisfactory evidence that any contract has been made in violation of the provisions of this section, such contract shall be declared void by the common council.

Bonds, &c., made valid.

104. *And be it enacted*, That the bonds of the city heretofore issued by authority of the common council of the said city, for the payment of bounties to volunteers, are hereby declared to be valid in law against said corporation, the same as if they had been issued by an express act of the legislature for that purpose.

Public school houses.

105. *And be it enacted*, That the public school houses which were vested in the several incorporated school districts of said city, at the time of the passage of the act incorporating the board of education of said city, be and the same are hereby declared to be absolutely vested in the inhabitants of the city of Rahway in their corporate capacity.

106. *And be it enacted*, That the act to incorporate the city of Rahway and all supplements thereto, excepting the act to incorporate the board of education of said city, approved March eighth, eighteen hundred and sixty-one, be, and the same are hereby repealed; but nothing herein contained shall be construed so as to destroy, impair, or take away any right or remedy acquired or given by any act hereby repealed; and all proceedings commenced under any such former act may be carried out and completed; and all prosecutions for any offence committed, and penalty or forfeiture incurred, shall be carried on in all respects in the same manner and with the same effect as though this act had not been passed. Repealer.

107. *And be it enacted*, That this act shall take effect immediately, and shall be deemed and taken to be a public act.
Approved March 23, 1865.

CHAPTER CCXCI.

An Act to incorporate the Red Bank and Rumson Neck Railroad Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Eleazer Parmly, Charles Leighton, Ehrick Parmly, Benjamin B. Hance, John W. Stout, Thomas Chalmers, Samuel Harvey, Joseph L. Berdin, George Grier, Albert R. Berdin, Edmund Darrow, Asher Hance, David V. Conover, and such other persons as may be hereafter associated with them, shall be and are hereby ordained, constituted and declared to be a body politic and corporate, in fact and in name, by the name of the "Red Bank and Rumson Neck Railroad Company," and shall be capable of purchasing, holding and conveying any lands, tenements, goods and chattels whatsoever, necessary or expedient for the objects of this incorporation. Names of coporators.

2. *And be it enacted*, That the capital stock of the said company shall be three hundred thousand dollars, with liberty to increase the same to five hundred thousand dollars, and shall be divided into shares of one hundred dollars each, Amount of capital stock.

which shall be deemed personal property, and transferable in such manner as the said corporation shall by their by-laws direct.

Commissioners to receive subscriptions.

3. *And be it enacted*, That the above named persons, or a majority of them, shall be commissioners to open books to receive subscriptions to the capital stock of said corporation, at such time or times and place or places as they, or a majority of them, may think proper; and as soon as fifty thousand dollars of the capital stock shall be subscribed, such commissioners or a majority of them shall give notice for a meeting of the stockholders, to choose eleven directors, a majority of whom shall be residents of this state, and such election shall be made at the time and place appointed, by such of the stockholders as shall attend for that purpose, either in person or by proxy, each share of the capital stock entitling the holder thereof to one vote; and the above named commissioners, or a majority of them, shall be inspectors of the first election of directors of the said corporation, and shall certify under their hands the names of those persons duly elected, and deliver over the subscription books to the said directors; and the time and place of holding the first meeting of directors shall be fixed by the said commissioners, or a majority of them.

President to be chosen.

4. *And be it enacted*, That the directors chosen at such meeting, and at the annual elections of said corporation, shall, as soon as may be after every election, choose out of their number a president, who shall hold office until after the next succeeding election and until another shall be appointed, and they shall have power to fill any vacancy which at any time may exist in their board, by death, or otherwise, until the next succeeding annual election.

Election of directors.

5. *And be it enacted*, That annual elections for directors shall be held at such times and places as the board of directors shall hereafter direct, of which elections public notice shall be given at least two weeks, in one of the newspapers published in the county of Monmouth, and such elections shall be made as is hereinbefore directed; and in case it shall happen that an election of directors shall not be made during the day when, pursuant to this act, it ought to have been made, the said corporation shall not for that cause be deemed to be dissolved, but the said election shall be held as soon thereafter as possible, and public notice shall be given as before directed, and the directors for the time being shall continue to hold their office until others shall have been

chosen in their places; seven directors shall be a quorum to transact all business of the said corporation, and the directors shall be authorized to call in the remaining capital stock of said company, by such installments and at such times as they may direct; *provided*, that such payments shall not exceed ^{Proviso.} twenty dollars on each share per month, and in case of the non-payment of the said installments, or any of them, they shall have power to forfeit such share or shares upon which such default shall arise, to and for the use of said corporation; and also to make and prescribe such by-laws, rules and regulations as to them shall appear needful and proper touching the management and regulation of the stock, property, estate and effects of the said corporation, and also to appoint such officers, clerks and servants as to them shall seem meet, and to establish and affix such salaries to them and also to the president as to the said directors shall appear proper.

6. *And be it enacted*, That the president and directors of the said company be and they are hereby authorized and invested with all the rights and powers necessary and expedient to survey, lay out and construct a railroad from the village of Red Bank, in the county of Monmouth, running through or near the village of Fair Haven and Port Washington to intersect the Long Branch and Sea Shore Railroad, at or nearly opposite Jumping Point, in said county; *provided always*, ^{Proviso.} that the land taken for said railroad shall not exceed one hundred feet in width, except in such places where, from the depth of the excavation or the height of the embankment, it is necessary to take more land for the slope and protection of the side banks of said railroad, in which case so much land as will be necessary for the purpose, and no more, shall be taken, with as many set of tracks and the rails as the company may deem necessary; and it shall and may be lawful for the said president and directors, their agents, engineers, superintendents or others in their employ to enter at all times upon all lands and waters for the purpose of exploring, surveying, leveling, or laying out the said route of said railroad and of locating the same, and to make and erect all necessary works, buildings and appendages thereof, doing no unnecessary injury to private or other property, and when the route of said railroad shall have been determined upon and a survey of the same deposited in the office of the secretary of state, then it shall be lawful for the said company, by its officers, agents, engineers, superintendents, contractors, workmen and other persons in their employ, to enter upon, take possession of, hold,

^{May construct railroad track.}

Proviso.

have, use, occupy and excavate any such lands, and to erect embankments, bridges and all other works necessary to lay rails, and to do all other things which shall be suitable or necessary for the completion or repair of said road, subject to such compensation as is hereinafter provided; *provided always*, that the payment or tender of the payment of all damages for the occupancy of lands through which the said railroad may be laid out, shall be made before the said company or any person under their direction or employ shall enter upon or break ground in the premises, except for the purpose of surveying and laying out said road, unless the consent of the owner or owners of such land be first had and obtained.

Proceedings
when compa-
ny and owners
cannot agree.

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

appointed, and to proceed to view and examine the said land or materials, said commissioners at the same time taking into consideration all the benefit to be derived from or in consequence of the said railroad, as the case may be, to the said owner or owners, and to make a just and equitable estimate or appraisal of the value of the same and assessment of damages as shall be paid by the company for such lands or materials and damages aforesaid, which report shall be made in writing, under the hands and seals of the said commissioners, or any two of them, and filed, within ten days thereafter, together with the aforesaid description of the land or materials, and the appointment and oaths or affirmations aforesaid, in the clerk's office of the county in which the land or materials are situate, to remain of record therein, which report or a copy thereof, certified by the clerk of said county, shall at all times be considered as plenary evidence of the right of said company to have, hold, use, occupy, possess and enjoy the said land or materials, or of the said owner or owners to recover the amount of said valuation, with interest and cost in an action of debt, in any court of competent jurisdiction, in a suit to be instituted against the company, if they shall neglect or refuse to pay the same for twenty days after demand made of their treasurer, and shall from time to time constitute a lien upon the property of the company, in the nature of a mortgage; and the said justice of the supreme court shall upon application of either party, and on reasonable notice to the others, tax and allow such costs, fees and expenses to the justice of the supreme court, commissioners, clerks, and other persons performing any of the duties prescribed in this section, as they or he shall think equitable and right, which shall be paid by the company; *provided always*, that should the said Proviso. company, or the owner or owners of any of the land or materials, feel himself, herself or themselves aggrieved by the decision of the commissioners aforesaid, he, she or they may appeal to the next circuit court in the county wherein the said land or materials may lie.

8. *And be it enacted*, That every appeal from the decision Parties aggrieved may appeal. of the commissioners appointed under the preceding section, shall be made in writing and in the form of petition to said court, and filed with the clerk of the said circuit court of the county wherein the land or materials appraised by the said commissioners shall be, and notice in writing of such appeal shall be given to the opposite party within ten days after the filing thereof, which proceeding shall vest in the circuit court

full right and power to hear and adjudge the same, and to direct a proper issue for the trial of said controversy to be formed between the said parties, and to order a jury to be struck and a view of the premises to be had, and the said issue to be tried at the next term of said court to be holden in the said county, upon the like notice and in the same manner as other issues in the said court are tried, and it shall be the duty of the said jury to assess the value of the said land or materials and damages sustained, and if they shall find a greater sum than the said commissioners shall have awarded in favor of the said owner or owners, then judgment thereon, with costs, shall be entered against the said company and execution awarded therefor, but if the said jury shall be applied for by the owner or owners and shall find a less sum than the company shall have offered or the said commissioners shall have awarded, then said costs to be paid by said applicant or applicants, and either deducted out of the said sum found by the said jury or execution awarded therefor, as the said court shall direct; but such application shall not prevent the company from taking the said land, upon filing the aforesaid report; *provided*, that in no case whatever shall said company enter upon or take possession of any lands of any person or persons for the purpose of actually constructing said railroad, or of making any erection or improvements whatever, or otherwise appropriating said lands to the use of said company until they have paid to the party or parties entitled to receive the same the amount assessed by the commissioners as the value of such lands or damages, in case the report of the commissioners is not appealed from, or if the same is appealed from then the amount which shall be found by the jury by whom the issue shall be tried; but in case the party or parties entitled to receive the amount assessed by the commissioners, in case there shall be no appeal found by the jury, and in case of appeal shall refuse, upon tender thereof being made to receive the same, or shall be out of the state or under any legal disability, then the payment of the amount assessed or found as aforesaid into the circuit court of the county wherein the said lands lie, shall be deemed a valid and legal payment, and further that the party or parties entitled to receive the amount assessed by the commissioners may, upon tender thereof being made, receive the same without being barred thereby from his, her or their appeal from the report of the commissioners.

Prov'iso.

9. *And be it enacted*, That it shall be the duty of the said

company to construct and keep in repair good and sufficient bridges or passages over or under the said railroad, where any public or other road, now or hereafter laid, shall cross the same, so that passage of carriages, horses and cattle on the said road shall not be impeded thereby, and also where the said road shall intersect any farm or lands of any individual, to provide and keep in repair suitable and convenient wagon-ways over or under the said railroad, and shall also construct and maintain suitable and proper cattle-guards at all road crossings.

10. *And be it enacted*, That the president and directors of said company shall have power to have constructed or to purchase with the funds of the company, all machinery, engines, wagons, carriages or cars for transportation of persons or any species of property on the said railroad or any railroad connected with it, and also suitable and safe boats at the terminating points of the said road, as they may think fit, reasonable, expedient or right; *provided*, that they shall not charge more than five cents per mile for carrying each passenger, but no charge shall be required in the aggregate to be less than ten cents, nor shall said company charge more than ten cents per mile per ton for the transportation of any description of property; and the said railroad, with the appendages and the lands over which the same shall pass, and all the work and improvements, and all other property whatsoever belonging to the company, are hereby vested in the said company and their successors, for and during the continuance of their charter.

11. *And be it enacted*, That the president and directors of the said company shall declare and make such dividends as they may deem prudent and proper, from time to time, out of the net profits of the said railroad.

12. *And be it enacted*, That the said company may purchase, have and hold real estate at or near the commencement and termination of the said road, or at any other point on the line of the said road where the directors may think proper to establish a depot, not exceeding twenty acres at each place, and may also erect and build thereon houses, warehouses, workshops, and such other buildings and improvements as they may deem expedient for the safety of their property and for other necessary uses appertaining to their business, and receive the rents and emoluments thereof, and may build and maintain over such rivers and streams as the road may cross, such piers and bridges as they may

Proviso.

deem expedient; *provided*, that suitable and sufficient draws shall be made over any navigable streams, so as not to obstruct the navigation thereof.

May make contracts.

13. *And be it enacted*, That it shall be lawful for the said company at any time during the continuance of its charter, to make contracts and engagements with any other corporation, or with individuals, for transporting or conveying any kinds of goods, produce, merchandise, freight or passengers, and to enforce the fulfillment of such contracts.

Penalty for injuring works.

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

Statement to be filed.

15. *And be it enacted*, That as soon as the railroad with its appendages, shall be finished so as to be used, the president and treasurer of said company shall file, under oath or affirmation, a statement of the amount of costs of said road, including all expenses, and the amount of all purchases made by virtue of this act, in the office of the secretary of this state, and annually thereafter the president and treasurer of the said company shall, under oath or affirmation, make a statement to the legislature of this state of the proceeds of said road, and the treasurer of said company shall, under oath or affirmation, make an annual statement to the treasurer of this state of the number of passengers and the number of tons of merchandise transported thereon.

Tax on capital stock.

16. *And be it enacted*, That from and after the said railroad or any part thereof shall be in operation, the said corporation shall pay to the treasurer of this state, a tax of one-half of one per centum on the capital stock of said road, to be paid annually thereafter on the first Monday in January of each year, and such other tax as may be assessed from time to time by a general law applicable to all railroads over which the legislature shall have power for that purpose at the time of the passage of such law or laws.

May borrow money.

17. *And be it enacted*, That the said Red Bank and Rumson Neck Railroad Company shall have power to borrow such sum or sums of money, from time to time, as shall be necessary, to build, construct or repair their road, and furnish all necessary engines, machinery and boats, for the uses

and objects of said company, and to secure the repayment thereof by the execution and negotiation of any bond or bonds, and secured by mortgage on said road, lands, privileges, franchises and appurtenances of and belonging to the said company, said bonds bearing not more than seven per centum interest per annum; *provided however*, that the said company shall not plead the statute of usury in consequence thereof; *and provided further*, that said bonds shall constitute a first lien on the railroad, its cars, boats, real estate and franchises, and to dispose of said bonds for the purpose of aiding in the construction of said railroad, at a rate not less than ninety per centum of their par value, and redeemable in thirty years from date.

18. *And be it enacted*, That at any time after the expiration of thirty-five years from the completion of said road, the legislature of this state may cause an appraisement of the said road and the appendages thereof to be made by six persons, three of whom shall be appointed by the chief justice of this state for the time being, the remaining three by the company, who, or a majority of them, shall report the value thereof to the legislature within one year from the time of their appointment, or if they cannot agree they shall choose a seventh, who, with the aforesaid six, or a majority of them, shall report as aforesaid; or in case the said company shall neglect or refuse to appoint the said three persons on their part, for two months after notice of the said appointment by the said chief justice, then the three persons appointed by him, shall proceed to make such appraisement, which shall be binding on the said company, or in case the six commissioners shall be appointed and they cannot agree upon a seventh man, then upon two weeks' notice to the said company, the said chief justice shall appoint such seventh man as aforesaid, to make such appraisement as aforesaid, and thereupon the state shall have the privilege, for two years, of taking the said road with its appendages, upon the payment to the company of the amount of said report, within one year after electing to take the said road, which report shall be filed in the office of the secretary of this state, and the property and interest of said road and appendages thereof, shall be vested in the state of New Jersey, upon the payment of the amount so reported, to the said company; and it shall be the duty of the president of the company to lay before the legislature, under oath or affirmation, when they shall so request, a full and fair statement of the cost of said road, and of the re-

Proviso.

Provis^o.State may
take road on
payment of
appraisement.

Proviso.

ceipts and disbursements of the company; *provided always*, that the aforesaid valuation shall be made without any reference to the receipts or disbursements of the company, or advance of stock, and the said valuation shall in no case exceed the first cost or valuation of said road with the appendages thereof.

Limitation.

19. *And be it enacted*, That if the said railroad shall not be commenced within three years, and be completed within seven years from the fourth day of July next ensuing, that then and in that case this act shall be void.

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

Approved March 23, 1865.

CHAPTER CCXCII.

An Act supplementary to an act entitled "An act to incorporate the West Jersey Canning and Pickling Company," in the county of Cumberland.

Corporate name.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the corporate name of the company created by the act to which this is a supplement, entitled "The West Jersey Canning and Pickling Company," approved February second, eighteen hundred and sixty-five, be changed to "The American Canning and Pickling Company," and as such to be entitled to all the advantages and subject to all the liability contained in the original act.

2. *And be it enacted*, That wherever the words "West Jersey Canning and Pickling Company" occur in the original act, they shall be substituted by the words "American Canning and Pickling Company."

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

Approved March 23, 1865.

CHAPTER CCXCIII.

An Act to incorporate the Soldiers' Children's Home.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Mrs. Abraham O. Zabriskie, Mrs. James L. Davenport, Mrs. Joseph R. Gordon, Mrs. James C. Carlisle, Mrs. Hozea F. Clark, Mrs. Alfrederick S. Hatch, Mrs. Walter Storm, Mrs. J. G. Curtis, Mrs. J. Owen Rouse, Mrs. Cornelius Van Vorst, Mrs. Daniel P. Griffith, Miss Sarah A. Zabriskie, Mrs. A. J. Fitch, Mrs. Delos E. Culver, Mrs. Peter Bentley, Mrs. James Montgomery, and Mrs. Henry M. Scudder, and such other persons as shall hereafter become members of the corporation in the manner to be provided by its by-laws, are hereby created a body politic and corporate by the name of "The Soldiers' Children's Home." ^{Names of corporators.}

2. *And be it enacted*, That said corporation shall have power to provide a home and to support and educate the destitute children of any soldier, whether living or dead, who may have been engaged as a soldier in the present contest for the maintenance of the Union of the United States, which is declared to be the object and purpose of said corporation and for such purpose it may hold property to an amount not exceeding one hundred thousand dollars. ^{Object.}

3. *And be it enacted*, That the affairs of said corporation shall be managed by a board of directors of not less than nine persons to be chosen in such manner as the by-laws of said corporation shall direct, and the persons named in the first section of this act shall be directors of said corporation until others shall be chosen in their stead, and that said directors shall have power to make by-laws prescribing the officers of said corporation, the number of directors, the manner in which such officers and directors shall be chosen, their term of office, and to make all other by-laws for said corporation and the management of its affairs. ^{Election of directors.}

4. *And be it enacted*, That said corporation shall have power to receive under their care for support and education any minor child of any such soldier, if placed in their charge by its father or mother or legal guardian, or in the absence of such father or mother or legal guardian, by any person having the charge and custody of such child, and while said child remains under its care, and until withdrawn as hereinafter provided, ^{Powers.}

or discharged according to the regulations of said corporation, shall have the same right, control and powers over and relating to such child, as any father has by law over or relating to his minor child.

Children may be withdrawn from institution.

5. *And be it enacted*, That the father of any child placed in said institute, or if there be no father living or in this state, its mother or legal guardian may at any time withdraw from said institution any child placed in its care, and any minor over sixteen years, upon his or her own request in writing shall be discharged from the same.

Not to be taxed.

6. *And be it enacted*, That the property of said corporation held or occupied by them for the purposes of their incorporation shall be freed from all taxes to be levied under the authority of the state, and no person shall lose or acquire a legal settlement by residence in the home to be provided by said corporation.

Approved March 23, 1865.

CHAPTER CCXCIV.

An Act to authorize the inhabitants of the township of Middletown, in the county of Monmouth, to raise bounties.

Preamble.

WHEREAS, the inhabitants of the township of Middletown, in the county of Monmouth, did, at a special town meeting duly held, on the twenty-eighth day of January, Anno Domini eighteen hundred and sixty-five, vote to pay a bounty of not more than three hundred dollars to any person enrolled in said township who should volunteer or procure a substitute, to be credited to the quota of said township, or to any volunteer credited to the quota of said township, under the call of the president of December nineteenth, Anno Domini eighteen hundred and sixty-four, and did further vote to raise a part of the money necessary for paying such bounties by a poll tax of ten dollars, and the remainder by a tax upon property; therefore,

Duties of assessor and collector.

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That the assessor and collector of said township, do assess and collect the above named taxes,

with the necessary expenses incident thereto, in the same manner as other township taxes are assessed and collected.

2. *And be it enacted*, That this act shall take effect immediately, and be taken and held to be a public act:

Approved March 23, 1865.

CHAPTER CCXCV.

An Act to authorize the establishment of a Home for Disabled Soldiers.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Marcus L. Ward, Daniel Haines, Charles S. Olden, Edwin A. Stevens, William A. Newell and Rynear Veghte, are hereby appointed and constituted commissioners for the purpose of selecting a site, within the state, on which may be erected and established "The New Jersey Home for Disabled Soldiers." Commissioners to select a site.

2. *And be it enacted*, That the said commissioners, or a majority of them, shall have power to purchase, within this state, at any price not exceeding ten thousand dollars, or receive by gift, a suitable site for the location of the said home, and so much land, under and by assured title, as shall be deemed necessary for farming and gardening purposes, on which premises there shall be facilities for obtaining ample and unfailing supplies of pure, soft water; and if there be buildings on the said premises suitable for the purposes of such home, to purchase the same at any additional price not exceeding thirty thousand dollars; and the said commissioners, or a majority of them, shall have power to purchase for the use of the said home the furniture and fixtures necessary for the purpose, at a cost not exceeding ten thousand dollars. Powers.

3. *And be it enacted*, That whenever the said commissioners shall have procured such site, and good and sufficient evidences of title therefor shall have been executed and delivered, the treasurer of the state is hereby directed to pay, on the warrant of the governor, to the grantor or grantors thereof, such sum or sums of money as may be required to pay for the said site, not exceeding the sum of ten thousand Governor to draw warrant for payment.

dollars, and for the said buildings not exceeding the sum of thirty thousand dollars, and for the furniture and fixtures aforesaid a sum not exceeding ten thousand dollars, agreeably to the contract or contracts of the said commissioners.

To contract
for erection of
buildings.

4. *And be it enacted*, That at any time within three months after the purchase and conveyance of the said site, the said commissioners or a majority of them, shall contract for the erection of the said home, or for the extension, alteration or repairs of the buildings so purchased, on such plans and terms as they shall deem just and proper; *provided always*, that said plan shall embrace such construction and arrangement of the said buildings as will conduce to the comfort and economical management of the said institution; and it shall be the duty of one or more of said commissioners to superintend the erection or alteration of the said buildings, with a view to the due execution of the work; and in case of the death, inability or refusal to serve, of any of the said commissioners, the governor shall have power to fill the vacancy caused thereby.

Bonds to be
given.

5. *And be it enacted*, That the said commissioners, before making any contract for the erecting or altering of said buildings, shall give their bonds, with two or more sufficient sureties, to be approved by the governor, jointly and severally to the state, in the penal sum of ten thousand dollars, conditioned for the faithful performance of the duties required of them by this act.

Treasurer to
pay moneys.

6. *And be it enacted*, That the treasurer of the state is hereby directed to pay to the said commissioners, on the warrant of the governor, out of any moneys in the treasury not otherwise appropriated, such sum or sums of money as they may require for the purchasing, erecting, enlarging or repairing of the said buildings, not exceeding thirty thousand dollars; the accounts of the said commissioners shall be duly audited by the secretary of state or other officer, whose duty it may be to audit the accounts against the state.

Report to be
made.

7. *And it be enacted*, That it shall be the duty of the said commissioners to make a detailed report of all moneys expended by them by virtue of this act; and also of the progress which shall have been made in the erection, enlarging or repairing said buildings to the governor, on or before the first day of January next, and as often thereafter as the governor shall and may from time to time require.

Compensation

8. *And be it enacted*, That each commissioner shall be al-

lowed for his services whilst actually employed in the duties of his office, the sum of three dollars per day.

9. *And be it enacted*, That the secretary of state, or other auditing officer, shall audit the accounts of the said commissioners for their services, and, upon his certificate, the treasurer shall pay the same. Accounts to be audited.

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

Approved March 23, 1865.

CHAPTER CCXCVI.

A Further Supplement to the act entitled "An act to incorporate the Morris and Essex Railroad Company," passed January twenty-ninth, eighteen hundred and thirty-five.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the Morris and Essex Railroad Company, and they are hereby authorized in completing their railroad and adapting the same to the business of transporting coal and other produce, to lay out and construct a branch railroad to connect with their main railroad at or near the vicinity of Denville, and thence by way of Boonton or its vicinity through the Great Notch in First Mountain, and thence to connect with some point of their main road, east of said mountain, or with the Bloomfield Railroad or both, with power to construct a branch railroad to Paterson or the vicinity thereof; and that for these purposes they shall have power to enter upon and take lands and exercise all rights, powers and franchises conferred upon them by their original act of incorporation and the several supplements thereto, with regard to their main road and its several branches, subject, however, to all the restrictions, limitations and conditions of said original act and supplements, which may be applicable to the powers and franchises hereby conferred. May construct branch railroad.

2. *And be it enacted*, That in constructing the branch railroad, authorized in the said first section of this act, if it should be desirable for the purpose of getting better grades, that the To construct bridge or viaduct.

same or the main line of said company should cross the Passaic river further north than the present bridge of said company at Newark, it shall be lawful to construct a bridge or viaduct for such crossing, not nearer the present bridge of said company at Newark than Mill Brook, subject to all the conditions with regard to a draw therein as are imposed in the supplement to said act of incorporation, which was passed in the year eighteen hundred and fifty-seven, authorizing said company to extend their railroad to the Hudson river; *provided*, said railroad shall cross the river road in Hudson county by a viaduct.

Proviso.

When tax to be paid.

3. *And be it enacted*, That the tax of one-half of one per cent. provided by their said original act of incorporation, to be paid by the said company to the state whenever the net earnings of the said company amount to seven per cent. upon the cost of the road, shall be paid at the expiration of one year from the time when the road of the said company shall be open and in use to Phillipsburg, and annually thereafter, which tax shall be in lieu and satisfaction of all other taxation or imposition whatsoever, by or under the authority of this state or any law thereof; *provided*, that this section shall not go into effect or be binding upon the said company, until the said company, by an instrument duly executed under its corporate seal, and filed in the office of the secretary of state, shall have signified its assent hereto, which assent shall be signified within sixty days after the passage of this act, or this act shall be void.

Proviso.

Regulation of tracks.

4. *And be it enacted*, That the track of the said Morris and Essex Railroad, or its branches, and the track of the Paterson and Newark Railroad company, or its branches, shall not at any point cross each other upon the same level, and the track last laid shall pass over or under the track of the other road upon such a grade as will permit the locomotives and cars of the other company to pass without obstruction.

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

Approved March 23, 1865.

CHAPTER CCXCVII.

An act to authorize the inhabitants of the township of Dover, in the county of Ocean, to raise money for military purposes.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the township committee of the township of Dover, in the county of Ocean, to provide for the payment of the indebtedness incurred and to be incurred in the granting of bounties to volunteers, drafted men and substitutes, by the inhabitants of said township in town meeting assembled on the fifth day of October, in the year eighteen hundred and sixty-four, and the fourth day of February, in the year eighteen hundred and sixty-five, respectively, for filling the quotas of said township under the calls of the president of the United States for troops in July and December, respectively, in the year eighteen hundred and sixty-four, by issuing bonds in the name of the inhabitants of the township of Dover, in the county of Ocean, under the respective hands and seals of the members of the said township committee, or any two of them, for an amount not exceeding the sum of four hundred dollars for each volunteer, drafted man and substitute, accepted to fill the quotas aforesaid, and that said bonds shall not be disposed of by said committee for less than their par value.

To provide for payment of indebtedness by issuing bonds.

2. *And be it enacted*, That the said township committee are hereby empowered to provide by taxation for the payment of such bonds and the interest accruing thereon; and that the said committee shall yearly, until the said bonds shall be redeemed and satisfied, cause to be assessed and collected by tax, at the time and in the manner that other taxes in said township are assessed and collected, a sum of money sufficient to pay the principal and interest accruing on the said bonds at such times as the same shall become due and payable; and that the collector of the said township of Dover, when such tax or any part thereof shall be collected, shall pay the same to the township committee of said township, and the said money shall be by them applied to pay the principal money and interest accruing on said bonds as the same shall become due and payable.

To provide by taxation for payment of principal and interest.

3. *And be it enacted*, That not less than six thousand

Amount to be
raised in each
year.

dollars, nor more than twelve thousand dollars shall be assessed and collected of the principal money, for which such bonds shall be given in any one year, and that a poll tax of one dollar upon married men and men having families to support, and of two dollars upon all other taxable inhabitants of said township shall be levied and collected yearly for the purposes of this act.

Acts legalized.

4. *And be it enacted*, That the acts of the said township, in the granting of the said bounties not exceeding the amount hereinbefore mentioned, and the debts and liabilities thereby incurred, are hereby ratified and confirmed.

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

Approved March 24, 1865.

CHAPTER CCXCVIII.

A Supplement to the act entitled "An act to authorize the inhabitants of the township of Freehold, in the county of Monmouth, to raise money, issue bonds, and for other purposes," approved February twenty-fourth, eighteen hundred and sixty-five.

Interest on
bonds.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the bonds authorized to be issued by the inhabitants of the township of Freehold, in the county of Monmouth, by the first section of the act to which this is a supplement, shall bear a rate of interest not to exceed seven per centum per annum, payable annually.

Repealer.

2. *And be it enacted*, That so much of the act to which this is a supplement as is inconsistent herewith be, and the same is hereby repealed, and that this act shall take effect immediately.

Approved March 24, 1865.

CHAPTER CCXCIX.

Supplement to the act entitled "An act to authorize the inhabitants of the township of Millstone, in the county of Monmouth, to raise money, issue bonds, and other purposes," approved

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the bonds authorized to be issued by the inhabitants of the township of Millstone, in the county of Monmouth, by the first section of the act to which this is a supplement, shall bear a rate of interest not to exceed seven per centum per annum, payable annually. ^{Interest on bonds.}

2. *And be it enacted*, That so much of the act to which this is a supplement, as is inconsistent herewith, be and the same is hereby repealed, and that this act shall take effect immediately. ^{Repealer.}

Approved March 24, 1865.

CHAPTER CCC.

An Act to authorize the inhabitants of the township of Lebanon, in the county of Hunterdon, to raise bounty money, and to legalize the acts of said township for bounties paid heretofore.

WHEREAS, the inhabitants of the township of Lebanon, in the county of Hunterdon, at a special town meeting held for that purpose, in the month of January, Anno Domini eighteen hundred and sixty-five, did agree and authorize the town committee of said township, to raise a sum of money sufficient to procure the requisite number of volunteers to fill the quota of said township under the call made by the president of the United States, in December last, for three hundred thousand men, ^{Preamble.}

Money to be
raised by loan.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the township committee of said township are hereby authorized and empowered to raise by loan any amount of money that may be necessary, not exceeding thirty thousand dollars, on the faith and credit of said township, to pay bounties for soldiers to fill the quota of said township, under the call aforesaid of said township, for three hundred thousand men; and that the notes or bonds of said township, in its corporate capacity, given and to be given for the money so borrowed, and signed by the members of the town committee, shall be valid and binding upon the property and taxable inhabitants of said township.

Money to be
raised by tax.

2. *And be it enacted*, That the inhabitants of said township are, and they are hereby authorized and empowered to raise by tax a sum of money sufficient to discharge and pay the bounties aforesaid, under the call above stated, so ordered and voted as aforesaid; and that the same shall be assessed and collected in the same manner (with the poll tax hereinafter mentioned) as the other township and county taxes are assessed and collected in the said township.

Poll tax.

3. *And be it enacted*, That there shall be a poll tax of five dollars, levied annually, upon every male inhabitant of said township of the age of twenty-one years and upwards, until said bounty money, and the interest which may accrue thereon shall be paid and satisfied; *provided however*, that all such persons shall be exempt therefrom who shall have served in the army of the United States, and by reason of such service are exempt from the draft.

4. *And be it enacted*, That this act shall take effect immediately, and shall be taken in all courts as a public act.

Approved March 24, 1865.

CHAPTER CCCL.

An Act to authorize the Board of Chosen Freeholders of the county of Ocean to raise money for military purposes.

Preamble.

WHEREAS, the Board of Chosen Freeholders of the county of Ocean, for the purpose of aiding in the suppression of the

existing rebellion and the restoration of the Union, did by resolutions adopted by said board, on the twenty-second day of July, on the sixth day of August, on the ninth day of September, and on the tenth day of October respectively, in the year eighteen hundred and sixty-four, grant certain bounties to volunteers, substitutes and drafted men, varying in amount from one hundred and twenty-five dollars to five hundred dollars for each man accepted and mustered into the service of the United States to fill the respective quotas of the several townships of said county of Ocean, under the call of the president of the United States for troops, made in the month of July, in the year eighteen hundred and sixty-four, and did among other things direct that certificates of indebtedness be issued in the name of the county, for the raising of said bounty money, to be signed by the director, and attested by the clerk of said board, and to be afterward replaced by county bonds, and that the county tax to be levied for the payment of the same be apportioned to the several townships of said county, in proportion to the amount of bounty money furnished by the county for such townships respectively; therefore;

1. BE IT ENACTED *by the Senate and General Assembly of* Acts legalized *the State of New Jersey,* That the said resolutions mentioned in the preamble to this act shall be and are as legal, valid and effectual as if they had been expressly authorized by law prior to the making and passing of the same by the said board of chosen freeholders.

2. *And be it enacted,* That any such certificates of indebtedness, and bonds properly issued and delivered by authority of the said board of chosen freeholders, bearing interest not exceeding six per centum per annum, and the debts and liabilities thereby incurred, or intended to be incurred, shall be and are as legal, valid and effectual as if before the same had been issued and delivered, the issuing and delivery thereof had been expressly authorized by law; and that said certificates of indebtedness, if not replaced by bonds as aforesaid, shall be of the same force and effect to all intents and purposes whatsoever, as if the same were bonds or obligations under the seal of said county, and shall be not sooner barred by the statute of limitations than such bonds or obligations would be so barred. Debts and liabilities ratified

3. *And be it enacted,* That for the purpose of redeeming, satisfying and paying such certificates of indebtedness and

To provide by taxation for payment of principal and interest.

bonds, the said board of chosen freeholders of the county of Ocean, shall cause to be added to the quota of the county tax yearly apportioned to the respective townships of said county; *provided*, that the townships of Plumsted, Union and Stafford shall be and they hereby are exempted from the provisions of this act, such sum of money as shall be sufficient to pay the principal and interest money secured by said certificates of indebtedness and bonds, at such times as the same shall become due and payable, and the payment of the said sums of money as aforesaid apportioned to said townships respectively, shall be enforced in like manner as the payment of other county taxes may be enforced.

4. *And be it enacted*, That in each and every case where a certificate of indebtedness has been issued to the inhabitants of the several townships, for the purposes set forth in the preceding sections, the same shall be in lieu of the local township bounties authorized by said townships respectively.

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

Approved March 24, 1865.

CHAPTER CCCII.

An Act to establish a salary for the crier of the courts of the county of Middlesex.

Compensation

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the crier of the courts of the county of Middlesex, shall hereafter receive the sum of one hundred and fifty dollars per annum, as a salary for services as such crier, to be paid in quarterly payments by the collector of said county, out of the county funds in his hands.

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

Approved March 24, 1865.

CHAPTER CCCIII.

An Act to incorporate the Jersey City Library Association.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Orestus Cleveland, Alexander H. Wallis, Delos E. Culver, Job Male, Joseph McCoy, John W. Dangborn, Charles H. Atkins, and such other persons as may become their associates, their successors and assigns, shall be, and hereby are, constituted a body corporate and politic, in fact and in name, by the name of "The Jersey City Library Association," and said association is hereby authorized to lease, purchase, hold, sell, improve, or to receive by donation, devise or bequest, and to convey any lands, tenements or personal estate whatsoever, and to raise loans upon the same, by mortgage or otherwise, and to rent out the same, and receive the rents or emoluments thereof, as may be deemed expedient for the purposes of this corporation. Names of corporators.

2. *And be it enacted*, That the said corporation shall be governed and directed by a board of trustees, composed of such number of persons, residents of Hudson county, elected annually, and in such manner, as may be prescribed by the by-laws of said association, to be enacted as hereinafter provided for, and that the first trustees of said association shall be the persons named in the first section of this act, and that the term of office of said first trustees, shall be until others are chosen under the by-laws of said association by the members thereof. Board of trustees.

3. *And be it enacted*, That the capital stock of said association shall be one hundred thousand dollars, to be divided into shares of twenty-five dollars each, which shares shall be deemed to be personal property, and shall be transferable and assignable in such manner as the by-laws of said association may direct. Amount of capital stock.

4. *And be it enacted*, That the corporators named in this act, shall open books for subscription to the capital stock of this association, at such time or times, and in such place or places, as they, the said corporators, or a majority of them, may deem desirable, due notice of the times and places for receiving such subscriptions having been given in all newspapers published in Jersey City, and at least ten per centum of each of said subscriptions shall be paid to the person au- Subscription books to be opened.

thorized by the said corporators to receive the same, by the person so subscribing, at the time such subscription is made, and the balance of each of said subscriptions shall be paid at such time or times, and in such place or places, as the said corporators named in this act as the first trustees of said association, or their successors duly elected under the by-laws of the association, or a majority of them, shall direct; and if any subscriber shall fail to pay in the balance of the amount of his or her subscription, or such portion thereof as may be called for by said corporators or trustees, within thirty days after due notice shall have been given, according to the by-laws of said association, to such subscriber by said trustees, then such subscriber shall, if the trustees so direct, forfeit and relinquish to said association all such portion of his or her subscription as may have been already paid in, under the provisions of this act, or, the said trustees may enforce payment of the same by such delinquent subscriber, by due course of law.

Powers of trustees.

5. *And be it enacted*, That the board of trustees of said association shall have power to enact by-laws for the government and management of its property, purposes, and general affairs, and shall have power to alter, amend or to repeal the same, or any part thereof, in such manner as the said by-laws may prescribe, and that the said by-laws shall prescribe the manner and time for the election of trustees, and shall state the number of officers of said board of trustees, and of said association, and prescribe their duties, and the manner in which, and the term for which they are appointed, and the manner in which vacancies in the board of trustees, or in any of the offices, whether caused by removal, death, expulsion, or otherwise, may be filled.

Dividends.

6. *And be it enacted* That upon the capital stock of said association, no dividends shall be made, or profits divided among the shareholders, in amount greater than seven per centum per annum upon each share, and that the residue of profits, or surplus income over and above the above amount of seven per centum per annum divided among the shareholders, if any such surplus income shall accrue, shall be expended for the purchase of books to be placed in the library of such association, for the use and benefit of the "library members" hereinafter provided for, of the Jersey City Library Association, and shall not be expended or used for any other purpose.

7. *And be it enacted*, That the by-laws to be enacted by

said trustees, shall provide for the establishment of a library and reading rooms, and shall name the amount to be paid annually, semi-annually, or otherwise, by those who wish to avail themselves of the privileges of the library and reading rooms, and that those subscribing to the library fund, and not to the capital stock of the association, shall be known on the books of said association as "Library Members of the Jersey City Library Association," and that no part of the subscriptions paid in by said "library members" shall be used or considered as the income of the association, from which any dividend can be made, or profits divided, to the subscribers to, or owners of, any of the shares of the capital stock, but the money so paid in by the "library members" shall be kept and used exclusively as a library fund, for the benefit, and the supply and general maintainance of the library and reading rooms.

8. *And be it enacted*, That the real and personal estate of the said, the Jersey City Library Association, shall be free from all state, county and city taxes or assessments whatsoever, and that said association shall be competent to sue, and be sued, before any court of law in its corporate name, and that it may have a common seal, which seal may be altered or changed by order of a majority of the board of trustees, and that said trustees shall, at least ten days previous to the annual election for trustees, publish, in one or more of the newspapers published in Jersey City, a full and complete statement of its receipts and disbursements, and the amount of funds on hand at such time of making the statement, and the number of books added to the library by purchase, and the cost thereof, and the number of books added by donations or otherwise, together with the total number then in the possession of the association.

9. *And be it enacted*, That whenever ten thousand dollars of the capital stock shall have been paid in, the board of trustees are authorized to commence operations in carrying out the objects and purposes of the association, and that one of the objects of the association shall be to furnish a public hall in Jersey City, the rents and emoluments of which may be collected and received by the association.

10. *And be it enacted*, That this act shall be deemed a public act, and shall take effect immediately.

Approved March 28, 1865.

CHAPTER CCCIV.

An Act to incorporate the Gloucester Iron Foundry and Machine Company.

Names of corporators.

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That James H. Stevens, James P. Michellon, Peter L. Voorhees, William Sexton and Lewis H. Bundick, and such other persons as may hereafter be associated with them, and their successors or assigns, be and they are hereby made and constituted a body politic and corporate in law by the name of "The Gloucester Iron Foundry and Machine Company," for the purpose of manufacturing machinery, iron and brass castings, and the various kinds of metals in general use, and for the transaction of such business as may be necessarily connected therewith, and may hold and erect such mills, buildings and other works as may be required to carry on such branches of manufacture, and shall have power to raise by subscription a capital stock of one hundred thousand dollars, in shares of one hundred dollars each.

May hold real estate.

2. *And be it enacted,* That the said corporation may purchase, lease, use, hold, possess and enjoy such real estate in the county of Camden as may be required, for the purposes of said corporation, and all other real estate which shall have been mortgaged to the said corporation by way of security, or conveyed to them in satisfaction of debts previously contracted in the course of business, or purchased or may be purchased at sales upon judgments or decrees which shall have been obtained for or upon such debts, and may sell, mortgage, lease or otherwise dispose of the same at pleasure, and may sue and be sued in all courts of law or equity, and may have and use a common seal, and may change or alter the same at pleasure, and may make such by-laws for their regulation and government as they may see proper; *provided,* the same are not inconsistent with the constitution and laws of the United States or of this state.

Proviso.

Books of subscription to be opened.

3. *And be it enacted,* That it shall and may be lawful for the persons named in the first section of this act, or a majority of them, at such time and place as they may select, to open books of subscription to the capital stock of said corporation, and whenever the sum of fifty thousand dollars

shall have been subscribed and the sum of twenty-five thousand dollars actually paid in, and an affidavit thereof made by two or more of the directors of said corporation shall be filed in the office of the secretary of state, it shall and may be lawful for the said corporation to commence and carry on its said business under the provisions of this act.

4. *And be it enacted*, That it shall be lawful for the directors of said corporation to call for and demand of the stockholders, respectively, all such sums of money as are by them subscribed, at such times and in such proportions as the said directors shall see fit, under the pain of the forfeiture of their shares and all previous payments thereon to the said corporation, the said stockholders being notified at least thirty days previous to the time of the payment of each installment; the capital stock of said corporation shall be deemed personal estate and be transferable upon the books of the said corporation in such manner as may be required by the by-laws of said corporation, and no part of the capital stock shall at any time, or upon any pretence whatever, be divided among the stockholders for dividends, neither shall it be withdrawn or refunded to the stockholders until all debts and liabilities of the corporation are fully paid, and an affidavit thereof, and the amount of the capital stock proposed to be withdrawn or refunded to said stockholders be filed in the office of the secretary of state, and all stockholders may, in all questions submitted to them, and in all elections, be entitled to one vote for every share he or she holds in the stock of said corporation, which vote may be cast in person or by proxy, and all matters before said stockholders shall be decided by a majority of votes so cast.

Payment of installments.

5. *And be it enacted*, That the stock, property and affairs of the said corporation shall be managed by not less than three nor more than five directors, one of whom the said directors shall appoint their president, and said directors shall be stockholders in said corporation, and shall hold their office for one year and until others shall be chosen to fill their places; said directors shall be elected at the annual meeting of the stockholders, to be held on the first Tuesday of April, at such hour of the day and at such place as the by-laws of the said corporation shall direct, and until such annual election shall take place, the persons named in the first section of this act shall be the directors of said corporation; a majority of the directors shall, on all occasions, when assembled at such time and place as the by-laws shall prescribe, constitute

Election of directors.

a board competent to transact business, and all matters before them shall be decided by a majority of votes; and in case any vacancy shall occur in the board of directors by death, resignation, or the failure of the stockholders to elect the full number authorized by this act, the remaining directors for the time being, or a majority of them, shall have power to fill such vacancy by the appointment of any stockholder.

Annual statement to be made.

6. *And be it enacted*, That the said directors shall submit to the stockholders, at their annual meeting, a written statement of the affairs of said corporation, setting forth the amount of the capital stock paid in, the amount of money due to and from the corporation, the amount of all assets and property belonging to said corporation, as nearly as the same can be ascertained.

Dividends.

7. *And be it enacted*, That dividends of so much of the profits of the said corporation as the directors may think advisable may be declared in the months of January and July in every year, to be paid to the stockholders or their legal representatives, at any time, on demand, after the expiration of thirty days after the same shall have been so declared.

Not dissolved for failure to elect.

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

Valuation.

9. *And be it enacted*, That any buildings, land, property, machinery or materials used in manufacturing, which may be received in payment for subscription for stock, shall be taken at a valuation approved by a majority of the board of directors, or a majority of the stockholders.

Books of account to be kept.

10. *And be it enacted*, That regular books of account shall be kept in the office of said corporation, to which books of account any stockholder may have free access at any reasonable times for the purpose of inspection, and that books of transfer of the stock shall also be kept for their inspection, and shall be evidence of the ownership of said stock in all elections, and other matters submitted to the decision of the stockholders of said corporation.

Restrictions and liabilities.

11. *And be it enacted*, That the corporation hereby created shall possess the general powers, and be subject to the re-

strictions, provisions, duties, limitations and obligations set forth in an act entitled "An act concerning corporations," approved the fourteenth day of February, eighteen hundred and forty-six, and the supplements to said act so far as the same are applicable.

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

Approved March 28, 1865.

CHAPTER CCCV.

An Act to legalize and make valid the bonds or other obligations of the township of Livingston, in the county of Essex, heretofore issued for bounties, or may be now issued or may hereafter be issued to fill the quota for the call for three hundred thousand⁹ men of December nineteenth, Anno Domini eighteen hundred and sixty-four, and also to authorize the inhabitants of said township to raise additional moneys by bonds for volunteers, substitutes or drafted men, and to provide for the payment of the same.

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Bonds made} *the State of New Jersey*, That the bonds and the obligations ^{valid.} made and issued in the year eighteen hundred and sixty-four, by the township committee of the township of Livingston, in the county of Essex, in the corporate name of said township for the purpose of raising money for bounties, and amounting in all to about the sum of four thousand dollars, and on which said bonds the money named therein has been borrowed, and also the bonds or scrip which may be now issued or may be hereafter issued for bounties to fill the quota of said township for the call for three hundred thousand men of December nineteenth, A. D. eighteen hundred and sixty-four, not to exceed the sum of two thousand dollars, shall be, and the same are hereby declared and made legal and valid as the obligations of said township, according to the tenor thereof; and it shall be lawful for the inhabitants of said township at any special or annual town meeting to provide for the payment thereof by taxes according to the mode prescribed by law for other township purposes.

Bounties to be offered.

2. *And be it enacted*, That to meet any future calls for troops from the general government, and to fill the quota of said township in any future calls, it shall be lawful for the inhabitants of said township at any special meeting called for that purpose, or at any annual meeting, to offer bounties to volunteers, substitutes or drafted men to such an amount as shall be fixed by a vote of two-thirds of the taxable inhabitants present and voting at such meeting; and in order to raise the money to pay such bounty so offered, it shall be lawful for the inhabitants of said township at any meeting to authorize the township committee to issue bonds or other obligations of said township for such amounts, and of such tenor and effect as said committee may deem most expedient and advantageous for that purpose; and it shall be lawful for the township committee, whenever they may deem it expedient or proper to call a meeting of the inhabitants of said township for the purposes named in this act, by causing written notices of such meeting, the object or purpose of the same, and the time and place where it shall be held, to be set up in at least ten of the most public places in said township, at any time not less than five days before the day fixed for holding the same, and all bonds or obligations issued under the provisions of this act shall be valid and binding upon the said township in its corporate character and shall be paid by taxes assessed and raised in the same manner as other moneys are raised by tax for township purposes; *provided*, the tax assessed on property shall not exceed two dollars on one thousand dollars valuation in any one year.

Proviso.

Poll tax.

3. *And be it enacted*, That until the bonds provided for in this act shall be fully paid, a poll tax of five dollars shall be annually assessed and raised upon every taxable male inhabitant of said township.

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

Approved March 28, 1865.

CHAPTER CCCVI.

An Act to change the name of the "Broad Street Methodist Episcopal Church of Newark," incorporated by certificate dated June twenty-eighth, eighteen hundred and fifty-three, and recorded in the clerk's office of the county of Essex, in book B, of Miscellanies of said county, on page two hundred and fifty-six.

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Name chang-}
the State of New Jersey, That the name of the "Broad Street" ^{ed.}
Methodist Episcopal Church of Newark," be, and the same
is hereby changed to the "Saint Paul's Methodist Episcopal
Church of Newark.

2. *And be it enacted,* That all the legal rights and liabilities of said corporation shall remain the same as if this act had not been changed; and that this act shall take effect immediately.

Approved March 28, 1865.

 CHAPTER CCCVII.

An Act to authorize the inhabitants of the township of Wantage, in the county of Sussex, to raise money to pay bounties to volunteers, drafted men, and for other purposes.

WHEREAS, the inhabitants of the township of Wantage, in ^{Preamble.}
Sussex county, did on the sixth day of August, Anno Domini eighteen hundred and sixty-four, pursuant to legal notice thereof, assemble and organize themselves into a special town meeting, at which meeting a majority of the legal electors of said township present and voting, did resolve that a sum of money be raised by the township committee of said township, not exceeding the sum of forty-three thousand dollars, by a tax upon the taxable property of said township, to be appropriated and applied by said committee to the filling the quota of men assigned said township, under

the call of the president of the United States for five hundred thousand men, dated July eighteenth, eighteen hundred and sixty-four; and whereas, also, the said inhabitants of said township did, at a certain other special town meeting, held in and for said township, pursuant to legal notice thereof, resolve, by a majority vote of those present and voting, that the said township committee cause to be assessed and collected upon the taxable property of said township a sum of money not exceeding the sum of four hundred dollars, to be paid, when collected, to each and every person having been drafted in the months of June, July or August, Anno Domini eighteen hundred and sixty-four, under the previous call or calls of the president of the United States for men, or to the association or club of which such drafted person furnishing said substitute was a member (if any); also the sum of three hundred dollars, to be paid each and every person so drafted in the months aforesaid, under last said call or calls of the said president, and who paid the commutation of three hundred dollars for an exemption from liability under said draft, or be paid the association or club of which such person being so drafted and commuting was a member (if any); and whereas, the said inhabitants of said township did also, on the eleventh day of January, Anno Domini eighteen hundred and sixty-five, after eight days notice, given by the town clerk at the written request of said township committee, assemble and organize themselves into a certain other special town meeting, and did then and there, by a majority vote, authorize and direct said committee to issue bonds or promissory notes upon the credit of said township, and thereby raise a sum of money sufficient to pay the sum of five hundred dollars to each volunteer, person furnishing an acceptable substitute, and drafted man, if accepted, held to service and accredited on the quota of fifty-nine men, assigned to said township under the call of the president of the United States for three hundred thousand men, dated December nineteenth, eighteen hundred and sixty-four; and also to pay the expenses attending the raising of said money and filling said quota; and whereas, the inhabitants of said township are desirous that the said several acts of the said township above recited be legalized, and that said township committee be empowered to issue bonds or promissory notes, on the credit of said township, borrow money thereon, repay moneys heretofore borrowed,

and levy taxes upon the taxable property of said township to repay the same; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of* Acts legalized *the State of New Jersey,* That all the acts and doings of the township committee and the inhabitants of the township of Wantage, in the county of Sussex, mentioned and recited in the preamble to this act, and the proceedings of the several special town meetings in said preamble set forth, are valid in all respects and binding upon the inhabitants and taxable property of said township; and that all the promissory notes and bonds which have been, and which shall hereafter be issued by said committee, or a major part of the members thereof, for the purpose of raising moneys to be paid as bounties in the filling the several quotas of men assigned said township, specified in said preamble, are hereby rendered legal in all respects, and the taxable property of said township is hereby rendered liable for the payment of the same when due and payable, with the lawful interest thereon.

2. *And be it enacted,* That all promissory notes and bonds To pay off promissory notes. heretofore issued by said committee for the purposes aforesaid, may, in the discretion of said committee, or a major part of the members thereof, be taken up, paid off and cancelled, by the issuing of new bonds or notes in the place and stead of the old ones, under their hands and seals as such committee, or a majority of them, in the name of "The inhabitants of the township of Wantage, in the county of Sussex," payable in six equal annual payments from January first, eighteen hundred and sixty-five, or as near said equal annual payments as said committee can reasonably make the same, with the lawful interest thereon, from the date of the issue of said bonds or notes respectively.

3. *And be it enacted,* That in order to provide for the pay- May issue bonds. ment of the bounties set forth in said preamble, relating to the several persons drafted in the said months of June, July, or August, eighteen hundred and sixty-four, or in any of said months, and who furnished an acceptable substitute or paid the said commutation money, and duly accredited to the quota or quotas of men assigned said township under the said previous call or calls of the President of the United States, for the filling up of which quota or quotas said draft or drafts, as aforesaid, were made, it shall be lawful, and the said township committee, or a major part of the members thereof, are hereby ordered and directed to issue bonds in the name of "The inhabitants of the township of Wantage, in the county of Sus-

sex," under the respective hands and seals of said committee or a majority of the members thereof, in such denominations as said committee may deem proper and payable at such time and times and in such form and manner as are authorized and directed for the issuing of the bonds in section second of this act; and the said committee are hereby authorized to pledge the property of said township for the payment of the same with the lawful interest thereon, from the date of the issue of said bonds respectively; and the said committee, or a major part of the members thereof, are hereby further authorized and empowered, and are hereby ordered and directed to issue said bonds last aforesaid, in manner aforesaid, within one month after the passage of this act, and deliver to each and every person so as aforesaid drafted, and having furnished an acceptable substitute and accredited on the said quota or quotas of said township under last said call or calls of the President aforesaid, said bonds aforesaid to the amount of four hundred dollars; *provided however*, that such person shall have received no money or property from any association or club formed for mutual protection and assistance in case of a draft of any of its members, thereby obtaining pecuniary aid in the hiring of such substitute, in which case such person so drafted, being a member of said association or club, and deriving pecuniary assistance therefrom in the hiring of a substitute, shall receive said bonds to the amount of four hundred dollars aforesaid, less the amount of pecuniary aid obtained by him from said association or club, and the association or club of which such drafted person was a member, shall receive said bonds for the equal benefit of the members thereof, to an amount equal to the pecuniary aid such association or club shall have furnished said drafted person; *provided also*, that the bonds so to be delivered to said drafted person and said association or club shall not exceed the said sum of four hundred dollars, in each case; and also said committee are hereby further ordered and directed to deliver, within the time aforesaid, to each and every person so as aforesaid drafted in any of the said three months aforesaid, and paid the commutation fee of three hundred dollars, and accredited to said quota aforesaid assigned said township under said call or calls last aforesaid, said bonds last aforesaid to an amount not exceeding three hundred dollars; *provided however*, that such person so drafted and paying said commutation was not a member of such association or club aforesaid, and if a member of such association or club aforesaid, then said committee are

Proviso.

Proviso.

Proviso.

directed to deliver to each person so paying said commutation said bonds to the amount of three hundred dollars, less the pecuniary aid furnished each by such association or club; and such association or club to which such drafted person paying such commutation was a member shall receive said bonds for the equal benefit of the members thereof, to an amount equal to the pecuniary aid furnished said person drafted and paying said commutation; *provided nevertheless*, that the amount of said bonds to be delivered to such association or club, and said drafted person paying said commutation shall not exceed in each case the said sum of three hundred dollars. Proviso.

4. *And be it enacted*, That the inhabitants of said township shall be held and deemed liable, in their corporate capacity for all money expended by and contracted for, by bond or otherwise, by said township committee in paying bounties to volunteers or other persons and credited to said township under the call of the president of the United States for five hundred thousand men dated July eighteenth, eighteen hundred and sixty-four, and also for all other moneys expended and obligations incurred and to be expended and incurred by said committee in the paying of bounties to volunteers, drafted persons and persons furnishing substitutes and accredited to the quotas of said township under the several calls of the president of the United States recited in said preamble; and said committee, or a majority of them, are by this act authorized to issue the bonds of said township therefor, payable in the same manner and time and times, and to be issued in the same form as mentioned in the second section of this act, and also to take up and cancel any or all the bonds and promissory notes already issued by said committee, by issuing new bonds in the place and the stead of the old ones; also said committee, or a majority of them, are hereby authorized to raise money by bonds or otherwise, on the credit of said township, to pay the necessary expenses incurred and to be incurred in the filling of the several quotas of said township, enumerated in said preamble, and in the raising or borrowing of said moneys. Liability of inhabitants.

5. *And be it enacted*, That it shall be lawful, and the said township committee or a major part of them, are hereby authorized and empowered to borrow, in the name and for the use of said township, such sum and sums of money as may and shall be necessary for the payment of a bounty of five hundred dollars to each and every person volunteering, being drafted or furnishing an acceptable substitute, and who shall May borrow money.

be duly credited to the quota assigned said township under the call of the president of the United States for three hundred thousand men dated December nineteenth, eighteen hundred and sixty-four, not exceeding, however, said quota; and said committee are hereby further authorized to issue like bonds of the township as in this act mentioned, payable at the time and times as in section second of this act is specified, and to pledge the property and credit of said township for the payment of the same; which bonds, together with all other bonds and notes authorized to be issued by this act, it shall and may be lawful for said committee to sell or assign; *provided*, that no bonds or notes authorized by this act shall be sold for a less sum than the par value thereof.

Proviso.

To provide for payment of indebtedness by taxation.

6. *And be it enacted*, That the said township committee shall have power and authority to provide by taxation for the payment of all and every the bonds and notes heretofore issued or hereafter to be issued and legalized by this act, with the lawful interest thereon, together with the expenses incurred and to be incurred in the raising of said money and in the filling of said quotas; and said committee or a major part of the members thereof, shall yearly and every year from the first day of January, Anno Domini eighteen hundred and sixty-five, order and cause to be assessed and collected by tax upon the taxable property of said township, one equal sixth part of the aggregate amount of all of said bonds and notes authorized and made valid by this act, with the lawful interest thereon, at six per cent. per annum, together with all the expenses aforesaid, or as near the one equal sixth part of the aggregate amount of said bonds and notes as they the said committee can reasonably ascertain the same to be, until said bonds and notes shall be redeemed and paid in full, and the said property of said township is hereby made liable for the payment of all and every of said bonds and notes; said committee shall each and every year after the said first day of January, eighteen hundred and sixty-five, and until said bonds and notes shall be due and payable, certify the aggregate amount of money so to be raised as aforesaid by tax in each year to the assessor of said township.

Duties of assessor and collector.

7. *And be it enacted*, That it shall be the duty of the assessor of said township, and he is hereby required to assess upon the taxable property of said township, at the same time, and in the same manner as other taxes of said township are assessed, such sums of money in each and every year aforesaid as shall be so as aforesaid certified to him by said com-

mittee; and the said taxes so assessed shall be collected in each of said years by the collector of said township, in the same manner and at the same time as other taxes of said township are annually collected; *provided*, that in all and every assessment made by or under authority of this act, there shall be first levied, assessed and collected on each male inhabitant of said township, for the time being, a poll tax of ten dollars; and when collected it shall be the duty of the said collector to pay the same to said committee on or before the first day of January in each year hereafter until said bonds and notes aforesaid shall be fully redeemed and paid, which said yearly sums so be received by said committee, are to be applied to the payment of the principal and interest of said notes and bonds as the same shall become due and payable by the terms thereof, and also to the payment of the expenses aforesaid; said committee are hereby required to demand and receive a proper receipt or voucher of the several payments so directed by them to be made as aforesaid, and within two weeks next after receiving said several receipts or vouchers, said committee shall deliver the same to the clerk of said township; and thereupon said clerk is hereby required to file each and every of said receipts or vouchers, in his office.

8. *And be it enacted*, That the said assessor and collector shall perform the same duties and shall be liable to the same fines and penalties as are now by law imposed upon them respectively for any neglect of duty.

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

Approved March 28, 1865.

CHAPTER CCCVIII.

An Act to legalize bonds issued by "The Mayor and Common Council of the City of Hudson, for war purposes, and to provide for the raising of further sums.

WHEREAS, the mayor and common council of the city of Hudson, for the purpose of procuring the enlistment of men into the naval and military service of the United States, to fill their quota under present and recent calls

for troops by the president of the United States, have issued their bonds to the amount of one hundred and twenty-three thousand four hundred and seventy dollars over and above the sums heretofore authorized by law for such purpose; and whereas, it may become necessary to issue other bonds for a similar purpose; therefore,

Bonds made
valid

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the bonds already issued by the mayor and common council of the city of Hudson, under their corporate seal and the signature of the mayor of said city, for the purpose first expressed in this preamble, amounting in the whole to the sum of one hundred and twenty-three thousand four hundred and seventy dollars, are hereby declared legal and valid.

May issue
bonds

2. *And be it enacted*, That for the purpose of enlisting men into the naval and military service of the United States to fill the quota of said city on the present or any future call for troops made by the president of the United States, it shall be lawful for the said the mayor and common council of the city of Hudson to issue, under their corporate seal, and the signature of the mayor of said city, bonds to an amount not exceeding two hundred and fifty thousand dollars, (in addition to the bonds heretofore made and issued,) to be disposed of at such times and in such manner as to them may seem advisable; and all bonds so issued shall be and are hereby declared legal and valid, and may be made payable at such times and rates of interest, not exceeding seven per cent. per annum, as they may deem expedient.

Payment of
principal and
interest by tax

3. *And be it enacted*, That the mayor and common council of said city shall have power to provide by tax for the payment of said bonds and the interest thereon, and that none of the restrictions, limitations, or conditions contained in the thirty-third section of the act entitled "An act to incorporate the city of Hudson," approved April eleventh, eighteen hundred and fifty-five, shall be held in anywise to affect this act, but this act shall be and remain effectual, to all intents and purposes, as if the said section had not been enacted.

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

Approved March 28, 1865.

CHAPTER CCCIX.

An Act to incorporate The Associate Mining Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Bennington F. Randolph, Augustus T. Stout, John H. Lyon, Theodore F. Randolph and M. F. Carman, and the survivors of them, and all such persons as may hereafter be associated with them, and their successors and assigns, shall be, and they are hereby created a body politic and corporate, by the name of "The Associate Mining Company," by which name said corporators and their successors shall have perpetual succession and enjoy all the privileges and franchises incident to a corporation, and shall be capable of proceeding, suing and being sued, pleading, answering and defending in all courts and places and in all manner of actions and complaints whatever.

Names of corporators.

2. *And be it enacted*, That the capital stock of said company shall be two hundred thousand dollars, divided into shares of one hundred dollars each, with the privilege to increase the same in shares as aforesaid to an amount not exceeding two millions of dollars, said increase, and all transfers of stock, to be made at such times and in such manner as the directors by by-laws or otherwise may prescribe, which shares of stock shall be deemed personal property.

Amount of capital stock.

3. *And be it enacted*, That subscriptions to the capital stock may be paid by the sale and transfer to the company of, and it shall be lawful for said company to grant and issue certificates of shares in part or full payment for, land or real estate, or any leasehold or other interest therein, or any property appropriate to the business contemplated by this act, at a valuation to be agreed upon; and the directors of said corporation may issue bonds bearing interest by coupons or otherwise, at a rate not exceeding seven per centum per annum on the par thereof, secured by mortgage or otherwise, and sell or dispose of the same at their market value notwithstanding it may be less than par; and such bonds shall be deemed lawful, and the company shall be liable for the full amount thereof, and interest at the rate therein specified, and any of said bonds may be made convertible into stock on such terms as the directors may prescribe.

May issue bonds.

May hold
lands.

4. *And be it enacted*, That said corporation shall be able and capable in law and have power to take, receive and hold in fee simple or any less estate or interest in, any lands and mineral or other rights and privileges, with their appurtenances, in the territory of Colorado, or elsewhere in the United States or the territories thereof, and shall have power to mortgage, sell, convey, lease or otherwise dispose of the same, or any part thereof, or any interest therein, and to retain or reserve rents, royalties, or other interests therein and dispose of the same, and shall have the right to prove and open mines on said lands and work the same, and all mineral lodes or veins therein, and prepare the product of said lands and rights for and transport the same to market and dispose of the same; also to purchase, have, use and dispose of such machinery, goods, wares, merchandise and personal property, and do such other acts and things, and make all such improvements and erections as a successful prosecution of the business of the company may require; but no part of the capital stock of said company shall be used in banking operations.

Other compa-
nies may hold
stock.

5. *And be it enacted*, That any incorporated company shall have power to take and hold the capital stock or bonds of said company, and the same to sell and transfer, and when holding stock to be represented at the elections and stockholders meetings of such company, by such person or persons as may be designated by such company holding stock; but an incorporated bank shall not hold stock of the company hereby incorporated except as collateral, and in such case shall not be entitled to vote therein.

Election of di-
rectors.

6. *And be it enacted*, That the stock property and business of said company shall be managed and conducted by a board of not less than five, and not more than nine directors, one of whom shall be president, and the persons named in the first section of this act shall be and are hereby constituted a board of directors, and they shall hold office with the power to fill any vacancy or vacancies until the first annual election, and the organization of the board then elected; and all directors hereafter elected shall hold office until others are elected and enter upon their duties; within one year after the passage of this act and annually thereafter, the directors shall be elected by ballot, at such times and places and under such regulations as the by-laws may prescribe, they being stockholders; and if for any cause the election of directors shall not take place at the time fixed, it shall be lawful to

elect the same at any other time after two weeks public notice thereof in a newspaper published in Hudson county, in this state; and in all elections by the stockholders each share of stock not held by an incorporated bank, shall entitle the holder thereof to one vote in person or by proxy.

7. *And be it enacted*, That the board of directors shall have ^{Duties and powers of directors.} power to enact, alter, amend and repeal by-laws, rules and regulations prescribing the number of directors hereafter, the number and duties of its officers, the number, not less than half, who shall form a quorum of the board, the manner of filling vacancies in the board of directors, the regulation of dividends, the government and management of the stock, property, and business of the corporation, and of the officers and persons employed by them and their compensation, and all other needful by-laws, rules and regulations, not inconsistent with the constitution and laws of this state or of the United States; to adopt and use a common seal, and the same to change, alter or renew at pleasure; and it shall be lawful for the board of directors, in case any of the capital should be required to be paid in installments, to forfeit for the use of the company, any shares of stock and payments thereon made, of any stockholder or stockholders who shall make default in the payment of any installment at the time the same is payable, notice having been given for two weeks in a public newspaper published in the county of Hudson, in this state, of the time and place for the payment thereof, and the directors are authorized to call for the payment of the amount unpaid on any of the stock in such installments as they may direct.

8. *And be it enacted*, That the directors must have an ^{Location.} office of the company in the county of Hudson, in this state, and it shall be lawful for them to have offices out of this state and for the business of the company to be transacted therein, but their annual election must be held in this state.

9. *And be it enacted*, That this act shall take effect immediately, and shall be deemed a public act, but the same shall be liable to the tax provided by the act entitled "^{Liability.} An act to increase the revenues of the state of New Jersey."

Approved March 28, 1865.

CHAPTER CCCX.

An Act to legalize certain acts of the township committee and of the inhabitants of the township of Upper Penn's Neck, in the county of Salem, and to authorize the raising of money by tax to pay the amount expended by the township committee, in paying bounties to volunteers.

Preamble.

WHEREAS, the inhabitants of the township of Upper Penn's Neck, in the county of Salem, did, on the thirtieth day of July, one thousand eight hundred and sixty-four, upon due notice given, assemble and organize themselves into a public town meeting, and did, by a majority, vote and order that each and every man enrolled in said township pay a tax of twenty dollars, and that the township committee borrow an additional sum sufficient to pay bounties to volunteers, and fill the quota of said township under the call of the president of the United States for five hundred thousand troops; and whereas, a large majority of said enrolled men promptly paid the said sum of twenty dollars, and the committee, according to the order and direction of said meeting, borrowed divers sums of money and paid bounties to volunteers and filled the quota of said township; and whereas, the sums thus borrowed, to the amount of three thousand five hundred dollars, having been put in the duplicate and collected, excepting that which remains uncollected on the tax warrant, the delinquents on the twenty dollar tax and the amount remaining uncollected on the tax warrant will, when collected be sufficient to pay all liabilities incurred in filling said quota; and whereas, the inhabitants of the said township, upon due notice given, did again assemble in public town meeting, on the thirty-first day of December, Anno Domini eighteen hundred and sixty-four, and the meeting thus assembled did, by a vote of said meeting, order and direct that a tax of fifteen dollars be collected from each and every man enrolled in said township, and all those who have received any aid from the funds of said township, in putting in a substitute to exempt them from military services; and that the township committee borrow an additional sum of money and pay bounties to volunteers and fill the quota of said township under the president's call of December nineteenth, Anno

Domini eighteen hundred and sixty four, for three hundred thousand troops, the money thus ordered to be borrowed to be raised by tax in the township, in the same manner and in the same way that other money is now raised in said township; and the said meeting did unanimously order and direct the township committee to procure a law at the next sitting of the legislature to legalize the proceedings of said meeting; and whereas, the said enrolled men have generally paid the said tax of fifteen dollars, and the township committee have borrowed divers sums of money, and propose to borrow other sums for the payment of bounties to volunteers, and to discharge debts incurred in filling said quota; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the acts and doings of the said township committee and the inhabitants of Upper Penn's Neck, in the county of Salem, mentioned in the foregoing preamble, to raise money to pay bounties to volunteers to fill the quotas apportioned to said township, are made valid in all respects, and binding upon the inhabitants and taxable property in said township. Acts and doings legalized.

2. *And be it enacted*, That the collector of said township shall be, in all courts and places, deemed and adjudged to have and to have had full power and authority to collect the said sums which have been assessed and returned and put in the tax warrant for the payment of bounties to volunteers, in the manner now prescribed relative to the collection of taxes, and that no assessment made or tax warrant issued shall be set aside or annulled by reason thereof. Acts of collector valid.

3. *And be it enacted*, That the assessor of said township of Upper Penn's Neck, shall, immediately after the passage and approval of this act, assess and levy the sum of twenty dollars on each man enrolled in said township, and those who have received any funds of the township in putting in a substitute to exempt them from military service, who have not already paid that amount, according to a resolution passed at a town meeting held in said township on the thirtieth day of July, eighteen hundred and sixty-four, mentioned in the preamble to this act; and also a further sum of fifteen dollars on each and every man enrolled in said township, and those who have received any funds of the township in putting in a substitute to exempt them from military service, who have not already paid that sum, according to a resolution passed at a town meeting held in said township, on the Duty of assessor.

thirty-first day of December, eighteen hundred and sixty-four, as mentioned in the preamble to this act; and shall, within twenty days after, deliver such assessment or a duplicate thereof, to the collector of said township and the collector of said township shall, within six days after he shall receive such assessment or a duplicate thereof, give notice, by setting up notices in four of the most public places in said township, that if any of the persons against whom such assessment is made shall neglect or refuse to pay the tax assessed against them, for the space of four weeks from and after the date of such notice, they will be regarded as delinquents, and be proceeded against accordingly; and the said collector shall, within twenty days after he shall receive such assessment or a duplicate thereof, give notice to each of the amount of tax assessed against him, personally or by a written or printed notice, left at their usual place of abode, and in case any of the persons against whom an assessment shall be made under this act, shall neglect or refuse to pay their tax within four weeks from and after such notice to be given by the collector, they shall be deemed delinquents, and the said collector shall, within five days after the expiration of the time limited herein for the payment of the said taxes, make out a list of such delinquents with the amount of tax assessed against each such delinquents and remaining unpaid, and deliver the same to any justice of the peace of said township, and the justice of the peace to whom such list of delinquents is delivered, shall, within three days after the same is delivered to him, issue his warrant in the same manner and form as he is now directed and required by law for the collection of taxes due from delinquent taxpayers, and shall deliver said warrant to the collector of said township, who shall proceed to execute it in the same manner that he is now required by law to execute the ordinary tax warrants.

To provide for
payment by
taxation.

4. *And be it enacted*, That it shall be lawful for the township committee, or a majority of them, to order in writing, and cause to be assessed and collected by tax at the time and in manner as other taxes in the said township are assessed and collected, a sum of money sufficient to pay the interest and as much of the principal as they may deem prudent in each and every year, until the money borrowed or to be borrowed by the township committee to fill the quota of said township under the president's call of December nineteenth, eighteen hundred and sixty-four, shall be paid off; and the township collector of said township shall, when such tax or any part

thereof, shall be collected, pay the same over to one of the township committee designated by them to receive it, which shall be applied to the payment of the interest and principal of said indebtedness incurred as aforesaid.

5. *And be it enacted*, That the said assessor and collector ^{Fees.} shall receive the same fees respectively for assessing and collecting the tax specified in the third section of this act, as they are by law entitled to for assessing and collecting other taxes, and shall be liable to the same fines and penalties as are now by law imposed upon them for any neglect of duty.

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

Approved March 28, 1865.

CHAPTER CCCXI.

An Act to confirm certain debts and liabilities incurred by the township of Greenwich, in the county of Gloucester, in raising money incidental to the war, and to authorize the raising, by special and annual tax, such further sums of money as may be necessary for the payment of sufficient bounties to secure the filling of the quota of said township by volunteers and substitutes, under the pending or any future draft.

WHEREAS, The inhabitants of the township of Greenwich, in ^{Preamble.} the county of Gloucester, at a special town meeting, assembled pursuant to public notice, July twenty-third, eighteen hundred and sixty-four, resolved that the sum of twenty dollars be levied on every male taxable inhabitant, resident of said township, for the purpose of raising a bounty to pay volunteers under the then existing call; and whereas, some tax payers in said township have not paid the aforesaid sum of twenty dollars, levied as aforesaid; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Poll tax.} *the State of New Jersey*, That it shall be lawful for the assessor of said township to assess a poll tax of twenty dollars on every male taxable inhabitant thereof, who has not voluntarily paid, for the purpose aforesaid, the sum of twenty

dollars to be collected at the same time and in the same manner as the next annual assessment.

Bonds valid.

2. *And be it enacted*, That the bonds or notes made and issued since the twenty-third day of July, eighteen hundred and sixty-four, by the township committee in the corporate name of said township for the purpose of raising money for bounties, and amounting in all to about the sum of forty thousand dollars, shall be, and the same are hereby declared and made legal and valid as the obligations of said township, according to the tenor thereof; and it shall be lawful for the inhabitants of said township, at any special or annual town meeting, to provide for the payment thereof, by taxes, according to the mode prescribed by law for other township purposes, or to authorize the raising of money for bounties on any future call that may be made.

Duty of assessor.

3. *And be it enacted*, That the assessor of the said township, for the time being is hereby authorized and directed to assess, according to resolution passed at a special town meeting, held February thirteenth, eighteen hundred and sixty-five, the sum of fifteen thousand dollars; first, a poll tax of twenty dollars on all single men under the age of forty-five years, and a poll tax of ten dollars on all other male tax payers, resident in said township, excepting such aged and infirm residents as should, in the opinion of the township committee, be exempt; and from the taxable property in said township, levy a sufficient amount to make the total sum of fifteen thousand dollars, and then deliver a duplicate thereof to the collector of the township for collection, within fifteen days from the passage and approval of this act; but the provisions of this section shall not apply to such persons as have been in the service of the United States, so long as they shall be exempt from draft by reason of such service.

Duty of collector.

4. *And be it enacted*, That the collector of said township shall proceed immediately to collect the same, by giving notice as in the collection of other township taxes, and all who neglect or refuse to pay the amount so assessed, to the said collector, on or before the first day of May next, viz., eighteen hundred and sixty-five, he shall return to a justice of the peace, as in the annual return of delinquents, for the payment of taxes, and the said justice is hereby authorized to issue a warrant in like manner, and return it to the collector, who shall proceed to the collection as though it were the annual tax warrant, and the assessor, collector and justice shall be subject to the same penalties, for neglect of duty, as in

the annual assessment and collection of taxes, and shall receive for their services such compensation as the township committee shall think right and proper.

5. *And be it enacted*, That the collector shall, within three days, pay the amount collected over to the township committee, who shall be held accountable for the proper application of the same. Taxes, to whom paid.

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

Approved March 28, 1865.

CHAPTER CCCXII.

An Act to incorporate the Cedar Cliff Cemetery Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Thomas D. Hoxsey, David B. Beam, Thomas F. Hoxsey, Benjamin W. Hoxsey, and Henry C. Smith, and all persons who shall become stockholders pursuant to this act, are hereby constituted a body corporate by the name of "The Cedar Cliff Cemetery Company," for the purpose of establishing a public burial ground in the city of Paterson. Names of incorporators.

2. *And be it enacted*, That the capital stock of the said corporation shall be one hundred thousand dollars, which shall be divided into shares of one hundred dollars each, and shall be deemed personal property, and be transferable on the books of the corporation, in such manner as the said corporation shall by its by-laws direct. Amount of capital stock.

3. *And be it enacted*, That the said corporation may hold a lot or tract of land in the county of Passaic, not exceeding one hundred acres, and may sell or otherwise dispose of such land to be used exclusively as a cemetery or a place for the burial of the dead; but all moneys received for or on account of the said capital stock, shall be first applied by the said corporation to the payment of the purchase money of the land acquired by the said corporation, and improving the same, and at least one-third the money obtained from sales May hold land

of lots or plots, shall be applied to improving or embellishing such land as a cemetery or burial ground.

Mayor and
comptroller to
be directors.

4. *And be it enacted*, That the mayor and comptroller of the said city of Paterson, for the purpose of looking after and attending to the laying out and embellishing and maintaining of the grounds of said company, and looking after the proper investment of any surplus moneys that may arise from the proceeds of the sales of one-third of the lots, as aforesaid, not needed for immediate improvement now and all times hereafter, shall become and remain during the whole time for which they may be elected or appointed to office, members of the board of directors of said company, having the powers, rights and privileges as other members of the board of directors of said company, to be appointed as hereinafter directed.

Exempt from
assessment.

5. *And be it enacted*, That the real estate of the said corporation, and the said lots or plots, when conveyed by said corporation to individual proprietors, shall be exempt from assessment, and not liable to be sold on execution, or to be applied to the payment of debts by assignment under any insolvent law.

Commission-
ers to receive
subscriptions.

6. *And be it enacted*, That Thomas D. Hoxsey, David B. Beam, Thomas H. Hoxsey, Benjamin W. Hoxsey, and Henry C. Smith, shall be commissioners to receive subscriptions for the said capital stock; they shall appoint a day and place in the city of Paterson to receive the same; they shall prescribe the form and rules of said subscriptions, and cause at least fifteen days' notice thereof to be given in one or more of the newspapers printed in the said city, and at such time and place receive subscriptions therefor; and also, in case more than the whole amount is subscribed, they shall have power to apportion the stock as they shall think proper among the said subscribers; and also, in case the whole stock is not then subscribed, to receive subscriptions therefor until the whole is taken; and when ten thousand dollars of said capital stock shall have been paid in, or satisfactorily secured to be paid in, said commissioners shall give a like notice for a meeting of the stockholders, at such time and place as the said commissioners shall appoint, to choose from among the said stockholders seven directors; and such election shall be then and there made by such of the stockholders as shall attend for that purpose, either in person or by lawful proxy, each share of the capital stock entitling a stockholder to one vote; and the said commissioners, or any three of them, shall

be inspectors of the first election of directors of the said corporation, and shall certify under their hands the names of those duly elected, and deliver over the subscription books, moneys, and property of said corporation to the said directors; the directors first chosen shall fix upon the time and place of holding the first meeting of the directors; a new election of directors, being stockholders, shall be made annually, at such time and place as the board of directors shall appoint.

7. *And be it enacted*, That it shall be lawful for the directors, or a majority of them, to require payments of the sums to be subscribed to the capital stock, at such times, and in such payments, and on such conditions as they, or a majority of them shall deem fit, under the penalty of the forfeiture of all previous payments thereon, and shall give notice of the payments thus required, and of the place and time when the same are to be paid, at least thirty days previous to the payment of the same, in at least two public newspapers published in the said city of Paterson. Payment of installments.

8. *And be it enacted*, That an annual meeting of the said corporation shall be holden at such time and place as the by-laws shall direct, notice whereof shall be given in like manner above mentioned, seven days, at least, before the time of meeting; the directors shall make report to the corporation at such annual meeting, of their doings, and of the management and condition, and fiscal concerns of the corporation. Annual statement to be made.

9. *And be it enacted*, That all lots or parcels of ground, when conveyed, and designated, and numbered as lots, by the said corporation, shall be indivisible, but may afterwards be held and owned in undivided shares. Lots to be indivisible.

10. *And be it enacted*, That any person who shall wilfully destroy, mutilate, deface, injure, or remove, any tomb, monument, or gravestone, or other structure placed in the cemetery aforesaid, or any fence, railing, or other work for the protection or ornament of the said cemetery, or of any tomb, monument, or gravestone, or other structure aforesaid; or of any cemetery lot within the cemetery aforesaid; or shall wilfully destroy, cut, break, or injure any tree, shrub or plant, within the limits of the said cemetery, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, before any justice of the peace, or other court of competent jurisdiction within the county of Passaic, be punished by a fine not less than five dollars, nor more than fifty dollars, according to the nature and aggravation of the offence; and such offender shall be also liable, in an action of trespass, to be Penalty for injuring property.

brought against him in any court of competent jurisdiction, in the name of the said corporation, to pay all such damages as shall have been occasioned by his unlawful act or acts; which money, when recovered, shall be applied by the said corporation, under the direction of the board of directors, to the reparation and restoration of the property destroyed or injured as above.

Improving
cemetery.

11. *And be it enacted*, That the said corporation may take and hold any grant, donation or bequest of property upon trust, to apply the same or the income thereof under the direction of the board of directors for the improvement or embellishment of the said cemetery, or for the erection, repair, preservation or renewal of any tomb, monument, or gravestone, fence, railing, or other erection, or for the planting and cultivation of trees, shrubs, flowers or plants in or around any cemetery lot, or for improving the said premises in any other manner or form consistent with the design and purposes of this act, according to the term of such grant, donation or bequest.

Restrictions
and liabilities.

12. *And be it enacted*, That the said corporation shall possess the general powers, and be subject to the general restrictions, liabilities and limitations set forth in "An act concerning corporations," approved on the fourteenth day of February, eighteen hundred and forty-six, and the acts supplementary thereto or amendatory thereof, so far as the same are applicable.

13. *And be it enacted*, That this act shall be taken as a public act, and shall take effect immediately.

Approved March 28, 1865.

CHAPTER CCCXIII.

An Act to authorize the city of Newark to issue war bounty bonds.

Preamble.

WHEREAS, by a resolution of the common council of the city of Newark, passed on the twenty-seventh day of February last, the Volunteer Aid Committee of said city was authorized to issue scrip or evidence of indebtedness of the said city redeemable in one year in bonds of the said city, to

the amount of four hundred dollars to every man drafted or volunteering into the service of the United States, under the last call of the president, as is therein mentioned; and whereas, it is deemed desirable that the bonds for the redemption of said scrip should be prepared to be issued at once; now, therefore,

1. BE IT ENACTED *by the Senate and General Assembly* May issue bonds. *of the State of New Jersey*, That it shall be lawful for "The Mayor and Common Council of the City of Newark" to issue bonds under their corporate seal, and the signature of the mayor of the said city to be designated "War Bounty Bonds," for an amount not exceeding six hundred thousand dollars, bearing interest payable semi-annually at a rate not exceeding seven per cent. per annum with coupons attached, and payable at such time or times as may be agreed upon by the common council, not less than ten nor more than thirty years from the date thereof, pledging the credit and the whole property of said city for the payment of the same; which bonds it shall be lawful for the said mayor and common council to sell at public or private sale as the proceeds of the same may be needed, but not for less than their par value.

2. *And be it enacted*, That it shall be the duty of the said Proceeds, how applied. "The Mayor and Common Council of the City of Newark," to apply the net proceeds of any of said bonds which they may sell as aforesaid to the redemption of the scrip mentioned in the preamble of this act, and to the payment of the bounties directed to be paid by the said common council by the said resolution therein mentioned, in such order and manner as may be determined by the common council of said city; and in case any holder of any of said scrip shall desire to receive the said bonds of the said city therefor, before the time mentioned in said scrip for the redemption thereof, it shall be the duty of the said mayor and common council to issue said bonds to them in lieu of said scrip of similar dates, when presented in such sums and manner as may be directed by the said common council: whenever the said common council are prepared to issue the said bonds, they may refuse to issue scrip to any persons who may thereafter be entitled to receive the same, and may issue said bonds in lieu thereof; neither the said bonds nor the proceeds of the sale thereof shall be issued or appropriated for any other purposes than are herein mentioned.

3. *And be it enacted*, That the said common council shall provide by a special tax for the payment of the interest upon Payment of principal and interest by tax.

the debt which shall be lawfully created under and by virtue hereof, and shall also create a sinking fund for the redemption and payment of the same, and for that purpose shall assess a special tax which will produce an amount equal to three per cent. upon the total amount of the said debt; all the provisions of the sixth, seventh, eighth, ninth and tenth sections of the act entitled "An Act to authorize the city of Newark to guarantee and assume the payment of certain bonds of the county of Essex, and to issue bonds to an amount not exceeding twenty-five thousand dollars for Volunteer Aid Bonds and three hundred thousand dollars for War Bounty Bonds," approved March thirty-one, eighteen hundred and sixty-four, are hereby declared to be a part of this act so far as the same can be made applicable hereto; and the mode of raising the said tax and the care and management of the said fund shall be in all respects the same as is therein provided.

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

Approved March 28, 1865.

CHAPTER CCCXIV.

An Act to incorporate "The Jersey City Warehouse Company."

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Henry F. Cox, John H. Lyon, T. R. Varick, Orestes Cleveland, William M. Beach, Henry A. Griswold and William H. De Camp, and such other persons as shall be associated with them and their successors, are hereby constituted a body politic and corporate, under the name of "The Jersey City Warehouse Company," to be located at Jersey City, for the purposes and with the powers hereinafter mentioned, for the term of fifty years, and by that name, during the said term, shall have succession and may sue and be sued in all courts whatsoever.

Amount of capital stock.

2. *And be it enacted*, That the capital stock of the company shall be one hundred thousand dollars, divided into one thousand shares of one hundred dollars each, and when the

same shall be subscribed for and fifty thousand dollars thereof shall be paid in, the company shall be deemed to be organized, and may proceed to business; the capital stock may be increased to an amount not to exceed one million of dollars on the whole, in shares of one hundred dollars each, as the directors shall at any time or from time to time determine and provide, and all the capital stock shall be deemed to be personal property, and shall be transferable as such, but only on the books of the company, as shall be prescribed by their by-laws.

3. *And be it enacted*, That the company shall have power Powers of company. to make and use a common seal, and to alter the same; to purchase, lease or otherwise acquire, construct, erect and maintain docks, wharves, bulkheads, piers basins, warehouses, engines and other machinery, lighters and vessels; to receive on storage, commission or deposit, or for forwarding, transportation or otherwise, and to take and have the charge, management and custody, and to store, forward, transport, sell or otherwise dispose of goods, wares, merchandise, and other property of other persons; to advance moneys, securities and credits thereon, and also to take, have and hold all such property as they may acquire in the enforcement, collection and settlement of debts, claims and demands arising to them out of their business, and the same to sell, exchange, assign, transfer, convey and otherwise dispose of; to make, execute and deliver in their business all necessary receipts, certificates and contracts, and to endorse, guarantee or otherwise secure the payment, collection and performance of promissory notes, bills of exchange and other securities, contracts, debts and liabilities, and to receive, collect and have usual, customary, and reasonable charges, dockage, wharfage, storage, lighterage, freight, commission and compensation for the use of their docks, wharves, bulkheads, piers, basins, warehouses, engines, machinery, lighters, vessels and other property, and for services, labor and otherwise on the receipt, charge, management, custody, insurance, discharge, storage, forwarding, transportation, sale or delivery of such goods, wares, merchandise, or other property, and for such endorsement, guarantee or otherwise securing such notes, bills, securities, contracts, debts or liabilities, and also interest on such advances, not to exceed at the rate of seven per centum per annum.

4. *And be it enacted*, That the corporate powers and business of the company shall be exercised, managed and con- Election of directors.

ducted under the direction of seven directors, who shall be stockholders respectively, and a majority of whom shall be residents of this state; they shall be elected in the first instance to serve for one year, at a general meeting of the stockholders, which shall be called by the commissioners hereinafter named, in such manner, at such time and place in Jersey City, and on such notice as they shall determine, so soon as one hundred thousand dollars shall be subscribed, as hereinbefore provided; and thereafter the directors shall be elected annually in such manner and at such time and place in Jersey City, as the by-laws of the company shall prescribe.

Duties and powers of directors.

5. *And be it enacted*, That the directors shall have power to appoint all officers and agents necessary to carry on the business of the company, and to remove the same, to make all such by-laws, not inconsistent with the laws of this state, or of the United States, as they may deem necessary for the conduct and management of the business and affairs of the company, the appointment of officers and agents, the holding of elections, the creation and transfer of stock, and subscriptions and certificates therefor, and to amend, add to, or alter such by-laws, from time to time, and to fill all vacancies that shall occur in their own number by death, resignation, or otherwise.

Commissioners to receive subscriptions.

6. *And be it enacted*, That Henry F. Cox, John H. Lyon, and Orestes Cleveland, are hereby appointed commissioners, and they, or a majority of them, shall have power to receive subscriptions to the capital stock in such manner and at such time and place in Jersey City, as they shall determine, and such subscriptions shall be payable in such manner and installments, and at such time or times as the said commissioners shall determine; and in case of default in such payment the same may be enforced by action, or the stock with all payments made thereon, shall be forfeited to the use of the company, at the option of the directors.

Receipts, &c., to be registered.

7. *And be it enacted*, That the receipts, warrants or warehouse certificates issued by the company; for goods, wares, merchandise, or other property of other persons in their possession, shall in all cases be sealed with the seal of the company, and signed by their president or vice president, and countersigned by their secretary, and two copies thereof shall be registered, one in each of two books kept for that purpose, one of which shall be kept by the president or vice president and one by the secretary, which books shall always be open for the inspection of the dealers with the company; such re-

ceipts, warrants, or warehouse certificates may be transferred by the endorsement of the owner or owners of the same, and any person or persons to whom such transfer shall be made and who shall have possession of such receipt, warrant or certificate, shall be deemed to be the owner of such goods, wares, merchandise, or other property therein specified, so far as to give validity to any pledge, lien or transfer made or created by such person or persons; but no such goods, wares, merchandise or other property shall be delivered except on the surrender and cancelling of such original receipt, warrant or certificate; every such receipt, warrant, or certificate shall contain on its face a notice that the goods, wares, merchandise, or other property specified therein, are held by the company as bailees only, and whether or not the same are injured, and that such goods, wares, merchandise, or other property are subject to lawful liens thereon, including all liens created by this act.

8. *And be it enacted,* That the company shall have a right of lien on all goods, wares, merchandise, and other property of other persons, received by them for any of the purposes hereinbefore mentioned, for all such charges, dockage, wharfage, storage, lighterage, freight, commissions, compensation, advances and interest in respect thereof, as are mentioned in the third section of this act; and in case the same shall be in arrear and unpaid for thirty days, or such goods, wares, merchandise, or other property, shall be unclaimed for one year, or on the discovery of any fraud, misrepresentation or concealment in regard to the ownership, character, or any other matter relating thereto, the company may sell the same, or so much thereof as shall be sufficient to satisfy the amount due thereon, and to indemnify the company against any loss in respect thereof, at public auction in such manner and at such time and place as the directors shall determine (thirty days' notice of the time and place of such sale being first given, by publication in one or more of the daily newspapers published in Jersey City), and out of the proceeds thereof, retain so much as shall be so in arrear and unpaid, indemnify themselves against such loss, and pay the necessary costs, charges and expenses of such sale.

To have a lien
on goods, &c.

9. *And be it enacted,* That it shall be the duty of the company to use all reasonable care and diligence in the keeping of all property of other persons received by them, as hereinbefore provided, but they shall not be deemed insurers thereof unless they shall specially contract therefor, or responsible

Regulations.

for any loss or damage not specially provided for in the contract, and in case any such property on which any advances shall have been made, shall, before the maturity of the contract, from any cause, decrease in value from the price or value previously fixed by the parties to the contract, the company may give notice to the owner of such property, or his agent to perform the conditions of the contract, or make good the deficiency caused by such decrease in value, within ten days, and in default thereof, may sell and dispose of such property at public auction, in the same manner and on like notice as provided in regard to sales, in the eighth section of this act, and to retain out of the proceeds the amount due them under the contract, and pay the necessary costs, charges and expenses attending such sale.

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

Approved March 28, 1865.

CHAPTER CCCXV.

A Supplement to "An act to legalize certain acts of the inhabitants of the township of Wall, in the county of Monmouth, and also of the assessor, collector, and township committee of said township," approved March second, eighteen hundred and sixty-five.

To provide for payment of indebtedness by issuing bonds.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the township committee of the township of Wall, in the county of Monmouth, are hereby authorized to issue bonds, under their hands and seals, in the name of the inhabitants of the township of Wall, in the county of Monmouth, for a sufficient amount to cover all the indebtedness already incurred or that may be hereafter incurred by said township, in carrying out the resolutions of the township meetings of the third day of August, Anno Domini eighteen hundred and sixty-four, and the sixth day of January, Anno Domini eighteen hundred and sixty-five, referred to in the preamble of the act to which this is a supplement, which bonds shall be made payable, with interest not

exceeding seven per cent. per annum, one-half of said indebtedness payable on the first day of January, Anno Domini eighteen hundred and sixty-six, and the residue or other half on the first day of January, Anno Domini eighteen hundred and sixty-seven; and the township committee shall be empowered to authorize the assessor to assess and the collector to collect the same in the same manner as other township taxes are assessed and collected.

2. *And be it enacted*, That the whole proceedings of the several township meetings are hereby fully ratified, confirmed and legalized. Acts. legalized.

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

Approved March 28, 1865.

CHAPTER CCCXVI.

A Supplement to the act entitled "An act to authorize the board of chosen freeholders of the county of Burlington to raise money, issue bonds, and for other purposes," approved March fourth, eighteen hundred and sixty-four.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the "The Board of Chosen Freeholders of the county of Burlington," to further provide for the payment of so much of the indebtedness of said county, by issuing bonds in the corporate name and under the corporate seal of said county, for an additional amount of money, not to exceed three hundred thousand dollars, in such sums and payable at such time or times as the said board of chosen freeholders shall deem proper, and in all other respects to comply with the provisions of the aforesaid act, to which this is a supplement. To provide for payment of indebtedness by issuing bonds.

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

Approved March 28, 1865.

CHAPTER CCCXVII.

An Act to authorize the inhabitants of the township of Acquackanonk, in the county of Passaic, to raise poll tax.

Preamble.

WHEREAS, in consequence of the payment of bounties by the township committee of the township of Acquackanonk, for the purpose of filling quotas assigned to said township upon the calls of the government for troops; and whereas, a considerable indebtedness has already been incurred; and whereas, further calls may be made by the president of the United States for the suppression of the present rebellion, and the more equalizing for raising money so needed; therefore,

Poll tax.

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That it shall be lawful, and is hereby made the duty of the assessor of the said township of Acquackanonk to assess every taxable male married inhabitant in said township a poll tax of three dollars yearly, and every unmarried male taxable inhabitant a poll tax of five dollars yearly, and such tax shall be made and collected at the time and in the manner that other taxes in said township are assessed and collected.

Proceeds, how applied.

2. *And be it enacted*, That it shall be the duty of the said township committee to receive such tax from the collector and to apply the same towards such bounties and interest that may be due or for such bounties if necessary, and for no other purpose.

Repealer.

3. *And be it enacted*, That all acts contrary to this act and inconsistent thereto, be and the same are hereby repealed.

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

Approved March 28, 1865.

CHAPTER CCCXVIII.

An Act to legalize certain acts of the township of Byram, in the county of Sussex.

WHEREAS, the inhabitants of the township of Byram, in the county of Sussex, did, at a meeting of the said inhabitants, called in pursuance of a previous notice for that purpose, authorize the township committee of the said township to issue the bonds of the said township, and pay the same to such persons as shall be drafted from the said township and mustered into the military service of the United States, to fill the quota thereof on the recent call for three hundred thousand men, and to such persons as should furnish a substitute, in manner following, viz: for one year, the sum of four hundred dollars; for two years, the sum of five hundred dollars; and for three years, the sum of six hundred and fifty dollars; and that the said committee should deliver the same to such persons as in their discretion may be entitled to receive the same, and fix the time of the payment thereof with such rate of interest as they might determine, not exceeding the sum of seven per centum per annum, and they respectfully ask the aid of the legislature on the premises; therefore, Preamble.

1. BE IT ENACTED by the Senate and General Assembly of ^{May issue} *the State of New Jersey*, That the township committee of the township of Byram, in the county of Sussex, be and they are hereby authorized and empowered to issue, in the name of the inhabitants of the township of Byram, in the county of Sussex, the bonds or obligations of the said township, to such persons as have been or shall be drafted from the same into the military service of the United States, to fill the quota of said township on the recent call for three hundred thousand men, and who shall be accepted and duly mustered into the service, and to such persons as shall furnish a substitute who shall be accredited for said drafted man on said call, in such sums, and payable at such times as they shall determine; the said bonds or obligations to be signed by the township collector of said township, and countersigned by the township clerk thereof; *provided*, that the said bonds or obligations shall not be made for a larger sum than four hundred dollars for one year's service, five hundred dollars for bonds. Proviso.

two years service, and six hundred and fifty dollars for three years service, for each drafted man or substitute.

Bonds valid.

2. *And be it enacted*, That such bonds or obligations shall be a good and valid debt, and binding upon the property of the said the inhabitants of the township of Byram, in the county of Sussex, in their corporate capacity; *provided*, that the same shall not be issued at a greater rate of interest than seven per centum per annum.

Proviso.

Money to be raised by tax.

3. *And be it enacted*, That it shall be lawful to raise, by assessment on the taxable property of the said township, real and personal, at the same time and in the same manner that other taxes are assessed and collected therein, money to pay the said bonds or obligations, and the interest thereon, from year to year, as the township committee of the said township shall direct, until the said bonds or obligations, with the interest thereon, be fully paid and redeemed.

Bonds valid.

4. *And be it enacted*, That if any bond or bonds, or obligations, shall be issued previous to the passage of this act, for the purposes herein contained, the same shall be as valid and binding as if they had been issued after the passage of this act.

Poll tax.

5. *And be it enacted*, That in each year hereafter, when any money shall be assessed to pay any obligations incurred by the said township for or on account of the military service of the United States, there shall be assessed and collected a special poll tax of five dollars upon every male inhabitant therein of the age of twenty-one years and over, by existing law subject to poll-tax.

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

Approved March 28, 1865.

CHAPTER CCCXIX.

An Act to authorize the raising of money to procure volunteers and substitutes, in the township of Belleville, county of Essex.

Preamble.

WHEREAS, at a special meeting held by the inhabitants of the

township of Belleville, in the county of Essex, on the first day of March, in the year eighteen hundred and sixty-five, after due notice, the town committee of said township was, by the said inhabitants, authorized to apply for a law to raise such sum or sums of money, on the faith and credit of the township, as would be sufficient to pay to each person liable to a draft, under the recent call for troops, in said township, furnishing, for the military service of the United States, an acceptable substitute, and shall have said substitute credited to said township for the term of one year, the sum of two hundred and fifty dollars, payable in cash, or scrip for same amount, with interest; and to each man who may have volunteered under the late call, or who shall volunteer, for one year, or, being drafted from said township, shall enter the said service, the sum of two hundred and fifty dollars, payable in like manner, or if the town committee deem it necessary, they shall have power to increase the amount to four hundred dollars, payable in cash or scrip for same amount, with interest; and whereas, the said town committee was authorized to raise the amount of money required for the purposes aforesaid by issuing their bonds, and by taxation upon the persons and property in said township; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey,* ^{To provide for payment of bounty money} That the said town committee of the said township of Belleville, in the county of Essex, be and they are hereby authorized and required to pay to each man who may have furnished, or who shall furnish, under the last order of the president for men to enter the military service of the United States, an acceptable substitute, and shall have such substitute credited to the said township for the term of one year, the sum of two hundred and fifty dollars, in cash or scrip for same amount, with interest, to be given by any three or more of said committee, under their hands and seals, in the name of "the inhabitants of the township of Belleville, in the county of Essex;" and to each man who may have volunteered, or who shall volunteer, or who, being drafted from said township, shall enter said service, for one year, the sum of two hundred and fifty dollars, payable in like manner; or if the town committee deem it necessary, they shall have power to increase the amount to four hundred dollars payable in cash, or scrip for same amount, with interest.

2. *And be it enacted,* That the said town committee, or any three of them, are hereby authorized and required to issue bonds ^{Authorized to issue bonds and borrow money.}

under their hands and seals, in the name of "the inhabitants of the township of Belleville, in the county of Essex," payable in one, two or three years, at the discretion of said committee, and to borrow thereon such sum or sums of money as shall be sufficient to pay to all those who may have furnished, or who shall furnish substitutes, as aforesaid, and to all those who may have volunteered, or shall volunteer, as aforesaid, and to all those who shall be drafted and enter the service, as aforesaid, the respective amounts above specified, and to pay the same to them accordingly; and that every such bond shall be a legal and subsisting lien upon all the real and personal property in said township, upon which an action of debt will lie against the inhabitants of said township, at the suit of any bona fide holder thereof, at any time after any of the bonds issued by virtue of this act shall become due.

Money to be raised by tax.

3. *And be it enacted*, That the said town committee are hereby authorized and required to order and direct the assessor of said township to assess, and it is hereby made the duty of the said assessor to assess, and of the collector of taxes in and for said township, to collect, from time to time, in the same manner and by like remedies and proceedings against delinquents, as in other cases of taxation, such sum or sums of money as may be necessary to pay off and discharge all and every of the said bonds, given by virtue of any of the provisions of this act, as the same shall become due; which said sums, when collected, shall be paid into the hands of the town committee of said township, to be appropriated to the purposes aforesaid, and to none other.

Proceeds, how applied.

4. *And be it enacted*, That it shall be lawful, and it is hereby made the duty of the assessor of said township to assess upon, and of the said collector to collect of, every male citizen of said township between the ages of twenty and forty-five, at the next annual assessment, the sum of five dollars, with like remedies for the collection thereof as in other cases of taxation, to be paid, when collected, into the hands of said committee, to be by them appropriated towards the payment of said bounties, and to no other purpose.

Repealer.

5. *And be it enacted*, That all acts and parts of acts inconsistent with the provisions of this act, are hereby repealed.

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

Approved March 28, 1865.

CHAPTER CCCXX.

An Act to authorize the inhabitants of the township of Wayne, in the county of Passaic, to raise poll tax.

WHEREAS, in consequence of the payment of bounties by the township committee of the township of Wayne, for the purpose of filling quotas assigned to said township upon the calls of the government for troops; and whereas, a considerable indebtedness has already been incurred; and whereas, further calls may be made by the president of the United States for the suppression of the present rebellion, and the more equalizing for raising money so needed; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful, and is hereby made the duty of the assessor of said township of Wayne to assess every taxable male married inhabitant of said township a poll tax of five dollars yearly, and every unmarried male taxable inhabitant without a family, a poll tax of ten dollars yearly, and such tax shall be made and collected at the time and in the manner that other taxes in said township are assessed and collected.

2. *And be it enacted*, That it shall be the duty of the said township committee to receive such tax from the collector and to apply the same towards such bounties and interest that may be due or for such bounties if necessary, and for no other purpose.

3. *And be it enacted*, That all acts contrary to this act and inconsistent thereto, be and the same are hereby repealed.

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

Approved March 28, 1865.

CHAPTER CCCXXI.

An Act to provide for the collection of bounty money, in the township of Bloomfield, in the county of Essex.

Preamble.

WHEREAS, at a special town meeting, held in the township of Bloomfield, in the county of Essex, on the third day of August, eighteen hundred and sixty-four, it was unanimously resolved the township committee should raise, by borrowing on the faith and credit of the township, sufficient moneys to pay three hundred dollars as a bounty to each man of the quota assigned to said township under the then last call of the president for additional troops, and that the said township committee should issue scrip therefor, and should apply to the legislature at its next session for an act to authorize said township committee to issue the bonds of said township to the holders of such scrip, bearing interest at the rate of seven per cent. per annum, payable in five yearly installments, commencing December first, eighteen hundred and sixty-five, and to provide for the payment of said bonds by taxation; and whereas, in pursuance of such directions and resolutions of said town meeting, the said township committee have issued scrip to the amount of nineteen thousand dollars; now, therefore, to authorize the issuing of said bonds for said amount, and to secure the payment of the same, by taxation.

To provide for
payment of in-
debtedness by
issuing bonds.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the township committee of Bloomfield, in the county of Essex, to issue the bonds of the said township in its corporate name, bearing date the first day of December, eighteen hundred and sixty-four, in such sums as they may deem most advantageous, bearing interest at the rate of seven per cent. per annum, payable yearly, amounting in all to the said sum of nineteen thousand dollars, if requisite; one-fifth in amount of said bonds to be payable in each successive year after the date thereof, to be given in payment of the indebtedness of said township for moneys borrowed for the payment of bounties; and said bonds, when so made and issued by order of said township committee, and signed by the presiding member of said committee, and attested by the township clerk, shall be to all intents and purposes legal and valid as the obligations

of said township in its corporate character, to be paid according to the terms thereof.

2. *And be it enacted*, That in order to raise money to pay the interest and principal of said bonds, as such principal or interest shall become due in each successive year, for five years there be assessed and collected in each year, for said period, by tax, in said township, at the same time and in the same manner as the other township taxes are assessed and collected, an amount sufficient to pay the one-fifth of said principal sum of nineteen thousand dollars, and also the interest on the whole amount of said last named sum remaining unpaid; a poll tax in each year, during said period, of four dollars for this purpose, shall be assessed and collected in addition to the other poll tax required by law, and the balance of moneys requisite to meet the amounts of said bonds falling due in each year, for principal and interest, as aforesaid shall be assessed and collected on the taxable property of said township, in the same manner as other taxes shall be assessed and collected.

To provide by taxation for payment of principal and interest.

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

Approved March 28, 1865.

CHAPTER CCCXXII.

An Act to authorize the inhabitants of the township of Chesterfield, in the county of Burlington, to raise by tax an amount necessary to pay the bounties advanced to volunteers of the said township.

WHEREAS; the inhabitants of the township of Chesterfield, Preamble. did, in town meeting assembled (called by the township committee in a legal manner) on the seventh day of January, eighteen hundred and sixty-five, authorize the township committee of said township, to borrow a sufficient sum of money to pay a bounty to volunteers to fill up their quota under the calls of the president of the United States; and whereas, they did also authorize that such sums

of money should be raised by a poll and property tax; therefore,

Authorized to
borrow money

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That the inhabitants of the township of Chesterfield, in the county of Burlington, are hereby authorized to borrow, through their township committee, a sum of money sufficient to pay the moneys advanced and paid to the volunteers under the last two calls of the president of the United States, and they are hereby further authorized to assess and collect the same by taxation.

Poll tax.

2. *And be it enacted*, That the said sum shall be raised by a poll tax of ten dollars on each inhabitant enrolled for military duty so far as the same may extend.

Tax on real
estate, &c.

3. *And be it enacted*, That the remainder of the said moneys advanced for the bounties to the volunteers, shall be raised by a tax on the real estate and personal property of the inhabitants in the said township.

When assess-
ed and col-
lected.

4. *And be it enacted*, That the said taxes shall be assessed, made, levied and collected by the same persons in the same manner, at the same time and under like fees, fines and penalties as other township taxes are levied and collected.

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

Approved March 28, 1865.

CHAPTER CCCXXIII.

An Act to authorize the West Hoboken and Hoboken Passenger Railway Company, and the Hoboken and Hudson City Horse Car Railroad Company, or either of them, to sell and convey their or its property, powers, privileges and franchises to the Hoboken and Weehawken Horse Railroad Company, and the latter company to purchase and hold, possess, exercise and enjoy the same, and to alter the name of the last mentioned company to that of the North Hudson County Railway Company.

Preamble.

WHEREAS, the railroads of said three corporations terminate at Hoboken, and are now under the management of the

same persons, but the said corporations can be more cheaply managed, and the interest of the public be better promoted if the said railroads are the property of one corporation; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the West Hoboken and Hoboken Passenger Railway Company, with the assent of the holders of three-fourths of the stock of said company, as well as the Hoboken and Hudson City Horse Car Railroad Company, with the assent of the holders of three-fourths of the stock thereof, be, and each of them separately are hereby authorized to sell and convey, each its property, powers, privileges and franchises, to the Hoboken and Weehawken Horse Railroad Company, with the assent of the holders of three-fourths of the stock thereof, to each purchase as made, and on such terms as may be agreed upon between the company selling and the company purchasing; and that the Hoboken and Weehawken Horse Railroad Company, with such assent of such part of its stockholders as last mentioned, be, and hereby is, authorized to purchase, and when purchased, to possess, hold, enjoy and exercise said property, powers, privileges and franchises respectively, that may be purchased.

Authorized to
sell and con-
vey property,
&c.

2. *And be it enacted*, That the powers herein given to said companies, and duties imposed upon their boards of directors respectively, shall be exercised by a majority of the board of directors thereof respectively, and the directors of the selling companies respectively, shall be the trustees of all the stockholders thereof, who shall assent to such sale, in respect of the money, property and other things taken as the consideration for such sale by such company, and shall distribute the same among their assenting stockholders respectively, in the same proportion that the amount of stock held by such assenting stockholders bears to the whole issued stock of the companies respectively; and for that purpose, the directors of said companies respectively in office when the sale is made, shall remain in office till the distribution is complete; and upon such distribution to each stockholder, the stock, in respect of which such distribution is made, shall be surrendered, and assigned to the Hoboken and Weehawken Horse Railroad Company.

Powers of di-
rectors.

3. *And be it enacted*, That the said the Hoboken and Weehawken Horse Railroad Company shall have the power to issue bonds for the purpose of raising money to improve their

May issue
bonds.

property, now and hereafter acquired, and to carry out and execute this act and the acts incorporating said companies, whose said powers, privileges, property and franchises shall be purchased, subject to the liabilities and restrictions therein contained, and all the supplements thereto; said bonds may bear an interest not exceeding seven per centum per annum, and may be sold to any person or corporation at any rate not less than ninety per centum of their par value, without the negotiation thereof being invalidated thereby, or any person or corporation liable to any penalty therefor; and to secure the payment of such bonds the said company shall have power to convey, or pledge, by way of mortgage, trust, or otherwise, the whole or any part of the property, franchises, powers, privileges and chartered rights of said company, as well those heretofore as those now granted and acquired, and those which they shall acquire under the powers herein given; and such conveyance, pledge, or any foreclosure sale, or other lawful sale, by virtue thereof, shall fully and completely transfer to, and rest in, the grantee or purchaser, all the property, franchises and chartered rights of said company, as well as aforesaid those heretofore as those now granted and acquired, and those which they shall acquire under the powers herein given, free from all incumbrances and debts that were not liens on such property prior to the recording or registry of said mortgage.

May increase
capital stock.

4. *And be it enacted*, That the said the Hoboken and Weehawken Horse Railroad Company may, from time to time, increase its capital stock to any sum not exceeding two hundred thousand dollars more than that now authorized to be issued, and may also change the value of shares, by issuing one share of the value of twenty-five dollars, in place of every two-and-a-half shares of the value of ten dollars each.

Notice to be
given.

5. *And be it enacted*, That before the boards of directors of either of said companies execute the conveyance for the sale or agreement for the purchase hereby authorized, each board shall give public notice, by advertisements in one of the newspapers published in the city of Hoboken, if there be one there then, otherwise in the county of Hudson, and inserted therein once a week at least, for three weeks successively, of a general meeting of the stockholders of its company, to consider the subject of executing this act, mentioning therein the title thereof.

Proceedings in
case of dissen-
sing stock-
holders.

6. *And be it enacted*, That the stock of any stockholder of any of said companies who shall make the said sale or con-

veyance or purchase in manner hereby authorized, who shall dissent therefrom, or not assent thereto, or be by reason of any legal disability incapable of assent thereto, may be taken by the said the Hoboken and Weehawken Horse Railroad Company, who shall apply to one of the justices of the supreme court to appoint three disinterested commissioners to appraise the value of such sale and purchase of a share of the stock of each of said companies having stockholders so dissenting, or not assenting, or incapable of assent; *provided*, that Proviso. the appraisement shall not be less than the par value of each share of said stock of said companies and said justice shall appoint such commissioners, and such commissioners, or a majority of them, shall meet together and appraise the value of a share of the stock, as it is at the time aforesaid, of each of said companies in which stockholders dissent, or do not for any reason assent, and the said the Hoboken and Weehawken Horse Railroad Company shall pay to such dissenting or non-assenting stockholders in either of said companies the valuation fixed on a share of such company's stock in which such stockholder holds his or her stock for every share of stock so held by such stockholder, and upon such payment or tender thereof the said stock so taken, valued and paid for, or the money for which is tendered, shall be thereby surrendered and assigned to the said the Hoboken and Weehawken Horse Railroad Company; that the said justice shall, at the time of such application to him, direct, and said company shall give such notice of said proceedings to be had before such justice and commissioners as he shall think proper, either by requiring personal service on such dissenting or non-assenting stockholders or by publishing notice of such proceedings in such newspapers as said justice may think proper, and such commissioners shall report such valuation to said justice, and file another report with the directors of the Hoboken and Weehawken Horse Railroad Company, and such application to said justice shall specify, as near as the officer keeping the books of said company can, who are the owners of such stock as shall be so taken.

7. *And be it enacted*, That until the said purchase of said Rate of transportation. two corporations each of said three corporations may charge, collect and receive as fare, for transporting a passenger on its railroad a mile or fraction of a mile five cents; and said Hoboken and Weehawken Horse Railroad Company may charge the same fare for the same service on each of said railroads that it may purchase; *provided*, that for the trans-

portation of any passengers in the cars of said company within the limits of the city of Hoboken, it shall not be lawful for the said corporation or corporations to charge or collect a greater sum than five cents from and after the passage of this act.

Taxes regulated.

8. *And be it enacted*, That the said companies, until said purchases, shall be taxed in any township or ward only on the value of its property there situated, nor shall either be taxed twice upon the same property; and after the said purchase the said the Hoboken and Weehawken Horse Railroad Company shall be taxed on all the roads owned by them and on their property in the same manner and to the same extent only.

Corporate name.

9. *And be it enacted*, That after such purchase of either of such companies hereby authorized, the name of the Hoboken and Weehawken Horse Railroad Company shall be, and hereby is declared to be, the North Hudson County Railway Company, and by such name shall be known, sue and be sued in all courts and places; *provided always*, that nothing contained in this act shall be construed as authorizing the said company to construct a portion of their road, or any branch of the same, within the corporate limits of the city of Hudson without the consent of the mayor and common council of said city first had and obtained.

Proviso.

Restrictions.

10. *And be it enacted*, That the said company, the North Hudson County Railway Company, shall be liable to all the restrictions and limitations now contained in the acts incorporating the several companies mentioned in this act, and also to all proper municipal regulations.

Not to use dummy engines.

11. *And be it enacted*, That it shall not be lawful for said company to run or use dummy engines, on said road between Newark street in the city of Hoboken and King's Gate in the township of Weehawken.

Repealer.

12. *And be it enacted*, That all laws and parts of laws (except the provisions of the general tax law), inconsistent with this act be and the same are hereby repealed, and that this act shall take effect immediately.

Approved March 29, 1865.

CHAPTER CCCXXIV.

An Act entitled "An act to charter the Passaic Valley and Peapack Railroad Company."

Names of coporators.

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That Morris P. Crate, Cornelius

W. Schomp, John H. Anderson, Alvah Lewis, John Littell, J. O. Maxwell, Nathaniel Bonnell, Joseph Alwood, and James W. Arrowsmith, and such other persons as may hereafter be associated with them, shall be, and are hereby ordained, constituted, and declared to be a body corporate and politic in fact and in name, by the name of the "Passaic Valley and Peapack Railroad 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 be answered unto, defending and being defended in all courts and places whatsoever; and shall have power to make and use a common seal, and the same at pleasure to alter; and they and their successors, by the same name and style, shall be capable of purchasing, holding, and conveying any lands, tenements, goods and chattels whatsoever, necessary or expedient to the object of this corporation.

2. *And be it enacted,* That the capital stock of said company shall be twelve hundred thousand dollars, with liberty to the said company to increase the same to two millions of dollars, and shall be divided into shares of fifty dollars each, which shall be deemed personal property, and shall be transferable in such manner as the by-laws of the said corporation shall direct. Amount of capital stock.

3. *And be it enacted,* That the above named persons may open books to receive subscriptions to the capital stock of said corporation, at such time or times, and place or places, as they or a majority of them may think proper; and at the time of subscribing for said stock, five dollars on each share subscribed shall be paid to said commissioners in gold or silver coin, or legal and current bank notes; that whenever there shall be three thousand shares of the said stock subscribed, the said commissioners may give notice for a meeting of the stockholders to choose nine directors; and such election shall be made at the time and place appointed by such of the stockholders as shall attend for that purpose either in person or by lawful proxy; each share of the capital stock entitling the holder thereof to one vote; and the said above named persons, or a majority of them, shall be inspectors of the first election of directors of the said corporation, and shall certify under their hands the names of those persons duly elected, and deliver over the subscription books to the said directors; and the time and place of holding the first meeting of directors shall be fixed by the said persons named in the first section of this act, or a majority of them; and Commissioners to receive subscriptions.
Election of directors.

the directors chosen at such meeting, or at the annual election of said corporation, shall, as soon as may be after every election, choose out of their own number a president; and in case of the death, or resignation, or removal of the president or any director, such vacancy or vacancies may be filled for the remainder of the year wherein they may happen, by the said board of directors, or a majority of them; and in case of the absence of the president, the said board of directors, or a majority of them, may appoint a president pro tempore, who shall have such power and functions as the by-laws of said corporation shall provide.

Not dissolved
for failure to
elect.

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

Payment of in-
stallments.

5. *And be it enacted*, That five directors of said corporation shall be competent to transact all business of the said corporation; and shall have power to call in the capital stock of said company by such installments (not to exceed ten dollars on each share at any one time), and at such time as they may direct; *provided*, that such installments shall not be called for at a shorter period than thirty days from each other; and in case of non-payment of said installments, or any one of them, to forfeit the share or shares upon which such default shall arise; and to make and prescribe such by laws, rules and regulations as to them shall appear needful and proper, touching the management and regulation of the stock, property, estate and effects of the said corporation; and also, shall have power to appoint a secretary, and so many clerks and servants as to them may seem meet, and to establish and fix such salaries to them, and also to the president, as to the said board shall appear proper.

Proviso.

May construct
railroad track

6. *And be it enacted*, That the president and directors of the said company be, and they are hereby authorized and invested with all the rights and powers necessary and expedient to survey, lay out, locate and construct, maintain and operate a railroad from some point in the county of Union, or the county of Essex, passing through the township of Springfield into the township of New Providence, near the village of New Providence, so up Passaic Valley, at or near Basking Ridge, and so on to the village of Peapack, in the county of Somerset, not exceeding one hundred feet in width, with as many

sets of tracks and rails as they may deem necessary; and it shall and may be lawful for the said president and directors, their agents, engineers, superintendents, or others in their employ, to enter at all times upon all lands or water, for the purpose of exploring, surveying, levelling or laying out the route or routes of such railroad, or lateral roads, and of locating the same, and to do and erect all necessary works, buildings and appendages thereof, doing no unnecessary injury to private or other property; and when the route or routes of such road or lateral roads shall have been determined upon, and a survey of such route or routes deposited in the office of the secretary of state, then it shall be lawful for the said company, by its officers, agents, engineers, superintendents, contractors, workmen, and other persons in their employ, to enter upon, take possession of, hold, have, use, occupy, and excavate any such lands, and to erect embankments, bridges, and all other works necessary to lay rails, and to do all other things which shall be suitable or necessary for the completion or repair of the said road or roads, subject to such compensation as is hereinafter provided; *provided always*, that the payment or tender of the payment of all damages for the occupancy of lands through which the said railroad or railroads may be laid out, be made before the said company, or any person under their direction or employ, shall enter upon or break ground in the premises, except for the purpose of surveying and laying out said road or roads, unless the consent of the owner or owners of such lands be first had and obtained.

Proviso.

7. *And be it enacted*, That if the owners of the lands on which such railroad or railroads shall be made shall not be willing to give the same for such purpose, and the said company or owners cannot agree as to the price of the same, it shall be the duty of any judge of the inferior court of common pleas of the county in which the said disputed land shall lie, who is disinterested in the premises, upon the application of either party, and after giving ten days' notice, in writing, to the opposite party of such application, and after hearing the parties, to appoint three disinterested commissioners of such county, to assess the price or value of said land, who shall be sworn before said judge, faithfully to execute the duties of such appointment, and after like notice to both parties of the time and place, shall meet, view the premises, and hear the parties, and evidence, if desired, and thereupon make such decision and award as to them shall appear just and proper, and transmit such award and decision, together

Proceedings when company and owners cannot agree.

with a description of the said land, and the quantity taken, by whom owned, and how situate, bounded, and described, in writing, under their hands and seals, or the hands and seals of a majority of them, to the judge who appointed them, to be by him returned and filed, together with all papers before him relating thereto, in the clerk's office of the county, there to be kept as a public record, and copies taken, if required by either party; and if either party shall feel aggrieved by the decision of such commissioners, the party so aggrieved may appeal to the inferior court of common pleas of the county, at the next term after such decision of the commissioners, by proceeding, in the form of petition, to the said court, within five days' notice in writing to the opposite party, of such appeal, which proceeding shall vest in the said court of common pleas full right and power to hear and adjudge the same, and, if required, they shall award a venire, in proper form, for a jury before them, who shall hear and finally determine the same; and it shall be the duty of the said jury to assess the value of the said lands, and all damages sustained; and if the said jury be demanded by the company, and they shall find a greater sum than the said commissioners, then judgment shall be given, with cost, against the company, and execution issued, if need be; but if the said jury shall be demanded by the owner or owners, and shall find the same, or a less sum than the commissioners awarded, then the costs shall be paid by the owner or owners, and shall be deducted out of the said sum so awarded, or execution issued therefor, as the court shall direct, and upon payment or tender of the sum so found by the commissioners, or by the jury, with costs, if any, the said corporation shall be deemed to be seized and possessed, in fee simple, of all such lands and real estate appraised as aforesaid.

Proceedings
in case of dis-
ability.

8. *And be it enacted*, That in case any owner or owners of such land or real estate shall be feme covert, under age, non compos, out of the state, or under any other legal disability, which would prevent their agreement with the said company, then it shall be the duty of the said corporation to pay the amount of any award or report so made, in behalf of any such person, into the court of chancery, to the clerk thereof, subject to the order of the said court, for the use of said owner or owners, all of which said proceedings, as well under this as the preceding section of this act, shall be at the proper costs and charges of the said corporation, except in cases of appeal above provided for; and the said judge

shall and may order and direct the amount of costs and charges of such valuation, appraisement and witnesses' fees.

9. *And be it enacted*, That it shall be the duty of the said company to construct and keep in repair good and sufficient bridges or passages over or under the said railroad or roads, when any public or other road shall cross the same, so that the passage of carriages, horses and cattle on the said road shall not be impeded thereby; and also, where the said road shall intersect any farm or lands of any individual, to provide and keep in repair suitable wagon-ways over or under said road, so that he may pass the same; and if the company neglect to perform the same, after giving twenty days' notice to the company by the owner or possessors so to do, the owner or possessor may do it himself, and recover the value of the work from the corporation by common process of law.

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

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

Penalty for injur-
ing works.

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

May purchase
and hold
lands, &c.

13. *And be it enacted*, That the said company may have and hold real estate at the commencement and termination of said road or roads, not exceeding five acres at each place, and may erect and build thereon houses, warehouses, machine shops, and such other buildings and improvements as they may deem expedient for the safety of property and construction of carriages, and other necessary uses; and take and receive the rents, profits and emoluments thereof; and shall have the privilege and authority to erect, build and maintain such bridges over all streams of water on the line of the said road as they may think expedient and necessary for the full enjoyment of all the benefits conferred by this act.

Tax to be paid

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

State may
take road on
payment of
appraisement

15. *And be it enacted*, That at any time after the expiration of fifty years from the completion of said road, the legislature of this state may cause an appraisement of the said road and appendages thereof to be made by six persons, three of whom shall be appointed by the chief justice of this state for the time being, the remaining three by the company, who, or a majority of them shall report the value thereof to the legislature within one year from the time of their appraisement; or, if they cannot agree, they shall chose a seventh, who, with the aforesaid six, shall report as aforesaid; or, in

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

Proviso.

16. *And be it enacted*, That if the said railroad shall not be completed at the expiration of ten years from the first day of July next, then, and in that case (except as to the part constructed), this act shall be void.

Limitation.

17. *And be it enacted*, That the governor, attorney general, the chancellor, the justices of the supreme court, the judges of the court of errors of this state, and the state superintendent of public schools, when travelling for the purpose of discharging the duties of their offices, and the members of both houses of the legislature of this state, during its annual or other sessions, shall pass and repass over said railroad in the cars thereof, free of charge.

Who may ride free.

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

Approved March 29, 1865.

CHAPTER CCCXXV.

An Act to authorize John H. Thomson, Clayton N. Shuster, John L. Shuster, Garret Clark, Rufus W. Clark, and Joseph S. Shuster, to extend their wharf in front of their property, on the river Delaware, at Billingsport, in the township of Greenwich, in the county of Gloucester, New Jersey.

Authorized to
extend wharf.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall and may be lawful for John H. Thomson, Clayton N. Shuster, John L. Shuster, Garret Clark, Rufus W. Clark, and Joseph S. Shuster, of the township of Greenwich, in the county of Gloucester, their heirs and assigns, to extend the wharf now being in front of their land, on the river Delaware, at Billingsport aforesaid, and from time to time rebuild and repair the same, as may be necessary for the improvement of their property, or the benefit of commerce; and to demand and receive wharfage therefor, from all persons using the same; *provided*, the said wharf shall not obstruct the navigation of the said river, and shall be subject to all rules, regulations, and control of any commission or authority that may be appointed by the legislature hereafter.

Proviso.

Penalty for In-
juring wharf.

2. *And be it enacted*, That if any person or persons shall in any way injure the said wharf, such person or persons shall be responsible therefor and shall pay the amount of damage done or caused by him, her, or them; said damage to be recovered in any court having jurisdiction.

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

Approved March 29, 1865.

CHAPTER CCCXXVI.

An Act to incorporate "The East Jersey Petroleum and Mining Company."

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Names of corporators.} *the State of New Jersey*, That Orestes Cleveland, Hosea F. Clark, William G. Murray, Leon Abbett, John W. Fielder, Joseph McCoy, Delos E. Culver, Dudley S. Gregory, Jr., James S. Fielder, and such other persons as may be associated with them and their successors, are hereby created and declared to be a body politic and corporate in law by the name and title of the "East Jersey Petroleum and Mining Company," and by that name shall have perpetual succession, and all the privileges and franchises belonging or incident to a corporation.

2. *And be it enacted*, That the whole amount of the capital stock of said company shall be five hundred thousand dollars, to be divided into shares of ten dollars each, which shall be personal property, and be transferable on the books of the company. ^{Amount of capital stock.}

3. *And be it enacted*, That the above named corporators, ^{Commissioners to receive subscriptions.} or a majority of them, shall be commissioners to receive subscriptions to the capital stock of said company, at such time and place, or places, in this state, and upon such notice as they shall direct; and at the time of subscribing for said stock, such amount on each share shall be paid, satisfied or satisfactorily secured to said commissioners, as they, or a majority of them shall determine, and the residue of the subscription shall be paid, satisfied or secured, as the directors may determine, in such installments, at such times and places, in such manner, and to such person or persons as said directors shall from time to time direct, giving notice of such time and place, and person or persons, by notices published in a newspaper printed and circulating in the county of Hudson, and a newspaper printed and circulating in the county of Essex, for two weeks, at least once in each week; and upon the failure of any person to pay, satisfy, or secure the payment of the installments or any of them as aforesaid, the said directors shall have power to forfeit the shares of each and every person so failing, or any of them, to and for the use and benefit of the said company; and any shares of

stock so forfeited as aforesaid, may be held by the said company, or any person or persons for its benefit, and may at any time be sold or disposed of for the benefit of the company, as said directors may direct, or divided proportionately among the remaining stockholders, to be by them held and enjoyed, or sold and transferred with all the rights and benefits incident thereto, the same in all respects as if they were original shares by them subscribed; and any land, property or materials used in the business of the said company, received in payment or satisfaction of subscriptions for stock, shall be taken at a valuation approved by a majority of the stockholders.

Election of directors.

4. *And be it enacted*, That whenever fifty thousand dollars of the capital stock aforesaid shall have been subscribed, the commissioners, or a majority of them, shall, as soon as they deem expedient, give notice in such manner as they may determine, of a meeting of the stockholders, at such time and place as they may designate, to choose nine directors, who shall hold their office for one year and until others are duly elected; and such election shall be made at the time and place appointed by such of the stockholders as shall attend for that purpose, either in person or by proxy, each share of stock entitling the holder thereof to one vote; and the directors chosen at such meeting, or at the annual elections of said corporation, shall, as soon as may be, after every election, choose out of their own number a president, who shall hold his office for one year, and until his successor is duly appointed, and in case of the death, resignation, or other incapacity of the president or any director, such vacancy may be filled by the board of directors for the remainder of the then current year; and this company shall not be dissolved in case the election for officers and directors does not take place at the time designated by this act or the by-laws of said company, and the directors elect shall continue in office until their successors are elected.

Powers of company.

5. *And be it enacted*, That the said company shall be and are hereby authorized and empowered to establish and carry on the business of developing oil lands, digging, boring, and excavating mines, shafts and wells, and mining, producing, and obtaining oil and other products or minerals from the earth, and manufacturing in forms, refining, transporting, and vending the same, and for that purpose to purchase, rent, take, hold, occupy, and enjoy, grant, demise, lease, and convey in this or any other state or territory, such and so many

lands, mines, deposits, springs, and wells, and such parts, shares and interests therein, as they may deem proper, in fee simple, or any less estate; and to purchase, rent, hire, erect, build, hold, maintain and use, grant, demise, lease, and convey such buildings, tramways, wells, aqueducts, drains, tanks, engines, machinery, and other real and personal property as they may deem necessary or proper for developing their property and carrying on their business; and when, by the laws of the state or territory, where any of the property may be situate or be, the said company may not be authorized or capable to have, hold, enjoy, or convey, rent, and lease the same, or the legal estate therein, themselves or otherwise, when they may think proper, the said company may purchase, hire, rent, have, hold, use, enjoy, grant, lease and convey, any trust or other equitable or beneficial estate or interest, as cestui que trust or otherwise, in any property which may be purchased, hired, leased, or held by trustees or other person for the use or benefit of said company; and the same shall make part of the value of and be represented by the stock of the said company; *provided*, that the said com- Proviso. pany shall not be taxed in this state for, or by reason of, or of any interest in any real estate, situate in any other state or territory, and taxed therein.

6. *And be it enacted*, That the board of directors of said Powers of directors. company shall have power to make and adopt a common seal for said corporation, to appoint from their own number or otherwise, a treasurer and secretary, and such other officers of the board and of the company as they may deem necessary, and to fix their salaries; to borrow such sums of money as they may from time to time deem advisable for the purposes of said company, and to issue the bonds of the said company therefor, and secure the payment of the same by a mortgage or mortgages on the lands, estate, and other property of said company, and to make such by-laws, not inconsistent with the provisions of this act, as they may think proper, regulating the issuing and transfer of stock, and for the general government and management of the affairs of the company.

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

Approved March 29, 1865.

CHAPTER CCCXXVII.

An Act to incorporate the Orange Oil Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Benjamin M. McGee, Albert A. Hopper, John J. Zabriskie, John N. Terhune, De Grasse B. Fowler, Cornelius A. Wortendyke, and John Hopper, and such other persons as may be associated with them, and their successors, are hereby created and declared to be a body politic and corporate in law, by the name and title of "The Orange Oil Company," and by that name shall have perpetual succession and all the privileges and franchises belonging or incident to a corporation.

Amount of capital stock.

2. *And be it enacted*, That the whole amount of the capital stock of said company shall be five hundred thousand dollars, to be divided into shares of five dollars each, which shall be personal property, and be transferable on the books of said company.

Commissioners to receive subscriptions.

3. *And be it enacted*, That the above named corporators, or a majority of them, shall be commissioners to receive subscriptions to the capital stock of said company, at such time and place or places in this state, and upon such notice as they shall direct; and at the time of subscribing for said stock, such amount on each share shall be paid, satisfied, or satisfactorily secured to said commissioners, as they, or a majority of them shall determine; and the residue of the subscription shall be paid, satisfied, or secured, as the directors may determine, in such installments, at such times and places, in such manner, and to such person or persons as said directors shall from time to time direct, giving notice of such time and place, and person or persons, by a notice published in a newspaper printed and circulating in the county of Passaic, for two weeks, at least once in each week; and upon the failure of any person to pay, satisfy, or secure the payment of the installments or any of them, as aforesaid, the said directors shall have power to forfeit the shares of each and every person so failing, or any of them, to and for the use and benefit of the said company; and any shares of stock so forfeited, as aforesaid, may be held by the said company, or any person or persons for its benefit, and may at any time be sold or disposed of for the benefit of the company, as said

directors may direct, or divided proportionately among the remaining stockholders, to be by them held and enjoyed, or sold and transferred with all the rights and benefits incident thereto; the same in all respects as if they were original shares by them subscribed; and any land, property or materials used in the business of the said company, received in payment or satisfaction of subscriptions for stock, shall be taken at a valuation, approved by a majority of the above named corporators.

4. *And be it enacted*, That whenever fifty thousand dollars of the capital stock aforesaid shall have been subscribed, the commissioners, or a majority of them, shall, as soon as they deem expedient, give notice in such manner as they may determine, of a meeting of the stockholders, at such time and place as they may designate, to choose seven directors, who shall hold their office for one year, and until others are duly elected; and such election shall be made at the time and place appointed, by such of the stockholders as shall attend for that purpose, either in person or by proxy, each share of stock entitling the holder thereof to one vote; and the directors chosen at such meeting, or at the annual elections of said corporation, shall, as soon as may be after every election, choose out of their own number a president, who shall hold his office for one year, and until his successor is duly appointed; and in case of the death, resignation, or other incapacity of the president or any director, such vacancy may be filled by the board of directors for the remainder of the then current year.

Election of directors.

5. *And be it enacted*, That the said company shall be, and they are hereby authorized and empowered to establish and carry on the business of developing oil lands, digging, boring and excavating mines, shafts and wells, and mining, producing, and obtaining oil and other products or minerals from the earth, and manufacturing in forms, refining, transporting, and vending the same, and for that purpose to purchase, rent, take, hold, occupy and enjoy, grant, demise, lease and convey, in this or any other state or territory, such and so many lands, mines, deposits, springs and wells, and such parts, shares, and interests therein as they may deem proper, in fee simple or any less estate; and to purchase, rent, hire, erect, build, hold, maintain and use, grant, demise, lease and convey such buildings, tram-ways, wells, aqueducts, drains, tanks, engines, machinery and other real and personal property as they may deem necessary or proper for develop-

Powers of company.

ing their property and carrying on their business; and when, by the laws of the state or territory where any of the property may be situate or be, the said company may not be authorized or capable to have, hold, enjoy or convey, rent and lease the same, or the legal estate therein, themselves, or otherwise when they may think proper, the said company may purchase, hire, rent, have, hold, use, enjoy, grant, lease and convey any trust or other equitable or beneficial estate or interest as cestui que trust or otherwise, in any property which may be purchased, hired, leased, or held by trustees or other person for the use or benefit of said company; and the same shall make part of the value of, and be represented by, the stock of said company; *provided*, that the said company shall not be taxed in this state for or by reason of, or of any interest in, any real estate situate in any other state or territory, and taxed therein.

Proviso.

Powers of directors.

6. *And be it enacted*, That the board of directors of said company shall have power to make and adopt a common seal for said corporation, to appoint from their own number or otherwise, a treasurer and secretary, and such other officers of the board and of the company as they may think necessary, and to fix their salaries; to borrow such sums of money as they may from time to time deem advisable for the purposes of said company, and to issue the bonds of said company therefor, and secure the payment of the same by a mortgage or mortgages on the lands, estate, and other property of said company, and to make such by-laws, not inconsistent with the provisions of this act, as they may think proper, regulating the issuing and transfer of stock, and for the general government and management of the affairs of the company.

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

Approved March 29, 1865.

CHAPTER CCCXXVIII.

An Act to enable "The Trustees of West Hoboken School District, Hudson County," to borrow money, and for other school purposes pertaining to said district.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That to enable "The Trustees of the West Hoboken Township School District, county of Hudson," to purchase sufficient land, to erect and furnish a suitable building, with necessary outhouses, fences, etc., in said district, for school purposes, the said trustees are hereby authorized and empowered to sell the land and school house now belonging to said school district, and to use the proceeds of said sale for the aforesaid purposes; and in addition thereto, the said trustees, or a majority of them, are hereby authorized and empowered to borrow a sum or sums of money, not exceeding in the total amount the sum of twelve thousand dollars, for the aforesaid purposes, and to issue their bonds for the same, in their corporate name and under their common seal, which said bonds shall bear interest at a rate not exceeding seven per centum per annum, payable annually; *provided*, Trustees authorized to sell land and borrow money Proviso. that none of the said bonds hereinbefore mentioned shall be sold for less than their par value.

2. *And be it enacted*, That five hundred dollars of the principal of said bonds shall be payable, and paid in each successive year after the issue of the same, until the whole of said bonds shall have been redeemed and paid; and in order to provide for the said yearly payment of five hundred dollars, and of all interest accruing on said bonds, the said trustees shall, on or before the first day of June next, and in each year thereafter on or before the first day of June, determine the amount needed for the said payments during the ensuing twelve months, and notify, in writing, the assessor and collector of said township of the said amount required for said purposes, who shall thereupon proceed to assess and collect the same from the taxpayers of said township school district, in such manner and at such times as other township moneys are assessed and collected in said township, until the whole of said bonds and interest thereon shall have been redeemed and paid in full; and the said moneys so collected shall be paid over, with other moneys collected for school purposes for Payment of bonds.

said township school district, to the proper officer for receiving and disbursing the public school moneys of said township, who shall pay the same in accordance with the requisitions of the aforesaid trustees for the purposes aforesaid.

Repealer.

3. *And it be enacted*, That all acts, or parts of acts inconsistent with this act, are hereby repealed; and this act shall take effect immediately.

Approved March 29, 1865.

CHAPTER CCCXXIX.

An Act to incorporate the Lawrence Oil and Mining Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Elias Cook, Horatio S. Parke, Albert W. Markley, Charles Stanton, Robert F. Stockton, Jr., George M. Robeson, and John G. Stevens, and such other persons as may be associated with them and their successors, are hereby created and declared to be a body politic and corporate in law by the name and title of the "Lawrence Oil and Mining Company," and by that name shall have perpetual succession and all the privileges and franchises belonging to or incident to a corporation.

Amount of capital stock.

2. *And be it enacted*, That the whole amount of the capital stock of said company shall be five hundred thousand dollars, to be divided into shares of five dollars each, which shall be personal property and be transferable on the books of the company.

Commissioners to receive subscriptions.

3. *And be it enacted*, That the above named corporators, or a majority of them shall be commissioners to receive subscriptions to the capital stock of said company, at such time and place or places, and upon such notice as they shall direct; and at the time of subscribing for said stock such amount on each share shall be paid, satisfied or satisfactorily secured to said commissioners as they or a majority of them shall determine, and the residue of the subscription shall be paid, satisfied or secured as the directors may determine, in such installments, at such times and places, in such manner and

to such person or persons as said directors shall from time to time direct, giving notice of such time and place and person or persons by notices published in a newspaper printed and circulating in the county of Hudson, and a newspaper printed and circulating in the county of Monmouth, for two weeks, at least once in each week; and upon the failure of any person to pay, satisfy or secure the payment of the installments or any of them as aforesaid, the said directors shall have power to forfeit the shares of each and every person so failing, or any of them, to and for the use and benefit of the said company; and any shares of stock so forfeited as aforesaid may be held by the said company, or any person or persons for its benefit, and may at any time be sold or disposed of for the benefit of the company as said directors may direct, or divided proportionately among the remaining stockholders to be by them held and enjoyed, or sold and transferred, with all the rights and benefits incident thereto, the same in all respects as if they were original shares by them subscribed; and any land, property or materials used in the business of the said company, received in payment or satisfaction of subscriptions for stock shall be taken at a valuation approved by a majority of the stockholders.

4. *And be it enacted*, That whenever fifty thousand dollars of the capital stock aforesaid shall have been subscribed, the commissioners, or a majority of them shall, as soon as they deem expedient, give notice in such manner as they may determine, of a meeting of the stockholders, at such time and place as they may designate, to choose five directors, who shall hold their office for one year and until others are duly elected; and such election shall be made at the time and place appointed by such of the stockholders as shall attend for that purpose, either in person or by proxy, each share of stock entitling the holder thereof to one vote; and the directors chosen at such meeting, or at the annual election of said corporation shall, as soon as may be after every election, choose out of their own number a president, who shall hold his office for one year and until his successor is duly appointed, and in case of the death, resignation, or other incapacity of the president or any director, such vacancy may be filled by the board of directors for the remainder of the then current year.

5. *And be it enacted*, That the said company shall be and are hereby authorized and empowered to establish and carry on the business of developing oil lands, digging, boring and excavating mines, shafts and wells and mining, producing and

obtaining oil and other products or minerals from the earth, and manufacturing in all forms, refining, transporting and vending the same, and for that purpose to purchase, rent, take, hold, occupy and enjoy, grant, demise, lease and convey in this, or any other state or territory, such and so many lands, mines, deposits, springs and wells, and such parts, shares and interests therein, as they may deem proper in fee simple or any less estate; and to purchase, rent, hire, erect, build, hold, maintain and use, grant, demise, lease and convey such buildings, tramways, wells, aqueducts, drains, tanks, engines, machinery, and other real and personal property as they may deem necessary or proper for developing their property and carrying on their business; and when by the laws of the state or territory where any of the property may be situate or be, the said company may not be authorized or capable to have, hold, enjoy or convey, rent and lease the same, or the legal estate therein, themselves or otherwise, when they may think proper the said company may purchase, hire, rent, have, hold, use, enjoy, grant, lease and convey any trust or other equitable or beneficial estate or interest, as cestui que trust or otherwise, in any property which may be purchased, hired, leased or held by trustees or other person for the use or benefit of said company; and the same shall make part of the value of, and be represented by, the stock of said company; *provided*, that the said company, shall not be taxed in this state for or by reason of, or of any interest in any real estate situate in any other state or territory and taxed therein.

Proviso.

Powers of directors.

6. *And be it enacted*, That the board of directors of said company shall have power to make and adopt a common seal for said corporation, to appoint from their own number, or otherwise, a treasurer and secretary, and such other officers of the board and of the company as they may deem necessary, and to fix their salaries; to borrow such sums of money as they may from time to time deem advisable for the purposes of said company, and to issue the bonds of the said company therefor, and secure the payment of the same by a mortgage or mortgages on the lands, estate, and other property of said company, and to make such by-laws, not inconsistent with the provisions of this act, as they may think proper, regulating the issuing and transfer of stock, and for the general government and management of the affairs of the company.

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

Approved March 29, 1865.

CHAPTER CCCXXX.

An Act to authorize the township committee of the township of Union, in the county of Hudson, to raise money by issuing bonds, to pay bounties to volunteers.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the township committee of the township of Union, in the county of Hudson, to issue bonds for an amount not exceeding three thousand five hundred dollars, in such sums and payable at such times as the said township committee shall deem proper, bearing interest at a rate not exceeding seven per cent. per annum, payable annually, and to pledge the property and credit of the said township for the payment of the same, which bonds it shall be lawful for the said township committee, and their successors, to sell and assign; *provided*, that no bond shall be sold by the said town committee for less than its par value; *and provided further*, that said bonds so issued shall be redeemable at a period of time not exceeding five years from the passage thereof.

May issue bonds.

Proviso.

Proviso.

2. *And be it enacted*, That the township committee of the township of Union, shall have power and authority to provide by taxation for the payment of the said bonds, and the interest thereon; and the said township committee shall yearly, and every year, until the bonds to be issued by the authority hereof shall be redeemed and paid off, order and cause to be assessed and collected, by tax, at the time and in the manner that other township taxes are assessed and collected, a sum of money sufficient to pay the interest on said bonds, as the same shall become due and payable, and to pay and discharge the principal at the several times it shall become due and payable; and that the township collector or other person for the said purpose appointed, shall, when such tax, or any part thereof, shall be collected, pay the same to the said township committee of said township, and all such moneys so to be raised, by virtue of this act, shall be inviolably applied by said township committee to pay the interest and principal of said bonds as the same shall become due and payable; *provided*, not more than seven hundred and fifty dollars of said bonds, to be issued as aforesaid, shall be made redeemable in any one year.

To provide by taxation for payment of principal and interest.

Proviso.

3. *And be it enacted*, That the assessor of the township of

Duty of assessor. Union, in the county of Hudson, shall assess upon the real and personal estate within the limits of the township of Union aforesaid, such sum or sums as the township committee of said township shall direct, for the payment of the principal and interest as aforesaid, yearly and every year, until the amount authorized by this act shall be paid.

4. *And be it enacted*, That this shall be a public act, and shall take effect immediately.

Approved March 29, 1865.

CHAPTER CCCXXXI.

A Supplement to an act to authorize the inhabitants of the township of Ewing in the county of Mercer, to raise money by issuing bonds, approved the twenty-second day of February, eighteen hundred and sixty-five.

Amount increased. 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the sum of twenty thousand dollars limited in and by the fourth section of the act to which this is a supplement, be and the same is hereby increased to the sum of twenty-two thousand dollars.

Acts legalized 2. *And be it enacted*, That the acts of the township committee of the said township in having assessed the fifteen dollars directed to be assessed in and by the sixth section of the act to which this is a supplement, and the acts of the township collector in having given notice of such assessment and partly collected the same are hereby legalized, and the said collector is hereby directed to return to some justice of the peace of the county of Mercer, on the third day of April next, the names of all persons liable to said tax, who shall not have paid the same before the said third day of April; and the said justice of the peace shall issue his warrant to the said collector, and the said collector and his successor shall proceed as in other cases of taxation.

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

Approved March 29, 1865.

CHAPTER CCCXXXII.

A Supplement to an act entitled "An act to authorize the township of Kingwood, in the county of Hunterdon, to raise money by taxation, to relieve the inhabitants of said township from the burden of a draft," approved March twenty-fifth, eighteen hundred and sixty-four.

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Repealer.} *the State of New Jersey*, That the provision of the act to which this is a supplement, requiring that at least one hundred and sixty votes shall be necessary to authorize the raising of money for the purpose specified in said act, be and the same is hereby repealed.

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

Approved March 29, 1865.

CHAPTER CCCXXXIII.

An Act to incorporate the Mercer County Agricultural Society.

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Names of cor-} *the State of New Jersey*, That Adolphe Maillard, Robert F. ^{porators.} Stockton, Jr., E. Boudinot Colt, John G. Stevens, Edward Hopkins, George M. Robeson, William R. Travers, and their associates and successors, shall be and they are hereby constituted a body politic and corporate, by the name of "The Mercer County Agricultural Society," with the power to lease or purchase, hold and improve, such real estate as may be necessary for the purposes of said society, and power to sell, mortgage, lease or otherwise dispose of the same, or any part thereof, at pleasure, and have all the powers, rights and incidents of a corporation, under the laws of the state of New Jersey.

2. *And be it enacted*, That the capital stock of said com-

Amount of
capital stock.

pany shall be one hundred thousand dollars, divided into shares of one hundred dollars each, and paid in in cash by the stockholders in such time, manner and installments, as the directors of said company may direct, and such shares shall be deemed personal property, and be transferable only in such manner as the said company by their by-laws may appoint.

Powers of di-
rectors.

3. *And be it enacted*, That the above named persons or a majority of them, shall be commissioners to open books and receive subscriptions to the capital stock of said company, at such times and places as they or a majority of them shall think proper, giving notice thereof by publishing the same for at least two weeks in some newspaper published in this state; and as soon as two hundred shares are subscribed the said commissioners, or a majority of them, are hereby authorized to hold their first meetings as directors of said company, to choose a president, elect and employ such other officers as they may deem necessary, and make all such by-laws, rules and regulations, as they may think proper for the government of said association, for admission to their exhibitions; and for the purpose of maintaining order and preventing disturbances at the meetings thereof, shall have police jurisdiction within one mile of the boundaries of said grounds; and they shall have the power and are hereby required to suppress the sale of ardent spirits and other intoxicating beverages, and to prohibit every species of gambling, breach of the peace or laws of the state within said limits; and the said directors shall, each of them, continue in office during and for the term of his natural life and the existence of the corporation, except in case of voluntary resignation; and all additions to or vacancies in the said board, whether by death or voluntary resignation, shall be filled by the remaining members of the board; and the president shall hold his office for one year, and until another is elected.

Objects of as-
sociation.

4. *And be it enacted*, That the objects of said association shall be to improve the condition and breed of horses and cattle, and for carrying out the objects of this act, said association may hold one or more meetings upon their grounds in each year, for the exhibition and trials of such animals as the directors, or a majority of them may deem proper, and may offer and give such premiums and rewards for superiority in the objects sought for as the said directors, or a majority of them, may agree upon; and said association shall have

power to let, rent or lease unto any agricultural or other society, organized for the purposes contemplated in this act, the grounds and improvements belonging to said association.

5. *And be it enacted*, That for the purpose of maintaining and preserving peace, good order and decorum, upon and about the grounds of said society, and among the visitors and spectators to the same, it shall be lawful for the said society to appoint, from time to time, one or more fit, proper and discreet person or persons, who shall take and subscribe an oath before the sheriff of the county of Mercer, or one of the judges of the court of common pleas, in and for said county, an oath or affirmation, which oath or affirmation shall be filed in the office of the clerk of the county of Mercer, and shall be of the like form and effect as now required by law for constables to take and subscribe, and which person or persons so appointed and sworn shall possess the same power and authority on the premises of said society, and on the premises adjacent thereto, within the limits named in section four of this act, which constables now possess in criminal cases; and they shall have power and authority to arrest all persons who shall be there found violating any of the laws of this state, or who shall conduct themselves in a disorderly or immoral manner, or disturb or wrongfully interfere with the fairs or exhibitions, or rules and regulations of said society; and the said parties so arrested shall be taken, as soon as conveniently may be, before some justice of the peace of said county, or any police magistrate or justice of the city of Trenton, there to be dealt with according to law.

May appoint
persons to
preserve order

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

Approved March 29, 1865.

CHAPTER CCCXXXIV.

An Act to renew the charter of the New Brunswick Manufacturing Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the act entitled "An act to Act extended.

incorporate the New Brunswick Manufacturing Company," passed the seventeenth day of February, in the year of our Lord one thousand eight hundred and thirty-six, be, and the same is hereby continued and extended for and during the term of thirty years from and after the time by the said act limited for its continuance.

When to take effect.

2. *And be it enacted*, That this act shall take effect immediately upon the expiration of the term in and by the said act entitled "An act to incorporate the New Brunswick Manufacturing Company," limited for the continuance thereof.

Approved March 29, 1865.

CHAPTER CCCXXXV.

Supplement to an act entitled "An act to incorporate the Rahway Savings Institute," approved February nineteenth, eighteen hundred and fifty-one.

Book to be kept at office.

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That a book shall be kept at the office of the corporation, in which every depositor shall be at liberty to appoint some person or persons, to whom, in the event of his or her death, the money shall be paid, if not otherwise disposed of by will; and all payments made to such persons so appointed shall be a full discharge to said corporation; and should no such appointment be made, such deposit, on the decease of the depositor, shall be paid to his or her legal representative.

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

Approved March 29, 1865.

CHAPTER CCCXXXVI.

A Supplement to the act entitled "An act to authorize the township of Delaware, in the county of Hunterdon, to raise money by taxation to relieve the inhabitants of said township from the burden of a draft," approved March twenty-fifth, eighteen hundred and sixty-four.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the inhabitants of the said township of Delaware, to meet at the time and place specified in the notice required to be given by the first section of the act to which this is a supplement, and to raise by assessment on the polls and taxable property in said township such sum as two thirds of those present and voting at such town meeting shall decide to be necessary and proper, for the purpose of relieving the inhabitants of said township from the burden of a draft, and such sum as shall be ordered to be raised by the vote at such town meeting, shall be assessed and raised by a poll tax on all married men of fifty cents each, and on all unmarried men of one dollar each, on each and every four thousand dollars so assessed on said township, and in the same proportion on all fractions of the said four thousand dollars, and the remainder of the said money shall be made by assessment on the taxable property in said township. ^{Money to be raised by tax.}

2. *And be it enacted*, That the assessor of said township shall have twenty days next after such special town meeting shall be held, within which to perform the duties required of him by the third section of the act to which this is a supplement, and that the collector of said township shall have thirty days, next after he shall receive the duplicate from the assessor, within which he shall demand payment of the tax or sum assessed on each individual in said township, and give the notices required to be given by him by the third section of the act to which this is a supplement. ^{Duties of assessor and collector.}

3. *And be it enacted*, That the second section of the act to which this is a supplement, and so much of the third section thereof as conflicts with this act, be and the same are hereby repealed. ^{Repealer.}

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

Approved March 29, 1865.

CHAPTER CCCXXXVII.

A Further Supplement to "An act for the preservation of sheep."

Act extended. 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the provisions of the supplement to an act entitled "An act for the preservation of sheep," approved April fourteenth, eighteen hundred and forty-six, which said supplement was approved March twenty-fourth, eighteen hundred and fifty-two, be, and the same are hereby extended to the township of East Windsor, in the county of Mercer, with all supplements thereto.

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

Approved March 29, 1865.

CHAPTER CCCXXXVIII.

An Act to incorporate the Patent Machine Company.

Names of corporators. 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Thomas R. Crosby, William Shove, Daniel Condit, Addi M. Foster and John H. Barlow, and such other persons as may hereafter be associated with them, their successors and assigns, be and they are hereby constituted a body politic and corporate, by the name of "The Patent Machine Company," for the purpose of manufacturing machinery, castings and other articles of like character, in the city of Newark, and by that name they and their

successors shall be and are hereby made capable in law of suing and being sued, pleading and being impleaded, answering and being answered unto, in all courts and places whatsoever; to make and use a common seal and the same to alter and renew at pleasure; and they and their successors and assigns, in their corporate name, shall be and are hereby made capable in law to have, purchase, receive and enjoy any lands, tenements, goods and chattels necessary and proper to carry on the manufacturing aforesaid in all its branches, and the same to grant, demise, pledge, convey and dispose of, and to have, enjoy and exercise all the rights, powers and privileges pertaining to corporate bodies, and necessary for the purposes of this act; *provided always*, that the funds of the said corporation, or any part thereof, shall not be used or employed for any purpose inconsistent with this act; and that the said Thomas R. Crosby, William Shove, Daniel Condit, Addi M. Foster and John H. Barlow, or a majority of them, are hereby authorized to receive subscriptions to the capital stock of said company.

Proviso.

2. *And be it enacted*, That the stock, property and concerns of said company shall be managed and conducted by five directors, being stockholders, one of whom shall be president, who shall hold their offices respectively for one year, and until others are elected in their places; and that the said directors shall be chosen at such time and place as shall be directed by the by-laws of said corporation; and public notice shall be given of the time and place of holding such election, not less than ten days previously, in one or more of the newspapers printed in the city of Newark, or nearest the place where such election shall be held by such stockholders as shall attend for that purpose, in person or by proxy; and each stockholder shall be entitled to one vote for each share of stock he may hold in said company, and the stockholders receiving the greatest number of votes shall be directors, and a majority of the directors so chosen may appoint such officers and superintendents, with such compensation as they may think proper, and may remove the same at their pleasure, and shall also have power to fill any vacancy that may occur in the board of directors, by death, resignation or otherwise, and may make, ordain and execute such by-laws and regulations as may be necessary and convenient for the government and management of the stock, effects, and concerns of the said corporation; *provided*, the same shall not be repugnant

Election of directors.

Proviso.

to the constitution and laws of the United States and this state.

Amount of
capital stock.

3. *And be it enacted*, That the capital stock of the said company shall not exceed two hundred thousand dollars, to be divided into shares of fifty dollars each; and so soon as thirty thousand dollars of the said capital stock shall have been subscribed and paid or satisfactorily secured, it shall be lawful for said company to commence their business and to call in such part of the balance of the said capital from time to time as they may deem necessary, and a majority of the said directors may call in from the stockholders respectively, all such sums by them subscribed at such times and in such installments, not exceeding five dollars on each share at any one time, as they shall deem proper, upon thirty days notice of the payment of such installment, published in a newspaper printed in the city of Newark, under the penalty of forfeiting the shares of such stockholders, and all previous payments thereon, who shall make default in such payment.

Stock trans-
ferable.

4. *And be it enacted*, That the stock and property of said corporation, of whatever name or kind shall be deemed personal estate, and transferable in such manner as shall be prescribed by the by-laws of the said corporation; *provided*, that no dividend shall be made of any part of the capital stock of the said corporation.

Not dissolved
for failure to
elect.

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

Books of ac-
count to be
kept.

6. *And be it enacted*, That the directors shall at all times keep or cause to be kept proper books of account, in which shall be regularly entered all transactions of the said corporation, which books shall at all times during business hours be open to the inspection of any stockholders of said company or their legal attorney or attorneys; and further, that no transfer of stock shall be valid or effectual until such transfer shall be registered in the book or books to be kept by the directors for that purpose.

Company may
be dissolved.

7. *And be it enacted*, That the said company may be dissolved at a general meeting of the stockholders, especially summoned for that purpose; *provided*, that at least three-fourths in value of the stockholders shall be present or

represented therein, and vote in favor of such dissolution; and, upon such dissolution, the directors for the time being, and the survivors or survivor of them, shall be in fact, the trustees for settling all the affairs of said corporation, disposing of its effects, recovering and paying its debts, and dividing the surplus among the stockholders, in proportion to their respective interests in the stock, unless the stockholders at such general meeting, shall appoint other persons for such purpose; in which case the persons so appointed and the survivors or survivor of them shall act for the purpose aforesaid; and the stockholders owning one-fourth of the stock may, by giving notice in a newspaper published in the city of Newark, for two weeks, call a meeting of the stockholders, for the purpose of passing by-laws and ordinances for the election of directors; and that such by-laws and ordinances shall be binding until in like manner repealed or altered; *provided*, that a majority of the stock is represented at such meeting, either by person or proxy.

8. *And be it enacted*, That this act shall be and continue Limitation. in full force for and during the term of twenty years from the passage thereof, and from thence to the end of the next session of the legislature, and no longer; and further, that it shall and may be lawful for the legislature of this state, at any time hereafter, to alter, modify or repeal this act whenever the public good or the interests of the said company require it.

Approved March 29, 1865.

CHAPTER CCCXXXIX.

An Act authorizing the inhabitants of Summer Hill School District Number Nine, in East Brunswick township, Middlesex county, to raise money for school purposes.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall and may be lawful for the legal voters of Summer Hill School District Number Nine, in the township of East Brunswick, in the county of Middlesex, on the first Monday of April, in each and every year, To determine how much money shall be raised.

when met for the election of trustees, to ascertain by a plurality of votes how much money shall be raised by taxation within the said school district for the purpose of maintaining public schools, and also for building school houses; *provided*, that such sum of money shall in no case exceed the sum of one thousand dollars annually, and it shall be the duty of the school trustees, or a majority of them, to certify to the assessor of the township of East Brunswick the sum voted by the said district to be raised, and the said assessor shall assess, on all land liable to be taxed therein, in the same manner and at the same time as township taxes are assessed, to constitute the whole of all moneys voted to be raised by the legal voters of said school district, for the purposes aforesaid, which land assessment shall be levied as hereinbefore described, and collected in the same manner that other township taxes are collected.

Moneys, to whom paid.

2. *And be it enacted*, That it shall be the duty of the collector of East Brunswick township, to pay the tax money which he shall have received under the direction of this act to the town superintendent of said township, who shall pay the same on the order of the trustees for the benefit of the public school, or for the building of school houses in said district.

How applied.

3. *And be it enacted*, That it shall and may be lawful for the trustees of said district to use the whole or any part of the public school money on hand, or that may be due them from year to year, from state or township, for the purpose of building school houses, whenever the legal voters shall order it so at their annual district meeting by a two-thirds vote.

Fees.

4. *And be it enacted*, That the said assessor and collector of said township of East Brunswick shall each be entitled to receive the sum of five cents per name upon all taxable inhabitants of said school district named in the duplicate.

Trustees to make report.

5. *And be it enacted*, That the trustees of the said district shall make a report in writing to the next meeting of the inhabitants when met to elect trustees of each successive year, of the amount of money so raised, and the manner in which the same has been disbursed.

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

Approved March 29, 1865.

CHAPTER CCCXL.

A Supplement to "An act to authorize the construction of works for the supplying of Jersey City and places adjacent with pure and wholesome water;" approved March twenty-fifth, eighteen hundred and fifty-two.

1. BE IT ENACTED *by the Senate and General Assembly* ^{Construction of sewer.} *of the State of New Jersey,* That any sewer constructed hereafter in Jersey City, by the water commissioners, in Pavonia avenue, to drain that part of it west of Provost street, and to receive the drainage of sewers in or west of Provost street, shall not be constructed in Pavonia avenue east of Provost street, but from the junction of Pavonia avenue with Provost street, shall be constructed along and in Provost street to South First street, and then along and in South First street to the Hudson river; and so much of the fifth section of the supplement to the aforesaid act, approved March fourteenth, eighteen hundred and sixty-four, as directs the sewer therein authorized in Provost street from North First street to Pavonia avenue, to be made along Pavonia avenue to the Hudson river, be and the same is hereby repealed; and the said sewer in Provost street from North First shall, at Pavonia avenue, unite with the sewer above authorized to be constructed along Provost street south of Pavonia avenue, which shall be constructed of sufficient size and in a proper manner to discharge the waters in the sewers hereby authorized to intersect it.

2. *And be it enacted,* That it shall be lawful for the water commissioners of Jersey City to abrogate ^{May abrogate contract.} so much of the contract made by them with James McLaughlin for the construction of a sewer in Pavonia Avenue and the laterals thereto, ordered by the mayor and common council of Jersey City, by a resolution approved October eleventh, eighteen hundred and sixty-four, as relates to the portions east of Provost street, and to contract with said James McLaughlin for constructing said sewer and laterals in Provost street and in South First street, according to the plan authorized by the first section of this act, and of the dimensions and at the prices specified in a conditional contract made by them with him, dated March thirteenth, eighteen hundred and sixty-five, and that the contract originally made by them

with him, as modified by said conditional contract, shall be valid and binding, and of the same force and effect as if made according to the provisions of the act to which this is a supplement and the supplements thereto.

Costs and ex-
penses, how
paid.

3. *And be it enacted*, That the costs and expenses of constructing said sewers included in said contract as changed and modified by said conditional contract, including the sum of five hundred dollars paid to said James McLaughlin for giving up part of his original contract, shall be assessed by said water commissioners as follows: the said sum of five hundred dollars and the increased cost of the sewer in Provost street from North First street to Pavonia avenue, being two dollars and eighty cents for each lineal foot, and the cost of the sewer in Provost street from Pavonia avenue to South First street, including the cost of taking up the sewer now there, being ten dollars for each lineal foot, and the cost of taking up the present sewer in North First street, east of the centre of Provost street, and substituting the new sewer therefor, being thirteen dollars for each lineal foot, and also the incidental costs for interest, assessment, map, inspections, and other incidental costs of said enlarged sewers in Provost and South First streets, shall be assessed upon the lands east of Provost street and between Pavonia avenue and North Fifth street belonging to the Long Dock Company and the Erie Railway Company, or either of them; and the residue of the costs and expenses of constructing said sewer and its laterals, shall be assessed upon the lands drained thereby (except such lands as are drained by the sewers to be taken up as above provided), in the same manner as the costs and expenses of constructing other sewers are assessed upon lands drained thereby, as provided in the act to which this is a supplement and the supplements thereto; and the said assessments when so made shall be a lien upon the said lands east of Provost street and upon said lands so drained by said sewers until paid, and said lands may be sold by said water commissioners for the payment of said assessments, interest thereon, and expenses of sale, in the same manner in all things as other lands may be sold by them by virtue of said acts for assessments for constructing sewers, and subject to the same right of redemption, and said assessments and sales when made shall be valid and binding; and this act shall take effect immediately.

Approved March 29, 1865.

CHAPTER CCCXLI.

An Act to authorize the city of Elizabeth to raise money, to fill the quota of the city under the present call for volunteers.

WHEREAS, the city council of the city of Elizabeth has Preamble. adopted a resolution agreeing to pay one hundred and fifty dollars to each volunteer, or to any one obtaining a substitute that may be accepted, in filling the quota of said city on the last call for volunteers, and also, that in case the quota of said city be filled without a draft, that all money raised by private subscription, for the purpose of obtaining volunteers or substitutes on the present call, be repaid to the subscribers; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of* May borrow money. *the State of New Jersey,* That the city council of the city of Elizabeth, be and it is hereby authorized to borrow the sum of fifty thousand dollars, for the purposes aforesaid, and to secure the payment of the same by the issue of city bonds, under the hand of the mayor and seal of said city, with interest at the rate of seven per centum per annum, and to provide for the payment of the same by tax; *provided,* Proviso. that the city council is hereby authorized to assess and collect by tax upon the persons and property of either the old first or the old second ward respectively, any additional sums which it may be necessary for said council to advance to either of the said wards to enable them to complete the present quota, but said sum shall not exceed three thousand dollars to be advanced and collected in the said second ward, or ten thousand dollars to be advanced and collected in the said first ward.

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

Approved March 29, 1865.

CHAPTER CCCXLII.

A Supplement to "An act to incorporate the city of Bridgeton," approved March twenty-ninth, eighteen hundred and sixty-four.

Time of election changed.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the city election shall be held as provided in the act to which this is a supplement, on the second Tuesday of April, Anno Domini, eighteen hundred and sixty-five, but on the second Tuesday in March, in every succeeding year thereafter, and the officers to be chosen shall be the same as those enumerated in the fourth section of the act to which this is a supplement except that two trustees for public schools for each ward shall not be then and thus chosen.

Money for school purposes

2. *And be it enacted*, That it shall and may be lawful for the common council to cause to be raised by tax, from year to year, such sum or sums of money as may be necessary for the support of public schools.

Delinquent tax payers.

3. *And be it enacted*, That the assessors of the several wards shall, in addition to the duties required of them in the thirteenth section of the act to which this is a supplement, also assess the state and county taxes, and in case of non-payment of any taxes by the twentieth of December of each year, the collector of each ward shall make out a list of the names of delinquents, with the sums due from each, and deliver the same to the mayor or a resident justice of the peace.

License to sell liquors.

4. *And be it enacted*, That it shall not be lawful for any person or persons to sell, within the corporate limits of the city of Bridgeton, any spirituous liquors, in quantities less than five gallons, without having first obtained a license therefor from the mayor and common council, or a majority thereof in council convened, of said city, in whom shall be vested the exclusive right and power of granting such licenses, and who may exact such restrictions and penalties as they deem necessary in relation thereto.

Repeater.

5. *And be it enacted*, That the act entitled "An act to provide for the grading and lighting of the streets, and preserving good order in the town of Bridgeton," approved March tenth, eighteen hundred and fifty-eight, and also all acts or

parts of acts inconsistent with the provisions of this act be, and the same are hereby repealed.

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

Approved March 29, 1865.

CHAPTER CCCXLIII.

An Act to prevent horses, cattle and sheep from running at large in the township of Chester, county of Burlington.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for any person who may reside within the limits of the township of Chester, in the county of Burlington, except any person or persons under the age of sixteen years, for whom it shall not be lawful unless authorized by a written order from their parents or guardians, to drive or convey to any public pound which may be in the township aforesaid, any horses, cattle or sheep found running at large in the public highway, or otherwise, within the township aforesaid, and impound the same; and the keeper or keepers of any public pound in said township is and are hereby required and authorized to receive such horses, cattle and sheep, and the party (or the pound keeper, if the duty be performed by him,) shall have twelve cents per head for impounding each horse or head of cattle, and five cents for every sheep, for letting in the pound, and shall also have twelve cents per head for every horse or head of cattle, and five cents for every sheep, for letting out of the pound, and for feeding and attending, twenty cents per head for horses and cattle, and ten cents per head for sheep, for every twenty-four hours they shall continue in said pound; and if the owner or owners of said horses, cattle or sheep so impounded shall not pay the charges of impounding and keeping, within four days after such beasts shall be impounded, and take the same away it shall then be the duty of the poundkeeper to set up advertisements in five of the most public places in said township, describing such horses, cattle or sheep, and giving at least ten days' notice of an intended day and place of sale; and if

the owner or owners of such horses, cattle or sheep do not appear and redeem the beasts before the time so notified, the said poundkeeper shall sell the same accordingly, and out of the money arising from such sales shall pay the charges of conveying to the pound, and retain in his hands his fees for impounding, keeping and feeding said horses, cattle or sheep, and twenty-five cents for advertising each horse or head of cattle, and ten cents for each sheep, and return the overplus to the owner or owners of the beasts, if they shall appear to claim the same; and if no owner or owners shall appear and claim such surplus within six months after such sale, the same shall be paid to the overseer or overseers of the poor of the township wherein such beasts were found running at large as aforesaid, to be expended for and towards the support of the poor in said township; *provided*, that any person or persons constituting one family may pasture one cow in the highways of said township, between the thirtieth day of April and first day of November, by having the owner's name in full conspicuously marked on a block, fastened around the neck of the cow, without being liable to the foregoing provisions of this act.

Proviso.

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

Approved March 29, 1865.

CHAPTER CCCXLIV.

A Further Supplement to an act entitled "An act to incorporate the city of Hoboken," approved March twenty-eighth, eighteen hundred and fifty-five.

Amendment.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the first section of the act entitled "A further supplement to an act to incorporate the city of Hoboken," approved February twenty-eighth, eighteen hundred and sixty-five, be amended by striking out the word "twenty," where the same occurs, and inserting in lieu thereof the word "forty."

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

Approved March 29, 1865.

CHAPTER CCCXLV.

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

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the township committee of the township of Bayonne in the county of Hudson for the time being, or a majority of them, are hereby constituted and appointed a board of commissioners for the licensing of inns and taverns in said township; and that the said board of commissioners are hereby authorized to grant licenses to persons to keep inns and taverns in said township, and to utter and sell victuals, vinous and spirituous and other strong liquors, for the accommodation of men, and provender for horses, on application of similar form, and accompanied by like recommendations as are required by the act to which this is a supplement, which licenses when granted shall have the same force and effect and be subject to the same penalties and restrictions as if granted by the court of common pleas of said county, and that hereafter the said court of common pleas shall have no power to grant licenses to keep inns and taverns in said township. ^{To grant licenses.}

2. *And be it enacted*, That without such license no person shall offer or expose for sale or sell within said township, any ale, beer, porter, or other fermented liquors by less measure than five gallons; and any person so offending shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be punished by fine not exceeding thirty dollars, together with costs of prosecution; *provided*, that the prosecution shall be commenced within three months after the offence shall have been committed; *provided nevertheless*, that nothing in this act shall be construed as releasing any person in said ^{Penalty for offending.} ^{Proviso.} ^{Proviso.}

township from being indicted for selling liquor contrary to the laws of this state, without such license.

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

Approved March 29, 1865.

CHAPTER CCCXLVI.

An Act to incorporate the East Trenton Crockery and Kaoline Company.

Names of cor-
porators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Frederick Dellicker, Imlah Moore, Daniel B. Bodine, Peter Crozer, Frederick R. Wilkinson and their associates, shall be and they are hereby declared to be a body corporate and politic in fact and in law, by the name of "The East Trenton Crockery and Kaoline Company," for the purpose of excavating, manufacturing and general dealing in kaoline and crockery ware, in any and every way; and for that purpose may hold such real estate, water privileges, machinery and effects as may be needful to carry on the said business or may accrue to them in the course thereof, and may sell, mortgage, lease or otherwise dispose of the same.

Amount of
capital stock.

2. *And be it enacted*, That the capital stock of the company shall be fifty thousand dollars, divided into shares of fifty dollars each; and the persons named in this act are hereby appointed commissioners to receive subscriptions to said capital stock, at such place in the city of Trenton as a majority of them may appoint, giving at least five days notice in two newspapers published in said city; and as soon as the whole of said stock is subscribed, the said commissioners shall, by a like notice, call the first meeting of the stockholders, for the purpose of organizing said company:

Election of di-
rectors.

3. *And be it enacted*, That the business of the said corporation shall be managed by not less than three nor more than five directors, all of whom shall be stockholders, and one of whom shall be president, who shall hold their offices for one year, and until others are elected in their stead, and

every year thereafter, at such time and place, and upon such notice as the by-laws may appoint, an election shall be held, at which election every stockholder shall be entitled to one vote, either in person or by proxy, for every share of stock he may own.

4. *And be it enacted*, That the directors of said corporation shall have power to make by-laws for its government not inconsistent with the laws of this state or the United States, and may appoint such subordinate officers as the business of the corporation may require. Powers of directors.

5. *And be it enacted*, That the stock of said corporation shall be deemed personal estate, and shall be transferred in such manner as the by-laws may prescribe; but no dividends shall at any time be made to the stockholders, except from the net profits of the corporation. Stock transferable.

6. *And be it enacted*, That the said corporation may, from time to time, hereafter increase the said capital to any sum not exceeding one hundred thousand dollars, giving ten days' notice of their intention to do so, in two of the newspapers printed in Trenton. May increase capital stock.

7. *And be it enacted*, That regular books of account shall be kept in the office of said company in or near the city of Trenton, to which books every stockholder shall have free access, at all reasonable times, for the purpose of inspection. Books of account to be kept.

8. *And be it enacted*, That the corporation hereby created shall possess the general powers and be subject to the general restrictions and liabilities set forth in "An act concerning corporations," approved on the fourteenth day of February, eighteen hundred and forty-six, so far as the same are applicable; and the legislature may, at any time hereafter, modify or repeal the same. Restrictions and liabilities.

Approved March 29, 1865.

CHAPTER CCCXLVII.

An Act for the relief of Philip McEntee.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Philip McEntee, of Essex county, Restored to citizenship.

be, and he is hereby restored to his rights and privileges as a citizen of New Jersey.

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

Approved March 29, 1865.

CHAPTER CCCXLVIII.

An Act to incorporate the Citizens' Gas Light Company of Paterson.

Names of cor-
porators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Richard B. Chiswell, D. B. Grant, William Ridgway, E. Boudinot Colt, John Hopper, Edwin T. Prall, and Patrick Curren, and all and every person or persons who may become subscribers according to the mode hereinafter prescribed, and their successors, are hereby created a body corporate in fact, by the name of "The Citizens' Gas Light Company of Paterson," 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, resin, or other materials, for the purpose of lighting the streets, buildings, manufactories and other places in the city of Paterson, in the county of Passaic, and to enter into and execute contracts, agreements, or covenants, in relation to the objects of this corporation, and of enforcing the same; and be capable of purchasing, taking and holding any estate, real or personal, necessary to give effect to the specified purposes of this corporation, for the accommodation of their business and concerns, or which it may be necessary for the said corporation to acquire and hold, for the purpose of securing debts which have become due to them in the regular business of said corporation; *provided*, that the said real estate shall not exceed what may be necessary for the purposes mentioned; and no private lands shall be in any way injured or defaced, without permission first obtained in writing from the owner or owners thereof.

Proviso.

To lay down
gas pipes.

2. *And be it enacted*, That the said corporation shall be empowered to lay down their gas pipes, and to erect gas

posts, burners, and reflectors in the streets, alleys, lanes, avenues, or public grounds of the city of Paterson, and to do all things necessary to light the said city of Paterson, and the dwellings, stores, manufactories and other places situated therein; *provided*, that the public travel shall at no time be affected or impeded by the laying of the said pipes, or the erection of the said posts, and the streets, side and cross walks, public grounds, lanes and avenues shall be left in as good and perfect condition as before the laying of the said pipes, or the erection of the said posts. Proviso.

3 *And be it enacted*, That Richard B. Chiswell, D. B. Grant, William Ridgway, E. Boudinot Colt, John Hopper, Edwin T. Prall, and Patrick Curren, or a majority of them, are hereby appointed commissioners for receiving subscriptions for the sum of two hundred thousand dollars, to constitute the capital stock of the said corporation, in shares of twenty-five dollars each; and the said commissioners, or a majority of them, shall open books for that purpose, at such time, in the city of Paterson, within this state, as they shall designate by a public advertisement, to be previously inserted for at least two weeks in a public newspaper printed in the city of Paterson, and shall continue the same open until the said capital stock shall be subscribed, or, at their discretion, close the same after they shall have remained open one day, and again open the same at some other time or times, place or places, giving public notice thereof as aforesaid; and the sum of ten per centum upon each share so subscribed shall be paid in, in cash or certified check, by each subscriber at the time of subscription to the said commissioners, or their duly appointed agent; and each subscriber shall be entitled to receive a certificate for such stock from said commissioners; and the amount so received by said commissioners at the time of subscription shall by them, or a majority of them, be paid over to the directors of said company, to be appointed as hereinafter directed; and all the powers of said commissioners shall cease and determine on the appointment of such board of directors; and the said board, when so appointed, shall have power, and they are hereby authorized from time to time, under the foregoing regulations, to open the books for the further subscription of stock until the whole stock subscribed amounts to the sum of two hundred thousand thousand dollars; and are also authorized to call upon all the subscribers for the payment of the further installments, in such sum or sums, at such time or times, and under such for- Commissioners to receive subscriptions.

feiture or forfeitures as they may deem expedient, until the whole amount of such shares so subscribed shall have been fully paid; *provided*, that no such installment shall exceed twenty per centum upon each share, and that no installment shall be required within twenty days of each other; *and provided further*, that for five days after the opening of the subscription books no person shall subscribe for a larger number of shares than one hundred, nor shall any one subscribe who is not a resident of the city of Paterson; that after the expiration of the said five days, and for five days succeeding, any person may subscribe for any number of shares, he being a resident of this state, and no person residing out of this state shall subscribe, either in person or by attorney, until after the expiration of ten days from the opening of said books.

Election of directors.

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

Corporation not dissolved for failure to elect.

5. *And be it enacted*, That if at any time an election is not held on on the day appointed by the by-laws, the cor-

poration shall not be dissolved for that cause, but an election shall be held, in such manner as directed by the by-laws, at any time within the year.

6. *And be it enacted*, That three directors of said corporation shall be a quorum, and that said quorum, or a majority of them shall be competent to transact all the business of said corporation. Quorum.

7. *And be it enacted*, That the stock of the corporation 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 open at all reasonable times to the inspection of the stockholders. Stock transferable.

8. *And be it enacted*, That the said company shall have the power to borrow money, not exceeding one hundred thousand dollars, and to mortgage their said lands, works, appurtenances, franchises and privileges, and to make and execute other assurances, to secure the payment of said sum or sums of money so borrowed, and interest thereon. May borrow money.

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

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

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

12. *And be it enacted*, That this act shall be deemed and

taken to be a public act in all courts and places whatsoever, and shall go into effect immediately.

Approved March 29, 1865.

CHAPTER CCCXLIX.

An Act to incorporate a company to improve and encourage the agricultural, horticultural, and the mechanical, manufacturing and scientific arts and productions, and the improvement of blooded stock of all kinds of this state, and of other states, at their discretion.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Charles Haight, Henry S. Little, William D. Davis, Samuel Laird, and Francis Corlies, and such other person and persons as may hereafter be associated with them, and their successors, shall be, and they are hereby constituted a body corporate and politic, in fact and in law, by the name of "The Long Branch and Sea Shore Improvement Association," and by that name shall have power to sue, and be liable to be sued, answer and defend, plead and be impleaded unto, in all courts of law and equity in this state.

Powers of association.

2. *And be it enacted*, That the said association shall, from time to time, have power and authority to make, ordain and establish such constitution and by-laws and regulations as they, or a majority of them, shall deem proper, and to alter and change the same at pleasure, for the designation of the officers of the said association and the election of the same, for prescribing their several functions, and their compensation, to adopt a corporate seal, and all other acts necessary for the organization of the corporation hereby created, and for the transacting, managing and conducting the affairs of said association, and the maintaining and preserving good order and conduct over and among the visitors on the grounds of the said association; *provided*, such constitution, by-laws and regulations shall not be repugnant to the constitution and laws of this state and of the United States.

Proviso.

May hold real estate.

3. *And be it enacted*, That the said corporation, hereby created, shall have power and authority, from time to time,

and at all times, to acquire, purchase or lease and use, hold, possess and enjoy such real estate, not exceeding in all three hundred acres (300), and such personal estate as they shall deem necessary for the purpose of the said association; and the same, or any part of such real or personal estate to sell, mortgage, lease or otherwise dispose of at pleasure; and also with power and authority to make, build and construct on the real estate so held by them such buildings, roads and other improvements as they may deem proper and necessary for the better carrying into effect the objects and purposes contemplated by the provisions of this act.

4. *And be it enacted*, That the objects of the said association shall be to improve and encourage the agricultural, horticultural and the mechanical, manufacturing and scientific arts and productions, and the improvement of blooded stock of all kinds of this state, and of other states, at their discretion. Object.

5. *And be it enacted*, That for the purpose of carrying into effect the objects and purposes of the said association, it shall be lawful for said association to hold upon their said grounds, from time to time, and as often as they shall deem proper, fairs and exhibitions, and to give to the exhibitors at such fairs and exhibitions, premiums and other rewards, and to ask, demand and receive for the said association's own use, such reasonable fees for admittance of exhibitors and visitors to the said grounds and exhibitions as the said association shall deem proper. To hold fairs and exhibitions.

6. *And be it enacted*, That for the purpose of maintaining and preserving peace, good order and decorum upon the said association's grounds, and among the visitors and spectators to the same, no spirituous or malt liquors shall be sold upon the premises of the said corporation, it shall be lawful for the said association to appoint from time to time, two or more fit, proper and discreet persons, who shall take and subscribe an oath before the sheriff of the county of Monmouth, or one of the judges of the court of common pleas in and for said county, an oath or affirmation, which oath or affirmation shall be filed in the office of the clerk of the county of Monmouth, and shall be of the like form and effect as now required by law for constables to take and subscribe; and which person or persons so appointed and sworn, shall possess the same power and authority on the premises of said association, and on the premises adjacent thereto, which constables now possess in criminal cases; and they shall have power and authority to arrest all To appoint persons to preserve order

persons who shall be there found violating any of the laws of this state, or who shall conduct themselves in a disorderly or immoral manner, or disturb or wrongfully interfere with the said fairs or exhibitions; and the said parties so arrested, shall, as soon as conveniently may, be taken before some justice of the peace of the county of Monmouth, there to be dealt with according to law.

Amount of
capital stock.

7. *And be it enacted*, That the capital stock of the said corporation hereby created shall be the sum of one hundred and fifty thousand dollars (\$150,000), divided into fifteen hundred shares of one hundred dollars each share; and which capital stock shall be deemed personal property, and such shares shall be transferable, but only upon the books of the said corporation, in such manner as the said association may prescribe.

8. *And be it enacted*, That this act shall take effect immediately, and the same to be repealed, altered or amended at the pleasure of the legislature.

Approved March 29, 1865.

CHAPTER CCCL.

An Act to incorporate "The Travellers' Insurance Company of New Jersey."

Names of cor-
porators.

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That Francis B. Chetwood, Benjamin Williamson, William F. Day, John H. Rolsten, Philip H. Grier, Oscar M. Marsh, A. S. Woodruff, James S. Green, Robert S. Sayre, and Charles Brodhead, and all others who may become associated with them as stockholders, as is hereinafter provided, their successors and assigns, forever be, and they are hereby created and made a body corporate and politic, for the purpose of insuring persons against the accidental loss of life, or personal injury, sustained either while travelling by railway, steamboat, or other mode of conveyance, or by accident of any description, by the name of "The Travellers Insurance Company of New Jersey," and by that name shall be, and hereby are, empowered to purchase,

have, hold, possess, and enjoy to themselves and their successors, lands, tenements, hereditaments, goods, chattels, and effects of every kind, and the same to grant, alien, sell, invest and dispose of, to sue and be sued, plead and be impleaded in all courts of justice, to have and use a common seal, and the same to change, alter and renew at pleasure; and to ordain and put into execution such by-laws and regulations as they may deem proper for the well ordering and government of said corporation and the transaction of its business; *provided*, Proviso. they be not repugnant to the laws of the United States or of this state, or to the provisions of this act of incorporation.

2. *And be it enacted*, That the capital stock of said corporation shall not be less than one hundred thousand dollars, Amount of capital stock. and may be from time to time hereafter increased by said company to any sum not exceeding five hundred thousand dollars, and shall be divided into shares of fifty dollars each, and there shall be paid into the treasury of said corporation, by each subscriber to said capital stock, at the time of subscribing for the same, an installment of ten dollars on each share of stock by him or her subscribed for; and a further installment of ten dollars on each share shall be paid within sixty days after the organization of said company, and the remainder of said shares so subscribed for shall, within sixty days after the organization of said company, be secured to be paid, either by bond and mortgage on real estate, or by such endorsed promissory notes as shall be approved of by the directors of said corporation, and two-thirds of the corporators herein named, and shall be payable in such installments, and at such times, as the directors may determine; and such endorsers shall have a prior and preferred lien on the stock for which such note or notes are given as a security and indemnity for their endorsement.

3. *And be it enacted*, That the capital stock of said corporation shall be deemed and considered personal property, transferable according to the rules and regulations of the company; and if any subscriber of any share or shares of said stock shall neglect or refuse to pay the installments as aforesaid, or to secure the payment of the residue of the stock by him or her subscribed as aforesaid, for the space of sixty days after the same shall become due or required, and after he, she or they have been notified thereof, the stock of such negligent stockholder shall be sold by the directors, at public auction, giving at least twenty days' notice thereof in some newspaper published in the city of Elizabeth, and the pro- Payment of installments.

ceeds of said sale shall be first applied in payment of the unpaid installments called for, and the expenses attending the sale, and the balance, if any, shall be refunded to the owner of said stock; and such sale shall, in all respects, entitle the purchaser to all the rights of a stockholder to the extent of the shares so bought.

Business of
company.

4. *And be it enacted*, That the business of said company shall be the insuring of persons against the accidental loss of life, or personal injury sustained either while travelling by railways, steamers, or other modes of conveyance, in the United States and other countries, or by accidents of any description, and contracts of insurance may be made on such terms and conditions and for such periods of time, and confined to such persons, from time to time, ordered and provided for by the by-laws of said corporation.

Election of di-
rectors.

5. *And be it enacted*, That the principal office of said company shall be located in the city of Elizabeth, and the stock, property and affairs of said corporation shall be managed and conducted by not less than five, nor more than twelve directors, the majority of whom shall be citizens of the state of New Jersey (the number of said directors to be determined by the by-laws of said company), to be chosen by ballot from among, and by the stockholders, and the directors first chosen shall hold their offices for one year next ensuing their election, and until others are chosen to supply their places; and the annual meeting for the choice of directors shall (after the first election) be holden at the office of the company in the city of Elizabeth, on such day as shall be fixed by the by-laws of said corporation; in the choice of directors, as aforesaid, each stockholder present, or represented by his attorney, shall be allowed one vote for each and every share of stock by him or her then held, and none but stockholders shall be eligible to the office of director; and five directors may constitute a quorum for the transaction of business.

Not dissolved
for failure to
elect.

6. *And be it enacted*, That if it shall so happen than an election of directors of said corporation shall not take place at the time appointed for that purpose, said corporation shall not be dissolved thereby, but an election may be had at any time within one year thereafter, the time to be fixed upon and notice thereof given by the directors last chosen; and public notice, by order of the directors, shall always be given at least ten days previous to the time appointed for such election, in a newspaper printed in the city of Elizabeth, and

in such other way as may be deemed expedient; and the president shall have power to call special meetings of the stockholders whenever thereto requested by five of the directors.

7. *And be it enacted*, That to carry out the provisions of this act, and to organize the said corporation, Francis B. Chetwood, Philip H. Grier, A. S. Woodruff and Oscar M. Marsh are authorized and appointed to receive subscriptions to the capital stock thereof, and the first installment thereon, and as such are hereby authorized and appointed to receive subscriptions to the capital stock thereof, and the first installment thereon, and as such are hereby authorized to close the subscription books of said company when the said capital stock shall be fully subscribed, and to distribute and apportion the same among the subscribers as they (said persons so appointed as aforesaid to distribute), may deem proper; and when the capital stock shall have been subscribed for and the first installment has been paid thereon, by a notice published in some newspaper printed in the city of Elizabeth three weeks before the time of meeting, the said subscribers may meet together at the time and place named in said call, and adopt such by-laws, rules and regulations as may be necessary and convenient for commencing and carrying on business under this act; they may also, at the same or some subsequent time, choose a board of directors, in the manner hereinbefore provided, who shall hold their offices with all the powers given to directors by this act until others are chosen to supply their places; and when the by-laws have been adopted, and the directors have been chosen as aforesaid, and when the board of directors shall have been organized by the choice of a president and secretary, the said corporation may exercise all the powers and privileges conferred by this act.

8. *And be it enacted*, That the directors may choose a president, vice-president, treasurer and secretary, of their corporation, each of whom shall be citizens of the state of New Jersey, and appoint such other officers, clerks and agents, and establish such agencies in this state and elsewhere, as shall be by them deemed advisable for conducting the business of the company, fix their compensation, and take bonds for any and all of them for the faithful performance of their duties, and make such covenants and agreements as may be deemed necessary; the president and vice-president shall be chosen from among the directors, and

may hold their appointments for one year and until others are chosen; but the other officers, agents and servants of said company may be displaced and new ones appointed at the pleasure of the directors; in the absence or disability of the president, the vice-president shall preside, and if both are absent or disabled, the directors may choose a president pro tempore; and in case any vacancy shall occur in the board of directors, the remaining directors may choose a director or directors from among the stockholders to fill such vacancy, who shall hold the appointment until others are chosen in their places.

Policies binding.

9. *And be it enacted*, That all policies of insurance or other contracts authorized by this act, may be made with or without the seal of said corporation and shall be binding, and shall also be binding and obligatory upon said corporation according to the true intent and meaning of such policies and contracts.

moneys, how invested.

10. *And be it enacted*, That the capital stock, moneys and personal estate of said corporation may be invested, at the discretion of the directors, either in loans upon bonds and mortgages upon real estate, or in United States stocks, bank stocks, insurance stocks, or stocks or bonds created by any state, or of corporations created by this state, and the same may be called in and re-invested at pleasure, under the provisions of this act; and it shall be the duty of said corporation to make annually a report to the legislature containing a full and accurate statement of its condition and affairs.

Suits at law may be brought.

11. *And be it enacted*, That suits at law may be maintained by any stockholder or person insured by said company, against said corporation, for losses or injuries insured against by said company, if payment shall be withheld more than thirty days after the same shall be due and payable by the terms of the policy of insurance or other contract, and after the said corporation shall have been duly notified of such loss or injury; and the said corporation shall possess the general powers and be subject to the restrictions and liabilities contained in the act entitled "An act concerning corporations," approved the fourteenth day of February, eighteen hundred and forty-six, so far as the same are applicable.

Act may be amended.

12. *And be it enacted*, That this act may be altered, amended, or repealed at the pleasure of the legislature, and nothing contained therein shall be so construed as to authorize said company to engage in the business of banking.

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

Approved March 29, 1865.

CHAPTER CCCLI.

An Act to prevent horses, cattle, sheep and swine from running at large in that part of the township of Plumsted, in the county of Ocean, north of the "Old Monmouth Road."

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the provisions of the act entitled "An act to prevent horses, cattle, sheep and swine from running at large in the township of Clinton, in the county of Essex, and the township of Rahway, in the county of Union," approved March fourth, eighteen hundred and fifty-eight, be, and the same are hereby extended to that part of the township of Plumsted, in the county of Ocean, north of the "Old Monmouth Road." Provisions of act extended.

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

Approved March 30, 1865.

CHAPTER CCCLII.

An Act to incorporate "The Harrisville Manufacturing Company."

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Richard C. Harris, William Woodfall, Howard P. Harris, Christian Heinerman, Joseph S. Fisher and A. Eugene Smith, and such other persons as may be associated with them, and their successors, are hereby created and declared to be a body politic and corporate in Names of incorporators.

law, by the name and title of "The Harrisville Manufacturing Company," and by that name shall have perpetual succession, and all the privileges and franchises belonging or incident to a corporation.

Amount of
capital stock.

2. *And be it enacted*, That the whole amount of the capital stock of said company shall be five hundred thousand dollars, to be divided into shares of one hundred dollars each, which shall be personal property and be transferable on the books of the company.

Commissioners to receive
subscriptions.

3. *And be it enacted*, That the above named corporators, or a majority of them, shall be commissioners to receive subscriptions to the capital stock of said company, at such time and place, or places, in this state, and upon such notice as they shall direct; and at the time of subscribing for said stock, such amount on each share subscribed shall be paid, satisfied or satisfactorily secured to said commissioners as they, or a majority of them shall determine, and the residue of the subscription shall be paid, satisfied or secured as the directors may determine, in such installments, at such times and places, in such manner, and to such person or persons as said directors shall from time to time direct, giving notice of such time and place, and person or persons, by notices published in a newspaper printed and circulating in the county of Burlington, for two weeks at least once in each week and upon the failure of any person to pay, satisfy, or secure the payment of the installments or any of them as aforesaid, the said directors shall have power to forfeit the shares of each and every person so failing, or any of them, to and for the use and benefit of said company; and any shares of stock so forfeited as aforesaid, may be held by the said company, or any person or persons for its benefit, and may at any time be sold or disposed of for the benefit of the company, as said directors may direct, or divided proportionately among the remaining stockholders, to be by them held and enjoyed, or sold and transferred with all the rights and benefits incident thereto, the same in all respects as if they were original shares by them subscribed; and any land, property or materials used in the business of the said company, received in payment or satisfaction of subscriptions for stock, shall be taken at a valuation approved by a majority of the stockholders.

Election of directors.

4. *And be it enacted*, That the said corporation shall go into operation whenever two hundred thousand dollars of the capital stock shall be subscribed, and the balance of the capital stock, as fixed by this act may be subscribed and paid in

and satisfied at such times thereafter and in such manner as the directors of the said company may determine and direct; and whenever the said sum of two hundred thousand dollars of the said capital stock shall have been subscribed as aforesaid, the commissioners, or a majority of them, shall, as soon as they deem expedient, give notice in such manner as they may determine, of a meeting of the stockholders, at such time and place as they may designate, to choose not less than five nor more than nine directors, who shall hold their office for one year, and until others are duly elected; and such election shall be made at the time and place appointed by such of the stockholders as shall attend for that purpose, either in person or by proxy, each share of stock entitling the holder thereof to one vote; and the directors chosen at such meeting, or at the annual elections of said corporation, shall, as soon as may be, after every election, choose out of their own number a president, who shall hold his office for one year, and until his successor is duly appointed, and in case of the death, resignation or other incapacity of the president or any director, such vacancy may be filled by the board of directors for the remainder of the then current year.

5. *And be it enacted*, That the said company shall be and are hereby authorized and empowered to establish and carry on, in the county of Burlington, or elsewhere, in this state, the manufacture of paper, in all its forms, from all materials from which it can be made, and such other business and manufactures as may be necessary or convenient in the development, use, and employment of the real estate and property of said company; and to vend the products and results thereof; and to manufacture all materials, products and machinery, and purchase, rent, erect, build, hold, use and enjoy, grant, lease, mortgage and convey, all such land, mills, buildings, machinery, and other real and personal property, which they may deem useful or convenient in the carrying on of their business and manufactures. Powers of company.

6. *And be it enacted*, That the board of directors of said company shall have power to make and adopt a common seal for said corporation, to appoint from their own number or otherwise, a treasurer and secretary, and such other officers and agents of the board and of the company as they may deem necessary, and to fix their salaries, and to make and establish such by-laws, not inconsistent with the provisions of this act, as they may think proper, for regulating the issue and transfer of stock, and for the general government and Powers of directors.

management of the affairs, manufactures and business of the company.

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

Approved March 30, 1865.

CHAPTER CCCLIII.

A Supplement to an act entitled "An act to incorporate the Hibernia Mine Railroad Company," approved March eighth, eighteen hundred and sixty-three.

May acquire
title to land.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the Hibernia Mine Railroad Company are hereby authorized and empowered to acquire the legal title to the land, not exceeding five acres, required for wharves, depot and other purposes, at the terminus of their railroad, on the Morris canal, in the same manner, and by proceedings of the same character, as they are required to take in order to secure the right of way under their charter; and in case the owner of such land shall be a feme covert, infant, non-resident, or laboring under any legal disability whatever, the award shall be paid into the court of chancery, and full and complete title to the land so taken shall thereupon vest in the said company.

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

Approved March 30, 1865.

CHAPTER CCCLIV.

Supplement to an act entitled "An act incorporating the Cortlandt Van Rennselaer Memorial Institute," approved February twenty-sixth, eighteen hundred and sixty-one.

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Quorum.} *the State of New Jersey,* That in all meetings of the board of trustees, five shall constitute a quorum for the transaction of business.
 2. *And be it enacted,* That upon the failure of the Gen- ^{Vacancies,} ^{how supplied.} *eral Assembly of the Presbyterian Church to elect trustees* as provided in the third section of said act, the said board of trustees shall have full power to fill all vacancies which may occur by reason of resignation, death, or expiration of time.
 3. *And be it enacted,* That this act shall take effect immediately.
- Approved March 30, 1865.

CHAPTER CCCLV.

An Act to incorporate the Ewing and Hopewell Turnpike Company.

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Names of cor-} ^{porators.} *the State of New Jersey,* That all such persons as shall become subscribers to the capital stock hereinafter mentioned, their successors and assigns, shall be and hereby are ordained, constituted and made a body politic and corporate, in fact and in law, by the name of "The Ewing and Hopewell Turnpike Company," and that the following named persons, to wit, Aaron F. Burroughs, William S. Hunt, Wilson Hart, Levi Atchley, Alfred Smith, John Burroughs, Jacob Dilts, John G. Muirhead, Jr., and Enoch G. Jones, are hereby appointed commissioners to open subscription books and receive subscriptions to the capital stock, at such times and places as they or a majority of them may direct, giving

notice thereof at least twenty days prior to the opening of said books by publishing the same in at least one newspaper published in Trenton.

Amount of
capital stock.

2. *And be it enacted* That the capital stock of said company shall be fifteen thousand dollars, and shall be divided into shares of twenty-five dollars each; that at the time of subscribing to said stock one dollar shall be paid upon each share subscribed for to the said commissioners or any of them, which money shall be paid over to the treasurer of said company so soon as one shall be appointed; that the residue of said stock shall be paid to the treasurer, in such installments and at such times and places as the board of directors of said company shall from time to time direct; that upon failure of the payment thereof, as so directed, the said board shall have power to forfeit the shares of each and every person so failing to pay said installments or any of them, to and for the use of the said company.

Election of di-
rectors.

3. *And be it enacted*, That the affairs of said company shall be managed by a board of seven directors, a majority of whom shall be a quorum for the transaction of business, but any less number may adjourn from time to time; that when one hundred shares of said stock shall be subscribed for, the said commissioners, or a majority of them, shall call a meeting of the said stockholders, giving at least ten days' notice of the time and place of said meeting in the newspaper aforesaid, at which meeting the subscription books shall be laid before the stockholders, who shall thereupon proceed to elect by ballot seven directors for the term of one year, who shall be citizens of this state, of which election the said commissioners, or a majority of them, shall be the judges; and that, at the expiration of said term, and annually thereafter, upon like notice being given by the existing board of directors, the stockholders shall elect by ballot seven directors, who shall be citizens of this state; and the judge of such elections shall be appointed by the president, and at every such election, and in all other cases in which the stockholders shall be entitled to vote, a vote may be given for each share of stock by the holder thereof, in person or by proxy; and in case it shall happen that any election of directors should not be made on the day when pursuant to this act it ought to be made, said corporation shall not for that cause be deemed to be dissolved, but such election may be held at any other time, and the directors for the time being

shall continue to hold their office until others shall have been chosen in their place.

4. *And be it enacted*, That so soon as conveniently may be after the first and subsequent annual election of directors, they shall elect from their number a president of said company for the term of one year, and until another shall be elected, who shall receive such compensation for his services as the board of directors may direct; he shall keep the seal of said company, and preside at all meetings of said board; and in case of his absence, the said board shall appoint one of their number, who, for the time being, shall possess the same power and authority, and perform the like duties; and the board of directors may fill any vacancy that may occur therein until the next annual election, and may exact from the president, treasurer and other officers and agents of said company, such security for the due performance of their respective trusts as they may deem expedient; and special meetings of said stockholders may be called by the said board, or by the stockholders owning one-fourth of the whole stock of the company, by giving notice of the time and place of holding the same, and the object for which the meeting is called.

Duties and powers of president.

5. *And be it enacted*, That at the annual meeting of the stockholders, the board of directors for the preceding year shall exhibit to them a full and complete statement of the affairs of the company during their said term; *provided*, said company shall have the privilege of erecting toll houses, and charging and receiving toll as soon as one mile or more of said road is completed.

Annual statement to be made.

Proviso.

6. *And be it enacted*, That it shall and may be lawful for the said company to construct and make a turnpike road from the terminus of "The Trenton and Ewing Turnpike Company," at Birmingham, in the township of Ewing, and county of Mercer, along or near the present public road to the Bear tavern, in the township of Hopewell, in said county; and the said company may by their officers, agents or other persons in their employ, enter from time to time, and at all times, upon all lands necessary to make said road, and also to search for stone, gravel, sand or clay, for constructing and keeping up said road, doing no unnecessary damage to said lands; *provided*, the said company, as soon as they shall have constructed the said turnpike road, shall pay to the respective owners of the land over which they may pass, all damages which the said owners shall sustain by reason of the construction of said turnpike road; and in case the said owners and

Construction of road.

Proviso.

said company cannot agree upon the amount of said damages then the damages shall be ascertained and determined as nearly as may be in the manner hereinafter provided for ascertaining and determining the damage which any land owner or owners may sustain by taking of stone, gravel, sand or other materials from his or her lands for the constructing or maintenance of said turnpike road.

Breadth of road.

7. *And be it enacted,* That the said turnpike road shall be constructed at least thirty-two feet in breadth, and shall be sufficiently arched and drained to make and keep the same dry, and at least eighteen feet thereof shall be sufficiently bedded and faced with stone or gravel to make a good and firm road; and it shall be so graded, that in its progress no part of said road shall rise above an angle of four degrees with the plane of the horizon; and said company shall make good and sufficient bridges along said road, not less than thirty feet in breadth; and whenever said road in passing over low ground shall be raised so much at the margin or side as to render carriages passing thereon liable to upset, the said company shall cause good and sufficient railings to be erected on the side road, so as to prevent horses and carriages from running off.

Proceedings when company and owners cannot agree.

8. *And be it enacted,* That it shall be lawful for the said company, their agents, superintendents, engineers, and all persons employed by them, with carts, wagons and other carriages, and with beasts of burden and draught, and all necessary materials, tools and implements, to enter upon all lands contiguous or near to the said road doing as little damage thereto as possible, repairing any breach they may make in the enclosures thereof, and to make all ditches and under-drains across and through such lands as are necessary for the proper draining of said road, and to take and carry away stone, gravel, clay or sand, or other materials therefrom, suitable for making or repairing said road; and if the said company or their agents, and the owner or owners of such required land or materials cannot agree as to the price of the same, it shall be the duty of any justice of the supreme court of this state, or a judge of the court of common pleas of the county of Mercer, upon application of either party, and after six days' notice in writing to the opposite party of such application, and after hearing the parties, to appoint three disinterested, impartial and judicious freeholders, residents of this state, commissioners to assess the price or value of such lands or materials as may be required by said company, and all

damages that may be sustained by reason of the appropriation of the same to the use of said company, who shall before they enter upon the duties of their appointment, be duly qualified according to law, faithfully and impartially to execute the duties thereof, and after six days notice in writing to both parties, of the time and place, shall meet, view the premises, hear the parties, and evidence if desired, and thereupon make such decision or award, as to them may appear just and equitable, and transmit such award and decision in writing, under their hands and seals, or the hands and seals of a majority of them, to the clerk of the said county of Mercer, to be by him filed as a public record, and certified copies taken if desired by either party; and upon payment or tender of the sum so awarded by the commissioners, the said company or their agents may enter upon said land, or remove all such materials as have been appraised as aforesaid; and when by reason of any legal incapacity, or the absence of the owner or owners of such land or materials, no agreement can be made with said company, then it shall be the duty of said company to pay the amount of any awards made in behalf of any such persons, by commissioners appointed as aforesaid, into the court of chancery to the clerk thereof, subject to the order of said court, for the use of said owner or owners.

9. *And be it enacted*, That as soon as the said company shall have constructed said road according to the direction of this act, and the true meaning and intent thereof, it shall and will be lawful for them to erect toll-houses upon and gates or turnpikes across the same, and to demand and receive toll for travelling each mile and all fractions over one-half a mile of the said road, not exceeding the following rates, to wit:

	Rates of toll.
For every carriage, sleigh or sled, drawn by one beast,	one cent;
For every additional beast,	one cent;
For every horse and rider, or led horse or mule,	one cent;
For every dozen calves, sheep or hogs,	one cent;
For every dozen horses, mules or cattle,	two cents;
And it shall and may be lawful for the toll-gatherers to stop all persons riding, leading or driving any horses, cattle, mules, sheep, calves or hogs, or carriages of burden or pleasure, at the said gates or turnpikes, until they shall have paid the toll as above certified; <i>provided</i> , that nothing in this act shall be construed so as to entitle the said company to	Proviso.

demand or receive toll of or from any person passing to or from public worship on the Sabbath day, or horses, carriages, sleighs or sleds carrying persons to or from a funeral, to or from any mill to which he may usually resort for grinding of grain for his family use, or any person passing to or from his common business on his farm.

Mile stones to be erected.

10. *And be it enacted*, That before the said company shall receive toll for travelling said road, they shall cause mile-stones to be erected and maintained, and on each stone shall be fairly and legibly marked the distance said stone is from the terminus of the "Trenton and Ewing Turnpike Company" aforesaid; and shall cause to be fixed at the gates or turnpikes aforesaid, in some conspicuous place, a printed list of the rates of toll which may be lawfully demanded, and also a board on which shall be printed in large letters, "Keep to the right as the law directs, penalty ten dollars."

Penalty for injuring works.

11. *And be it enacted*, That if any person shall wilfully break, throw down or deface any of the mile-stones so erected on said road, or wilfully tear down or deface any of the printed rates of toll or directions, or shall cut, break down or destroy, or otherwise injure any gates, turnpikes or bridges that shall be erected pursuant to this act, or shall forcibly pass the same without having paid the legal toll at such gates or turnpikes, such persons shall forfeit and pay the sum of ten dollars, besides being subject to an action for damages for the same, to be recovered by said company by action of debt or other proper action in any court of competent jurisdiction, with cost of suit; and if any person, with his or her carriage, team or vehicle, turn out of said road to pass a gate or gates, upon private grounds adjacent thereto, with the intent to avoid the toll due by virtue of this act, such person or persons shall forfeit and pay five times as much as the legal toll would have been for passing through said gates, to be recovered by said company, for the use thereof, in an action of debt, with costs of suit.

Penalty for taking illegal tolls.

12. *And be it enacted*, That if the said company shall demand more toll than is by this act established, shall for every such offence forfeit and pay the sum of twenty dollars, with costs of suit, to be prosecuted by and recovered for the sole use of the person so defrauded.

Penalty for obstructing passage.

13. *And be it enacted*, That all drivers of carriages, sleighs or sleds, of every description, whether of burden or pleasure, or persons on horseback using the said road, shall keep their horses or vehicles on the right hand side of the

road, free and clear for other vehicles or persons on horse-back to pass, and if any person shall offend against this provision, such person shall forfeit and pay the sum of ten dollars to any person who shall be obstructed in his or her passage, and will sue for the same, and shall also be subject to an action for damage for every such offence, to be recovered with costs of suit.

14. *And be it enacted*, That if the said company shall not keep the road and bridges in repair, it shall be the duty of any judge of the court of common pleas of the county of Mercer, upon complaint being made to him in writing, stating the bridge or part of road that is out of repair, and specifying the particular defect, and after four days' notice in writing to said company, specifying the particular part of the road or bridge, and the particular defect complained of, and after hearing the parties, if the said company should not have mended or repaired the bridge or part of the road complained of, to appoint, under his hand and seal, three judicious, disinterested freeholders of the county of Mercer, not residing in any township through which said road passes, who, having been duly qualified according to law to act impartially in the case, shall proceed to view and examine said part of the turnpike road or bridge so complained of, and report to the said judge in writing, under their hands and seals, or under the hands and seals of any two of them, whether it be in such state as the law requires it to be kept, and if the report be unfavorable to said road, said judge shall immediately, in writing under his hand and seal, order the keeper of the gates or turnpikes established on the division complained of to keep open the same until otherwise ordered, and if the said keeper shall, notwithstanding the order of said judge, to open said gate or turnpike, exact toll of travellers, the said company shall for each offence forfeit and pay twenty dollars, to be sued for by any person who shall prosecute for the same in an action of debt, with costs of suit, and the said judge shall be allowed for his services one dollar, and the persons appointed one dollar each, to be paid by the company; and upon due proof before said judge that said company have repaired or mended said road or bridge in the particular complained of, he shall, by license under his hand and seal, directed to the toll-gatherers, permit the gates or turnpikes to be shut and the toll to be collected as before, and the said fee shall be allowed and paid as before directed; but if, on the view as before mentioned, the report of the

Proceedings
when road
and bridges
are not kept in
repair.

persons appointed, or a majority of them, shall be in favor of the company, the same fee shall be allowed as before prescribed, and be paid by the person or persons making the complaint.

Read, where
constructed.

15. *And be it enacted*, That the said company may construct their said turnpike upon the highway, beginning at the terminus of "The Trenton and Ewing Turnpike Company," at Birmingham, in the township of Ewing, and county of Mercer; thence along said road to the "Bear Tavern," in the township of Hopewell, in said county; *and provided*, that so much of said public road as is included between the terminus of the "Trenton and Ewing Turnpike Company" at Birmingham aforesaid, and the end of said turnpike road at "Bear Tavern," be and hereby is vacated as soon as this turnpike is organized.

Proviso.

Limitation.

16. *And be it enacted*, That if the said road be not commenced within three years, and completed within five years from the passage of this act, that then and in that case this act shall be void; and the said corporation shall possess the several powers and be subject to the restrictions and liabilities contained in the act entitled "An act concerning corporations."

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

Approved March 30, 1865.

CHAPTER CCCLVI.

An Act to incorporate The Educational Association of Stockton, in the county of Hunterdon.

Names of cor-
porators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Tobias Shadinger, Morris Wolverton, George W. Sharp, Eden Hunt, Wm. C. Veghte, Daniel R. Sharp, David B. Boss, Joseph H. Butterfoss, Garret S. Bellis, and William L. Hoppock, and their associates, shall be, and are hereby constituted a body politic and corporate in fact, and by the name of "The Educational Association of Stockton," and by that name they and their suc-

cessors shall have perpetual succession, and may sue and be sued, plead and be impleaded, answer and be answered unto, in all courts and places whatsoever, to make and use a common seal, and to purchase, take and have, hold, receive and enjoy any lands, tenements, and hereditaments, in fee simple, or otherwise, or any goods, chattels, legacies, donations, annuities; or other personal property, of what kind soever, by gift, grant, devise, bequest, or otherwise, and the same to grant, convey, assign, sell, or otherwise dispose of for the purposes of said corporation, and the said association hereby incorporated shall succeed to, and is hereby vested with all the property, rights, and privileges intended in this act, and that all property acquired under this act shall be used for the objects contemplated herein.

2. *And be it enacted*, That the object of this association Object. shall be to establish, maintain, and conduct an institution of learning, or school for educational purposes, to be located at Stockton, in the county of Hunterdon.

3. *And be it enacted*, That the capital stock of this corporation shall be ten thousand dollars, which shall be divided Amount of capital stock. into shares of twenty-five dollars each, and considered personal property, and transferable on the books of the corporation; and any person holding one or more shares of stock shall be a member of said corporation, and shall be entitled at all meetings of the stockholders to cast one vote in person or by proxy, for each share of stock by him or her held or owned, and standing in his or her name on the books of the corporation.

4. *And be it enacted*, That the officers of this corporation Officers. shall consist of a president, a secretary, a treasurer, and five managers, who shall be members of the corporation.

5. *And be it enacted*, That the annual meeting of this corporation shall be held at Stockton on the third Wednesday of January of each year, at which meeting the members present shall elect their officers and transact such other business as may properly come before them. Annual meeting.

6. *And be it enacted*, That the officers of said corporation Powers of officers. shall have power to make a constitution and such by-laws as they desire for their own government, and that of the institution or school, or to alter or amend the same; *provided*, they Proviso. shall not be repugnant to the laws of this state or of the United States, to fill vacancies occurring in their own body, by means of death, removal, inability, or refusal to serve of any person elected, and on the event of any failure or neglect

of the stockholders to hold an election on the day annually appointed, said officers shall continue in office until a new election shall be held, either at a special meeting of the stockholders to be convened upon ten days' notice in writing to be given by the secretary, or at a subsequent annual meeting.

Not to be
taxed.

7. *And be it enacted*, That the property and effects of the said corporation held or used for the purposes contemplated by this act shall not be subject to taxation.

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

Approved March 30, 1865.

CHAPTER CCCLVII.

An Act to prevent fraud in the payment of bounties to volunteers.

Penalty for
funding.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any person who may be entrusted with any bounty money for any New Jersey volunteer entering the service of the state, or the service of the United States, who shall, without the consent of said volunteer, retain the same, or any part thereof, or shall fail to pay such volunteer, at the time of his being mustered in, the full amount of such bounty money, without any deduction or abatement, shall be deemed guilty of a misdemeanor, and on conviction thereof in any court of quarter sessions or court of oyer and terminer, shall be sentenced to pay a fine not to exceed five hundred dollars, and to be imprisoned at hard labor in the state prison for the term of six months.

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

Approved March 30, 1865.

CHAPTER CCCLVIII.

An Act to incorporate Pocahontas Lodge, Number One Hundred and Seven, of the Independent Order of Odd Fellows, of the Borough of Moorestown, and State of New Jersey.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That J. C. Stroud, T. S. Parker, J. R. Allen, John J. Lawrence, Jr., E. B. Brown, L. C. Rinear, Robert Muffett, Stokes Haines, Sen., John I. Davis, Benjamin Wittshire, Darling Conrow, Ellis King, David Heaton, and their associates, officers and members of "Pocahontas Lodge, Number One Hundred and Seven, of the Independent Order of Odd Fellows, of the State of New Jersey," and their successors, be and they are hereby constituted and declared to be a body corporate and politic in law, by the name, style and title of "Pocahontas Lodge, Number One Hundred and Seven, of the Independent Order of Odd Fellows of the State of New Jersey," and by that name they and their successors shall and may at all times hereafter be capable in law of having, purchasing, holding and possessing any lands, tenements, hereditaments and personal estate, purchased, devised or bequeathed by any person or persons, body corporate or politic, capable of making the same, and also to have a common seal and use the same at pleasure; *provided always*, that the said corporation or body politic shall not any time hold or possess property, real, personal or mixed, exceeding in value the sum of ten thousand dollars.

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

Approved March 30, 1865.

CHAPTER CCCLIX.

An Act to incorporate the Monmouth and Middlesex Railroad Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That John Travers, Joseph Rose, William L. Terhune, Henry W. Johnson, James M. Chap-

man, Henry S. Little, Alfred B. Dayton, Gordon D. White and Edward Black, and such other persons as may be hereafter associated with them, shall be and are hereby ordained, constituted and declared to be a body politic and corporate, in fact and in name, by the name of the "Monmouth and Middlesex Railroad Company," and shall be capable of purchasing, holding and conveying any lands, tenements, goods and chattels whatsoever, necessary or expedient for the objects of this incorporation.

Amount of
capital stock.

2. *And be it enacted*, That the capital stock of the said company shall be two hundred thousand dollars, with liberty to increase the same to five hundred thousand dollars, and shall be divided into shares of one hundred dollars each, which shall be deemed personal property, and transferable in such manner as the said corporation shall by their bylaws direct.

Commission-
ers to receive
subscriptions.

3. *And be it enacted*, That the above named persons, or a majority of them, shall be commissioners to open books to receive subscriptions to the capital stock of said corporation, at such time or times and place or places as they, or a majority of them, may think proper; and as soon as fifty thousand dollars of the capital stock shall be subscribed, such commissioners, or a majority of them, shall give notice for a meeting of the stockholders, to choose eleven directors, a majority of whom shall be residents of this state, and such election shall be made at the time and place appointed by such of the stockholders as shall attend for that purpose, either in person or by proxy, each share of the capital stock entitling the holder thereof to one vote; and the above named commissioners, or a majority of them, shall be inspectors of the first election of directors of the said corporation, and shall certify under their hands the names of those persons duly elected, and deliver over the subscription books to the said directors; and the time and place of holding the first meeting of directors shall be fixed by the said commissioners, or a majority of them.

President to
be chosen.

4. *And be it enacted*, That the directors chosen at such meeting, and at the annual elections of said corporation, shall, as soon as may be after every election, choose out of their number a president, who shall hold office until after the next succeeding election, and until another shall be appointed, and they shall have power to fill any vacancy which at any time may exist in their board, by death or otherwise, until the next succeeding annual election.

5. *And be it enacted*, That annual elections for directors

shall be held at such times and places as the board of directors shall hereafter direct, of which elections public notice shall be given at least two weeks, in one of the newspapers published in the county of Monmouth, and such elections shall be made as is hereinbefore directed; and in case it shall happen that an election of directors shall not be made during the day when, pursuant to this act, it ought to have been made, the said corporation shall not for that cause be deemed to be dissolved, but the said election shall be held as soon thereafter as possible, and public notice shall be given as before directed, and the directors for the time being shall continue to hold their office until others shall have been chosen in their places; seven directors shall be a quorum to transact all business of the said corporation, and the directors shall be authorized to call in the remaining capital stock of said company, by such installments and at such times as they may direct; *provided*, that such payments shall not exceed twenty dollars on each share per month, and in case of the non-payment of the said installments or any one of them, they shall have power to forfeit such share or shares upon which such default shall arise, to and for the use of said corporation; and also to make and prescribe such by-laws, rules and regulations as to them shall appear needful and proper touching the management and regulation of the stock, property, estate and effects of the said corporation, and also to appoint such officers, clerks and servants as to them shall seem meet, and to establish and affix such salaries to them and also to the president as to the said directors shall appear proper.

Election of directors.

Proviso.

6. *And be it enacted*, That the president and directors of the said company be and they are hereby authorized and invested with all the rights and powers necessary and expedient to survey, lay out and construct a railroad with one or more tracks from the village of Middletown Point, in the county of Monmouth, to some point at or near the village of South Amboy, in the county of Middlesex, with the privilege of extending said road from Middletown Point to the marlbeds in the township of Holmdel, in said Monmouth county; *provided always*, that the land taken for said railroad shall not exceed one hundred feet in width, except in such places where, from the depth of the excavation or the height of the embankment, it is necessary to take more land for the slope and protection of the side banks of said railroad, in which case so much land as will be necessary for the purpose, and

May construct railroad.

no more, shall be taken, with as many sets of tracks and rails as the company may deem necessary; and it shall and may be lawful for the said president and directors, their agents, engineers, superintendents or others in their employ, to enter at all times upon all lands and waters for the purpose of exploring, surveying, leveling, or laying out the said route of said railroad and of locating the same, and to make and erect all necessary works, buildings and appendages thereof, doing no unnecessary injury to private or other property, and when the route of said railroad shall have been determined upon and a survey of the same deposited in the office of the secretary of state, then it shall be lawful for the said company, by its officers, agents, engineers, superintendents, contractors, workmen and other persons in their employ, to enter upon, take possession of, hold, have, use, occupy and excavate any such lands, and to erect embankments, bridges and all other works necessary to lay rails, and to do all other things which shall be suitable or necessary for the completion or repair of said road, subject to such compensation as is hereinafter provided; *provided always*, that the payment or tender of the payment of all damages for the occupancy of lands through which the said railroad may be laid out, shall be made before the said company or any person under their direction or employ shall enter upon or break ground in the premises, except for the purpose of surveying and laying out said road, unless the consent of the owner or owners of such land be first had and obtained.

Proviso.

Proceedings
when compa-
ny and owners
cannot agree.

7. *And be it enacted*, That when the said company or its agents cannot agree with the owner or owners of such required land or materials, for the use or purchase thereof, or when, by the legal incapacity or absence of such owner or owners, no such agreement can be made, a particular description of the land or materials, so required for the use of said company in the construction of said road, shall be given, in writing, under the oath or affirmation of some engineer or proper agent of the company, and also the name or names of the occupant or occupants, if any there be, and of the owner or owners, if known, and their residence, if the same can be ascertained, to one of the justices of the supreme court of this state, who shall cause the said company to give notice thereof to the persons interested, if known and in this state, or if unknown and out of this state, to make publication thereof, as he shall direct, for any term not less than ten days, and to assign a particular time and place for the appointment of the commis-

sioners hereinafter named, at which time, upon satisfactory evidence to him of the service or publication of such notice aforesaid, he shall appoint, under his hand and seal, three disinterested, impartial and judicious freeholders, residents in the county in which the land or materials in controversy lie or the owners reside, commissioners to examine and appraise the said land or materials and to assess the damages, upon such notice to be given to the persons interested, as shall be directed by the justice making such appointment, to be expressed therein, not less than ten days; and it shall be the duty of said commissioners (having first taken and subscribed an oath or affirmation before some person duly authorized to administer an oath, faithfully and impartially to examine the matter in question, and to make a true report, according to the best of their skill and understanding), to meet at the time and place appointed, and to proceed to view and examine the said land or materials, said commissioners at the same time taking into consideration all the benefit to be derived from or in consequence of the said railroad, as the case may be, to the said owner or owners, and to make a just and equitable estimate or appraisal of the value of the same and assessment of damages as shall be paid by the company for such lands or materials and damages aforesaid, which report shall be made in writing, under the hands and seals of the said commissioners, or any two of them, and filed, within ten days thereafter, together with the aforesaid description of the land or materials, and the appointment and oaths or affirmations aforesaid, in the clerk's office of the county in which the land or materials are situate, to remain of record therein, which report or a copy thereof, certified by the clerk of said county, shall at all times be considered as plenary evidence of the right of said company to have, hold, use, occupy, possess and enjoy the said land or materials, or of the said owner or owners to recover the amount of said valuation, with interest and costs in an action of debt, in any court of competent jurisdiction, in a suit to be instituted against the company, if they shall neglect or refuse to pay the same for twenty days after demand made of their treasurer, and shall from time to time constitute a lien upon the property of the company, in the nature of a mortgage; and the said justice of the supreme court shall upon application of either party, and on reasonable notice to the others, tax and allow such costs, fees and expenses to the justice of the supreme court, commissioners, clerks, and other persons performing any of the duties prescribed in this section,

Proviso.

as they or he shall think equitable and right, which shall be paid by the company; *provided always*, that should the said company, or the owner or owners of any of the land or materials, feel himself, herself or themselves aggrieved by the decision of the commissioners aforesaid, he, she or they may appeal to the next circuit court in the county wherein the said land or materials may lie.

Parties aggrieved may appeal.

8. *And be it enacted*, That every appeal from the decision of the commissioners appointed under the preceding section, shall be made in writing and in the form of petition to said court, and filed with the clerk of the said circuit court of the county wherein the land or materials appraised by the said commissioners shall be, and notice in writing of such appeal shall be given to the opposite party within ten days after the filing thereof, which proceeding shall vest in the circuit court full right and power to hear and adjudge the same, and to direct a proper issue for the trial of said controversy to be formed between the said parties, and to order a jury to be struck and a view of the premises to be had, and the said issue to be tried at the next term of said court to be holden in the said county, upon the like notice and in the same manner as other issues in the said court are tried, and it shall be the duty of the said jury to assess the value of the said land or materials and damages sustained, and if they shall find a greater sum than the said commissioners shall have awarded in favor of the said owner or owners, then judgment thereon, with costs, shall be entered against the said company and execution awarded therefor, but if the said jury shall be applied for by the owner or owners and shall find a less sum than the company shall have offered or the said commissioners shall have awarded, then said costs to be paid by said applicant or applicants, and either deducted out of the said sum found by the said jury or execution awarded therefor, as the said court shall direct; but such application shall not prevent the company from taking the said land, upon filing the aforesaid report; *provided*, that in no case whatever shall said company enter upon or take possession of any lands of any person or persons for the purpose of actually constructing said railroad, or of making any erection or improvements whatever, or otherwise appropriating said lands to the use of said company until they have paid to the party or parties entitled to receive the same the amount assessed by the commissioners as the value of such lands or damages, in case the report of the commissioners is not appealed from, or if the same is

Proviso.

appealed from then the amount which shall be found by the jury by whom the issue shall be tried; but in case the party or parties entitled to receive the amount assessed by the commissioners, in case there shall be no appeal found by the jury, and in case of appeal shall refuse, upon tender thereof being made to receive the same, or shall be out of the state or under any legal disability, then the payment of the amount assessed or found as aforesaid into the circuit court of the county wherein the said lands lie, shall be deemed a valid and legal payment, and further that the party or parties entitled to receive the amount assessed by the commissioners may, upon tender thereof being made, receive the same without being barred thereby from his, her or their appeal from the report of the commissioners.

9. *And be it enacted*, That it shall be the duty of the said company to construct and keep in repair good and sufficient bridges or passages over or under the said railroad, where any public or other road, now or hereafter laid, shall cross the same, so that the passage of carriages, horses and cattle on the said road shall not be impeded thereby, and also where the said road shall intersect any farm or lands of any individual, to provide and keep in repair suitable and convenient wagon-ways over or under the said railroad, and shall also construct and maintain suitable and proper cattle-guards at all road crossings. Bridges to be erected.

10. *And be it enacted*, That the president and directors of said company shall have power to have constructed or to purchase with the funds of the company, all machinery, engines, wagons, carriages or cars for transportation of persons or any species of property on the said railroad or any railroad connected with it, and also suitable and safe boats at the terminating points of the said road, as they may think fit, reasonable, expedient or right; *provided*, that they shall not charge more than five cents per mile for carrying each passenger, but no charge shall be required in the aggregate to be less than ten cents, nor shall said company charge more than ten cents per mile per ton for the transportation of any description of property; and the said railroad, with its appendages and the lands over which the same shall pass, and all the work and improvements, and all other property whatsoever belonging to the company, are hereby vested in the said company and their successors, for and during the continuance of their charter. Rates of transportation. Proviso.

11. *And be it enacted*, That the president and directors of Dividends.

the said company shall declare and make such dividends as they may deem prudent and proper, from time to time, out of the net profits of the said railroad.

May purchase
and hold
lands, &c.

12. *And be it enacted*, That the said company may purchase, have and hold real estate at or near the commencement and termination of the said road, or at any other point on the line of the said road where the directors may think proper to establish a depot, not exceeding twenty acres at each place, and may also erect and build thereon houses, warehouses, workshops, and such other buildings and improvements as they may deem expedient for the safety of their property and for other necessary uses appertaining to their business, and receive the rents and emoluments thereof, and may build and maintain over such rivers and streams as the road may cross, such piers and bridges as they may deem expedient; *provided*, that suitable and sufficient draws shall be made over any navigable streams, so as not to obstruct the navigation thereof.

Proviso.

May make
contracts.

13. *And be it enacted*, That it shall be lawful for the said company at any time during the continuance of its charter, to make contracts and engagements with any other corporation, or with individuals, for transporting or conveying any kinds of goods, produce, merchandise, freight or passengers, and to enforce the fulfillment of such contracts.

Penalty for in-
juring pro-
perty.

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

Statement to
be filed.

15. *And be it enacted*, That as soon as the railroad with its appendages, shall be finished so as to be used, the president and treasurer of said company shall file, under oath or affirmation, a statement of the amount of costs of said road, including all expenses, and the amount of all purchases made by virtue of this act, in the office of the secretary of this state, and annually thereafter the president and treasurer of the said company shall, under oath or affirmation, make a statement to the legislature of this state of the proceeds of said road, and the treasurer of said company shall, under oath or affirmation, make an annual statement to the trea-

surer of this state of the number of passengers and the number of tons of merchandise transported thereon.

16. *And be it enacted*, That from and after the time the said railroad or any part thereof shall be in operation, the said corporation shall pay to the treasurer of this state, a tax of one-half of one per centum on the capital stock of said road, to be paid annually thereafter on the first Monday in January of each year, and such other tax as may be assessed from time to time by a general law applicable to all railroads over which the legislature has power for that purpose at the time of the passage of such law or laws.

17. *And be it enacted*, That the said Monmouth and Middlesex Railroad Company shall have power to borrow such sum or sums of money, from time to time, as shall be necessary, to build, construct or repair their road, and furnish all necessary engines, machinery and boats, for the uses and objects of said company, and to secure the repayment thereof by the execution and negotiation of any bond or bonds, and secured by mortgage on said road, lands, privileges, franchises and appurtenances, of and belonging to the said company; said bonds bearing not more than seven per centum interest per annum; *provided however*, that the said company shall not plead the statute of usury in consequence thereof; *and provided further*, that said bonds shall constitute a first lien on the railroad, its cars, boats, real estate and franchises, and to dispose of said bonds for the purpose of aiding in the construction of said railroad, at a rate not less than ninety per centum of their par value, and redeemable in thirty years from date.

18. *And be it enacted*, That at any time after the expiration of thirty-five years from the completion of said road, the legislature of this state may cause an appraisalment of the said road and the appendages thereof to be made by six persons, three of whom shall be appointed by the chief justice of this state for the time being, the remaining three by the company, who, or a majority of them, shall report the value thereof to the legislature within one year from the time of their appointment, or if they cannot agree they shall choose a seventh, who, with the aforesaid six, or a majority of them, shall report as aforesaid; or in case the said company shall neglect or refuse to appoint the said three persons on their part, for two months after notice of the said appointment by the said chief justice, then the three persons appointed by him, shall proceed to make such appraisalment, which shall

be binding on the said company, or in case the six commissioners shall be appointed and they cannot agree upon a seventh man, then upon two weeks' notice to the said company, the said chief justice shall appoint such seventh man as aforesaid, to make such appraisement as aforesaid, and thereupon the state shall have the privilege, for two years, of taking the said road with its appendages, upon the payment to the company of the amount of said report, within one year after electing to take the said road, which report shall be filed in the office of the secretary of this state, and the property and interest of said road and appendages thereof, shall be vested in the state of New Jersey, upon the payment of the amount so reported, to the said company; and it shall be the duty of the president of the company to lay before the legislature, under oath or affirmation, when they shall so request, a full and fair statement of the cost of said road, and of the receipts and disbursements of the company; *provided always*, that the aforesaid valuation shall be made without any reference to the receipts or disbursements of the company, or advance of stock, and the said valuation shall in no case exceed the first cost or valuation of said road with the appendages thereof.

Proviso.

Limitation.

19. *And be it enacted*, That if the said railroad shall not be commenced within five years, and be completed within ten years from the fourth day of July next ensuing, that then and in that case this act shall be void.

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

Approved March 30, 1865.

CHAPTER CCCLX.

An Act to authorize the inhabitants of the township of Kingwood, in the county of Hunterdon, to raise money by issuing bonds for the purpose of filling the quota of said township, under the call of the president of the United States of December nineteenth, eighteen hundred and sixty-four, for three hundred thousand men.

WHEREAS, the inhabitants of the said township of Kingwood in town meeting assembled, on the twenty-seventh day of January last past, did resolve to fill the said quota of said township by paying bounties to volunteers and to such persons as should furnish acceptable substitutes, therefore, in order that said resolutions may be carried into effect,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the township committee of the said township of Kingwood to issue bonds, in the name of the inhabitants of said township, under the respective hands and seals of said township committee, for an amount not exceeding twenty-five thousand dollars, in such sums as the said township committee shall deem proper, payable one year after the date thereof, bearing interest at a rate not exceeding six per cent. per annum, and to pledge the property and credit of the said township for the payment of the same; which bonds it shall be lawful for the said township committee and their successors to sell and assign; *provided*, that no bond shall be sold by the said committee for less than its par value.

2. *And be it enacted*, That the township committee of the said township of Kingwood shall have power and authority to provide by taxation for the payment of the said bonds and the interest thereon; and the said committee shall cause to be assessed and collected by tax, at the time and in the manner that other taxes in said township are assessed and collected, a sum of money sufficient to pay the principal and interest of said bonds by directing the assessor of said township, who shall have power so to do, to assess and levy, first a poll tax of ten dollars upon every single white male inhabitant of said township between the age of twenty-one and forty-five years, and also a poll tax of five dollars upon every married white male inhabitant of said township between the age of

Preamble.

May issue bonds.

Proviso.

To provide by taxation for payment of principal and interest.

twenty-one and forty-five years, and then, by assessing and levying the balance of the sum necessary to pay the principal and interest of said bonds, upon and against the personal property of the taxable inhabitants of said township, and the real estate situate in said township; *provided*, that every resident of said township in the military service of the United States at the time of said assessment shall be exempt from said poll tax.

Duties of assessor and collector.

3. *And be it enacted*, That it shall be the duty of the assessor of the said township of Kingwood, to assess, specify and keep separate and distinct from other items the amount assessed under and by virtue of this act; and that it shall be the duty of the collector of taxes of the said township, in preparing the notices of taxes required by law, to specify the amount assessed under this act, and to keep his accounts of the same in separate and distinct columns; all proceedings in relation to the collection of the same, and of the arrears thereof, shall in other respects be the same as those in relation to the other township taxes, and that the assessor and collector shall receive six cents a name each for their extra services in carrying out the provisions of this act and no more.

Proceeds, how applied.

4. *And be it enacted*, That the collector of taxes of said township shall, when such tax or any part thereof shall be collected, pay the same to the township committee of said township; and all the moneys so to be raised by virtue of this act, shall be inviolably applied by said township committee to pay the principal and interest of said bonds.

Duty of town committee.

5. *And be it enacted*, That it shall be the duty of the township committee of said township to apply the net proceeds of the bonds that may be issued by virtue of this act, to the payment of bounties to volunteers and to those who furnish acceptable substitutes, to fill the quota of said township under the call specified in the title to this act.

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

Approved March 30, 1865.

CHAPTER CCCLXI.

An Act to incorporate "Mount Moriah Lodge, Number Twenty-eight, Ancient Free and Accepted Masons," located at Bordertown.

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Names of corporations.} *the State of New Jersey,* That Robert C. Buzby, James W. Allen, Samuel B. Dougherty, Robert Fenton, George W. Pitman, James Stratton, Israel Frazer, Garret S. Cannon, George W. Thompson, Thomas W. Dunn, Joseph Wilson, George J. Robbins and their associates, officers and members of "Mount Moriah Lodge, Number Twenty-eight, Ancient Free and Accepted Masons of the State of New Jersey," and their successors, be and they are hereby declared to be a body politic and corporate in law, by the name, style and title of "Mount Moriah Lodge, Number Twenty-eight, Ancient Free and Accepted Masons," and by that name they and their successors may at all times hereafter be able to sue and be sued, plead and be impleaded, have full power to collect any debts now due and owing or which may become due and owing to the said "Mount Moriah Lodge," in any court of law having cognizance of the same.

2. *And be it enacted,* That the said corporation shall be capable of having, holding and possessing any lands, tenements, hereditaments and personal estate purchased or devised by any person or persons, bodies corporate or politic, capable of making the same; *provided,* that the said corporation or body politic shall not at any time hold property, real, personal or mixed, exceeding in value the sum of fifteen thousand dollars. ^{May hold lands.}

3. *And be it enacted,* That the management and disposition of the affairs and property of the said corporation shall be vested in a board of three directors, who shall be elected annually at such time and manner as the said corporation shall, in its by-laws, direct; *provided,* such by-laws shall not be repugnant to the constitution and laws of this state or of the United States. ^{Election of directors.} ^{Proviso.}

4. *And be it enacted,* That the property of said corporation or body politic, personal, real or mixed, which they now own or may hereafter possess, shall not be liable to any taxes whatsoever. ^{Not to be taxed.}

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

Approved March 30, 1865.

CHAPTER CCCLXII.

A Supplement to an act entitled "An act to incorporate the South River Milling and Manufacturing Company," approved February twenty-fifth, eighteen hundred and forty-seven.

First section amended.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That after the word "New Jersey," in line second, section first, of the act to which this is a supplement, the names Jacob Van Wickle, Abraham W. Brown, and Hercules Weston be struck out, and that the names John Biddle Herbert, Hendricks H. Brown, and Thomas T. Vanderveer, be inserted in their place; also in the twenty-second line of the same section, after the word "navigation," amend the remainder of the section so that it shall read as follows: "at or near, and above the railroad bridge crossing said river; *provided*, the water is not thereby caused to flow back on any mill now erected on said stream, above the said dam, and to attach and connect the dam to land situate in the township of South Amboy, belonging to the late Hercules Weston, or others, and to lands situate in the township of East Brunswick, belonging to the late Jacob Van Wickle, and others; and also to construct a tide dam across Deep Run, at or near the railroad bridge crossing said run."

Proviso.

Second section amended.

2. *And be it enacted*, That between the word "shall," in the second line of the second section, and the word "and," in the fifth line of the same section, all the words be struck out and the following be inserted: "be one hundred thousand dollars, to be subscribed for in shares of fifty dollars each; but the holders of a majority of the stock may increase or diminish the said capital, if, in their judgment, the interests of the company so require, and that the said John Biddle Herbert, Hendricks H. Brown, Andrew J. Disbrow, Thomas T. Vanderveer."

Approved March 30, 1865.

CHAPTER CCCLXIII.

An Act to authorize the Mead Rubber Company to establish works in New Jersey, and to incorporate the same.

1. BE IT ENACTED by the Senate and General Assembly of ^{May establish works in this state.} the State of New Jersey, That the Mead Rubber Company, a corporation of the state of New York, be and the same is hereby authorized to establish works in Mercer county, in this state, for the manufacture of goods from India rubber, and other materials, and for that purpose to acquire, take, hold, use, possess and dispose of, such real and personal property as may be necessary, proper and convenient; for the said business; *provided always*, that an office be kept in this state ^{Proviso.} where legal process may be served on the said company.

2. *And be it enacted*, That if the said company, or the sub-^{May organize under laws of this state.}scribers thereto, shall prefer to organize under the laws of this state, it shall be lawful for them so to do, and they are hereby created a body corporate of this state when so organized, for the purpose of manufacturing, making and vending India rubber goods, and other articles, by the name, style and title of "The Mead Rubber Company," with a capital not exceeding five hundred thousand dollars, and with any number of directors not less than three, nor more than nine, and with all the rights, powers and privileges, and subject to all the duties, liabilities and restrictions of the act entitled "An act concerning corporations," approved February eleventh, eighteen hundred and forty-six.

Approved March 30, 1865.

CHAPTER CCCLXIV.

An Act to legalize the action of the township committee of the township of Plumsted, in the county of Ocean, in raising money by loan to fill the quota of said township under the calls of the president of the United States for troops, made respectively July eighteenth, and December nineteenth, Anno Domini eighteen hundred and sixty four.

Acts legalized

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the action of the committee of said township in borrowing money for the purpose of filling the quotas of the said township under the late calls for troops shall be as valid and effectual in law as though it had been authorized expressly by special acts of this legislature; said sums of money sufficient to fill the quotas of the respective calls, to be paid by the said township by tax on the assessed property of said township, in the same manner as other taxes are assessed and collected, and that the past and future action of the said township in regard to the said calls, and the action of two thirds of said township in raising bounties for any future calls shall be as legal as if done under a special act of the legislature:

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

Approved March 30, 1865.

CHAPTER CCCLXV.

Supplement to "An act to incorporate the Kingsland and Saw Mill Creek Company," approved March second, eighteen hundred and forty-eight.

Preamble.

WHEREAS, a number of the corporators and directors, named in the act to which this is a supplement, have died, and others refuse to act, so that there is no organization of said

company whereby the provisions of said act can be enforced; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Additional directors.} *the State of New Jersey*, That Thomas W. Satterthwaite, Arent H. Schuyler, James Watson, William C. Kingsland and John J. Kingsland, are hereby appointed directors of the "Kingsland and Saw Mill Creek Company," with all the powers and privileges given and declared in and by the said act to which this is a supplement.

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

Approved March 30, 1865.

CHAPTER CCCLXVI.

An Act to incorporate the Longshoremen's Union Protective Association, Number One, of Jersey City.

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Names of corporations.} *the State of New Jersey*, That Peter Curley, Patrick Feeley, John Smyth, Martin Harney and John Geraghty, and their associates, officers and members of the "Longshoremen's Union Protective Association, Number One, of Jersey City," and their successors be, and they are hereby constituted and declared to be a body corporate and politic in law, by the name, style and title of "The Longshoremen's Union Protective Association, Number One, of Jersey City," and by that name they and their successors shall possess all the powers and privileges enumerated in the first section of the act entitled "An act concerning corporations," approved February fourteenth, eighteen hundred and forty-six; *provided always*, that the said corporation or body politic shall ^{Proviso.} not at any time hold or possess property, real, personal or mixed, exceeding in value the sum of five thousand dollars.

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

Approved March 30, 1865.

CHAPTER CCCLXVII.

A Further Supplement to the act entitled "An act to incorporate the Sussex Mine Railroad Company," approved March ninth, eighteen hundred and forty eight.

May contract
for transporta-
tion of iron,
&c.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the Sussex Railroad Company to contract with any person or persons for the transportation of lime stone, iron, iron ore, zinc ore, and all other heavy or bulky articles of freight, from any point on their road or any of its branches, to New York city, or any intermediate point, or to any point on the line of the Morris and Essex Railroad, as now used, or as it may be hereafter extended, upon such terms as may be agreed upon between the contracting parties; *provided, however*, that nothing herein contained shall in anywise affect any contract heretofore made by the said Sussex Mine Railroad Company with any other railroad company.

Proviso.

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

Approved March 30, 1865.

CHAPTER CCCLXVIII.

A Supplement to "An act to establish a new township in the county of Burlington, to be called the township of Bass River."

Preamble.

WHEREAS, by an act of the legislature of this state, approved March thirtieth, Anno Domini eighteen hundred and sixty-four, a new township was created in the county of Burlington, called Bass River township; and whereas, the bounds of said township as contained in the act creating said township cannot be definitely established; therefore.

Boundaries of
township.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all those parts of the town-

ship of Little Egg Harbor and Washington, in the county of Burlington, contained within the following bound, to wit: beginning opposite the mouth of Belangy's Creek, in the division line of Burlington and Atlantic counties, thence running a northerly course up the said Belangy's Creek, the several courses thereof, to the bridge on the main stage road from Bass River to Tuckerton; thence in a northerly course to a point on the county line, between Ocean and Burlington counties, when a due west course will strike a bridge known as Laurie's Bridge, on the line of Washington township; thence along Washington township line to the east branch of Wading river; thence down the said stream to the mouth of Harrisville canal; thence along said canal to the Speedwell stream; thence along said stream to its mouth; thence down Wading river to its mouth; thence down Mullica's river to the place of beginning, shall hereafter constitute the bounds of said Bass River township; subject to all the provisions of the act entitled "An act to establish a new township in the county of Burlington, to be called the township of Bass River," approved March thirtieth, eighteen hundred and sixty-four.

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

Approved March 30, 1865.

CHAPTER CCCLXIX.

An Act to reimburse Pennsylvania Institute for Deaf and Dumb, for losses sustained by them on account of the pupils of New Jersey.

WHEREAS, the Pennsylvania Institution for the Deaf and Dumb, has sustained a loss on the pupils maintained, clothed and instructed, from the state of New Jersey, during the years, eighteen hundred and sixty-three, and eighteen hundred and sixty-four, of six hundred dollars beyond the amount received from the state; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the treasurer of this state be ^{Treasurer to pay money.}

directed, and he is hereby authorized to pay the Pennsylvania Institution for the Deaf and Dumb, six hundred dollars, from any money in the treasury, not otherwise appropriated, for the above mentioned purposes.

Approved March 30, 1865.

CHAPTER CCCLXX.

A Further Supplement to "An act for the government and regulation of the State Prison," approved April sixteenth, eighteen hundred and forty-six.

Keeper may
draw his
drafts for
money.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That whenever it shall happen that the keeper of the state prison shall find it necessary to raise money for the uses of the said prison, or whenever he may be enabled to economize the expenditures of the same by the use of ready money, he shall be, and is hereby authorized to draw his drafts, by and with the consent of the acting inspectors, upon the treasurer of the state, from time to time, for any sum or sums, not exceeding in the aggregate the sum of ten thousand dollars, in any one year, to be applied to the uses aforesaid; and it shall be lawful for the treasurer to pay to the order of the said prison keeper the sums so called for, out of any unappropriated funds in his hands.

To repay the
treasurer.

2. *And be it enacted*, That the said keeper shall, from time to time, and as soon as he shall be in funds from the receipts of the income of the prison, repay to the treasurer the sums so advanced, as far as is practicable, previous to the close of each fiscal year.

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

Approved March 30, 1865.

CHAPTER CCCLXXI.

An Act to incorporate the Monmouth County Petroleum and Mining Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Michael Taylor, George W. Shinn, Henry Campbell, William H. Conover, David M. Rue, Hendrick S. Conover and Charles Haight, and such other persons as may be associated with them and their successors, are hereby created and declared to be a body politic and corporate in law by the name and title of the "Monmouth County Petroleum and Mining Company," and by that name shall have perpetual succession and all the privileges and franchises belonging or incident to a corporation.

2. *And be it enacted*, That the whole amount of the capital stock of said company shall be five hundred thousand dollars, to be divided into shares of five dollars each, which shall be personal property and be transferable on the books of the company.

3. *And be it enacted*, That the above named corporators, or a majority of them, shall be commissioners to receive subscriptions to the capital stock of said company, at such time and place or places in this state, and upon such notice as they shall direct; and at the time of subscribing for said stock such amount on each share shall be paid, satisfied or satisfactorily secured to said commissioners as they or a majority of them shall determine, and the residue of the subscription shall be paid, satisfied or secured as the directors may determine, in such installments, at such times and places, in such manner and to such person or persons as said directors shall from time to time direct, giving notice of such time and place, and person or persons, by notice published in a newspaper printed and circulating in the county of Monmouth, for two weeks, at least once in each week; and upon the failure of any person to pay, satisfy, or secure such payment of the installments of any of them as aforesaid, the said directors shall have power to forfeit the shares of each and every person so failing, or any of them, to and for the use and benefit of the said company; and any shares of stock so forfeited as aforesaid, may be held by the said company, or any person or persons for its benefit, and may at any time be sold or disposed of for the benefit of the com-

pany, as said directors may direct, or divided proportionately among the remaining stockholders, to be by them held and enjoyed, or sold and transferred with all the rights and benefits incident thereto, the same in all respects as if they were original shares by them subscribed; and any land, property or materials used in the business of the said company, received in payment or satisfaction of subscriptions for stock, shall be taken at a valuation approved by a majority of the stockholders.

Election of directors.

4. *And be it enacted*, That whenever fifty thousand dollars of the capital stock aforesaid shall have been subscribed, the commissioners, or a majority of them, shall, as soon as they deem expedient, give notice in such manner as they may determine, of a meeting of the stockholders, at such time and place as they may designate, to choose nine directors, who shall hold their office for one year and until others are duly elected; and such election shall be made at the time and place appointed by such of the stockholders as shall attend for that purpose, either in person or by proxy, each share of stock entitling the holder thereof to one vote; and the directors chosen at such meeting, or at the annual elections of said corporation, shall, as soon as may be, after every election, choose out of their own number a president, who shall hold his office for one year, and until his successor is duly appointed, and in case of the death, resignation, or other incapacity of the president or any director, such vacancy may be filled by the board of directors for the remainder of the then current year.

Powers of company.

5. *And be it enacted*, That the said company shall be and are hereby authorized and empowered to establish and carry on the business of developing oil lands, digging, boring, and excavating mines, shafts and wells, and mining, producing, and obtaining oil and other products or minerals from the earth, and manufacturing in forms, refining, transporting and vending the same, and for that purpose to purchase, rent, take, hold, occupy and enjoy, grant, demise, lease and convey in this, or any other state or territory, such and so many lands, mines, deposits, springs and wells, and such parts, shares and interests therein, as they may deem proper in fee simple or any less estate; and to purchase, rent, hire, erect, build, hold, maintain and use, grant, demise, lease and convey such buildings, tramways, wells, aqueducts, drains, tanks, engines, machinery, and other real and personal property as they may deem necessary or proper for developing their property and

carrying on their business; and when by the laws of the state or territory where any of the property may be situated or be, the said company may not be authorized or capable to have, hold, enjoy or convey, rent and lease the same, or the legal estate therein, themselves or otherwise, when they may think proper the said company may purchase, hire, rent, have, hold, use, enjoy, grant, lease and convey any trust or other equitable or beneficial estate or interest, as cestui que trust or otherwise, in any property which may be purchased, hired, leased or held by trustees or other persons for the use or benefit of said company; and the same shall make part of the value of, and be represented by, the stock of the said company; *pro-Provided*, that the said company, shall not be taxed in this state for or by reason of, or of any interest in any real estate situated in any other state or territory and taxed therein.

6. *And be it enacted*, That the board of directors of said company shall have power to make and adopt a common seal for said corporation, to appoint from their own number, or otherwise, a treasurer and secretary, and such other officers of the board and of the company as they may deem necessary, and to fix their salaries; to borrow such sums of money as they may from time to time deem advisable for the purposes of said company, and to issue the bonds of the said company therefor, and secure the payment of the same by a mortgage or mortgages on the lands, estate, and other property of said company, and to make such by-laws, not inconsistent with the provisions of this act, as they may think proper, regulating the issuing and transfer of stock, and for the general government and management of the affairs of the company.

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

Approved March 30, 1865.

CHAPTER CCCLXXII.

An Act to authorize the inhabitants of the township of West Orange, in the county of Essex, to raise money to pay bounties to volunteers.

Preamble.

WHEREAS, the township committee of the township of West Orange, in the county of Essex, and State of New Jersey, in pursuance of the authority given to them by the inhabitants of said township, at a special election held in said township, on the ninth day of February, Anno Domini eighteen hundred and sixty-five, did issue scrip in manner following, to wit: one hundred dollars to any person of said township, liable to be drafted, who shall furnish a substitute for one year; two hundred dollars to any person, liable to be drafted, who shall furnish a substitute for two years; and three hundred dollars to any person, liable to be drafted, who shall furnish a substitute for three years, under the present call; and whereas, the township committee of said township of West Orange, in pursuance of a resolution passed by said township committee, on the fourth day of March, Anno Domini, eighteen hundred and sixty-five, did extend the above provisions to the drafted men of said township, under the present call, and have issued said scrip to the said drafted men; and whereas, the inhabitants of said township are desirous to have the action of said township of West Orange, and the action of the township committee of said township legalized, and that the township committee of said township shall have lawful authority to borrow money, upon the credit of the township to pay said bounty, until the same shall be assessed and collected; therefore,

May issue
bonds.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the township of West Orange to borrow money upon the credit of said township, to pay said bounty to volunteers, and for that purpose they are hereby authorized to issue bonds, in the name of "The Inhabitants of the township of West Orange, in the county of Essex," under the respective hands and seals of said township committee, or any three of them, for an amount of money not exceeding fifteen thousand dollars, in such sums, and payable at such time or times as said township

committee shall deem proper, and to pledge the property and credit of the township for the payment of the same, which bonds it shall be lawful for said township committee to sell and assign.

2. *And be it enacted*, That for the purpose of providing for the payment of said bonds and interest thereon, it shall be lawful to assess a poll tax of four dollars per year, for each year, until said bonds, with interest thereon, shall be fully paid, in addition to the poll tax or taxes now assessed by law upon each taxable male inhabitant of said township, and the balance to be assessed upon the real and personal property of said township, said poll taxes and said taxes upon real and personal property, to be assessed and collected in the same manner as other taxes are now assessed and collected.

To provide by taxation for payment of principal and interest.

3. *And be it enacted*, That this act shall take effect immediately, and be deemed and taken to be a public act.

Approved March 30, 1865.

CHAPTER CCCLXXIII.

An Act to authorize the inhabitants of the township of Brick, in the county of Ocean, to raise money to pay volunteers, substitutes and drafted men, and to issue bonds to provide for the payment of the same.

WHEREAS, the inhabitants of the township of Brick, in the county of Ocean, did at the annual town meeting held in said township, on the fourteenth day of March, eighteen hundred and sixty-five, vote that certain payments be made to men drafted under the several calls of the president of the United States, or who had procured substitutes to serve in their places, and to those who had paid exemption money; and that the money necessary to meet such payments be raised by tax, assessed, levied, and collected upon the inhabitants of said township in the same manner that other township taxes are raised, therefore.

Preamble.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the votes and resolutions of the said town meeting, and the acts and proceedings had and

May issue bonds.

done in conformity therewith, be and the same are hereby made valid and effectual in law, and that it shall be lawful for the township committee of said township of Brick to issue bonds in the name of the "Inhabitants of the township of Brick, in the county of Ocean," under the respective hands and seals of said township committee, or a majority of them, for the moneys necessary to effectuate the purposes of said votes and resolutions, in such sums, and payable at such times as said township committee shall deem proper, and bearing legal interest, payable annually, and to pledge the property and credit of the said township for the payment of the same.

To provide by taxation for payment of principal and interest.

2. *And be it enacted*, That for the purpose of providing for the payment of the said bonds and the interest thereon, it shall be lawful to assess and collect, in each and every year until the whole be discharged, the amounts necessary, upon the inhabitants of said township, in the same manner as other township taxes are assessed and collected; *provided*, that such amount shall not exceed four thousand dollars in any one year; *and provided further*, that a poll tax of four dollars on each and every male resident over the age of twenty-one years, in said township, be assessed and collected and devoted to the payment of said bonds.

Proviso.

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

Approved March 30, 1865.

CHAPTER CCCLXXIV.

Supplement to "An act to incorporate the Hudson Land and Improvement Company."

Amendment.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the names of Newman H. Wood and William G. Shepherd be inserted in the first and second sections of said act, in the place of Joseph O. Johnson and Silas H. Jessup, where the same occur.

2. *And be it enacted*, That section four of said act be

amended by striking out the words "the township of Bergen," where it occurs.

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

Approved March 30, 1865.

CHAPTER CCCLXXV.

An Act to confirm certain debts and liabilities incurred by the township of Upper Freehold, in the county of Monmouth, for bounties to soldiers to fill the quotas of said township, and to authorize further loans for the same purpose.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That so much of the indebtedness ^{Indebtedness made valid.} of said township as hath been incurred through the action and proceedings of the township committee thereof in paying bounties to soldiers, is hereby declared legal, valid and binding upon the taxable inhabitants and property of said township, and that such indebtedness and interest thereon, not to exceed six per centum per annum, may be raised by taxation as a part of the township tax of said township.

2. *And be it enacted*, That the township committee of said township are hereby authorized and empowered to raise, by loan, ^{Money to be raised by loan.} any amount of money that may be necessary, not to exceed twenty-two thousand dollars, on the faith and credit of said township, to pay bounties for soldiers to fill the quota of said township under the last call of the president of the United States, and that the notes or bonds of said township, in its corporate capacity, given for the money so borrowed, and signed by the township committee thereof, shall be valid and binding upon the property and taxable inhabitants of said township.

3. *And be it enacted*, That the township committee of said township, or any two of them, shall have power to borrow ^{May borrow money.} money on bond or bonds, note or notes, in the name of the inhabitants of said township or otherwise, and to renew the same from time to time, as may be necessary, and they and

each of them shall be indemnified and saved harmless in their individual capacities and estates by the township, against all losses, except as residents and taxpayers in said township.

To provide for
payment by
taxation.

4. *And be it enacted*, That for the purpose of providing for the payment of the said indebtedness, and the interest thereon, it shall be lawful to assess and collect, in each and every year until the whole be discharged, the amounts necessary, upon the inhabitants of said township, in the same manner as other township taxes are assessed and collected; *provided*, that a poll tax of ten dollars on each and every single man and five dollars on every married man over the age of twenty-one years, in said township, be assessed and collected, and devoted to the payment of said indebtedness.

Proviso.

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

Approved March 30, 1865.

CHAPTER CCCLXXVI.

An Act relative to the Teacher and Moral Instructor to the convicts in the State Prison.

Salary of
moral instructor.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the person employed as teacher and moral instructor to the convicts in the state prison, shall hereafter devote his whole time to the better and more efficient discharge of the duties of the said office, and that in consideration thereof he be paid a salary at the rate of one thousand dollars by the year, to be paid quarterly by the treasurer, upon the proper warrant.

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

Approved March 30, 1865.

CHAPTER CCCLXXVII.

An Act to authorize the inhabitants of the township of Caldwell, in the county of Essex, to raise money for war purposes.

WHEREAS, the inhabitants of the township of Caldwell, in the county of Essex, did, at a special town meeting, held on the twenty-eighth day of February, Anno Domini, eighteen hundred and sixty-five, by a unanimous vote, authorize their township committee to negotiate a loan of a sufficient amount of money, and to issue the bonds of the township, bearing interest at the rate of seven per centum per annum, for the purpose of paying the sum of two hundred and fifty dollars to each person furnishing a substitute, or to each drafted man mustered into the service of the United States and credited to the said township, under the last call of the president of the United States for three hundred thousand men; and whereas, the greater part of said money authorized to be raised by the township committee having been expended in procuring volunteers to fill the quota of the township, under the aforesaid call of the President; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the township committee of the township of Caldwell, to provide for the payment of moneys expended in filling the quota of said township under the aforesaid call of the president of the United States, by issuing bonds in the name of the inhabitants of the township of Caldwell, in the county of Essex, payable in five years, and bearing interest at the rate of seven per centum per annum, payable annually, and to pledge the property and credit of said township for the payment of the same.

2. *And be it enacted*, That the said township committee shall have power and authority to provide by taxation for the payment of said bonds, and the interest thereon; and the said township committee shall yearly, and every year, until the said bonds issued by authority hereof shall be redeemed and paid, order and cause to be assessed and collected by tax, at the time and in the manner other taxes in said township are assessed and collected, a sufficient sum of money to pay the

Preamble.

To provide for payment of indebtedness by issuing bonds.

Payment of principal and interest by tax.

interest on the said bonds as the same shall become due and payable, and to pay and discharge the principal at the time it shall become due and payable, and that the township collector of said township shall, when such tax, or any part thereof, shall be collected, pay the same to the township committee of said township, and that all such moneys so to be raised by virtue of this act, shall be applied by said township committee, or their successors in office, to pay the interest and principal of said bonds as the same shall become due and payable; *provided*, that the principal of said bonds do not exceed the sum of ten thousand dollars.

Proviso.

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

Approved March 30, 1865.

CHAPTER CCCLXXVIII.

An Act to incorporate the New Jersey Paper Manufacturing Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Cornelius A. Wortendyke, Robert Hoffman, George S. Moulton, John Hopper and Isaac Demarest and the survivors of them, and all such persons as may hereafter be associated with them, or their survivors, their successors and assigns, shall be and they are hereby created a body politic and corporate in fact and in name, by the name of "The New Jersey Paper Manufacturing Company," for the purpose of manufacturing paper and paper twine and other articles of which paper may form a component part, and of carrying on the business incident thereto; and by that name shall have continued succession, and shall be capable of holding, purchasing, leasing, mortgaging and conveying any lands, tenements, goods and chattels necessary or proper for the objects of the corporation hereby created.

Election of directors.

2. *And be it enacted*, That the stock, property and concerns of the said company, shall be managed and conducted by not less than three nor more than five directors, being stockholders, one of whom to be president, who shall hold their office

for one year; and that the said directors shall be chosen on the first Monday in January, or on such other day as the directors shall appoint, in every year, at such place and time as shall be directed by the by-laws of said corporation, and public notice shall be given of the time and place of holding every such election, not less than ten days previous, in a newspaper published in the city of Paterson, in the county of Passaic, or in the county of Bergen, by such of the stockholders as shall attend for that purpose, either in person or by proxy, and each stockholder shall be entitled, either in person or by proxy, or by power of attorney, to as many votes as he or she shall hold shares of the capital stock of said company, and the persons having the greatest number of votes, being stockholders, shall be directors, and the directors chosen at one election shall be capable of serving, by virtue thereof, until another election shall have been had; and the directors so chosen may appoint such officers and superintendents, and assign such compensation as they shall think fit, not less than a majority of the whole number being present when the same shall be done; and if it at any time happen that any vacancy or vacancies occur by death, resignation, or otherwise, among the directors named in this act, or those hereafter to be elected, such vacancy or vacancies shall be filled by such person or persons as the remainder of the directors for the time being or a majority of them shall appoint; and until other directors are chosen from the stockholders, the first directors shall be Cornelius A. Wortendyke, Robert Hoffman, George S. Moulton, John Hopper, and Isaac Demarest, who shall hold their office until the first Monday in January next, and until others are legally chosen.

First directors

3. *And be it enacted*, That the capital stock of said company shall be eighty-five thousand dollars, with liberty to the said directors to increase the same to one hundred and twenty-five thousand dollars if they deem it proper so to do, to be divided into shares of one hundred dollars each; and as soon as thirty thousand dollars of the said capital stock shall have been subscribed and paid, or satisfactorily secured to be paid, it shall and may be lawful for the said company to commence business, and with that capital conduct and carry on their operations until they deem it expedient to extend the same; and it shall be lawful for the directors of the said company to call and demand from the stockholders of said company respectively, all such sums of money by them subscribed, at such time and in such proportion as they shall deem proper

Amount of capital stock.

not exceeding twenty-five dollars on each share at any one time, under pain of forfeiting the shares of the said stockholders, and all previous payments thereon, if such payments shall not be made within thirty days after a notice shall have been published for the space of twenty days, in one or more newspapers published in the said city of Paterson, in the county of Passaic, or in the county of Bergen; and any land, buildings, property or machinery, used in the business of the said company and received in payment or satisfaction of subscriptions for stock, shall be taken at a valuation approved by a majority of the board of directors.

Books of subscription to be opened. 1

4. *And be it enacted*, That the subscription of the said stock shall be opened at such time or times and place or places as the directors shall designate, under the direction of the board of directors, or such of them as shall be designated by said directors for that purpose; and if more stock is subscribed for than the amount deemed by the directors proper for carrying on said business, the said directors shall have the power to distribute the shares deemed by them sufficient, between those subscribing, in such proportion as they shall deem proper.

Stock transferable.

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

Proviso.

Not dissolved for failure to elect.

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

Powers of directors.

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

Proviso.

8. *And be it enacted*, That the directors shall at all times

keep, or cause to be kept, proper books of account, in which shall be entered all the transactions of the said corporation, which shall at all times be open to the inspection of the stockholders of the said corporation, or their legal attorney or attorneys, and further, that no transfer of stock shall be valid or effectual until such transfer shall be entered and registered in the books to be kept by the president and directors for that purpose.

Books of account to be kept.

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

Company may be dissolved.

Proviso.

10. *And be it enacted*, That this act shall continue in force for the space of thirty years, and shall go into effect immediately.

Limitation.

Approved March 30, 1865.

CHAPTER CCCLXXIX.

An Act to encourage and facilitate the improvement of lands in this state.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any number of persons, not less than ten, who shall sign a certificate that they have formed a company under the provisions of this act, for the purpose of making a settlement of lands within the limits of this state, of laying out such lands into convenient lots, of improving the same and developing the resources thereof by

Certificate to be signed and filed in office of secretary of state.

laying out roads, streets and avenues through the said lands, by the erection of buildings thereon, and by clearing, fencing, and otherwise bringing the same into cultivation and use, and who shall state in said certificate the county in which are situated the lands designed to be improved and settled, the name adopted for such company, and the place where its office is to be located and its business transacted, shall, with their associates and such other persons as may hereafter be associated with them and their successors and assigns, upon filing the said certificate in the office of the secretary of state, thenceforth be a body corporate and politic in law, with all the powers mentioned in the act entitled "An act concerning corporations," approved the fourteenth day of February, one thousand eight hundred and forty-six, and said certificate or copy thereof, duly certified by the secretary of state, shall be evidence of the incorporation of said company in all courts and places.

Amount of
capital stock.

2. *And be it enacted*, That the capital stock of such company shall not be less than one hundred thousand dollars, but may be from time to time increased to any amount not exceeding five hundred thousand dollars, and shall be divided into such number of equal shares as may be convenient, which may be subscribed and paid at such times, in such manner, in such installments, and upon such notice as the directors of such company by the by-laws or otherwise may order or direct.

Stock personal
property.

3. *And be it enacted*, That the capital stock of such company shall be deemed personal property, and for the said shares such company may issue certificates of stock, and the said shares be transferable only on the books of the company in such manner as the board of directors by the by-laws may direct; and every share of said stock shall entitle the holder thereof to one vote, either in person or by proxy.

To adopt by-
laws, &c.

4. *And be it enacted*, That such company may adopt such form of constitution and by laws, not repugnant to the constitution and laws of this state or of the United States, and not contrary to the provisions of this act, as to them shall seem right and proper, and may, from time to time, alter and amend the same, in the manner therein provided.

Election of di-
rectors.

5. *And be it enacted*, That the affairs of such company shall be managed by a board of not less than five nor more than thirteen directors, to be chosen by the stockholders of said company annually, at such times and in such manner as by the by-laws of the said company may be directed, and

who shall serve for one year, and until others shall be chosen in their stead, notice of which election shall be previously given for two weeks at least in some newspaper published in the county where said election is to be held; and in case it shall happen that an election of directors shall not be made when it ought to have been made, the said corporation shall not for that cause be deemed to be dissolved, but the said election shall be held as soon thereafter as possible, and public notice shall be given as before directed.

6. *And be it enacted*, That such company by its corporate name, so as aforesaid certified, shall be capable of purchasing, holding, and conveying lands and tenements, goods and chattels, and of doing and performing all other acts and things necessary or proper for accomplishing the objects of such company created by this act; they may issue bonds, secured by mortgage, in payment of such portion, not exceeding one-fourth, of the purchase money of lands bought by them, on which it may not be convenient to pay cash or its equivalent, but at no time shall the amount of land held by such company exceed twenty-five thousand acres, and they may sell and dispose of their said lands in convenient quantities to settlers and others, at fair and reasonable prices, and on fair and reasonable terms; and all deeds of conveyance of lands or tenements granted by any company formed in pursuance of this act, shall be held to be valid and binding, with all the restrictive clauses as against nuisances, unless the same be contrary to the constitution or laws of this state.

7. *And be it enacted*, That the funds of such company, after payment of expenses shall be invested in the purchase or payment of the bonds secured by mortgage as aforesaid, or in loans to actual settlers, to assist them in improving the lands sold or disposed of to them, but no dividend or division of the profits shall be made until all the said bonds are paid.

8. *And be it enacted*, That all matters not herein provided for shall be regulated by the constitution and by-laws of said company.

9. *And be it enacted*, That every such company shall furnish to the secretary of state, an annual statement of the condition and business of the company, duly attested under oath or affirmation by the proper officers of the company, and further, the legislature of this state shall have power to repeal or amend this act or to annul and dissolve any company formed in pursuance thereof.

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

Approved March 30, 1865.

CHAPTER CCCLXXX.

A Further Supplement to an act incorporating the New York and Fort Lee Railroad Company.

Time extend-
ed.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the time for completing the railroad authorized to be constructed by said act, and the supplements thereto, be extended five years.

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

Approved March 30, 1865.

CHAPTER CCCLXXXI.

A Supplement to an act entitled "An act for the better preservation of the public peace in the township of Millville, in the county of Cumberland.

To elect a pre-
sident.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the township committee of Millville township, at their regular meeting on the first Monday of April of each year, as provided in the first section of the act to which this is a supplement, to elect as president of the board for grading the streets and preserving good order in the town of Millville, any citizen of said township, whether a member of the township committee or not, whose powers and duties shall be the same in all respects as are enjoined upon the president of said board by the act to which this is a supplement.

2. *And be it enacted*, That the said board shall have power ^{Powers of board.} to assess and collect such sums of money as may be necessary to defray the expenses of the corporation in carrying out the provisions of the act to which this is a supplement, and that it shall be the duty of the president of the board and town marshal to prevent crowds from assembling on the sidewalks and corners of the streets, and to disperse them when so assembled.

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

Approved March 30, 1865.

CHAPTER CCCLXXXII.

A Supplement to an act entitled "An act relative to the public streets in the town of Millville, in the county of Cumberland," approved March ninth, eighteen hundred and fifty-nine.

WHEREAS, Thomas H. Paschall, under the direction of the ^{Preamble.} township committee of Millville township, in the county of Cumberland, did complete a map of the town of Millville, called the "Millville town plot," on which said plot or map were marked and established certain streets to be made public highways; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Location changed.} *the State of New Jersey*, That that part of Oak street marked and established upon the said map, which runs from Buck street to Dock street, be and the same is hereby changed, so that it shall hereafter be located and established twenty-three feet north of its location as fixed on the map as aforesaid.

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

Approved March 30, 1865.

CHAPTER CCCLXXXIII.

Supplement to an act entitled "An act to authorize the inhabitants of School District Number Four, in the township of Millville, to raise money to build school houses and for the support of public schools," passed February twenty-sixth, eighteen hundred and forty-nine.

Preamble. WHEREAS, great inconvenience has arisen to the trustees and others, from the time of holding the district meeting occurring in the middle of the school year; therefore,

Election of trustees. 1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That the taxable inhabitants of School District Number Four, shall hold their annual meeting for the election of trustees, and other purposes, on the second Monday in August of each and every year, and that the two trustees whose terms of office shall expire in April preceding the date of this bill shall hold over and continue in office until the following August, as provided by this supplement.

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

Approved March 30, 1865.

CHAPTER CCCLXXXIV.

An Act to legalize certain acts of the town committee and inhabitants of the township of Westfield, in the county of Union, in raising money for volunteers for the war; and to authorize them to hold special town meetings in the future for that purpose.

Preamble. WHEREAS, the inhabitants of the township of Westfield, in the county of Union, pursuant to a call of the town committee of said township, for the purpose of raising money to procure volunteers, did, on the twenty-fifth day of August, Anno Domini eighteen hundred and sixty-four, assemble in

town meeting, and by a unanimous vote order and direct the town committee thereof, in addition to the county bounty, to raise by taxation, a sum sufficient to procure volunteers to fill the quota of said township under the call of the president for five hundred thousand men; and did direct the assessor immediately to proceed and assess the same on the taxable inhabitants and property of said township, and that the collector should collect the same at the same time the other taxes were assessed and collected; and that agreeable to said order, the sum of seven thousand and seven hundred dollars was borrowed by the said town committee and the inhabitants thereof, and the same expended in paying and furnishing volunteers to fill their quota under said call; and whereas, doubts have arisen concerning the legality of said assessment, and the right and authority of the collector to enforce payment thereof, and as several of said inhabitants have wholly refused to pay the same; therefore,

1. BE IT ENACTED *by the Senate and General Assembly* Acts legalized of the State of New Jersey, That the acts and doings of the township committee and the inhabitants of the township of Westfield, in the county of Union, mentioned and set forth in the preamble of this act, are valid in all respects, and binding upon the inhabitants and taxable property of said township; and that the collector of said township, or his successor in office, hereby has full power and authority to enforce payment of all such taxes as still remain unpaid; and if payment be not made within thirty days after the same shall have been demanded by the collector, he shall make return of the name or names of all such delinquents to any justice of the peace in said county, who shall within five days issue his warrant to the collector, directing him to levy by distress and sale of the goods and chattels of such delinquent, to the amount of the tax, interest and costs, giving the usual notice of such sale, and pay the money when collected to the township committee; and the collector of said township shall be, in all courts and places, deemed and adjudged to have and to have had full power and authority to collect the said taxes, in the manner now prescribed relative to the collection of taxes; and that the assessment made as aforesaid shall not be, for or by reason of anything before mentioned, set aside or annulled; *provided*, that all those who have heretofore or may hereafter Duty of collector. proviso. furnish substitutes for three years for the present war shall be exempted from the assessment and payment of a poll tax dur-

ing the period of time such substitutes were put in so that said exemption shall be uniform and equal among them; *provided* further, that if any money is hereafter raised and paid for substitutes the same amount paid per capita for such substitutes shall be paid to those who have heretofore been drafted and furnished substitutes.

Proviso.
May raise money for any future calls.

2 *And be it enacted*, That in order to fill their quota for the present and future calls of the president of the United States, the town committee of said township of Westfield are hereby authorized to call special town meetings, to be held where the last annual town meetings were held, giving the usual notices, as in other cases of annual town meetings; and the inhabitants, when so assembled, shall organize themselves into town meeting by choosing a moderator and clerk, and shall have the power and authority to raise by tax a sufficient sum of money to procure volunteers or substitutes, or such sum or sums of money as they may deem expedient for the present and such future drafts or calls as may be made upon them by the president; and they may authorize the town committee thereof to issue bonds or to borrow such sum or sums of money as may be deemed necessary for the above object.

Duties of assessor and collector.

3. *And be it enacted*, That as soon as the amount to be raised shall be ascertained, the town committee shall order and direct the assessor of said township to assess the same upon the taxable property and inhabitants thereof, with a poll tax of five dollars, in the same manner and ratio that other taxes are assessed; and as soon as the assessment is completed the assessor shall deliver the duplicate of the same to the collector, who shall proceed to demand and collect the same; and if any portion of said taxes shall remain unpaid for the space of thirty days after the same shall have been demanded, he shall make return of the name or names of all such delinquents to some justice of the peace in said county, who shall within five days, issue his tax warrant, as he is directed in the first section of this act; and the assessor and collector shall have the same authority and be under the same restrictions, and be entitled to the same fees as in other cases of taxation.

4. *And be it enacted*, That this act shall take effect immediately, and be deemed and taken as a public act.

Approved March 30, 1865.

CHAPTER CCCLXXXV.

An Act to confirm the acts and proceedings of the inhabitants and of the township committee of the township of Rockaway, in the county of Morris, and to authorize the raising of money for the payment of bounties to drafted men, volunteers and substitutes; for filling the quota of said township under the call of the President of the United States, made in December, eighteen hundred and sixty-four, and for other purposes.

WHEREAS, the inhabitants of said township of Rockaway, at ^{Preamble.} a public meeting thereof duly called for that purpose, and held on the _____ day of _____ last eighteen hundred and sixty-five, did resolve and determine, by a vote thereof, among other things, that the township committee of said township be authorized and requested to raise any sum not exceeding seven thousand dollars on the faith and credit of said township, for the purpose of paying bounties to volunteers, drafted men or substitutes to fill the quota of twenty men assigned to said township under said call, for one year, three hundred and fifty dollars each to every man who should be credited to said township under said call upon said quota; and that for said sum of seven thousand dollars, in case said committee should be unable to raise the money by loan, the said committee should issue the scrip of said township, and give to each such drafted man, volunteer or substitute the sum for an amount not exceeding three hundred and fifty dollars; and that said sum of seven thousand dollars be paid in two equal payments; the first one-half of said sum on the first Monday in April, eighteen hundred and seventy-one, and the other half of said sum on the first Monday in April, eighteen hundred and seventy-two; that such scrip should bear interest from the date of the issuing thereof; that the interest on said scrip should be paid on the first Monday in April, eighteen hundred and sixty-seven, which may have accrued thereon, from the date thereof, to the day and year last named; and furthermore, on the first Monday in April in each year thereafter, until the said scrip shall be paid; and that, for purpose of paying such scrip and interest there should be levied a poll tax of ten dollars, upon every taxable unmarried man, and a

poll tax of five dollars upon every taxable married man, and in case the said poll tax shall not be sufficient to raise the said sums, then and in that case, the balance shall be levied upon the taxable property, real and personal, of the inhabitants of said township; therefore,

Acts legalized

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That the said acts and proceedings of the said inhabitants of the said township of Rockaway, in the county of Morris, and of the said township committee, done and to be done in the execution and carrying out of the resolutions of said meeting, be and hereby are ratified and confirmed, and the said debt of seven thousand dollars, and the said scrip that has been and that shall be issued under said resolutions of said meeting, be and the same shall be binding upon said township and the inhabitants thereof in their corporate capacity, and property of the same.

To issue scrip.

2. *And be it enacted,* That the said township committee are hereby authorized and empowered to issue such scrip to each volunteer, drafted man or substitute, who shall be or may have been credited upon and towards filling said quota under said call, for three hundred and fifty dollars, bearing interest at the rate of seven per cent. from its date per annum, payable as above in the preamble to this bill mentioned, and the principal sum payable as in said preamble mentioned, and which scrip shall bear upon its face, the printed words, "second issue," and shall be signed by the chairman of said township committee, and shall be countersigned by the clerk of said township.

Taxes to be assessed and collected.

3. *And be it enacted,* That the said poll taxes shall be assessed, levied and collected in the year eighteen hundred and sixty-six, and at the same time and in the same manner as other county and township taxes shall be assessed, levied and collected in that year, and shall be first applied towards the payment of the interest that shall accrue, to the first Monday of April, in the year eighteen hundred and seventy-one; and whatever sum so raised by such poll taxes shall remain after the payment of such interest to the day and year last aforesaid, shall be applied towards the payment of the principal of said scrip, which shall mature in the year eighteen hundred and seventy-one; and that the remaining part of said principal sum of said scrip, together with the remaining interest that shall accrue thereon, shall be assessed as aforesaid, upon the taxable property in said township, real and personal, and levied and collected, in like manner and

at the same time, as other township and county taxes shall be assessed, levied and collected as follows: one equal half thereof in the year eighteen hundred and seventy, and the other half thereof in the year eighteen hundred and seventy-one; and be applied in payment of said scrip, and such remaining interest thereon, as aforesaid, and the legal expenses of such assessing, levying, and collecting thereof, and any surplus of money so raised, if any, that shall be left after and beyond such payments, shall go into the treasury of the township, for township purposes.

4. *And be it enacted*, That in order to provide for the filling of the quota of said township, under any future call or calls for troops that may be assigned to said township, it shall and may be lawful for said township committee, from time to time, unless otherwise by some act of the legislature provided, to cause such amount of tax as may be needed for the purpose, and as may be fixed by said inhabitants, at a town meeting thereof duly called for that purpose, by a vote of two-thirds of those voting at such meeting, and whether by poll taxes, and if so what amount thereof, and what amount by tax upon real and personal estate, to be assessed, levied and collected (unless otherwise ordered by said meeting) at the same time and in the same manner as other township and county taxes are or shall be assessed, levied and collected in said township, in what year or years said amount shall be ordered by such meeting to be raised, and to issue the scrip of said township therefor, and redeem the same by the taxes so collected; *provided*, that a certified copy of the proceedings of such meeting had for that purpose, shall be signed by the clerk of said meeting and duly delivered by him to the assessor of said township for the time being, and a like copy thereof be duly delivered to said township committee, to be filed among the papers of said committee, at least twenty days before the time for making such regular annual assessment of taxes for the year, or upon the time specially fixed upon by said meeting for that purpose; which proceedings shall be full and ample authority to said committee to order such assessment, and for the said assessor to assess, and the collector to collect the same in the manner so by said meeting fixed and authorized.

Future calls
provided for.

Proviso.

5. *And be it enacted*, That this act shall take effect immediately, and be taken and held to be a public act in all courts and places whatsoever.

Approved March 31, 1865.

CHAPTER CCCLXXXVI.

An Act to authorize the inhabitants of the township of Clinton, in the county of Essex, to raise money by taxation.

Taxes to be assessed and collected.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the inhabitants of the township of Clinton, in the county of Essex, to raise by assessment for the year eighteen hundred and sixty-five on the taxable property of said township, in the same manner that other taxes are assessed and collected, a sum of money not exceeding seven thousand dollars, to be paid by the collector of said township into the hands of the township committee of said township, to be by them appropriated to paying off and discharging the indebtedness incurred by said township for bounties paid to volunteers enlisted in the army and navy of the United States, to fill the quota of said township under the last call.

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

Approved March 31, 1865.

CHAPTER CCCLXXXVII.

An Act to incorporate the Paterson Petroleum Company.

Names of incorporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Albert A. Hopper, Henry W. Merrill, David D. Hennion, and John Hopper, and such other persons as may be associated with them, and their successors, are hereby created and declared to be a body politic and corporate in law, by the name of "The Paterson Petroleum Company," and by that name shall have perpetual succession and all the privileges and franchises belonging or incident to a corporation.

Amount of capital stock.

2. *And be it enacted*, That the whole amount of the capital stock of said company shall be three hundred thousand dol-

lars, to be divided into shares of five dollars each, which shall be personal property, and be transferable on the books of said company.

3. *And be it enacted*, That the above named corporators, Commissioners to receive subscriptions. or a majority of them, shall be commissioners to receive subscriptions to the capital stock of said company at such time and place or places in this state, and upon such notice as they shall direct; and at the time of subscribing for said stock, such amount on each share shall be paid, satisfied or satisfactorily secured to said commissioners as they or a majority of them shall determine, and the residue of the subscription shall be paid, satisfied or secured as the directors may determine, in such installments, at such times and places, in such manner, and to such person or persons as said directors shall from time to time direct, giving notice of such time and place, and person or persons, by a notice published in a newspaper printed and circulating in the county of Pas-saic, for two weeks, at least once in each week; and upon the failure of any person to pay, satisfy or secure the payment of the installments, or any of them, as aforesaid, the said directors shall have power to forfeit the shares of each and every person so failing, or any of them, to and for the use and benefit of the said company; and any shares of stock so forfeited, as aforesaid, may be held by the said company, or any person or persons, for its benefit, and may at any time be sold or disposed of for the benefit of the company as said directors may direct, or divided proportionately among the remaining stockholders, to be by them held and enjoyed, or sold and transferred with all the rights and benefits incident thereto, the same in all respects as if they were original shares by them subscribed; and any land, property or materials used in the business of the said company received in payment or satisfaction of subscriptions for stock shall be taken at a valuation, approved by a majority of the above named corporators.

4. *And be it enacted*, That whenever fifty thousand dol-lars of the capital stock aforesaid shall have been subscribed, the commissioners or a majority of them shall as soon as they deem expedient, give notice in such manner as they may determine, of a meeting of the stockholders, at such time and place as they may designate, to choose seven directors, who shall hold their office for one year and until others are duly elected; and such election shall be made at the time and place appointed by such of the stockholders as shall attend Election of di-rectors.

for that purpose, either in person or by proxy, each share of stock entitling the holder thereof to one vote; and the directors chosen at such a meeting or at the annual elections of said corporation, shall as soon as may be after every election, choose out of their own number a president, who shall hold his office for one year, and until his successor is duly appointed; and in case of the death, resignation, or other incapacity of the president or any director, such vacancy may be filled by the board of directors for the remainder of the then current year.

Powers of
company.

5. *And be it enacted*, That the said company shall be and they are hereby authorized and empowered to establish and carry on the business of developing oil lands, digging, boring and excavating mines, shafts and wells, and mining, producing and obtaining oil and other products or minerals from the earth, and manufacturing in forms, refining, transporting and vending the same, and for that purpose to purchase, rent, take, hold, occupy and enjoy, grant, demise, lease and convey, in this or any other state or territory, such and so many lands, mines, deposits, springs and wells, and such parts, shares and interests therein as they may deem proper, in fee simple or any less estate; and to purchase, rent, hire, erect, build, hold, maintain and use, grant, demise, lease and convey such buildings, tramways, wells, aqueducts, drains, tanks, engines, machinery and other real and personal property, as they may deem necessary or proper for developing their property and carrying on their business; and when by the laws of the state or territory where any of the property may be situate, or be, the said company may not be authorized or capable to have, hold, enjoy or convey, rent and lease the same or the legal estate therein, themselves or otherwise, when they may think proper, the said company may purchase, hire, rent, have, hold, use, enjoy, grant, lease and convey any trust or other equitable or beneficial estate or interest as cestui que trust or otherwise, in any property which may be purchased, hired, leased or held, by trustees or other person for the use or benefit of said company; and the same shall make part of the value of, and be represented by the stock of said company; *provided*, that the said company shall not be taxed in this state for or by reason of, or of any interest in, any real estate situate in any other state or territory, and taxed therein.

Proviso.

Powers of di-
rectors.

6. *And be it enacted*, That the board of directors of said company shall have power to make and adopt a common seal

for said corporation; to appoint from their own number or otherwise, a treasurer and secretary, and such other officers of the board and of the company as they may think necessary, and to fix their salaries; to borrow such sums of money as they may from time to time deem advisable for the purposes of said company, and to issue the bonds of said company therefor, and secure the payment of the same by a mortgage or mortgages on the lands, estate and other property of said company, and to make such by-laws, not inconsistent with the provisions of this act, as they may think proper, regulating the issuing and transfer of stock, and for the general government and management of the affairs of the company.

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

Approved March 31, 1865.

CHAPTER CCCLXXXVIII.

An Act to incorporate Franklin Lodge, Number Ten, Free and Accepted Masons of the state of New Jersey.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Edward Fullings, Charles C. Stewart, John T. Parcell, William Petty, E. S. Looker, Josiah L. Baldwin, Charles M. Durand, John Van Cleve, Theodore G. Palmer and John Ryno, and their associates, officers and members of Franklin Lodge, Number Ten, Free and Accepted Masons of the state of New Jersey, and their successors be, and they are hereby constituted and declared to be a body corporate and politic in law, by the name, style and title of "Franklin Lodge, Number Ten, Free and Accepted Masons of the state of New Jersey," and by that name they and their successors shall and may at all times hereafter be capable in law of having, purchasing, holding and possessing any lands, tenements, hereditaments and personal estate, purchased, devised or bequeathed by any person or persons, body corporate or politic capable of making the same; and also to have a common seal, and the same to use at pleasure; *provided always*, that the said corporation or

Names of corporators.

Proviso.

body politic shall not at any time hold or possess property, real, personal or mixed, the net income of which shall exceed the sum of five thousand dollars.

2. *And be it enacted*, That this act shall be deemed a public act, and take effect immediately.

Approved March 31, 1865.

CHAPTER CCCLXXXIX.

An Act to revive and continue in force an act approved the thirteenth day of March, Anno Domini eighteen hundred and sixty-one, entitled "An act to incorporate the Middlesex and Union Railroad Company."

Act revived.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That notwithstanding anything in the sixteenth section of the act to which this is a supplement, the said act to which this is a supplement shall from henceforth be and continue in full force and operation; *provided however*, if the said railroad shall not be commenced in three years from the first day of January next and completed in ten years thereafter, then this act shall be void.

Proviso.

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

Approved March 31, 1865.

CHAPTER CCCXC.

An Act to incorporate the Newark and Centerville Petroleum Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That John H Stephens, Lyndon A. Smith, Joseph Battin, Daniel Dodd, Reuben D. Baldwin, John J. Young, and Samuel T. Guerin, and such other persons as may be associated with them and their successors, are hereby created and declared to be a body politic and corporate in law by the name of "Newark and Centerville Petroleum Company," and by that name shall have perpetual succession and all the privileges and franchises belonging or incident to a corporation.

Names of corporators.

2. *And be it enacted*, That the whole amount of the capital stock of said company shall be one hundred thousand dollars, to be divided into shares of fifty dollars each, which shall be personal property and be transferable on the books of said company.

Amount of capital stock.

3. *And be it enacted*, That the above named corporators, or a majority of them, shall be commissioners to receive subscriptions to the capital stock of said company, at such time and place or places in this state, and upon such notice as they shall direct; and at the time of subscribing for said stock such amount on each share shall be paid, satisfied or satisfactorily secured to said commissioners as they or a majority of them shall determine, and the residue of the subscription shall be paid, satisfied or secured as the directors may determine, in such installments, at such times and places, in such manner and to such person or persons as said directors shall from time to time direct, giving notice of such time and place, and person or persons, by a notice published in a newspaper printed and circulating in the county of Essex, for two weeks, at least once in each week; and upon the failure of any person to pay, satisfy, or secure the payment of the installments or any of them as aforesaid, the said directors shall have power to forfeit the shares of each and every person so failing, or any of them, to and for the use and benefit of the said company; and any shares of stock so forfeited as aforesaid, may be held by the said company, or any person or persons for its benefit, and may at any time be sold or disposed of for the benefit of the com-

Commissioners to receive subscriptions.

pany, as said directors may direct, or divided proportionately among the remaining stockholders, to be by them held and enjoyed, or sold and transferred with all the rights and benefits incident thereto, the same in all respects as if they were original shares by them subscribed; and any land, property or materials used in the business of the said company, received in payment or satisfaction of subscriptions for stock, shall be taken at a valuation approved by a majority of the above named corporators.

Election of directors.

4. *And be it enacted*, That whenever fifty thousand dollars of the capital stock aforesaid shall have been subscribed, the commissioners, or a majority of them, shall, as soon as they deem expedient, give notice in such manner as they may determine, of a meeting of the stockholders, at such time and place as they may designate, to choose seven directors, who shall hold their office for one year and until others are duly elected; and such election shall be made at the time and place appointed by such of the stockholders as shall attend for that purpose, either in person or by proxy, each share of stock entitling the holder thereof to one vote; and the directors chosen at such meeting, or at the annual elections of said corporation, shall, as soon as may be, after every election, choose out of their own number a president, who shall hold his office for one year, and until his successor is duly appointed, and in case of the death, resignation, or other incapacity of the president or any director, such vacancy may be filled by the board of directors for the remainder of the then current year.

Powers of company.

5. *And be it enacted*, That the said company shall be and they are hereby authorized and empowered to establish and carry on the business of developing oil lands, digging, boring, and excavating mines, shafts and wells, and mining, producing, and obtaining oil and other products or minerals from the earth, and manufacturing into forms, refining, transporting and vending the same, and for that purpose to purchase, rent, take, hold, occupy and enjoy, grant, demise, lease and convey in this, or any other state or territory, such and so many lands, mines, deposits, springs and wells, and such parts, shares and interests therein, as they may deem proper in fee simple or any less estate; and to purchase, rent, hire, erect, build, hold, maintain and use, grant, demise, lease and convey such buildings, tramways, wells, aqueducts, drains, tanks, engines, machinery, and other real and personal property as they may deem necessary or proper for developing their property and

carrying on their business; and when by the laws of the state or territory where any of the property may be situate or be, the said company may not be authorized or capable to have, hold, enjoy or convey, rent and lease the same, or the legal estate therein, themselves or otherwise, when they may think proper the said company may purchase, hire, rent, have, hold, use, enjoy, grant, lease and convey any trust or other equitable or beneficial estate or interest, as cestui que trust or otherwise, in any property which may be purchased, hired, leased or held by trustees or other person or persons for the use or benefit of said company; and the same shall make part of the value of, and be represented by, the stock of said company; *provided*, that the said company, shall not be Proviso. taxed in this state for or by reason of, or of any interest in any real estate situate in any other state or territory and taxed therein.

6. *And be it enacted*, That the board of directors of said Powers of directors. company shall have power to make and adopt a common seal for said corporation, to appoint from their own number, or otherwise, a treasurer and secretary, and such other officers of the board and of the company as they may deem necessary, and to fix their salaries; to borrow such sums of money as they may from time to time deem advisable for the purposes of said company, and to issue the bonds of the said company therefor, and secure the payment of the same by a mortgage or mortgages on the lands, estate, and other property of said company, and to make such by-laws, not inconsistent with the provisions of this act, as they may think proper, regulating the issuing and transfer of stock, and for the general government and management of the affairs of the company.

7. *And be it enacted*, That the capital stock of the said Capital stock may be increased. company may be increased to any sum not exceeding five hundred thousand dollars, whenever a majority in interest of the stockholders shall so determine; and the said increased capital stock, or any part thereof, may be sold or disposed of for the benefit of the company, or divided proportionately among the stockholders, as the majority interest of the same shall determine.

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

Approved March 31, 1865.

CHAPTER CCCXCI.

An Act to authorize the building of a bridge, over the South Shrewsbury river, at or near Jumping Point, in the county of Monmouth.

Authorized to
construct
bridge.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the board of chosen freeholders of the county of Monmouth, to build and construct, or cause to be built and constructed, a bridge across the South Shrewsbury river in said county, commencing at or near Jumping Point, in the township of Shrewsbury, and thence to a point on the opposite side of said river, in the township of Ocean, in said county, meeting and connecting with the Long Branch and Sea Shore Railroad, now being constructed, and to place on said bridge a draw or swing, of at least thirty-five feet in width, of such construction as to impede as little as possible the navigation of said river.

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

Approved March 31, 1865.

CHAPTER CCCXCII.

A Further Supplement to an act entitled "An act to authorize the construction of works for the supplying of Jersey City and places adjacent with pure and wholesome water," approved March twenty-fifth, one thousand eight hundred and fifty-two.

Authorized to
take up sew-
ers.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the common council of Jersey City, whenever in their estimation the public good will be promoted thereby, and application shall be made to them as directed by a supplement to the act to which this act is supplementary, approved March sixteenth,

one thousand eight hundred and fifty-four, for such purpose, to direct, in the manner provided in said supplement, the water commissioners of Jersey City to take up any sewer or sewers constructed prior to the adoption of the plan named in said act of one thousand eight hundred and fifty four, whether directed in said plan to be taken up or not, or any sewer or sewers or parts thereof, which may have been constructed or ordered to be constructed according to said plan, and which may have proved in the estimation of said water commissioners in-operative for the purposes for which the same were intended, and to rebuild the same in conformity with the said plan, and according to the directions of the acts to which this act is supplementary, whereupon it shall become the duty of the said water commissioners to take up and rebuild said sewers in the manner now authorized for other sewers in said city.

2. *And be it enacted*, That for the purpose of enabling ^{May issue} the said water commissioners to pay the costs and expenses ^{bonds.} incident to the taking up and re-building the sewer or sewers, or parts thereof, in the first section of this act mentioned, it shall be lawful for the said commissioners to issue bonds from time to time, as occasion may require (in addition to the evidences of indebtedness now authorized), for the payment thereof or for the purpose of raising the money necessary for the payment thereof, payable in not less than five years, and at such rates of interest, not exceeding seven per cent. per annum, as they may deem expedient; and impose upon each lot of land in said city embracing twenty-five hundred square feet or less, an annual tax not exceeding one dollar, which shall be appropriated in their discretion to the payment of the interest and principal of said bonds as the same shall become due, and be appropriated to no other purpose, which said tax shall be a lien upon said lots of land respectively, and shall be assessed and collected in the same manner as water rents are now assessed and collected.

3. *And be it enacted*, That it shall be lawful for the said water commissioners, from time to time, to invest the proceeds ^{Proceeds, how} of the tax, in the second section of this act mentioned, in ^{applied.} such manner as to them may seem advisable and judicious, and to change such investment, when, in their judgment the interest of the public may demand the same, to the end that the amount so levied may be increased by the cumulation of interest thereon; *provided*, that nothing in this section con- ^{Proviso.} tained, shall be construed as restraining the said commissioners, at any time, from appropriating any part of said proceeds

to the payment of the interest or principal on said bonds, as prescribed in the said second section of this act.

Bonds made
valid.

4. *And be it enacted*, That the bonds in this act authorized to be issued, shall be of the same force and effect, and as valid for all the purposes directed by law, as the bonds or scrip authorized by the acts to which this is a supplement, and that the same may be negotiated and pledged in the same manner and on the same terms as directed by said acts for the bonds heretofore authorized.

Applications,
to whom
made.

5. *And be it enacted*, That the applications for the taking up and rebuilding the sewer or sewers, or parts thereof, in this act mentioned, may be made to the said common council in connection with applications for the construction of any sewer or sewers, or parts thereof, now authorized to be made, and that in ascertaining the cost of said sewers the said water commissioners shall keep an account of the cost and expenses for the taking up and rebuilding the said sewers or parts thereof, hereby authorized, separate and distinct from the cost and expenses incident to new sewers, to be constructed under said plan, and that nothing in this act shall be construed as changing the method of assessing the costs and expenses of the sewers or parts thereof last mentioned.

Proceedings
in case either
party are dis-
satisfied.

6. *And be it enacted*, That either the water commissioners or owners of land heretofore taken or hereafter to be taken by virtue of the eighth section of the act to which this is a supplement, in case they are or shall be dissatisfied with the report made or to be made by the commissioners appointed to estimate and determine the value of land or damages in said section referred to, may apply on ten days' notice to the other party or their attorney, to the supreme court at the term held next after the term of the circuit court to which the said report is directed to be returned, for the appointment of three disinterested persons who shall be commissioners of review, which commissioners shall be appointed by said court; such commissioners shall meet on eight days' notice given by either of said parties, and proceed to examine the premises, with power to send for and examine persons and papers, and to swear witnesses and to compel their attendance, and the production of papers by process of subpoena to issue out of the supreme court, and shall review the proceedings of the commissioners appointed by the circuit court of the county of Hudson, so far as the value and damages or either of them are concerned, and shall report in writing under their hands to the said supreme court at the term held next after their appointment,

their estimate of the value of lands and the damages, which report shall be ordered filed by said court, and if confirmed shall be conclusive on all parties, and the costs of appointment of said commissioners and of the proceedings shall, in case their report is more favorable to the applicants for said review than to the other party, be paid by the other party, but if not shall be paid by said applicants; *provided however*,^{Proviso.} that this act shall not be held to apply to any case where the compensation heretofore awarded has been paid by the said water commissioners; *provided*, that this section shall not^{Proviso.} authorize lands to be taken by assessment where an appraisement by commissioners has already been made.

7. *And be it enacted*, That in case such report shall be confirmed by said supreme court, and there shall be no incapacity by reason of mortgage, lien or other encumbrance on said premises, or by reason of infancy, lunacy or other lawful disability on the part of said owner or owners, the amount reported by said commissioners shall be paid to such owners within two months after confirmation of said report, and in case of such incapacity or disability the said amount shall be paid into the said supreme court, to abide the further order of said court, and thereupon the said land shall become vested in fee in the mayor and common council, who shall be discharged from all claim by reason of such damages.

8. *And be it enacted*, That this act shall be deemed a public act and shall take effect immediately.

Approved March 31, 1865.

CHAPTER CCCXCIII.

Supplement to the act entitled "An act for the relief of such portion of the militia of this state as may be called into service," approved May eleventh, eighteen hundred and sixty-one.

WHEREAS, by the act to which this is a supplement, it is,^{Preamble.} among other things, provided that the sum of six dollars per month shall be allowed and paid to the families of such married persons of the militia of this state, and to the

widowed mothers of such persons, without families, dependent upon them for support, as have been or shall be mustered into the service of the United States, and inasmuch as there are many worthy and deserving females to whom the provisions of said act are not applicable; therefore,

Six dollars per month to be paid.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the sum of six dollars per month shall be allowed and paid to the mothers of such persons of the militia of this state, without families, as have been or shall be mustered into the service of the United States, where such mothers are dependent on such person so mustered in for support, whether the husband of such mother be living or not; *provided*, the husband of such mother has abandoned her and left her without support, or is insane, or from any other cause, neglects, refuses, or is unable to support her.

Proviso.

2. *And be it enacted*, That the sum of six dollars per month shall be allowed and paid to the families of such married persons of the militia of this state as have been or shall be mustered into the service of the United States, notwithstanding the date of their marriage shall be subsequent to their enlistment or muster into the service of the United States; *provided*, that such family be resident in this state.

Wives and mothers of naval recruits to receive same benefit.

3. *And be it enacted*, That the wives, widowed mothers, or mothers depending for support upon any naval recruit credited to the quota of this state, who shall be residents of the same, shall be entitled to receive the same benefit, as they would have received had the said naval recruits entered the army of the United States and been credited to the quota of this state.

Provisions of act to whom applicable.

4. *And be it enacted*, That the provisions of this act and the act to which this is a supplement shall be applicable to all persons without distinction of color, who have heretofore, or may hereafter be mustered into the military service of the United States and credited to the quota of the state of New Jersey, and whose families at the time of enlistment were, or are now residents of the same.

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

Approved March 31, 1865.

CHAPTER CCCXCIV.

A Supplement to "An act to legalize the acts of the township of Marlboro', in Monmouth county, to pay bounties, and for other purposes," approved March tenth, Anno Domini eighteen hundred and sixty-five.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the acts of the township meetings of August, eighteen hundred and sixty-four, and of January, eighteen hundred and sixty-five, referred to in the preamble of the act to which this is a supplement, be and the same are hereby ratified, confirmed and made legal, and that the township committee of said township are hereby authorized to order and direct the assessment and collection of the moneys necessary for the payment of the liabilities and indebtedness of said township, referred to in the said act, at such time or times as they may direct, and in the manner provided therein. Money to be raised by tax.

2. *And be it enacted*, That the acts already done by said township committee and by the assessor of said township, under their direction, in the assessment of the taxes referred to in said act, be and the same are hereby ratified, confirmed, and made legal. Acts ratified.

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

Approved April 3, 1865.

CHAPTER CCCXCV.

Supplement to the act respecting Executions.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That dogs shall be considered personal property, and subject as such to taxation, in addition to the tax now fixed by law for sheep damage, all laws of the state to the contrary notwithstanding. Dogs personal property.

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

Approved April 3, 1865.

CHAPTER CCCXCVI.

An Act to prevent animals from running at large in the borough of Bordentown and in the city of Newark.

Cattle, &c., not
to run at
large.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall not be lawful for any cattle, horses, mules, asses, sheep, goats or swine, to run at large in any public highway in the borough of Bordentown, in the county of Burlington, and in the city of Newark, in the county of Essex, and state of New Jersey.

To be im-
pounded.

2. *And be it enacted*, That it shall be lawful for any person to seize and take, or cause to be taken, to the public pound, any animal running at large in any public highway, and opposite the land owned or occupied by him, or trespassing upon the premises owned or occupied by him.

Duty of com-
missioner or
justice of the
peace.

3. *And be it enacted*, That whenever any such person shall seize and take, or cause to be taken to the public pound, any animal under the authority of the preceding section, it shall be the duty of such person to give immediate notice thereof to a justice of the peace, or a commissioner of the highways or streets of the borough, and such justice or commissioner shall thereupon give notice by affixing the same in three public and conspicuous places, that such animal or animals will be sold at public auction, not less than five nor more than ten days from the time of affixing such notice, to be specified in such notice; the same justice or commissioner shall proceed to sell the said animal or animals for cash, and out of the proceeds thereof shall in the first place retain the following fees and charges for his services, in giving said notice and making said sale, viz.: for every horse, mule, ass, cow, calf, or other cattle, one dollar; for every sheep, goat or swine, fifty cents; and shall then pay to the person who shall have seized, or caused to be seized the said animal or animals, the sums following, that is to say, for every, horse, mule, ass,

cow, calf, or other cattle so seized or sold, one dollar; for every sheep, goat or swine, fifty cents, together with a reasonable allowance to the pound-keeper, to be estimated by such justice or commissioner for the care and keeping of said animal or animals, from the time of seizure; if there shall be any surplus money arising from such sale, the said justice or commissioner shall pay the same to the owner or owners of said animals upon satisfactory proof of such ownership; and if the owner or owners shall not appear and demand such surplus moneys within sixty days after such sale has been made, he or they shall be forever precluded from recovering any part of such moneys, and the same shall be paid to the treasurer of the borough for the use of the borough, and his receipt thereof shall be a legal discharge to said justice or commissioner.

4. *And be it enacted*, That any owner of any animals which shall have been seized under and pursuant to the foregoing provisions may, at any time before the sale thereof, demand and recover possession of such animals upon the payment of the several sums hereinbefore required to be paid to said justice or commissioner. Owner may recover possession.

5. *And be it enacted*, That this act shall not apply to animals in droves passing through the highways of the borough to their places of destination and accompanied by herdsmen. Not to apply to animals in droves.

6. *And be it enacted*, That if a public pound has not been designated, or a pound keeper appointed by the borough, it shall be lawful for the person who has seized the animal or animals running at large, to detain the same on his premises, or other convenient place, and the justice or commissioner after receiving due notice shall use the said premises as if they were the public pound. Where to be impounded.

7. *And be it enacted*, That it shall be the duty of the mayors of the borough of Bordentown and of the city of Newark, to promulgate this act immediately after its passage in at least twenty-five conspicuous places. Notice to be given.

8. *And be it enacted*, That this act shall take effect in thirty days after its passage. When to take effect.

9. *And be it enacted*, That all acts or parts of acts inconsistent herewith are hereby repealed. Repealer.

Approved April 3, 1865.

CHAPTER CCCXCVII.

An Act to incorporate the Newark Shooting Society.

Preamble. WHEREAS, the persons named in the first section of this act, have, for the purpose of promoting skill in the proper and lawful use of fire-arms, purchased a tract of land situate in the township of Clinton, in the county of Essex, and have established thereon a shooting ground with suitable accommodations for target shooting and other exercise in such use of arms, and also for promoting social intercourse among said persons and their associates; therefore,

Names of corporators. 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That John A. Boppe, Daniel D. Terril, Louis Adams, Peter Nenninger, Tobias Wiedenmeier, Fredolin Ill, John Laible, John P. Huber, Leopold Kissling, Frederick Bossert, Louis Auernhammer, Joseph New, Karl Erb, Joseph Christel, Jacob Wiss, Ambrosius Herzog, Joseph Bechler, Theodore Horn, John Becker, Gottlieb Baumeister, Franz Haefeli, Wilhelm Knecht, Henry Roth, Christian Schilling, Gustavus Stedenfeld, Christian Walter, Martin Isler, Frederick Frohlicher, Charles Hinderer, Conrad Hollinger, Benedict Prieth, John Bachmeyer, and such other persons as now are or hereafter shall be associated with them, are hereby created, declared and constituted a body corporate and politic, by the name and style of "The Newark Shooting Society," and by that name they and their successors shall have succession, and continue a body corporate and politic, and shall in law be capable of contracting and being contracted with, suing, pleading and defending, and being sued, impleaded and defended in any court of law or equity; and they and their successors by the same name may hold, purchase and convey such personal and real estate as shall be needful for the purposes of said society; *provided*, that the clear yearly value or income of the real and personal property of said society shall not exceed in value the sum of two thousand dollars.

Proviso. 2. *And be it enacted*, That the capital stock of the said society shall not exceed the sum of fifty thousand dollars, and shall be divided into shares of twenty-five dollars each, which shall be transferable in the manner and upon such con-

Amount of capital stock.

ditions as may be prescribed by the by-laws of the said society.

3. *And be it enacted*, That no stockholder shall be entitled to vote in said society at any election for officers, or in any matter whatever, unless he shall have been elected to membership in said society, and any stockholder may be elected a member of said society at such time, in such manner, and under such restrictions and conditions as the by-laws of said society shall prescribe, and each member shall be entitled to one vote and no more, at any election or meeting of said society; any member who may be expelled or suspended from membership in said society, under the constitution or by-laws thereof, shall not be entitled to a vote at any such election or meeting until he shall have been restored to membership in said society, or his suspension be removed. Election of officers.

4. *And be it enacted*, That said society may by its by-laws determine and regulate what officers shall be elected or appointed to manage and conduct its affairs, the time, place, mode and manner of their election or appointment, and their powers and duties, and time of meeting.

5. *And be it enacted*, That said society at any meeting of its members, shall have power to make and enact such constitution, by-laws, rules and regulations for the transacting, managing and conducting the affairs of said society, and for the maintaining and preserving good order and conduct over and among the visitors on the premises of said society, as they may deem necessary; *provided*, that the same shall not be contrary to the laws or constitution of the United States or of this state, and from time to time may alter, modify and repeal the same, and by said constitution, by-laws, rules and regulations, the said society may determine the amount of the uniform monthly payments to be required of each member of said society for the maintenance and support thereof; and may thereby also determine the mode of suspension or expulsion of members for violation of, or disobedience to the said constitution, by-laws, rules and regulations, or any of them. Powers of society.
Proviso.

6. *And be it enacted*, That for the purpose of maintaining and preserving peace, good order and decorum upon the premises of said society, and among the visitors and spectators thereat, it shall be lawful for the said society to appoint from time to time, one or more constables of the county of Essex, [who] shall have power and authority to arrest all per- To appoint persons to preserve order

sons who shall be found upon the land and premises of said society violating any of the laws of this state, or who shall there, or in the immediate vicinity, be conducting themselves in a disorderly manner, to the annoyance or disturbance of said society, or such visitors or spectators, or who shall disturb or wrongfully interfere with the peace and good order of said society at any of its public meetings or assemblies, and the said parties so arrested shall, as soon as conveniently may be, be taken before some justice of the peace of said county of Essex, there to be dealt with according to law; *provided*, that nothing in this act shall be so construed as to grant privileges to the said "Newark Shooting Society" to open their place of entertainment or carry on their target exercises on the sabbath day, known as Sunday, or first day of the week, in opposition to the laws of this state for that purpose made and provided.

Proviso.

7. *And be it enacted*, That this act shall take effect immediately, and it may be repealed, amended, altered or modified by the legislature at its pleasure.

Approved April 4, 1865.

CHAPTER CCCXCVIII.

A Supplement to an act entitled "An act to incorporate the Ogden Mine Railroad Company," approved February nineteenth, eighteen hundred and sixty-four.

How to acquire title to land.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the said "The Ogden Mine Railroad Company," for the purpose of acquiring the legal title to any land, authorized by the twelfth section of the original act of incorporation, for the purposes therein mentioned, in case of their inability to obtain such title to such land or any thereof, by agreement with and purchase from the owners thereof to acquire such title, then to acquire and obtain the same in the same manner and by proceedings of the same character as they are required and authorized to take in order to obtain and secure the right of way for their railroad under said original act; and in any case

when the owner of such land shall be a feme covert, infant, non-resident, or laboring under any disability whatsoever, the amount of any award to be made by commissioners in such case shall be paid into the court of chancery, and full and complete title to such land so taken shall thereupon vest in the said company.

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

Approved April 4, 1865.

CHAPTER CCCXCIX.

An Act to authorize executors and others to invest in the bonds of this state.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall and may be lawful for any executor, guardian or trustee whose duty it may be to loan the money entrusted to him, to invest the same in any of the bonds issued by this state; *provided*, that this act shall not apply to cases where the deed of trust, or the last will and testament of any testator, or any court having jurisdiction of the matter, specially directs in what manner the trust fund shall be invested.

May invest
money in
bonds of this
state.

Proviso.

Approved April 4, 1865.

CHAPTER CCCC.

An Act authorizing the inhabitants of the township of Chatham, in the county of Morris, to raise money by taxation for the purpose of filling the quota of said township, under the call of the president dated December nineteenth, eighteen hundred and sixty-four, and for any future call or calls.

Preamble.

WHEREAS, at a special town meeting held for that purpose on the twelfth day of January, eighteen hundred and sixty-five, the inhabitants of the township of Chatham, in the county of Morris, did resolve to give the sum of seven hundred dollars in scrip to each volunteer, drafted man or substitute who shall be credited to the quota of said township under said call of December nineteenth, eighteen hundred and sixty-four; therefore,

Acts ratified.

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That the proceedings of the inhabitants of said township be and the same are hereby ratified and confirmed.

Authorized to issue scrip.

2. *And be it enacted*, That the township committee, or a majority of them are hereby authorized and empowered to issue such scrip to each volunteer, drafted man or substitute who shall be accepted and credited to said township under said call, which scrip shall bear interest at the rate of six per centum per annum, and said interest shall be paid on the fifteenth day of April in each year; and the principal sum shall be made payable and shall be paid, one-fifth thereof on the fifteenth day of April, in the year eighteen hundred and sixty-seven, and one-fifth thereof on the fifteenth day of April in each and every year thereafter until the whole sum shall be paid, and which scrip shall bear upon its face the printed words "Second Issue," and shall be signed by the chairman of the township committee and countersigned by the clerk of said township.

Future calls provided for.

3. *And be it enacted*, That if hereafter the inhabitants of said township assembled at any duly called town meeting, by a vote of a majority of the legal voters, shall decide to issue the obligations of said township to any person who shall volunteer, or be drafted, or who shall provide an acceptable substitute to be credited to the quota of said township

under any future call or calls which may be made by the president of the United States during this war, the township committee of said township are hereby authorized and empowered to issue the scrip or bonds of said township to such volunteer, drafted man, or substitute when they shall be mustered into the service of the United States to the credit of said township of Chatham under any future call or calls; *provided*, that Proviso. the amount of the scrip or bond so issued shall not exceed the sum of four hundred dollars for each volunteer, drafted man, or substitute who shall be mustered into the service of the United States and who shall be credited to the quota of said township for one year; and six hundred dollars to any volunteer, drafted man, or substitute who shall be mustered into the service of the United States and credited on the quota of said township for three years or for the war.

4. *And be it enacted*, That the scrip or bonds by section Bonds, &c., made valid. three authorized to be issued shall be and the same are hereby declared and made valid debts of said township and binding on the real and personal property therein, which scrip shall bear interest at the rate of six per cent. per annum, and shall be paid on the fifteenth day of April of each year, and the principal sum shall be made payable and shall be paid, one-fifth part thereof in two years from the fifteenth day of April last preceding the date of the said issue and one-fifth thereof on the fifteenth day of April in each and every year thereafter until the whole sum shall be paid.

5. *And be it enacted*, That the money required to pay said scrip and the interest thereon shall be raised by tax upon the taxable real and personal estate in said township from year to year and in such sum or sums as shall be necessary to liquidate the principal and interest of said scrip, which tax shall be assessed, levied and collected by the same persons and in the same manner and at the same time and with like penalties as other township taxes now or hereafter may be by law directed to be assessed, levied and collected; *provided, however*, that Payment of principal and interest by tax if any person neglect or refuse to pay said tax and no property can be found out of which to make the same, the officer executing the tax warrant may levy upon and collect any wages or debt due said delinquent and apportion the same, or so much thereof as shall be sufficient to pay such tax and costs. Proviso.

6. *And be it enacted*, That this act shall be deemed a public act, and shall take effect immediately.

Approved April 4, 1865.

CHAPTER CCCCL.

An Act to incorporate the American Hotel Company, of Rahway.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Thomas Raynor, Henry Platner, J. W. Bowdoin, Henry Spear and L. Murray Perkins, and their associates, and all other persons who shall become subscribers to or owners of the capital stock hereby created, and their successors, shall be and they are hereby incorporated and made a body politic and corporate, in fact and in law, by the name of "The American Hotel Company of Rahway," to have perpetual succession, to be capable in law of suing and being sued, to have a common seal, and the same to alter or renew at pleasure, and to have, hold, receive, enjoy, and take by lease or by absolute conveyance in fee simple, such real estate as may be necessary for the purposes and designs of the corporation hereby created, by the purchase or construction of the necessary buildings for the accommodation and use of any parties who may be desirous of renting and occupying the same; and when in the opinion of said corporation it may be proper so to do, to sell and convey the said real estate, or any part thereof, to any person or persons who may be desirous of purchasing the same.

Amount of capital stock.

2. *And be it enacted*, That the capital stock of said corporation shall be twenty-five thousand dollars, divided into shares of twenty-five dollars each, with privilege to increase the said capital to fifty thousand dollars, which stock shall be deemed personal property, and shall be transferable only on the books of the company in such manner as the board of directors from time to time by by-laws or otherwise may direct, and that at all elections whenever balloting is required, each share of stock shall entitle the holder thereof to one vote.

Election of directors.

3. *And it be enacted*, That the affairs of the company shall be managed by seven directors, to be elected annually, at such time and in such manner as the company by its articles of association, by-laws or otherwise from time to time may direct, who shall serve for one year, and until others are chosen in their stead; and the said Thomas Raynor, Henry Platner, J. W. Bowdoin, Henry Spear, and L. Murray Per-

kins, shall be the first directors under this charter, to continue in office until others are elected in their stead, and that the directors may hold such meetings of their board in the city of Rahway, as they may by their by-laws or otherwise from time to time prescribe; three members shall be a quorum at these meetings.

4. *And be it enacted*, That the said directors shall choose from their own number a president, and may also appoint such other officers and agents as may be deemed expedient, and the said directors may supply any vacancy in their own body by death or resignation, those so appointed to hold until others shall be chosen in their stead. Powers of directors.

5. *And be it enacted*, That the legislature may at any time alter, amend, or repeal this act.

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

Approved April 4, 1865.

CHAPTER CCCCLII.

A Further Supplement to the act entitled "An act to incorporate the Monmouth County Plank Road Company," approved February twentieth, eighteen hundred and fifty.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall and may be lawful for the said company to demand and receive toll for traveling each mile, and all fractions over half a mile of the said road not exceeding the following rates, to wit: for every carriage, sleigh or sled drawn by one beast, one cent; for every additional beast, one cent. Rates of toll.

2. *And be it enacted*, That anything in the original act to which this is a supplement, or the various supplements thereto, contrary to the provisions of this supplement, be and the same is hereby repealed. Repealer.

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

Approved April 4, 1865.

CHAPTER CCCCIII.

An Act to authorize the City of Newark to issue additional War Bounty Bonds.

Preamble.

WHEREAS, by a resolution of the common council of the city of Newark, passed on the twenty-ninth day of September last, the Volunteer Aid Committee of said city was authorized to negotiate upon the credit of the city, upon such terms as they might consider for the best interests of the city, upon temporary loan bonds, such sum or sums of money as may by them be deemed necessary to be expended for the purpose of filling the quota of said city under the call of the general government of July eighteen, eighteen hundred and sixty-four, for five hundred thousand men; now therefore,

War bonds to be issued.

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That it shall be lawful for the mayor and common council of the city of Newark to issue bonds under their corporate seal, and the signature of the mayor of the said city, to be designated "War Bounty Bonds," for an amount not exceeding one hundred thousand dollars, bearing interest payable semi-annually at a rate not exceeding seven per cent. per annum, with coupons attached, and payable at such time or times as may be agreed upon by the common council, not less than ten nor more than thirty years from the date thereof, pledging the credit and the whole property of said city for the payment of the same; which bonds it shall be lawful for the said mayor and common council to sell at public or private sale as the proceeds of the same may be needed, but not for less than their par value.

A appropriation of bonds.

2. And be it enacted, That it shall be the duty of the said "The Mayor and Common Council of the city of Newark," to use and appropriate the said bonds for the payment and redemption of the indebtedness mentioned in the preamble of this act, and the interest thereon, either by a sale of said bonds or by a substitution or exchange thereof at their par value as aforesaid for said indebtedness, as may be agreed upon by and between the said volunteer aid committee, and the holders of said temporary loan bonds; neither the said bonds nor the proceeds of the sale thereof shall be issued or

appropriated for any other purposes than are herein mentioned.

3. *And be it enacted*, That the said common council shall provide by a special tax for the payment of the interest upon the debt which shall be lawfully created under and by virtue hereof, and shall also create a sinking fund for the redemption and payment of the same, and for that purpose shall assess a special tax which will produce an amount equal to three per centum upon the total amount of the said debt; all the provisions of the sixth, seventh, eighth, ninth and tenth sections of the act entitled "An act to authorize the city of Newark to guarantee and assume the payment of certain bonds of the county of Essex, and to issue bonds to an amount not exceeding twenty-five thousand dollars for Volunteer Aid Bonds, and three hundred thousand dollars for War Bounty Bonds," approved March thirty-first, eighteen hundred and sixty-four, are hereby declared to be a part of this act so far as the same can be made applicable hereto; and the mode of raising the said tax, and the care and management of the said fund, shall be in all respects the same as is therein provided.

Special tax to be levied.

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

Approved April 4, 1865.

CHAPTER CCCCIV.

An Act to confirm the acts and proceedings of the inhabitants and of the township committee of the township of West Hoboken, in the county of Hudson, and to authorize the raising of money for the payment of bounties to drafted men, volunteers and substitutes, for filling the quota of said township under the call of the president of the United States, made in December, eighteen hundred and sixty-four.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall and may be lawful for the town committee of the township of West Hoboken to issue bonds

May issue bonds.

under their hands and seals, in the name of the inhabitants of the township of West Hoboken, in the county of Hudson, for an amount of money not exceeding ten thousand dollars, in such sums, and payable at such times, as the said town committee shall deem proper, bearing interest at a rate not exceeding seven per centum per annum, payable semi-annually, with coupons attached, and to pledge the property and credit of the said township for the payment of the same, which bonds it shall be lawful for the said town committee, and their successors, to sell and assign; *provided*, that no bond shall be sold by the said town committee for less than par; *provided also*, that the bonds to be issued by virtue of this act shall be redeemed at a period of time not less than four years, nor to exceed sixteen years from the passage hereof.

Proviso.

To provide by taxation for payment of bonds and interest.

2. *And be it enacted*, That the town committee shall have power and authority to provide by taxation for the payment of the said bonds, and the interest thereon, and that they shall, yearly, and every year, until the bonds so to be issued shall be redeemed and paid off, order and cause to be assessed and collected, by tax, at the time and in the manner that other taxes in the township are assessed and collected, a sum of money sufficient to pay and discharge the principal at the several times it shall become due and payable, and the interest on the said bonds as the same shall become due; *provided*, that not more than one thousand dollars of the principal of the said bonds shall be made redeemable in any one year; *and provided further*, that the said town committee shall cause to be assessed and collected a special poll tax of one dollar, upon every male inhabitant of said township of West Hoboken, of the age of twenty-one years and upwards, and shall also cause to be assessed all real and personal estate in the said township of West Hoboken, now and hereafter liable to taxation for township purposes, at the full and actual value thereof, at such rate per dollar as will be sufficient to produce the sum required to be raised, after deducting the said special poll tax.

Proviso.

Proviso.

Proceeds, how applied.

3. *And be it enacted*, That it shall be the duty of the said town committee to apply the net proceeds of the said bonds to the payment of bounties to drafted men and substitutes, held to service in said township under the call of the president for three hundred thousand men, issued in December, eighteen hundred and sixty-four; and also, to the payment of such compensation as they shall deem just to those whose time has been employed in discharging any of the duties con-

nected with furnishing men for filling the quotas of said township under the respective calls of the president of the United States, or with the raising of moneys and means therefor.

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

Approved April 4, 1865.

CHAPTER CCCC.V.

An Act to provide for raising moneys paid for bounties in the township of Hardiston, in the county of Sussex.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the town committee of the township of Hardiston, in the county of Sussex, are hereby authorized and empowered to issue, in the corporate name of the said township, and upon the credit and responsibility of the same, bonds to an amount not exceeding twenty-five thousand dollars, in such sums and payable at such times, and at such rate of interest, not exceeding seven per cent., as they may deem expedient, to be signed by the town collector, and countersigned, numbered and registered by the town clerk, and to be sold negotiated and delivered, at a rate not less than their par value, in payment and satisfaction of, or to raise moneys to be applied in payment and satisfaction of the moneys paid or advanced for bounties to raise volunteers and substitutes to fill the quota of the said township under the call of the president of the United States for five hundred thousand men, made in July last past, and the necessary moneys to pay the interest upon the said bonds, and to redeem the same, shall be assessed and collected in said township from time to time, as occasion may require, as provided in the next section of this act.

2. *And be it enacted*, That so much of the said sum of twenty-five thousand dollars as shall not be satisfied by the issuing and negotiation of the said bonds, by the first day of September next, shall then be assessed, levied and collected

in the mode and manner and within the time the other township taxes are assessed, levied and collected.

Acts legalized

3. *And be it enacted*, That the proceedings and resolutions passed at a meeting of the inhabitants of the township of Hardiston aforesaid, held on the seventeenth day of January, eighteen hundred and sixty-five, be and the same are hereby made lawful and binding upon the said inhabitants in their corporate capacity, and they are authorized to borrow on the credit of the said township, and to assess, levy and collect in the manner other township taxes are assessed and collected, the moneys voted and authorized to be raised and paid by the said resolutions, to volunteers, drafted men and substitutes to fill the quotas of the said township under the calls of the president of the United States for troops, and that no further appropriations by said township for bounties shall be sanctioned, unless the same be made upon a ballot vote of the legal voters thereof; *provided*, that in any and every assessment made under the authority of this act, there shall be first levied and collected, upon each male inhabitant of said township, for the time being, a poll tax of ten dollars, and the town committee of the said town shall receive and apply the said moneys to the person or persons entitled thereto.

Proviso.

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

Approved April 4, 1865.

CHAPTER CCCCVI.

Supplement to the act entitled "An act against Usury," approved April tenth, eighteen hundred and forty-six.

Interest seven
per cent.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That upon all contracts hereafter made in the township of Landis, in the county of Cumberland, in this state, for the loan of, or the forbearance, or giving day of payment, for any money invested and used in manufacturing purposes exclusively, it shall be lawful for any person to take the value of seven dollars for the forbearance of one hundred dollars for a year, and after that rate for a greater

or less sum, or for a longer or shorter period, anything contained in the act to which this is a supplement to the contrary notwithstanding; *provided*, such contract be made by and Proviso. between persons actually located in said township, or by persons not residing in this state.

Approved April 4, 1865.

CHAPTER CCCCVII.

An Act to authorize the inhabitants of the township of Raritan, in the county of Hunterdon, to raise money by issuing bonds, to reimburse certain drafted men.

WHEREAS, the inhabitants of the said township of Raritan Preamble. have filled their quota upon every call of the government for troops, except upon the call to fill which a draft was made in May and July, eighteen hundred and sixty-four, by paying bounties to volunteers, which bounties were raised by taxation upon the persons and property of said inhabitants; and whereas, those persons who were drafted in said township in May and July, eighteen hundred and sixty-four, had no provision made for them by said township, but were compelled to pay their own commutation or furnish their own substitutes, or go into the service; now therefore, in order that equal justice may be done to all the inhabitants of said township,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the township committee of said township of Raritan to issue bonds in the name of the inhabitants of the said township, under the respective hands and seals of said committee, for an amount not exceeding fourteen thousand dollars, in such sums as shall be necessary for the purposes of this act, and payable at such times as the said committee shall deem proper, bearing interest at six per cent. per annum from the first day of July, eighteen hundred and sixty-four, payable annually, and to pledge the property and credit of the said township for the payment of the same; which bonds it shall be lawful for the said township committee and their successors, to sell and May issue bonds.

Proviso.

assign; *provided*, that no bond shall be sold by said township committee for less than its par value; *and provided further*, that the bonds so issued shall be redeemable at a period of time not to exceed three years from the passage of this act.

To provide for
payment of
bonds by tax.

2. *And be it enacted*, That the township committee of the said township shall have power and authority to provide by taxation for the payment of the said bonds and the annual interest thereon; and the said township committee shall yearly and every year, until the bonds to be issued by the authority of this act, shall be redeemed and paid off, order and cause to be assessed and collected by tax, at the time and in the manner that other taxes in the said township are assessed and collected, a sum of money sufficient to pay the interest on the said bonds, as the same shall become due and payable, and to pay and discharge the principal at the several times when it shall become due and payable; and that the township collector of said township, or other person for the purpose appointed, shall, when such tax, or any part thereof, shall be collected, pay the same to the township committee of said township; and all such moneys so to be raised by virtue of this act shall be inviolably applied by said township committee to pay the interest and principal of said bonds, as the same shall become due and payable.

Proceeds, how
applied.

3. *And be it enacted*, That it shall be the duty of the said township committee to apply the net proceeds of the bonds that may be issued by virtue of this act, as follows, to wit: the said committee shall pay to each person who was drafted in said township, in said months of May or July, eighteen hundred and sixty-four, and who went into the military service of the government, the sum of four hundred dollars; to each person who was drafted in said township in said May or July, and who furnished a substitute, the sum of three hundred and eighty dollars; and to each person who was drafted in said township in said May or July, and paid commutation, the sum of three hundred dollars; each person to receive interest on the sum to which he is entitled by this act, from the first day of July, eighteen hundred and sixty-four; *provided*, that in cases where the commutation of any drafted person or persons was raised by contribution, the said township committee shall, on being satisfied of that fact, pay the money to which such person or persons will be entitled by this act to such person or persons as had charge of such contributions, to be by him or them distributed among the contributors, as they may be severally entitled thereto.

4. *And be it enacted*, That if the said township committee shall elect, they may issue the said bonds to the several persons entitled to payment by virtue of this act, for the amounts to which they are severally entitled, which bonds, when so issued and delivered, shall be accepted and received by said several persons, in full payment of their claims under this act.

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

Approved April 4, 1865.

CHAPTER CCCCVIII.

An Act to confirm certain debts and liabilities incurred by the township of New Providence, in the county of Union, for bounties to soldiers to fill the quotas of said township, and to authorize further loans for the same purpose.

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That so much indebtedness of said township as hath been incurred through the actions and proceedings of the township committee thereof in paying bounties to soldiers, is hereby declared legal, valid and binding upon the taxable inhabitants and property of said township; and that such indebtedness, and the legal interest thereon, may be raised by taxation as a part of the township tax of said township. Liability of inhabitants.

2. *And be it enacted*, That the township committee of said township are hereby authorized and empowered to raise by loan any amount of money that may be necessary, on the faith and credit of said township, to pay bounties for soldiers to fill the quota of said township under the two last calls of the president of the United States, or any calls within two years from the passage of this act; that the notes or bonds of said township, in its corporate capacity, given for the money so borrowed, and signed by the township committee thereof, shall be valid and binding upon the property and taxable inhabitants of said township. Money to be raised by loan

3. *And be it enacted*, That the township committee of said township, or any three of them, shall have power to borrow May borrow money.

money on bond or bonds, note or notes, in the name of the inhabitants of said township or otherwise, and to renew the same from time to time, as may be necessary; and they, and each of them, shall be indemnified and saved harmless in their capacities and estates by the township against all losses incurred, except as residents and tax-payers in said township.

Money to be raised by tax.

4. *And be it enacted*, That the township committee shall be empowered to order any sum, not to exceed twenty thousand dollars, to be raised as follows; First, a poll tax of five dollars upon each male inhabitant of said township over twenty-one years of age, and the balance shall be assessed and collected upon the personal and real property of said township, immediately to be applied to the payment of the indebtedness of said township, made by paying bounties for volunteers, and for no other purpose; and that the assessor and collector shall receive the same fees, and be under the same penalties that they are under in the general tax law; and the commissioners of appeal in case of taxation shall convene immediately after the assessment is made, to hear any appeals that may be made by the tax-payers.

Future calls.

5. *And be it enacted*, That the powers conferred upon the township committee of said township by this act shall not be exercised in the event of any future call or calls for troops unless by direction of the inhabitants of said township at a town meeting lawfully convened for that purpose.

6. *And be it enacted*, That this act shall take effect immediately, and shall be taken as a public act.

Approved April 4, 1865.

CHAPTER CCCCIX.

A Supplement to an act to re-organize the courts of law, approved February ninth, eighteen hundred and fifty-five.

Third and fifth judicial districts.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the fifth judicial district in this state shall, hereafter, include the counties of Sussex, Morris and Somerset; and the third judicial district, the counties of Mercer, Hunterdon and Warren.

2. *And be it enacted*, That the regular terms of the respective courts mentioned in the acts to which this is a supplement, shall hereafter be held in the county of Mercer on the first Tuesday in May and October, and the second Tuesday in January, respectively; and in the county of Somerset on the third Tuesday in April, September and December, respectively.

Approved April 4, 1865.

CHAPTER CCOCX.

An Act to incorporate the New Jersey Central Oil and Coal Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Robert S. Smith, Henry P. Bronk, John V. Veghte, Carman Parse, Edward W. Marsh, Abraham Smalley, Theodore J. Gillies, Joseph B. Coward, William D. Garrison, Wallace Vail, John Smalley, John W. Laing and James S. Laing, and such other persons as may be associated with them, and their successors, are hereby created and declared to be a body politic and corporate in law, by the name and title of "The New Jersey Central Oil and Coal Company," and by that name shall have perpetual succession and all the privileges and franchises belonging or incident to a corporation.

2. *And be it enacted*, That the whole amount of the capital stock of said company shall be seven hundred and fifty thousand dollars, to be divided into shares of five dollars each, which shall be personal property, and be transferable on the books of said company.

3. *And be it enacted*, That the above named corporators, or a majority of them, shall be commissioners to receive subscriptions to the capital stock of said company at such time and place or places in this state, and upon such notice as they shall direct; and at the time of subscribing for said stock, such amount on each share shall be paid, satisfied or satisfactorily secured to said commissioners as they or a majority of them shall determine, and the residue of the sub-

scription shall be paid, satisfied or secured as the directors may determine, in such installments, at such times and places, in such manner, and to such person or persons as said directors shall from time to time direct, giving notice of such time and place, and person or persons, by a notice published in a newspaper printed and circulating in the county of Union, for two weeks, at least once in each week; and upon the failure by any person to pay, satisfy or secure the payment of the installments, or any of them, as aforesaid, the said directors shall have power to forfeit the shares of each and every person so failing, or any of them, to and for the use and benefit of the said company; and any shares of stock so forfeited, as aforesaid, may be held by the said company, or any person or persons, for its benefit, and may at any time be sold or disposed of for the benefit of the company as said directors may direct, or divided proportionately among the remaining stockholders, to be by them held and enjoyed, or sold and transferred with all the rights and benefits incident thereto, the same in all respects as if they were original shares by them subscribed; and any land, property or materials used in the business of the said company received in payment or satisfaction of subscriptions for stock shall be taken at a valuation, approved by a majority of the stockholders.

Election of directors.

4. *And be it enacted*, That whenever fifty thousand dollars of the capital stock aforesaid shall have been subscribed, the commissioners or a majority of them shall as soon as they deem expedient, give notice in such manner as they may determine, of a meeting of the stockholders, at such time and place as they may designate, to choose nine directors, who shall hold their office for one year and until others are duly elected; and such election shall be made at the time and place appointed by such of the stockholders as shall attend for that purpose, either in person or by proxy, each share of stock entitling the holder thereof to one vote; and the directors chosen at such meeting or at the annual elections of said corporation, shall as soon as may be after every election, choose out of their own number a president, who shall hold his office for one year, and until his successor is duly appointed; and in case of the death, resignation, or other incapacity of the president or any director, such vacancy may be filled by the board of directors for the remainder of the then current year.

5. *And be it enacted*, That the said company shall be and they

are hereby authorized and empowered to establish and carry on the business of developing oil lands, digging, boring and excavating mines, shafts and wells, and mining, producing and obtaining oil and other products or minerals from the earth, and manufacturing in forms, refining, transporting and vending the same, and for that purpose to purchase, rent, take, hold, occupy and enjoy, grant, demise, lease and convey, in this or any other state or territory, such and so many lands, mines, deposits, springs and wells, and such parts, shares and interests therein as they may deem proper, in fee simple or any less estate; and to purchase, rent, hire, erect, build, hold, maintain and use, grant, demise, lease and convey such buildings, tramways, wells, aqueducts, drains, tanks, engines, machinery and other real and personal property, as they may deem necessary or proper for developing their property and carrying on their business; and when by the laws of the state or territory where any of the property may be situate, or be, the said company may not be authorized or capable to have, hold, enjoy or convey, rent and lease the same or the legal estate therein, themselves or otherwise, when they may think proper, the said company may purchase, hire, rent, have, hold, use, enjoy, grant, lease and convey any trust or other equitable or beneficial estate or interest as cestui que trust or otherwise, in any property which may be purchased, hired, leased or held, by trustees or other person for the use or benefit of said company; and the same shall make part of the value of, and be represented by the stock of said company; *provided*, that the said company shall not be taxed in this state for or by reason of, or of any interest in, any real estate situate in any other state or territory, and taxed therein.

Powers of
company.

Proviso.

6. *And be it enacted*, That the board of directors of said company shall have power to make and adopt a common seal for said corporation; to appoint from their own number or otherwise, a treasurer and secretary, and such other officers of the board and of the company as they may think necessary, and to fix their salaries; to borrow such sums of money as they may from time to time deem advisable for the purposes of said company, and to issue the bonds of the said company therefor, and secure the payment of the same by a mortgage or mortgages on the lands, estate and other property of said company, and to make such by-laws, not inconsistent with the provisions of this act, as they may think proper, regulating

Powers of di-
rectors.

the issuing and transfer of stock, and for the general government and management of the affairs of the company.

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

Approved April 4, 1865.

CHAPTER CCCCXI.

An Act to enable the Mechanic Street Methodist Episcopal Church of Elizabeth to convey property.

Preamble.

WHEREAS, on the eighteenth day of April, eighteen hundred and sixty, one Richard Van Horn, of Hackettstown, Warren county, in this state, conveyed to "The Mechanic Street Methodist Episcopal Church," of the city of Elizabeth, Union county, in this state, a certain tract of land and premises, more particularly mentioned and described in the deed of conveyance thereof, which is recorded in book number six, of deeds for said county of Union, on page five hundred and thirty-one, and in which it is among other things recited, that said land is "to be used and kept for the worship of Almighty God in the church now erected thereon, or that may be hereafter erected, according to the discipline and usages of the Methodist Episcopal Church in the United States of America forever;" and whereas, the said "The Mechanic Street Methodist Episcopal Church," deem it for the best interests of the objects of their organization to procure a more eligible situation for their church edifice in said city of Elizabeth, and desire for that purpose to sell the said land and premises, and to appropriate the proceeds of such sale to that end; therefore,

May sell land.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said "The Mechanic Street Methodist Episcopal Church" be and hereby is authorized to sell and convey the said land, with the appurtenances, and for that purpose to make, execute and deliver good and sufficient deed or deeds of conveyance thereof to the purchaser or purchasers of the same, and that all or every such deed or deeds of conveyance shall be good and effectual in law, any,

thing in the said deed of Richard Van Horn to the contrary notwithstanding.

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

Passed April 4, 1865.

CHAPTER CCCCXII.

An Act to repeal part of "A further supplement to 'An act to establish public schools,'" approved April seventeenth, eighteen hundred and forty-six.

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Repealer.} *the State of New Jersey*, That so much of "A further supplement to 'An act to establish public schools,'" approved April seventeenth, eighteen hundred and forty-six, which said supplement was approved March eighteen, eighteen hundred and sixty-three, as relates to the inhabitants of the township of Franklin, in the county of Bergen, be, and the same is hereby repealed, and that this act shall take effect immediately.

Approved April 4, 1865.

CHAPTER CCCCXIII.

A Further Supplement to an act entitled "An act to authorize the inhabitants of Clayton and Franklin townships, in the county of Gloucester, to borrow money," approved March seventeenth, eighteen hundred and sixty-four.

WHEREAS, doubts have arisen as to the application of the act ^{Preamble.} to which this is a supplement, to any other calls for men for the military or naval service of the United States, than

those calls made and unfilled at the time of the passage of said act; therefore,

Act, how construed.

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That the act to which this is a supplement shall be held, taken and construed to apply to all calls of the president of the United States, for men for the military or naval service of the United States, which had been made before the passage of said act, or which have been made since that time, or which may be made at any time hereafter during the continuance of the existing rebellion.

Moneys, how expended.

2. *And be it enacted*, That it shall be lawful for the township committees for the time being of said townships of Clayton or Franklin, respectively, in addition to paying bounties as provided under the act to which this is a supplement, to appropriate and expend, of the moneys which may be raised under this act or the act to which this is a supplement, such portion as in the judgment of the members of said township committees respectively, or in the judgment of a majority of them, may be necessary to procure and provide substitutes for such of the inhabitants of said townships who may be drafted into the military or naval service of the United States, and who may desire to put in substitutes or to pay bounties to such of the inhabitants of such townships who may be drafted as aforesaid, who shall enter the service of the United States, under such draft.

Collection of moneys.

3. *And be it enacted*, That it shall be lawful for the inhabitants of said township of Clayton or Franklin respectively, at any regular or special town meeting of said inhabitants, assembled according to law by a vote of two-thirds of the legal voters of said townships present at said meetings, to provide for the collection of the whole or any part of the money assessed and levied under the provisions of this act, or the act to which this is a supplement, at such times and in such manner as they may think best for the interests of said several townships.

Bonds.

4. *And be it enacted*, That all bonds hereafter to be issued under this act or the act to which this is a supplement, shall be issued with the corporate names of said townships of Clayton or Franklin respectively, and sealed with the common seal of the said townships, attested under the hands of their respective township committees.

Repealer

5. *And be it enacted*, That the proviso in the second section of the act to which this is a supplement, and all other parts

of said act inconsistent with the provisions of this act be, and the same are hereby repealed.

6. *And be it enacted*, That this act shall be deemed, taken and considered as a public act, and shall take effect immediately.

Approved April 4, 1865.

CHAPTER CCCCXIV.

A Further Supplement to the act entitled "An act to revise and amend the charter of the city of Newark;" approved March eleventh, eighteenth hundred and fifty-seven.

WHEREAS by the act passed at the present session, entitled "An ^{Preamble.} act to ratify the bonds or other evidences of indebtedness heretofore issued or hereafter to be issued by the board of chosen freeholders of the county of Essex, in this state, for war purposes, and to provide for the payment thereof," authority is given to said board of chosen freeholders to raise by taxation, as a part of the county tax of said county of Essex, money to pay the debts or the bonds or other evidences of debt given therefor, or any portion thereof, and the interest thereon contracted or to be contracted, issued or to be issued, by the board of chosen freeholders of said county of Essex for purposes incident to the war, notwithstanding the limitation, restriction or proviso contained in the sixty-eighth section of the act to which this is a further supplement; and whereas, the said board, in the exercise of said authority, may require so large an amount of money to be raised by taxation in the city of Newark as to reduce under said limitation, the amount of tax to be raised for municipal purposes in said city to such an extent as very seriously to embarrass the necessary operations of the municipal government thereof; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Repealer.} *the State of New Jersey*, That so much of the proviso contained in the sixty-eighth section of the act to which this is a further supplement as includes county tax within the limitation thereby made and declared, be and the same is hereby

repealed, in so far as the said county tax does now, or hereafter may, refer to taxes laid by the county for war purposes, and for no other purposes whatever.

2. *And be it enacted*, That this act shall take effect immediately; and shall be and be held applicable to the taxation in said city for this present year.

Approved April 4, 1865.

CHAPTER CCCCXV.

An Act entitled "An act to prevent fishing with seines, baskets, nets and fikes in Bound, Maple Island, Parsons, Woodruff and Wheeler's Creeks, in the counties of Union and Essex, for the preservation of fish.

Penalty for of-
fending.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That hereafter it shall not be lawful for any person or persons at any time, by day or by night, to set, put, place or haul any seine, basket, fike or net (always excepting such nets as are now used and known as shrimp or crab nets) within the waters of Oyster Creek, Bound Creek, Woodruff Creek, Maple Island Creek, Parson's Creek or Wheeler's Creek, on the salt meadows, in the counties of Union and Essex, under the penalty of twenty dollars for each and every offence, to be sued for and recovered in an action of debt, with costs of suit, by any person who shall sue for the same before any justice of the peace, the one-half thereof to the person suing, and the other half for the use of the poor of the township wherein the offence was committed.

2. *And be it enacted*, That this act shall be deemed and taken to be a public act, and shall take effect immediately.

Approved April 4, 1865.

CHAPTER CCCCXVI.

An Act authorizing the appointment of commissioners to lay out streets, avenues and squares, in the city of Rahway.

1. BE IT ENACTED by the Senate and General Assembly of ^{To appoint commissioners.} the State of New Jersey, That the common council of the city of Rahway shall have authority to appoint three commissioners to lay out streets, avenues and squares, in the said city; and the powers and duties of said commissioners shall be exercised and discharged within two years next after the passing of this act, and not after; in case of the death, resignation, neglect or refusal to serve, or removal from the city, of any commissioner so appointed, the common council shall fill the vacancy thereby occasioned.

2. *And be it enacted*, That it shall be lawful for said ^{Powers of commissioners.} commissioners, or a majority of them, and they shall have and possess the exclusive power to lay out streets, avenues and public squares, within the city of Rahway, of such width, extent and direction, as to them shall seem most conducive to the public good; and to close, or direct to be closed, any streets, roads, highways, lanes or alleys, or any parts thereof, which have been heretofore laid out, and have not been duly recorded as public streets, roads, highways, lanes or alleys, according to law, within the said city; and no square or plot of ground made by the intersection of any streets or avenues to be laid out by the said commissioners, shall, after the streets around the same shall be opened, be divided by any public or open lane, alley, street or thoroughfare; and it shall be the duty of the said commissioners to lay out the leading streets and principal avenues of a width not less than sixty-six feet, and in general, to lay out said streets, avenues and public squares, of such ample width, as they may deem sufficient to secure a free and abundant circulation of air in and through the same, when the same shall be built upon and improved; and the said commissioners shall not, in any case, lay out any street or avenue of less than fifty feet in width, unless the same be a continuation of a street or avenue already laid out and opened according to law.

3. *And be it enacted*, That it shall be lawful for said ^{May enter upon lands.} commissioners, and all persons acting under their authority, to enter into and upon any lands, tenements, or hereditaments

which they shall deem necessary to be surveyed, used or converted, for the laying out and opening of any street, avenue or public square as aforesaid; and the said commissioners, or a majority of them, shall cause maps, plans, and surveys to be made from time to time of the streets, avenues and public squares so laid out by them, or the alterations in any streets, lanes, or avenues already laid out, exhibiting their connections with, and changes in, the streets, avenues or lanes already laid out in said city of Rahway, accompanied with such elucidatory remarks as the nature of the subject may require, which map or maps, accompanied with such remarks, shall be attested by the said commissioners, or a majority of them, and filed in the office of the clerk of the common council, there to remain of record, and to belong to the mayor and common council of the said city.

Surveys, &c.,
final and con-
clusive.

4. *And be it enacted*, That the maps, plans, and surveys made, or caused to be made by said commissioners or a majority of them, shall be final and conclusive, as well in respect to the mayor and common council of the city of Rahway as in respect to the owners and occupants of the lands, tenements and hereditaments within the said city, and in respect to all persons whomsoever, from the filing of such maps, plans, and surveys, or any distinct and separate part or parts thereof, in the office of the clerk of the common council of said city; and the said commissioners, or a majority of them, on the completion of the work they are hereby authorized to perform, or cause to be performed, shall cause a map to be made of the city of Rahway, showing the streets, avenues, lanes, or public squares by them laid out or altered, and also the other streets, avenues, lanes and public squares already laid out in the said city, exhibiting their connection with each other, accompanied with such notes and explanations as the subject may require, which map shall belong to the mayor and common council of the city of Rahway; the said commissioners shall cause a copy of said map, which may be on a reduced scale, to be attested and filed in the office of the clerk of the county of Union, to remain there on record.

Regulation of
streets, &c.

5. *And be it enacted*, That the said commissioners in laying out such streets, avenues and public squares, shall have regard to the streets, avenues, highways and public squares already laid out in the said city according to law, so as to make the same conform thereto, as far as may be practicable and consistent with the public convenience, to the end that uni-

formity may be produced, and the permanent interests of the city consulted in laying out the streets, avenues and public squares thereof; and to secure such uniformity and interest, the said commissioners may designate and determine the changes or alterations in the width, lines and courses of any lane, highway, street or avenue already lawfully laid out in said city; *provided*, that no street, avenue, lane or highway already lawfully laid out shall be altered, widened, or closed until the payment, or tender of payment, of the damages assessed to the owner or owners of any lands or real estate, by reason of the closing, altering, or widening of any such street, avenue, lane or highway; which assessment of damages and payment shall be made in the same manner as may be required by law for the estimate and assessment of damages to owners of lands taken for the opening of streets or avenues in said city.

6. *And be it enacted*, That the said streets, avenues and public squares shall be opened and regulated and converted to the public use, and the said lanes, streets, avenues, and highways widened, altered or closed in the manner now designated and settled by law, and in such other manner as the legislature shall deem proper to enact.

7. *And be it enacted*, That whenever proceedings shall be taken for the opening of any street, avenue or public square laid down on any of the aforesaid maps, plans, or surveys, or for the alteration, widening, or closing of any street, avenue, lane or highway determined upon by said commissioners and laid down on any of the aforesaid maps, plans or surveys, it shall not be lawful for the common council of the said city, or for the commissioners appointed to make an estimate and assessment of the damages which any owner or owners of any lands and real estate will sustain by the opening of such street, avenue, or public square, or the alteration, widening or closing of any street, avenue, lane or highway, to allow any sum or compensation whatsoever, for any building or buildings, or improvements of any kind or description, which at any time subsequently to the filing of the aforesaid maps, plans, or surveys may have been built, placed, or erected, or made, in part or in whole, on any such street, avenue or public square, or street, lane or highway; but compensation and recompense shall be made to the owner or owners thereof, and the parties interested therein, for all buildings and improvements built, placed, erected or made, wholly or in part, upon any such street, avenue, public-square, lane, or highway, so to be opened, or

Compensation
of damages.

closed, or altered at any time before the filing of the aforesaid maps, plans or surveys.

Fees.

8. *And be it enacted*, That the said commissioners shall receive such compensation for their services as the common council of said city shall determine, which compensation shall be in addition to all reasonable charges and expenses for making the maps, plans, surveys, monuments and notes; and the surveyors and assistants necessary for the performance of the duties required under the provisions of this act, shall be employed by and be under the direction and control of the said commissioners.

Oath or affirmation to be taken.

9. *And be it enacted*, That the said commissioners shall, before they enter upon the duties of their appointment, severally take and subscribe an oath or affirmation, before the mayor, or any person authorized to administer the same, that they will faithfully and impartially execute the duties of their appointment, which said oath or affirmation shall be filed in the office of the clerk of the common council of said city of Rahway.

Repealer.

10. *And be it enacted*, That this act shall take effect immediately, and be deemed and taken to be a public act; and that all acts or parts of acts inconsistent with the provisions of this act be, and the same are hereby repealed.

Approved April 4, 1865.

CHAPTER CCCCXVII.

A Supplement to an act entitled "An act to authorize the inhabitants of the township of Downe, in the county of Cumberland, to raise money," approved March fourteenth, Anno Domini eighteen hundred and sixty-five.

Acts legalized.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the action of the inhabitants of the township of Downe in passing a resolution at her annual town meeting, held March fourteenth, eighteen hundred and sixty-five, increasing the bounty paid to volunteers or drafted men to be credited on her quota of the present call, or any subsequent call of the president of the United

States made within one year, from three hundred to six hundred dollars, is hereby legalized and the township committee shall have full power to issue bonds or notes for such increase, and to assess and collect a tax upon the personal and real estate and also a poll tax of twenty dollars on every legal voter in said township, to pay said bonds or notes, and for no other purpose.

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

Approved April 4, 1865.

CHAPTER CCCCVIII.

An Act to confirm the acts and proceedings of the inhabitants and of the township committee of the township of Roxbury, in the county of Morris, and to authorize the raising of money, for the payment of bounties to volunteers, drafted men and substitutes, to fill the quota of said township under the President's call, made in December, eighteen hundred and sixty-four, and for other purposes.

WHEREAS, the inhabitants of said township of Roxbury, at a Preamble. public meeting thereof, duly called for that purpose, and held upon the eighteenth day of January last, eighteen hundred and sixty-five, among other things, did resolve and determine, by a vote thereof, that the township committee of said township should, and did authorize said committee to issue the bonds of indebtedness of said township to each volunteer, drafted man or substitute who might be credited to said township towards filling the quota of said township of ten, allotted under the president's call of the nineteenth of December, eighteen hundred and sixty-four; and that for one year volunteers, drafted men or substitutes so credited, a bond for three hundred dollars each; for those for two years a bond for four hundred dollars each; and for those for three years a bond for five hundred dollars, each, bearing interest at six per centum per annum from the date thereof, and payable on the tenth day of January, eighteen hundred and sixty-seven, be given to each of said volun-

teers, drafted men and substitutes, respectively, according to the time for which they shall be accredited as aforesaid; and that to pay said bonds, with interest that may accrue thereon and expenses, a tax for thirty-five hundred dollars shall be assessed and levied upon and collected from the taxable persons and property in said township, in the year eighteen hundred and sixty-six, in the same manner and at the same time that all other taxes are assessed, levied and collected in said township; therefore,

Acts legalized

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said acts and proceedings of the said inhabitants of the said township of Roxbury, in the county of Morris, and of the said township committee of the said township, that have been done, and that may be done in pursuance of, and in fulfilling and executing the resolutions, as authority conferred and adopted by said meeting, be and the same hereby are ratified and confirmed; and the said debt of thirty-five hundred dollars, and the said bonds, so authorized to be issued and contracted are hereby legalized and confirmed as the debt and bonds of said township, and valid and legally binding upon said inhabitants and the property of the same when said bonds shall be so issued and delivered.

May issue bonds.

2. *And be it enacted*, That the said township committee of said township shall and may issue such bonds, for the sums in the above preamble mentioned, and according to the term of service for which he may have volunteered, been drafted and entered the service, or been received as a substitute, and credited upon said quota of said township under said call of December last, deliver to each such volunteer, drafted man and substitute, such bond and for such amount as in said preamble is mentioned for said term of service, and as by said meeting was authorized; each and every of such bonds to be payable on the said tenth day of January, eighteen hundred and sixty-seven, with interest from its date at six per centum per annum, and as in said preamble it is mentioned as authorized to be done, and each of which bonds shall be signed by the chairman of said township committee, and countersigned by the clerk of said township.

To provide by taxation for payment.

3. *And be it enacted*, That the said sum of thirty-five hundred dollars, shall be assessed, levied and collected upon the taxable real and personal estate of said township in the year eighteen hundred and sixty-six, at the same time and in the same manner and under the same penalties and liabilities as

other township and county taxes are, and in that year shall be in that township assessed, levied and collected, and such amount so collected shall be inviolably applied towards the payment and redemption of said bonds, and the principal and interest thereof, the residue, if any, remaining after such payments, shall go into the treasury of said township, and be expended for township purposes.

4. *And be it enacted*, That in order to provide for the filling of the quota of said township, and in any future call or calls for troops that may be assigned to said township, it shall and may be lawful for said township committee, from time to time, as such call or calls may occur or be made, unless otherwise by some act of the legislature provided, to cause such amount of tax as may be needed for the purpose, and be fixed by said inhabitants, at a town meeting thereof duly called for that purpose, by a vote of two-thirds of those voting at such meeting, and whether by poll taxes, and if so what amount thereof, and what amount by tax upon real and personal estate, to be assessed, levied and collected at the same time and in the same manner as other township and county taxes are or shall be assessed, levied and collected in said township, unless otherwise ordered by such meeting as to time, and in whatever year or years said amount shall be ordered by said meeting to be raised, and to issue the scrip or bonds of said township therefor, and to redeem the same by the taxes so collected; *provided*, that a certified copy of the proceedings of such meeting had for that purpose, shall be signed by the clerk of said meeting and duly delivered by him to the assessor of said township for the time being, and a like copy thereof be duly delivered to said township committee to be filed among the papers of said committee, at least twenty days before the time of making the regular annual assessment of taxes for the year, or fixed upon by said meeting for that purpose; which proceedings shall be full and ample authority to said committee to order such assessment, and for the said assessor to assess, and the collector to collect the same in the manner so, by said meeting, fixed and authorized.

5. *And be it enacted*, That this act shall be taken and held in all courts and places to be a public act, and shall take effect immediately.

Approved April 4, 1865.

CHAPTER CCCCXIX.

A Further Supplement to an act entitled "An act to incorporate the city of Hudson," approved April eleventh, eighteen hundred and fifty-five.

Special tax.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in order to enable the mayor and common council of the city of Hudson to pay the principal and interest of the bonds issued for the purpose of raising volunteers, and for the support of the families of volunteers engaged in the military service of the United States, and to pay the principal and interest of the bonds issued for the payment of bounties to volunteers, and of all other bonds issued and indebtedness contracted for the purpose of enlisting men into the military and naval service of the United States, and for war purposes, the said mayor and common council are hereby authorized and empowered, in addition to the powers contained in their charter, to raise by special tax, in such manner as is now prescribed in said charter in relation to general taxes, such additional sum and sums of money as may be deemed necessary or advisable to pay the principal and interest of such bonds and indebtedness; *provided*, such special tax shall not exceed, in any one year, seven mills on a dollar of the actual value of the real and personal property assessed, and all the powers conferred by the charter of said city for the assessment and collection of taxes shall apply to this act.

Separate account to be kept.

2. *And be it enacted*, That the treasurer of said city shall keep a separate account of the moneys arising from said tax, and shall, under the direction of the mayor and common council, appropriate the same for the purpose prescribed by this act, and for no other purpose whatever.

Repealer.

3. *And be it enacted*, That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and that this act shall take effect immediately.

Approved April 4, 1865.

CHAPTER CCCCXX.

A Further Supplement to "An act relative to Insurance Companies," approved April fifteenth, eighteen hundred and forty-six.

WHEREAS, doubts exist as to the taxes required by law to be paid in this state by the insurance companies of other states; and whereas, it is desirable that such uncertainties should be removed, and the revenue to be derived from such companies should be clearly defined and secured, and the companies of this state be entitled in other states to the benefits of reciprocal laws; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the agents of every fire, life, health, or marine insurance company not incorporated by the laws of this state, and doing business in this state, shall file with the secretary of this state on or before the first day of February in each year, the certificate now required by law, respecting the business and condition of the company of which he is such agent, and shall pay at the time of such filing to said secretary of state, the sum of five dollars fees therefor; and shall also be required within ten days thereafter to take from such secretary of state, a license to act as such agent and transact the business of said company during the ensuing year, and shall pay for such license the sum of twenty dollars, and such license fees so paid shall be in lieu of all other taxes to be assessed in this state, on such agents for the business of said companies; *provided however*, that the last foregoing provisions shall apply only to the agents of companies of those states whose laws do not impose a greater tax or assessment than the foregoing, upon the agents of companies of this state, and doing business in those states.

2. *And be it enacted*, That the agents of companies of those states imposing larger taxes or assessments than the foregoing upon the agents of companies of this state, shall pay in the manner and at the time now provided by law, a tax of two per centum per annum on the whole amount of premiums taken or received by such agent during the year preceding the payment of said tax.

3. *And be it enacted*, That the monies arising from such

Moneys, how
appropriated.

license fees and said taxes of two per centum, shall be appropriated in the manner now provided by law.

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

Approved April 5, 1865.

CHAPTER CCCXXI.

Supplement to an act entitled "An act to authorize the business of Banking," approved February twenty-seventh, eighteen hundred and fifty.

Repealer.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That such part of the second section of the act to which this is a supplement, as provides "that it shall not be lawful for the treasurer to take any such stock, which shall not be worth, upon a sale made for gold and silver, one hundred cents on the dollar," be, and the same is hereby repealed, and the treasurer of this state is hereby authorized to take and receive as a basis for banking, under said act, any of the stocks and bonds named in the said act, or any of its supplements, which shall be worth on a sale made for the legal tender currency of the United States, at least one hundred cents on a dollar.

2. *And be it enacted*, That all acts and parts of acts inconsistent with the provisions of this act, be, and the same are hereby repealed.

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

Approved April 5, 1865.

CHAPTER CCCCXXII.

An Act to authorize the inhabitants of the road districts in the township of Piscataway, in the county of Middlesex, to elect their overseers.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the inhabitants of the several road districts in the township of Piscataway, in the county of Middlesex, shall elect their respective overseer or overseers of the road, voting viva voce, on the Thursday following the annual town meeting in said township, at five o'clock in the afternoon of said day, at places in each road district to be designated by the town clerk of said township, by notice in writing, set up at the place where said annual town meeting is held, by ten o'clock in the forenoon of the day of such annual town meeting.

2 *And be it enacted*, That all acts or parts of acts, inconsistent with this act are hereby repealed, and that this act shall take effect immediately.

Approved April 5, 1865.

CHAPTER CCCCXXIII.

An Act to legalize the acts of the inhabitants of the township of Southampton, in the county of Burlington, to raise money.

WHEREAS, the inhabitants of the township of Southampton, in the county of Burlington, did, at their last annual town meeting, order a special assessment to be made on the real and personal property of said township, for an amount of money not exceeding twelve thousand dollars, in addition to what has already been raised, to fill the quota of said township under the late call for volunteers; therefore,

Acts legalized 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the acts of said township, as mentioned in the preamble of this act, be, and the same are hereby legalized and made valid.

When assessed and collected. 2. *And be it enacted*, That the said tax shall be assessed in the same manner and under like fines and penalties as all other taxes are raised.

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

Approved April 5, 1865.

CHAPTER CCCCXXIV.

A Further Supplement to "An act incorporating the Inhabitants of Townships, designating their powers, and regulating their meetings," approved March fourth, eighteen hundred and sixty-four.

Penalty for neglecting to publish account. 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That if any township clerk shall neglect to perform the duty of publishing a full and complete account of the receipts and expenditures of the township committee, as specified by the act to which this is a further supplement, he shall forfeit and pay the sum of fifty dollars, to be recovered by action of debt, one half to go to the township, and one half to the person who brings suit for the same; and the said publication shall be made in the paper or papers of the county in which the township lies, designated by the governor to publish the public laws of this state.

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

Approved April 5, 1865.

CHAPTER CCCCXXV.

An Act for the better protection of the agricultural and horticultural interest of the county of Atlantic.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That if any person or persons whosoever, shall at any time hereafter, dig or pull up, cut, injure or destroy any grape vines, strawberry vines, blackberry plants or any other kinds of small fruits or fruit trees, or any cuttings, or runners of any of them, standing, growing, or being in or upon any land, within the limits of the county of Atlantic and state aforesaid, to which they have no right or title, every such person or persons so offending shall forfeit and pay for such vine, plant, cutting, runners or trees, dug or pulled up, cut, injured or destroyed or removed from the premises as aforesaid, the sum of twelve dollars, one-half of which shall be paid to the owner or owners of the land, and one-half to the person or persons who shall sue for and prosecute the same to judgment, at any time within eighteen months from the perpetration of said offence; and furthermore, that when any person or persons within the limits of said county of Atlantic, shall be sued or prosecuted before any justice of the peace for, and in said county, it shall be lawful for said justice of the peace to proceed to try the case, whenever the damages demanded shall not exceed one hundred dollars, notwithstanding any claim the defendant or defendants may offer to make to the land whereon and from which the aforesaid acts shall have been committed, and to issue execution for the damages with costs of suit, unless the defendant or defendants shall immediately enter into bonds to the plaintiff or plaintiffs, with one or more responsible freehold sureties, in double the sum for damages demanded, together with costs of suit, conditioned for his or their appearance at the next court, when the same may be cognizable in any action of trespass, and to pay damages against him or them, with costs of suit; any law, usage or custom to the contrary notwithstanding.

2. *And be it enacted*, That any persons whomsoever, shall at any time hereafter unlawfully dig or pull up, remove or destroy or injure any grape vine, strawberry or blackberry plants, or any other small fruit or cutting, or fruit trees,

standing, growing, or being on any land within the limits of said county, any person so offending shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding one hundred dollars, or imprisonment at hard labor not exceeding one year, or both, at the discretion of the court, before whom such offenders or offender shall have been convicted.

3. *And be it enacted*, That if any person shall receive or purchase any grape vines, strawberry or blackberry plants, or any other small fruit, or the cuttings of them, or any fruit trees, or the fruit from any of them, knowing the same to have been unlawfully taken and carried away, he, she, or they shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine not exceeding one hundred dollars, or imprisonment at hard labor not exceeding six months or both, at the discretion of the court before whom such offender shall have been convicted.

4. *And be it enacted*, That no person shall be allowed at any time hereafter, to enter any vineyard, fruit garden, or orchard within the limits of said county, without permission of the owner of the same; any person so offending shall be guilty of a trespass, and on conviction thereof, shall pay a fine not exceeding ten dollars, or imprisonment in the county jail not exceeding fifteen days, or both, at the discretion of the court before whom such offender shall have been convicted.

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

Approved April 5, 1865.

CHAPTER CCCCXXVI.

A Supplement to an act entitled "A further supplement to an act concerning taxes," approved March twenty-eighth, eighteen hundred and sixty-two.

Amendment. 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the twenty-second section of the act to which this is a supplement, be amended to read
 Proviso. after the word "duplicate," *provided however* that the asses-

sors of the several wards of the city of Newark shall be entitled to receive sixteen cents for every assessment made by them according to law.

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

Approved April 5, 1865.

CHAPTER CCCCXXVII.

An Act in relation to the Public Printing.

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Printing regulated.} *the State of New Jersey*, That the laws enacted at each session of the legislature, the journals of the senate and minutes of the joint meeting, the minutes of the house of assembly, and the legislative documents shall be printed hereafter in royal octavo form in strict conformity with the provisions of the act relative to the public printing, approved February eighteenth, eighteen hundred and sixty-two, at the following prices, to wit: for printing three thousand copies of the session laws, the sum of thirty-two dollars and fifty cents per sheet of sixteen pages; for printing one thousand copies of the journal of the senate, with the minutes of the joint meeting, and one thousand copies of the minutes of the house of assembly, the sum of twenty-five dollars per sheet of sixteen pages; for printing one hundred and thirty copies of the public bills ordered by either branch of the legislature at the rate of five dollars per sheet of four foolscap pages on good writing paper with pica type, each page to contain thirty-one lines; for printing the legislative documents and other papers ordered by the legislature, at the rate of one dollar per one thousand ems for composition, and one dollar per token of two hundred and fifty impressions of sixteen pages for the press work; *provided*, that in all cases where ^{Proviso.} rule and figure work is required, the price for composition shall be double the rates above stated; *and provided further*, ^{Proviso.} that one dollar extra shall be paid per page for all indices and tables of contents, set in brevier type in the session laws, journals of senate and minutes of house of assembly, and the treasurer's accounts.

What prices
to include.

2. *And be it enacted*, That the above prices shall include all the expenses incident to the printing and delivery to the state treasurer of all documents ordered, excepting folding and stitching, which shall be charged at the current prices for such work, and the paper, which shall be of good quality, white printing paper for documents in octavo form weighing forty-four pounds to the ream of four hundred and eighty sheets, twenty-four by thirty-eight inches in size; the bills to be on good foolscap paper, weighing fourteen pounds to the ream, the price to be allowed for such paper shall be at the lowest rate per pound, at which the same is sold by paper dealers in New York and Philadelphia, during the first week in February, for the paper used for the legislative documents and current works ordered by the legislature, and for the other work at the lowest prices aforesaid at which such paper is sold in said cities, during the last week in March of each and every year, and satisfactory evidence of the price of such papers, within the said periods shall be submitted to the comptroller before the allowance by him for any bill for paper on which any public printing has been executed.

3. *And be it enacted*, That when any document shall be ordered to be printed by either branch of the legislature, more than once, at periods more than four days apart, the printer thereof shall be entitled to charge for composition as above provided for, each time the said document shall be so printed.

Copy to be de-
livered within
thirty days.]

4. *And be it enacted*, That in conformity with the act approved April sixteenth, eighteen hundred and forty-six, it shall be the duty of the clerk of the general assembly, and the secretary of the senate to deliver copies completed of the journals of their respective houses to the persons appointed to print the same, within thirty days after the close of the session of the legislature; and in the event of the clerk of the general assembly and secretary of the senate failing to deliver such copies as provided for in this section, they shall forfeit to the treasurer, for the use of the state, one hundred dollars of their salary.

Laws to be
delivered
within two
months.

5. *And be it enacted*, That the printer or printers who are hereby or hereafter may be appointed to print the laws and proceedings of the legislature of this state shall within two months after he or they shall have received the copy thereof, deliver to the treasurer of this state the number of copies of the laws and proceedings of the legislature for the time being, as shall be directed by law.

6. *And be it enacted*, That the indices to the journal of the senate and minutes of the house of assembly shall hereafter be made out by the person or persons respectively who may be employed to execute the printing of said journals or minutes, and the sum of fifty dollars each shall be allowed the said printers for compiling such indices; *provided*, that said indices shall be printed solid in brier type, and be made out alphabetically under only one heading, in the style of the index to the journal of the senate of New Jersey for the year eighteen hundred and sixty-two.

7. *And be it enacted*, That the journal of the senate and the minutes of the house of assembly shall hereafter be printed in the same compact form and style as the journal of the senate for the year eighteen hundred and sixty-two, and the comptroller shall audit no bills for printing not executed in accordance with the law.

8. *And be it enacted*, That John H. Lyon, of Jersey City, be employed to print the bills, pamphlets, and documents ordered by the senate.

9. *And be it enacted*, That Jacob R. Freese, of Trenton, be employed to print the pamphlets and documents ordered by the house of assembly.

10. *And be it enacted*, That Murphy & Bechtel, of Trenton, be employed to print the bills of the house of assembly.

11. *And be it enacted*, That John H. Lyon and Jacob R. Freese be appointed to print legislative documents.

12. *And be it enacted*, That the Newark Printing and Publishing Company, of Essex county, be employed to print three thousand copies of the laws enacted at the present session of the legislature.

13. *And be it enacted*, That Augustus S. Barber, of Gloucester county, be employed to print one thousand copies of the minutes of the general assembly for the current year.

14. *And be it enacted*, That Charles Wills, of Burlington county, be employed to print one thousand copies of the journal of the senate for the current year, including the minutes of joint meeting.

15. *And be it enacted*, That all acts and parts of acts conflicting with the provisions of this act be and are hereby repealed.

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

Approved April 4, 1865.

CHAPTER CCCCXXVIII.

A Supplement to an act entitled "An act to regulate the practice of the courts of law."

Cause may be heard in courts of errors.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in any case where a justice of the supreme court or a judge of the circuit court shall have died, or shall die, without having sealed exceptions taken in any case where a bill of exception will lie, and the parties or their attorney or council cannot agree upon the bill of exceptions that were, in fact, taken, though not sealed, at the time; in each and every such case the cause in which such exceptions were taken shall be heard in the court of errors upon such exceptions, to be settled and sealed by any justice of the supreme court to whom application shall be made, on five days' notice to the opposite party, as shall be found before such justice to have been in fact made; or in case such agreement can be made, then the cause shall be heard upon the exceptions agreed to.

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

Approved April 5, 1865.

CHAPTER CCCCXXIX.

A Further Supplement to the act entitled "An act to provide for the publication of the public laws of this state," approved February sixteenth, eighteen hundred and fifty-four.

Price regulated.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That hereafter the publishing of the laws in the several newspapers of the state shall be at the same price as is or hereafter may be provided for the payment of legal notices.

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

Approved April 5, 1865.

CCCCXXX

An Act to authorize the erection of a monument to the memory of John Hart.

WHEREAS, John Hart, a signer of the declaration of independence, and the first speaker of the house of assembly of the independent state of New Jersey, now lies buried in the township of Hopewell, in the county of Mercer, in this state, in a farm grave yard, and no stone having been erected to mark the spot of his resting place; and whereas, the state ought not to allow the remains of one who made so many sacrifices for his country at the formation of our national and state governments to lie longer without some token of remembrance; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Jacob Weart, of Hudson, Charles A. Skillman, of Hunterdon, and Zepheniah Stout, of Somerset, be appointed three commissioners to select a suitable resting-place for the remains of the deceased, and to erect over the spot a plain granite stone, and enclose the same with an iron fence, and inscribe thereon a suitable inscription, the whole to be done at an expense not exceeding six hundred dollars.

2. *And be it enacted*, That when said work shall have been completed, and the same certified to the governor by said commissioners and the cost thereof, the governor shall draw a warrant on the treasurer for said sum not exceeding six hundred dollars, in favor of said commissioners, and the treasurer shall pay the same out of any money not otherwise appropriated.

Approved April 5, 1865.

CHAPTER CCCCXXXI.

An Act to incorporate the town of Clinton, in the townships of Clinton, Franklin, and Union, in the county of Hunterdon.

Boundaries of town.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all that part of the townships of Clinton, Franklin, and Union, in the county of Hunterdon, contained within the following limits, to wit: beginning at stake standing in the line between the said townships of Franklin and Union, in the road known formerly as the New Jersey Turnpike, at the place where the public road leading from Bonnel's tavern to the Union intersects said road, known formerly as the New Jersey Turnpike, running from thence along the line of said road leading from said tavern to the Union, in a northerly direction to a stake in said road, a corner to lands late of A. W. Dunhoue, deceased, and in a line of lands late of Godfrey Case, deceased; thence running along lands late of said Dunhoue and said Case, due east, to the southwest corner of lands of William S. Wyckoff; thence in a northerly direction along the western line of the lands of said Wyckoff, to the line of lands of Garret Conover; thence in an easterly direction along the north line of said Wyckoff's lands to the northwest corner of lands late of Caleb G. Halsted, deceased; thence along the north line of the last named tract, and lands of Henry Fields, including the same, to a corner in a straight line with the north line of said Henry Fields' lands, on the lands of John Race, and four hundred feet from the line between said Fields and said Race; thence in a southerly direction to the northeast corner of Oliver Kline's lot; thence along the east line of said Kline's lot, and lands of William L. King, in a southerly direction, to the line of Isaac Aller's land; thence along said Aller's line to the east line of John Macklin's land; thence along the line of said Aller, in a southerly direction, to the road between said Aller and Jacob D. Fritts'; thence along said road, in a westerly direction, to a corner in the great road leading from Clinton to Flemington; thence along the said road, in a southerly direction, to the southeast corner of James P. Huffman's land; thence along the line of said James P. Huffman's land, in a westerly direction, to a corner

in the south branch of the Raritan river; thence due west to a corner in line of lands belonging to George Jones and Nehemiah Dunham; thence along said line, in a northerly direction, to the northeast corner of said Jones' land; from thence, in a northwesterly direction, to the place of beginning, shall be, and hereby is erected into a borough or town corporate, which shall be called and known by the name of "The Town of Clinton;" and the inhabitants thereof shall be, and hereby are incorporated by the name of "The Inhabitants of the Town of Clinton," and by that name they and their successors forever shall and may have perpetual 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 manner of actions, suits, complaints, matters and causes whatever; may have a corporate seal, and alter the same at their pleasure; and may, by their corporate name aforesaid, purchase, receive, hold and convey any estate, real or personal, for the public use of said corporation.

2. *And be it enacted*, That the said corporation, in addition to the rights, privileges and immunities granted, and the duties and obligations imposed by this act, shall be entitled to all the rights, privileges and immunities conferred, and subject to all the duties, restrictions and liabilities imposed by the laws of this state upon the inhabitants of the several townships thereof, so far as the same are consistent with the provisions of this act. Restrictions and liabilities.

3. *And be it enacted*, That the inhabitants of the town of Clinton, qualified by law to vote at town meetings, shall hold a town meeting at John B. Weller's hotel, in Clinton, on the second Monday of April next, at ten o'clock in the forenoon, and on the second Monday of April in every year thereafter, at the same hour, and at such place in said town, as the electors thereof, at their annual town meetings, shall from time to time direct and appoint, which meetings, and such other town meetings as may from time to time be convened, shall be organized and conducted in the same manner as such meetings in the townships; and the officers thereof shall possess the same powers and be subject to the same duties and restrictions, unless when otherwise provided by this act. Town meeting.

4. *And be it enacted*, That, at such annual town meetings, the citizens of said town, qualified to vote as aforesaid, shall elect, by ballot, the following officers, all of whom shall be Officers to be elected.

residents in said town, to wit: one mayor and six common councilmen, all of whom shall hold their respective offices for one year, and until others are chosen and legally qualified in their stead; one assessor and one collector, who shall be inspectors of the elections; one clerk, one judge of election, one town superintendent of public schools, one chosen freeholder, two surveyors of the highways, one or more constables, one or more overseers of the poor, as many overseers of the highways, and pound keepers as the inhabitants of the town shall deem necessary, and as many justices as the inhabitants of the town may at any time be entitled to elect; all of whom shall take the same oath or affirmation, give the same security for the performance of their respective duties, hold office for the same times, and in all respects have the same powers, privileges and jurisdiction, perform the same duties, and be subject to the same restrictions, liabilities and penalties as the like officers elected by any township in this state, unless where otherwise directed or provided by this act; but in all cases where the word "township" occurs in the form of any oath or affirmation, bond or obligation, or in any other form prescribed by law, the word "town" shall be substituted.

Elections,
when held.

5. *And be it enacted*, That the first election of town officers shall be held by the person chosen by the voters present, to preside at or superintend the town meeting, and two inspectors of election, who, together with a clerk, to be chosen for such meeting, shall be chosen in the same manner, and all subsequent elections by the judge of elections, and the assessor and collector, who shall be inspectors of the elections of said town, a majority of whom shall determine all questions respecting the right of voting at such elections; and the name of each person voting shall be recorded by the town clerk, in a poll list kept for that purpose; each voter shall give a single ballot, designating the names of the persons for whom he votes for each office respectively; the polls shall be kept open until four o'clock in the afternoon, and when the polls are closed the votes shall be counted, and the number received by each person for each office, certified by the judge and inspectors, or a majority of them, and the several persons having a plurality of votes for each office respectively, shall be declared to be elected; and the said board of election shall in all things conform to the laws of this state regulating elections.

6. *And be it enacted*, That if the inhabitants of said town

fail or neglect, at their annual town meeting to choose any of the officers required to be chosen, or if any of the officers chosen shall die, remove out of the town, refuse to serve, or become incapable of serving, the vacancies may be supplied by elections held in the manner directed in the preceding section, at town meetings to be called for the purpose, in the same manner as in the townships; and in case of the neglect of the electors, for fifteen days after such failure or omission to choose, or after the death, removal, refusal, or inability of any such officers, justice of the peace excepted, the common council shall, by writing, under their hands and seals, appoint suitable persons to fill such vacancies; and the persons so elected shall, during the remainder of the term of said offices, possess the same power and privileges, and be subject to the same laws, rules and regulations, as such officers elected at the annual town meeting.

7. *And be it enacted,* That the mayor and common councilmen shall constitute the common council of said town, and the said common council shall meet at such times and places as the inhabitants of the town, at their annual town meetings may designate, or the said common councilmen may by their by-laws appoint; and special meetings of the common council may be called by the mayor, or by any three members, by giving such notice as the by-laws may require; at the meetings of the common council the mayor shall preside, but in his absence the other members may appoint any one of their members chairman pro tempore; four members shall constitute a quorum to do business, and each member present shall be entitled to a vote; the said common council, and its members, collectively and individually, shall possess the powers and perform the duties which by law belong to or are imposed upon the township committee and the commissioners of appeal, in cases of taxation of the townships, and the members of each, collectively and individually; and when performing the duties which belong to the said township committees or commissioners of appeal, in cases of taxation, shall receive the compensation allowed by law for the performance of such duties, but shall not be allowed compensation in more than one character for any day's service; and they shall be entitled to no pay or compensation for their services as members of the common council, except for their actual and necessary expenses in discharge of their duties.

8. *And be it enacted,* That it shall and may be lawful for the said common council, by not less than four concurring

votes, to pass and enforce all such by-laws and ordinances as they shall judge proper for regulating, cleaning, and keeping in repair the streets, sidewalks and highways and public alleys in said town, preventing and removing all obstructions and encroachments in and upon the same, preventing immoderate riding or driving through the streets, and riding or driving on the sidewalks; for regulating and preventing the running at large of cattle, horses, sheep, goats, swine and geese; for preventing, abating and removing nuisances; for lighting the streets; for preventing and restraining riots, routs, disturbances, disorderly assemblages, noisy, disorderly or indecent conduct, and drunkenness; for suppressing disorderly or gambling houses and grogeries, and for suppressing vice and immorality; for gravelling and paving streets and sidewalks; for protecting shade and ornamental trees on the streets, highways and public grounds; for protecting public property and property belonging to the corporation; for providing a supply of water, and preventing and suppressing fires; for regulating and prescribing the duties of fire engineers and firemen, which engineers and firemen shall be exempt from serving as jurors in the courts for the trial of small causes, and in the militia in time of peace; and after serving ten years successively as firemen, shall be exempt from duty as such, and also remain exempt from serving as jurors in said courts, and in the militia in time of peace; for compelling the cleaning of chimneys; for regulating or preventing the carrying on of dangerous or noxious manufactures; for appointing watchmen, and prescribing their powers and duties, and regulating the police of the town; for establishing and regulating public pounds; for restraining vagrancy, mendicants, and street begging; for establishing and regulating public markets; and such other by-laws and ordinances, for the peace and good order of said town, as they may deem expedient, not repugnant to the constitution or laws of this state, or of the United States; and to enforce the observance of all such by-laws and ordinances, by enacting penalties for the violation thereof, either by imprisonment not exceeding seven days, or by fine not exceeding fifty dollars, recoverable, with costs, in an action of debt, in the name of the treasurer of the town of Clinton, for the use of the inhabitants of the town of Clinton, without specifying the individual name of the treasurer for the time being, before any justice of the peace residing in said town or in the township of Clinton, in which action it shall be lawful to declare

generally in debt for such penalty, and give the special matter in evidence; *and further*, the said mayor and justices of the peace in said town are hereby constituted and declared to be conservators of the peace for the same, and each of them is authorized and empowered to enforce the penalty of imprisonment for violations of the laws and ordinances passed as aforesaid, by warrant under his hand and seal, directed to the keeper of the Hunterdon county jail, who is hereby authorized and required to receive and keep the persons so committed, but the costs and expenses of committing and keeping such persons shall be paid by said corporation; and every person thinking himself aggrieved by the decision of such mayor or justice of the peace may immediately appeal to the common council, who are hereby required to hear the cause of complaint, and do therein what to them shall appear just and reasonable; *provided always*, that each and every by-law and ordinance so passed, as aforesaid, shall be published for the space of twenty days, in at least one newspaper circulating in said town, or posted up in three of the most public places in said town, before such by-law or ordinance shall go into effect; *and provided also*, that no such ordinance or by-law shall be enacted or passed unless the same shall have been introduced before the common council at a previous meeting. Proviso.

9. *And be it enacted*, That it shall be lawful for the common council of said town, in common council convened, to make and establish ordinances and regulations for the leveling, grading and paving, flagging or graveling sidewalks in any street or streets in said town, by the owners of lots fronting on or adjoining such street or streets, and to appoint one or more discreet and skillful person or persons, if necessary, to superintend the said work, and prescribe the manner in which the same shall be performed; and when any of the said owners shall have fully complied with any such ordinances and regulations, he or they shall be entitled to receive out of the treasury of said town one-half of the expense of the said work, as ascertained and reported to the common council, by the person or persons appointed to superintend the said work. Regulation of streets.

10. *And be it enacted*, That if the owner of any lot in front whereof the sidewalk shall, by such ordinance or regulation, be directed to be leveled, graded and paved, flagged or gravelled, shall neglect to comply with such ordinance or regulation, within forty days from its passage or adoption, it Penalty for neglect.

shall be lawful for the said common council to cause an estimate of the expenses of conforming to such ordinance or regulation with respect to such lot, to be made assessed and certified by three assessors, to be appointed by the said common council, which said assessment shall be examined and approved by the said common council.

Assessment
to be a lien.

11. *And be it enacted*, That one-half of the amount of the assessment or estimate to be made as aforesaid, on any lot in said town, shall be and remain a lien thereon from the time of the completion and return of such estimate or assessment, in manner aforesaid, until paid or otherwise satisfied; and it shall be lawful for the common council, if they shall see fit, in case the owner of any lot, or any house and lot, within the said town, shall neglect as aforesaid, to comply with such ordinance or regulation in respect to the sidewalks in front thereof, to cause the same to be done and paid for out of any moneys in the hands of the treasurer of said town, and to sue for and recover, in the name of the treasurer of the town of Clinton, for the use of the inhabitants of the town of Clinton, one-half of the amount so paid from the owner or owners of such lot, or his or their legal representatives, with interest and costs; in any court of this state having cognizance thereof, in an action on the case for so much money by them paid, laid out, and expended to and for the use of such owner or owners, or his or their legal representatives; and in every such action, the said estimate or assessment, with the proof of the amount paid, shall be conclusive evidence for the plaintiff; and the other half of the said assessment shall be paid out of the treasury of the said town; *provided*, that said common council shall not proceed to execute any of the improvements named in the ninth section, without the consent, in writing, of a majority of the persons to be assessed therefor, be first had and obtained.

Proviso.

Inhabitants
not incompetent
as witnesses.

12. *And be it enacted*, That upon the trial of any issue, or upon the judicial investigation of any fact, in which the said corporation is a party, or in which it is interested in any way, no person shall be deemed an incompetent witness or juror by reason of his being an inhabitant or freeholder of said town; and if any person shall be sued or impleaded, by reason of anything done by virtue of this act, it shall be lawful for such person to plead the general issue, and give this act and the special matter in evidence at the trial.

Oath to be
taken.

13. *And be it enacted*, That the mayor and common councilmen shall each, before entering upon the duties of his office,

take and subscribe an oath or affidavit before a justice or commissioner of the supreme court, or a judge of the court of common pleas, or justice of the peace of the county of Hunterdon, faithfully and impartially to execute the duties of his office, which oath shall be filed and kept by the town clerk.

14. *And be it enacted*, That the mayor of the said town of Clinton is hereby authorized and empowered to administer oaths and affirmations in all cases where they are directed to be taken before him, or are prescribed by law, without designating before what officer, or are necessary and proper in the discharge of his duties; and the said mayor may authorize and require the constables of the town to execute all warrants or other process issued by him in the discharge of his duty, under the same liabilities and penalties as said constables are subject to in case of warrant or other process issued by a justice of the peace.

Powers of
mayor.

15. *And be it enacted*, That the common council shall choose annually a suitable person for treasurer, who shall serve until his successor is appointed and sworn into office, whose duty it shall be to demand and receive all moneys and other property belonging to, or due, or owing, in any way, to the said corporation from the collectors and other officers or persons who may have collected or received, or who may hold the same, and safely to keep the same, and all vouchers therefor; to pay out said moneys on the warrant of the common council for the same, and at the expiration of his office to pay over and deliver to his successor all such moneys, property, and vouchers therefor, as may be in his hands, and at least once in each year to make out a full and true account of all moneys raised and received by tax or otherwise, for the use of said corporation, and of the application and expenditure of the same, and deliver the said account to the town clerk, at least ten days previous to the annual town meeting; and the said clerk shall file the same in his office, and cause a copy thereof to be published in one or more newspapers circulating in said town, at least five days previous to said meeting, or posted up in three of the most public places in said town; and the accounts of the treasurer shall at all times be subject to the examination of the common council, who, in case of default or violation of duty, may remove him from office, and appoint another in his stead for the remainder of the year, and until a successor is appointed and sworn into office.

Treasurer to
be appointed.

16. *And be it enacted*, That such treasurer, whenever ap-

Treasurer to give bond. pointed, shall execute a bond to the inhabitants of the town of Clinton, in such sum and with such securities as the common council shall approve, conditioned for the faithful performance of the duties of his office; and shall also take and subscribe an oath or affirmation before the mayor, or before a judge of the court of common pleas, or justice of the peace of Hunterdon county, faithfully to perform said duties, which oath shall be filed and kept by the town clerk.

Clerk, and his duties. 17. *And be it enacted*, That the clerk of the said town, besides performing the duties required by law of the clerk of a township, unless where otherwise directed by this act, shall also be the clerk of the common council, and shall keep an exact and true record of the votes and proceedings, and of all by-laws and ordinances passed by the said common council, which record shall, at all reasonable and proper times, be open to the inspection of any inhabitant of said town; *provided*, that in case of the absence of the clerk from any meeting of the common council, the members may appoint any one of their number clerk pro tempore, who shall, in like manner, keep an exact record of their proceedings, and sign his name thereto.

Proviso. 18. *And be it enacted*, That it shall be lawful for the common council to pay unto the treasurer, clerk, and other officers and agents of the town, such compensation for their services, as the said common council shall deem reasonable and proper.

Compensation 19. *And be it enacted*, That the citizens of said town, qualified to vote at town meetings, shall be and hereby are empowered, at their annual town meetings, or at any other meeting duly held for that purpose, to vote, grant and raise such sum or sums of money, for the purposes for which the townships in this state are authorized to vote, grant, and raise the same, as the majority of them shall deem necessary and proper, which vote shall be by ballot; and it shall be lawful for the common council, from year to year, to vote and raise by tax, such sum or sums of money as they shall deem necessary and proper, and the money so voted and granted shall be assessed and levied and collected with the state and county taxes, by the proper officers, in the same manner and under the like fees, fines and penalties as in the townships; and such fees, fines and penalties shall, when recovered, be paid to the treasurer of the town, for the use of the said town.

May vote to raise money. 20. *And be it enacted*, That the said town shall be entitled

to its just proportion of the school fund of this state, to be ascertained in the manner in which the quotas in the townships are or may be ascertained, which shall, from time to time, be paid over to the treasurer of the town, or such other person as the common council may authorize to receive it, and applied under the direction of the common council, in the manner prescribed by law; the said town shall also be subject to its just and equitable proportion of all debts and liabilities to which the inhabitants of the townships of Clinton, Franklin and Union, in the county of Hunterdon are now subject, and be entitled to its just and equitable proportion of the money and property now belonging to the inhabitants of the townships of Clinton, Franklin and Union, in the county of Hunterdon, which said debts and liabilities, and also said money and property, shall be divided between the said town of Clinton and the said townships of Clinton, Franklin and Union, in proportion to the taxable property and rates, as taxed by the assessor at the last assessment, within the respective limits of the said town and townships as established by this act; and any money or property to which the said town may be so entitled, shall be applied, under the supervision of the common council, for the purpose, and in the manner for and in which they are now authorized to be used by said township; and the said town shall also be entitled to receive its just quota of the proceeds of the surplus revenue apportioned to the state of New Jersey, in the same manner as the several townships of Hunterdon county.

21. *And be it enacted*, That the town of Clinton shall constitute one election ward, and all elections hereafter held for officers of the county of Hunterdon, and of the state of New Jersey, and of the United States, shall be held within said town, at the place appointed by the inhabitants for the next annual town meeting, and every person resident in said town, entitled to vote at such election, shall give his vote in said town, and not elsewhere; at all such elections, the judge of elections, the two inspectors of elections, and the clerk, chosen as aforesaid, shall be respectively judge of elections, inspectors of elections, and clerk; and in case of the absence or incapacity to act of any of them, their places shall be supplied in the manner prescribed by law, and they, and each of them or the persons appointed to act in their places, shall possess the powers, perform the duties, and be subject to the provisions of the laws regulating such elections.

22. *And be it enacted*, That the said common council, or

To grant licenses.

a majority of them in common council met, shall have the sole and exclusive right and power of licensing and assessing every innkeeper, tavern keeper, and retailer of spirituous liquors, within said town, subject to the same provisions, and in like manner as the same is or may be lawfully done by the courts of common pleas in this state; and the said common council shall have the sole and exclusive powers of licensing all menageries, or collections of wild beasts or animals, and all circuses, plays, or other shows and exhibitions whatsoever, proposed to be performed or exhibited within the limits of the said borough, which said power of licensing, the said common council may, by ordinance, delegate to the mayor of the said borough; and any such license may be granted on such terms, and under and subject to such limitations and restrictions as the said common council may, by ordinance, prescribe; and all moneys which may be derived from granting such licenses, shall go to and for the use of said borough; and if any person or persons shall exhibit or be concerned in exhibiting, or cause to be exhibited within the borough, any matter or thing hereinbefore specified, without having first obtained such license as aforesaid, he, she or they shall be proceeded against under and by virtue of the statute of this state, entitled "An act for suppressing vice and immorality," approved April the fifteenth, eighteen hundred and forty-six, or under and by virtue of the act entitled "An act to regulate the exhibition of beasts or animals," approved April fifteenth, eighteen hundred and forty-six, as the case may require, and whether such person or persons shall have obtained a license from any justice or justices of the peace or not.

Act may be amended.

23. *And be it enacted*, That this act shall go into effect immediately after the passage thereof, and be referred to as a public act, in all courts and places, and by all persons; but the legislature may, at any time hereafter modify, amend or repeal the same, whenever in their judgment, such alteration, modification or repeal shall be required for the public good.

Approved April 5, 1865.

CHAPTER CCCCXXXII.

Supplement to "An act concerning the fencing of improved lands in the townships of West Milford, Pompton, and Wayne, in the county of Passaic."

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Repealer.} *the State of New Jersey*, That the act to which this is a supplement, so far as the same relates to the township of Wayne, in the county of Passaic, be and the same is hereby repealed.

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

Approved April 5, 1865.

CHAPTER CCCCXXXIII.

A Supplement to "An act constituting courts for the trial of small causes."

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Fees.} *the State of New Jersey*, That from and after the passage of this act the following fees shall be allowed to the several justices of the peace and constables in this state, to wit: the same fees as are now allowed by law, and forty per centum additional in each case to which services are performed by such justice or constable.

2. *And be it enacted*, That this act shall be deemed a pub-^{Limitation.} *lic act*, and take effect immediately; *provided*, that this act shall only continue in force for three years from its approval.

Approved April 5, 1865.

CHAPTER CCCCXXXIV.

A Further Supplement to "An act to re-organize the courts of law," approved February ninth, one thousand eight hundred and fifty-five.

Courts in
Cape May.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That from and after the fourth day of July next, the regular terms of the courts in and for the county of Cape May, shall be held at Cape May Court House; and commence on the first Tuesdays of September, December and April, in each and every year.

Repealer.

2. *And be it enacted*, That the act entitled "A further supplement to 'An act entitled an act to reorganize the courts of law,' approved February ninth, Anno Domini one thousand eight hundred and fifty-three," which supplement was passed March twenty-seventh, one thousand eight hundred and sixty-two, be and the same is hereby repealed.

Approved April 5, 1865.

CHAPTER CCCCXXXV.

A Supplement to the act entitled "An act relative to the sale and disposition of the real estates of infants," approved March nineteenth, eighteen hundred and forty-five.

Special guardian to pay proceeds to general guardian.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That when a special guardian, under the act to which this is a supplement, has sold the real estate, and performed the duties required of him by said act, and has made his report to the chancellor of his proceedings, and the chancellor has approved of the same, it shall be lawful for the chancellor to make an order directing said guardian to pay the proceeds arising from the sale of said real estate belonging to said infant, to the general guardian of said infant, if any such guardian has been appointed, upon said general guardian giving bonds sufficient to cover the share of said

infant in the hands of said special guardian, which said bond shall be approved by the orphans' court of the county, where said general guardian shall receive his or her appointment, and upon the general guardian filing with the clerk of the court of chancery a certificate from the orphans' court of the county where the general letters of guardianship shall be taken out, signed by at least two of the judges of the orphans' court and attested by the surrogate under his official seal, certifying that a good and sufficient bond has been filed with the surrogate of said county, sufficient to cover the amount (naming it) to come into the hands of such general guardian belonging to said infant, the chancellor may make an order directing the payment by such special guardian of the money in his hands, belonging to said infant, to the general guardian, after deducting such commissions as shall be allowed by the court of chancery, and the release of such general guardian acknowledged or proved, as deeds of land are now required to be acknowledged or proved, to said special guardian shall be a sufficient discharge of the duties of his trust, which release may be filed and recorded in the clerk's office of the court of chancery, and certified copies thereof, under the hand and seal of the clerk of the court of chancery, shall be evidence in all courts and places.

2. *And be it enacted*, That all special guardians heretofore or hereafter to be appointed, under the provisions of the act to which this is a supplement may, in case a general guardian or guardians shall be appointed to take care of the person and estate of said infant, close up the special trust or guardianship by settling his account in the court of chancery, and the chancellor ascertaining the amount due to such infant on the bonds of the special guardian, it shall be lawful for the special guardian to pay said sum to the general guardian when all the provisions of the first section of this act shall have been complied with by the general guardian, and the chancellor shall have ordered the payment to the general guardian, and the special guardian, in case the money has been invested by the order of the court of chancery, may assign to the general guardian the securities so held by him, and upon obtaining a release from the general guardian the same may be acknowledged, filed and recorded, and shall be evidence, as provided in the first section of this act.

To settle up
accounts.

Approved April 5, 1865.

CHAPTER CCCCXXXVI.

A Further Supplement to an act entitled "An act to incorporate the Somerville and Easton Railroad Company," passed February the twenty-sixth, eighteen hundred and forty-seven.

May increase
capital stock.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the Central Railroad Company of New Jersey may, from time to time, with the assent of a majority, in interest, of the stockholders of said company, increase their capital stock to any sum, not exceeding three millions of dollars, in addition to the present authorized amount of capital.

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

Approved April 5, 1865.

CHAPTER CCCCXXXVII.

An Act to incorporate the Bordentown and Buffalo Creek Oil and Mining Company.

Names of cor-
porators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Adolph Mailliard, P. Jenks Smith, William Steele, Whitall Stokes, Anthony Thorn, Jr., Robert Woodward, Samuel C. Forker, Daniel S. Mershon, Jr., and Thomas W. Ivins, and such other persons as may be associated with them and their successors, are hereby created and declared to be a body politic and corporate in law by the name and title of the "Bordentown and Buffalo Creek Oil and Mining Company," and by that name shall have perpetual succession and all the privileges and franchises belonging or incident to a corporation.

Amount of
capital stock.

2. *And be it enacted*, That the whole amount of capital stock of said company shall be one hundred thousand dollars, to be divided into shares of five dollars each, which shall be

personal property and be transferable on the books of said company.

3. *And be it enacted*, That the above named corporators, or a majority of them, shall be commissioners to receive subscriptions to the capital stock of said company, at such time and place or places in this state, and upon such notice as they shall direct; and at the time of subscribing for said stock such amount on each share shall be paid, satisfied or satisfactorily secured to said commissioners as they or a majority of them shall determine, and the residue of the subscription shall be paid, satisfied or secured as the directors may determine, in such installments, at such times and places, in such manner and to such person or persons as said directors shall from time to time direct, giving notice of such time and place, and person or persons, by a notice published in a newspaper printed and circulating in the county of Burlington, for two weeks, at least once in each week; and upon the failure by any person to pay, satisfy, or secure the payment of the installments or any of them as aforesaid, the said directors shall have power to forfeit the shares of each and every person so failing, or any of them, to and for the use and benefit of the said company; and any shares of stock so forfeited as aforesaid, may be held by the said company, or any person or persons for its benefit, and may at any time be sold or disposed of for the benefit of the company, as said directors may direct, or divided proportionately among the remaining stockholders, to be by them held and enjoyed, or sold and transferred with all the rights and benefits incident thereto, the same in all respects as if they were original shares by them subscribed; and any land, property or materials used in the business of the said company, received in payment or satisfaction of subscriptions for stock, shall be taken at a valuation approved by a majority of the stockholders.

4. *And be it enacted*, That whenever twenty-five thousand dollars of the capital stock aforesaid shall have been subscribed, the commissioners, or a majority of them, shall, as soon as they deem expedient, give notice in such manner as they may determine, of a meeting of the stockholders, at such time and place as they may designate, to choose nine directors, who shall hold their office for one year and until others are duly elected; and such election shall be made at the time and place appointed by such of the stockholders as shall attend for that purpose, either in person or by proxy, each share of stock entitling the holder thereof to one vote; and the direc-

Commissioners to receive subscriptions.

Election of directors.

tors chosen at such meeting, or at the annual elections of said corporation, shall, as soon as may be, after every election, choose out of their own number a president, who shall hold his office for one year, and until his successor is duly appointed, and in case of the death, resignation, or other incapacity of the president or any director, such vacancy may be filled by the board of directors for the remainder of the then current year.

Powers of company.

5. *And be it enacted*, That the said company shall be and they are hereby authorized and empowered to establish and carry on the business of developing oil lands, digging, boring, and excavating mines, shafts and wells, and mining, producing, and obtaining oil and other products or minerals from the earth, and manufacturing in forms, refining, transporting and vending the same, and for that purpose to purchase, rent, take, hold, occupy and enjoy, grant, demise, lease and convey in this, or any other state or territory, such and so many lands, mines, deposits, springs and wells, and such parts, shares and interests therein, as they may deem proper in fee simple or any less estate; and to purchase, rent, hire, erect, build, hold, maintain and use, grant, demise, lease and convey such buildings, tramways, wells, aqueducts, drains, tanks, engines, machinery, and other real and personal property as they may deem necessary or proper for developing their property and carrying on their business; and when by the laws of the state or territory where any of the property may be situated or be, the said company may not be authorized or capable to have, hold, enjoy or convey, rent and lease the same, or the legal estate therein, themselves or otherwise, when they may think proper the said company may purchase, hire, rent, have, hold, use, enjoy, grant, lease and convey any trust or other equitable or beneficial estate or interest, as cestui que trust or otherwise, in any property which may be purchased, hired, leased or held by trustees or other person for the use and benefit of said company; and the same shall make part of the value of, and be represented by, the stock of said company; *provided*, that the said company, shall not be taxed in this state for or by reason of, or of any interest in any real estate situated in any other state or territory and taxed therein.

Proviso.

Powers of directors.

6. *And be it enacted*, That the board of directors of said company shall have power to make and adopt a common seal for said corporation, to appoint from their own number, or otherwise, a treasurer and secretary, and such other officers

of the board and of the company as they may think necessary, and to fix their salaries; to borrow such sums of money as they may from time to time deem advisable for the purposes of said company, and to issue the bonds of the said company therefor, and secure the payment of the same by a mortgage or mortgages on the lands, estate, and other property of said company, and to make such by-laws, not inconsistent with the provisions of this act, as they may think proper, regulating the issuing and transfer of stock, and for the general government and management of the affairs of the company.

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

Approved April 5, 1865.

CHAPTER CCCCXXXVIII.

An Act making an appropriation for the support of the State Lunatic Asylum.

WHEREAS, in consequence of the great advance in the price Preamble. of provisions, fuel and supplies of all kinds, the income of the asylum is insufficient to meet its increased expenditures; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of* Appropriation of ten thousand dollars. *the State of New Jersey*, That the comptroller be and he is hereby authorized and directed to draw his warrant on the treasurer for the sum of ten thousand dollars, in favor of the managers of the State Lunatic Asylum, to supply the deficiency in the income of the asylum for the past year and to meet the anticipated deficiency for the present year; one-half of said amount to be paid immediately, and the balance thereof as the wants of the institution may require.

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

Approved April 5, 1865.

CHAPTER CCCCXXXIX.

A Further Supplement to the act entitled "An act to provide for the instruction of indigent blind persons, inhabitants of this state," approved April tenth, eighteen hundred and forty-six.

Expense not
to exceed
three hundred
dollars.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the annual expense of each blind person, instructed at the charge of the fund provided in the act to which this is a further supplement, shall not exceed the sum of three hundred dollars, including clothing.

Appropriation
increased.

2. *And be it enacted*, That the annual appropriation of six thousand dollars now authorized by law, be, and the same is hereby increased to nine thousand dollars, subject to the provisions of the act to which this is a further supplement.

Repealer.

3. *And be it enacted*, That all acts and parts of acts in conflict with or contrary to the provisions and requirements of this act shall be, and the same are hereby repealed.

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

Approved April 5, 1865.

CHAPTER CCCCXL.

A Supplement to the act entitled "An act to incorporate the Holmdel and Keyport Turnpike Company," approved March ninth, eighteen hundred and fifty-nine.

Rates of toll.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall and may be lawful for the said company to demand and receive toll for travelling each mile and all fractions over half a mile, of the said road, not exceeding the following rates, to wit: for every carriage, sleigh or sled, drawn by one beast, one cent; for every additional beast, one cent.

Repealer.

2. *And be it enacted*, That anything in the original act

inconsistent with this supplement, be and the same is hereby repealed.

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

Approved April 5, 1865.

CHAPTER CCCCXLI.

A Supplement to the act entitled, "An act to incorporate the Middletown and Keyport Turnpike Company," approved March fifteenth, eighteen hundred and fifty-nine.

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Rates of toll.} *the State of New Jersey*, That it shall and may be lawful for the said company to demand and receive toll for travelling each mile, and all fractions over half a mile, of the said road, not exceeding the following rates, to wit: for every carriage, sleigh or sled, drawn by one beast, one cent; for every additional beast, one cent.

2. *And be it enacted*, That anything in the original act ^{Repealer.} inconsistent with this supplement, be and the same is hereby repealed.

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

Approved April 5, 1865.

CHAPTER CCCCXLII.

A Supplement to an act entitled "An act to revise and amend the charter of the city of Elizabeth," approved March fourth, eighteen hundred and sixty-three.

1. BE IT ENACTED *by the Senate and General Assembly of* ^{May increase in indebtedness.} *the State of New Jersey*, That it shall and may be lawful for

the city council to increase the general indebtedness of the said city to any amount, which with the twenty thousand dollars authorized by the act to which this is a supplement, shall not exceed the sum of eighty thousand dollars, and to secure the payment thereof by bond or other instrument under their common seal and the signature of the mayor of said city, and to provide by tax for the payment thereof; *provided*, that the said increased amount of the general indebtedness of said city, or so much thereof as may be necessary shall be applied to the payment of the floating indebtedness of said city, and for no other purpose whatever.

Proviso.

Taxation regulated.

2. *And be it enacted*, That the tax or taxes hereafter raised, shall not exceed for city purposes, one hundred cents on every one hundred dollars of the valuation of the assessed property in said city as ascertained by the assessors' returns of the previous years.

Commissioners of appeal.

3. *And be it enacted*, That the commissioners of appeal, in cases of taxation in and for said city, shall meet annually on the fourth Tuesday in September, in each year hereafter.

Act amended.

4. *And be it enacted*, That the one hundred and twenty-third section of the act to which this is a supplement, be amended by adding the following; *provided*, that the city council may reject any or all bids, if they deem it best for the interests of the city so to do.

5. *And be it enacted*, That all acts or parts of acts inconsistent herewith be and the same are hereby repealed, and that this act shall take effect immediately.

Approved April 5, 1865.

CHAPTER CCCCXLIII.

A Supplement to the act entitled "An act creating the office of Comptroller of the Treasury, and defining the duties thereof," approved March seventeenth, eighteen hundred and sixty-five.

May employ assistants.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the comptroller of the treasury be, and he is hereby authorized to employ such clerical assist-

ance in the discharge of his duties as may be necessary for expediting the business of his office; *provided*, that said clerical assistance so obtained shall not exceed the expenses now incurred by the other departments of which the comptroller's office shall relieve of their present duties, so that there shall be no additional expenses to the state; and the expenses thereof shall be paid by the treasurer of the state on the warrant of the governor. Proviso.

2. *And be it enacted*, That a room in the state capitol shall be appropriated and furnished for the use of the comptroller of the treasury, under the direction of the commissioners of the state library, the cost of which shall be paid by said commissioners out of moneys appropriated for the purpose of adding a wing on the southerly side of the state capitol, and fitting up and furnishing rooms therein. To have an office in the capitol.

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

Approved April 6, 1865.

CHAPTER CCCCXLIV.

An Act respecting writs of error, supersedeas and certiorari.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all writs of error, supersedeas and certiorari may be allowed by a justice or judge of any court in term or vacation, the same being made returnable at the term of court next succeeding such allowance; and such justice or judge is hereby authorized, at any time, to make all necessary orders thereon. Writs of error to be allowed by justice or judge.

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

Approved April 6, 1865.

CHAPTER CCCCXLV.

A Further Supplement to the act entitled "An act to incorporate societies for the promotion of learning," approved April sixteenth, eighteen hundred and forty-six.

Board of trustees.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the entire property of the "Pennington Seminary and Female Collegiate Institute," be vested in a board of trustees of six ministers and six laymen, to be chosen by the New Jersey Annual Conference.

Vacancies, how supplied.

2. *And be it enacted*, That the board of trustees shall be authorized and empowered to fill vacancies in the board for the present year.

Funds to be transferred.

3. *And be it enacted*, That the trustees of the education fund of the New Jersey Conference be authorized and empowered to transfer funds to the board of trustees of "Pennington Seminary and Female Collegiate Institute."

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

Approved April 6, 1865.

CHAPTER CCCCXLVI.

An Act to incorporate the Home and Foreign Passenger and Freight Company of North America.

Names of incorporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Alexander J. Schem, George O. Glavis, Samuel A. Farrand, Charles A. Lighthipe, Charles Wehle, George A. Muchleck, John C. Fritschey, Louis Bullinger, P. M. Wolsieffer, Theodore Kunzman, William Darmstadt, and their associates, and all other persons who are or hereafter may be holders of the stock herein mentioned, are constituted a body corporate by the name of "The Home and Foreign Passenger and Freight Company," with full power to sue and be sued in all courts both of law

and equity, and to make and use a common seal, and are empowered to build, equip, fit, purchase, charter and own vessels, or any share or shares, interest or interests therein, legal or equitable, to be propelled by steam, or other motive power, and to be used in navigating to and from Egg Harbor City, and the cities of New York and Philadelphia, and in the waters of the Atlantic Ocean, and in the waters of the Mediteranean, and in the waters of the Pacific, or elsewhere, to touch at any intermediate port or place between said cities or in said waters, and they are further empowered to carry on a general freight and transportation business, to transport and convey goods, wares, merchandise and passengers.

2. *And be it enacted*, That the capital stock of said corporation shall be one million dollars, with liberty to increase the same, and after one hundred thousand of such capital stock shall have been subscribed, and one-half thereof paid in, said company shall be empowered to borrow any sum or sums of money, not to exceed at any one time in the aggregate five hundred thousand dollars, and secure the same by bond, mortgage, pledge, hypothecation, or otherwise; said capital stock shall be divided into shares of twenty-five dollars each, and shall be deemed personal property; the said corporation may commence operations when two hundred and fifty thousand dollars shall have been subscribed, and five per cent. on each share subscribed for paid in in cash.

Amount of capital stock.

3. *And be it enacted*, That the above named persons may receive subscriptions for such capital stock at such times and places as they shall appoint, and as soon as two hundred and fifty thousand dollars of said capital stock shall have been subscribed, to give notice for a meeting of the stockholders, and said stockholders shall elect by ballot, at such meeting, or at any subsequent general meeting, five directors, being stockholders, to manage and conduct the concerns; affairs and business of the said corporation, who shall hold their offices for one year, and until others shall be chosen in their places; the directors, except for the first year, shall be annually chosen at such time and place as shall be directed by the by-laws of the said corporation; in all meetings of the stockholders each share shall entitle the holder to one vote, and the election shall be made by such of the stockholders as shall attend for that purpose, either by person or proxy; in case it should at any time happen that an election shall not be made on the day appointed by the by-laws of said corporation, the said corporation shall not for that cause be

Election of directors.

deemed dissolved, but such election may be held on any other day which shall be appointed by the directors of said corporation; any three directors of said corporation shall form a quorum for the transaction of all the business of the said corporation.

Payment of installments.

4. *And be it enacted*, That it shall be lawful for the directors of said corporation to call in and demand from the stockholders respectively, all such sums of money by them subscribed, at such times and in such payments or installments as the directors shall deem proper, and the said corporation may sue for and recover all such sums of money as may from time to time be due on subscriptions, with interest from the time of default in the payment thereof, or if payment shall not be made by any stockholder or stockholders within sixty days after personal demand, or after notice requiring such payment shall have been published for the period of two months, at least once in each week, in one or more newspapers published in Egg Harbor City, in this State, the board of directors may declare the shares of stock so subscribed for by such stockholder or stockholders, forfeited, and the same shall thereby be forfeited, together with all previous payments thereon.

Location.

5. *And be it enacted*, That said corporation shall keep an office in Egg Harbor city, in this state, and are authorized to purchase, acquire, hold and convey such real estate, tenements, warehouses, machine shops, goods, chattels, docks, wharves, piers, as may be necessary to enable them conveniently to carry on their business.

Powers of directors.

6. *And be it enacted*, That the directors of said corporation may appoint one of their number to be president, and such other officers and agents, and establish such by-laws, rules and regulations, as they may deem proper for the government of the corporation and management of their business; *provided*, such by-laws, rules and regulations shall not conflict with the constitution and laws of this state, or the United States.

Proviso.

Book to be kept.

7. *And be it enacted*, That it shall be the duty of the said corporation to cause a book to be kept, containing the names of all persons who are stockholders in said corporation, showing their places of residence, the number of shares of stock held by them respectively, and the time when they respectively became the owners of such shares, which book shall be open for the inspection of the creditors and stock-

holders of the said corporation at their office in Egg Harbor city.

8. *And be it enacted*, That as it is the professed aim and purpose of said corporation to aid and encourage emigration from Germany and other countries of the European continent, the president of said corporation shall, by virtue of his office, for the time being, be a commissioner of emigration for this state, and make or cause to be made to his excellency the governor of this state, such reports and suggestions from time to time, as are most likely to advance the interests of emigration to this state. Commissioner of emigration.

9. *And be it enacted*, That the president and directors of the said company be, and they are hereby authorized and invested with all the rights and powers necessary and expedient to survey, lay out, and construct wharves, docks, piers, warehouses and depots on the Great Bay and Little Egg Harbor river. To construct wharves, &c.

10. *And be it enacted*, That the president and directors of the said company shall have the power to have constructed, or to purchase with the funds of said company, all steamboats, vessels, machines, engines, for the transportation of any persons, or any species of property, by water, as they may think fit, reasonable, expedient, or right; *provided*, they shall not charge more than at the rate of five cents per ton per mile for the transportation of property, or three cents per mile for carrying each passenger on the steamboats or other vessels of said company. To purchase steamboats, &c. Proviso.

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

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

in an action of debt, and further, shall be liable for all damages

Appraisement
to be made.

13. *And be it enacted,* That at any time after the expiration of fifty years from the completion of said steamboat line, the legislature of this state may cause an appraisement of the said steamboat line, and the appendages thereof, to be made by six persons, three of whom shall be appointed by the chief justice of this state, for the time being; the remaining three by the company, who, or a majority of them, shall report the value thereof to the legislature, within one year from the time of their appointment, or if they cannot agree, they shall choose a seventh, who with the aforesaid six, shall report as aforesaid; or in case the said company shall neglect or refuse to appoint the said three persons on their part, for two months after their said appointment by the said chief justice, then the three persons so appointed by him shall proceed to make such appraisement, which shall be binding on the said company; or in case the said six commissioners shall be appointed as aforesaid, and they cannot agree upon the seventh man; then, upon two weeks' notice to the said company, the said chief justice shall appoint such seventh man as aforesaid, to make such appraisement as aforesaid, and thereupon the state shall have the privilege for three years of taking the said steamboat line, upon the payment to the company of the amount of the said report, within one year after electing to take said steamboat line, which report shall be filed in the office of the secretary of this state, and the whole property and interest of said steamboat line, and the appendages thereof, shall be vested in the state of New Jersey, upon payment of the amount so reported, to the said company; and that it shall be the duty of the president of the company to lay before the legislature, under oath or affirmation, when they shall so request a full and fair statement of the cost of said steamboat line, and of all the receipts and disbursements of the company.

Who may ride
free.

14. *And be it enacted,* That the governor, the chancellor, the justices of the supreme court, and the judges of the court of errors of this state, whilst travelling for the purpose of discharging the duties of their offices, and the members and officers of both houses of the legislature of this state, during their annual or other sessions, shall pass and repass on the steamboat line of said company, on their steamboats, free of charge.

15. *And be it enacted,* That the said corporation shall

possess the general powers, and be subject to the restrictions and liabilities contained in the act entitled "An act concerning corporations," approved February fourteenth, eighteen hundred and forty-six, as far as the same are applicable, and this act shall be deemed a public act, and take effect immediately.

Approved April 6, 1865.

CHAPTER CCCCXLVII.

An Act to incorporate Arcana Lodge, Number Sixty, Free and Accepted Masons, at Boonton, New Jersey.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Edwin E. Willis, David C. Ely, M. S. Shaw, Charles P. Davenport, John Hill, Thomas Hodgkins, George Anthony, Richard Smith, N. T. Jennings, Jr., E. Hammonds, L. Estler and Thomas H. Homan, and their associates, free and accepted masons of the state of New Jersey, and their successors, be and the same are hereby declared to be a body politic and corporate in law by the name, style and title of Arcana Lodge Number Sixty, Free and Accepted Masons, of Boonton, and by that name they and their successors shall and may at all times hereafter be capable in law of having, purchasing, holding and possessing any lands, tenements, hereditaments and personal estate, purchased, devised or bequeathed by any person or persons, body corporate or politic, capable of making the same; and also to have a common seal, and to use the same at pleasure; *provided always*, that the said corporation or body politic, shall not at any time hold or possess property, real, personal or mixed, exceeding in value the sum of ten thousand dollars.

2. *And be it enacted*, That the management and disposition of the affairs and property of the said corporation shall be vested in a board of five directors who shall be elected annually at such time and in such manner as the said corporation shall by its by-laws provide; *provided*, such by-laws shall not be repugnant to the constitution and laws of this state, or of the United States.

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

Approved April 6, 1865.

CHAPTER CCCCXLVIII.

An Act to incorporate the Savings Bank of South Amboy.

Names of cor-
porators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Richard S. Conover, Ward C. Perrine, Noah Furman, John F. Hillman, Abraham T. Rue, Aaron H. Van Cleve, John Sexton, Oliver Cox, John Muirheid, and their successors shall and are hereby constituted a body corporate and politic by the name of "The Savings Bank of South Amboy," and by that name shall be capable of purchasing, taking, holding and enjoying, to them and their successors any real estate in fee simple or otherwise, disposing of the said real and personal estate, or any part thereof, at their will and pleasure; *provided always*, that the clear annual value of such real estate and personal estate, exclusive of the profits that may arise from the interest accruing upon the investments or upon the sale of any investments in which the deposits may be made, shall not exceed the sum of ten thousand dollars.

Proviso.

Managers.

2. *And be it enacted*, That the said institution shall be conducted by eleven managers, five of whom, at least, shall be residents of South Amboy; seven of the managers shall be a quorum to transact business, and the seat of any manager who shall have neglected to attend four successive meetings may be vacated by the board; the persons named in the first section of this act shall be the first managers of the institution; the managers shall meet annually on the first Monday of April, and choose one of their number as president; they shall have power to appoint a secretary, treasurer, and such other officers as to them shall appear necessary for conducting the business of the institution, which officers so chosen and appointed, shall continue in office one year and until others are chosen; and all officers so chosen shall be under oath for the faithful performance of the duties of their office, respectively, and shall give security, if required, for the faithful ex-

execution of the duties of their office, in such sum or sums and with such sureties as may be directed by the board of managers.

3. *And be it enacted*, That the board of managers, shall from time to time, have power to make, ordain and establish such by-laws and regulations as they shall judge proper for the election of their officers, for prescribing their respective duties, for regulating the times and places of meeting of the officers and managers, and for the transacting, managing and directing the affairs of the institution; *provided*, that such by-laws and regulations shall not be repugnant to the constitution and laws of this state or of the United States.

Powers of managers.

Proviso.

4. *And be it enacted*, That the said institution may receive as deposits, all sums of money which may be offered for the purpose of being invested, in such amounts and at such times and on such terms as the by-laws shall prescribe, and the said institution may accept and execute all such trusts, of every description, as may be committed to them by any person or persons whatsoever, by will or otherwise, or transferred to them by order of any court.

Deposits.

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

Rate of interest.

Proviso.

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

Managers to receive no emolument.

7. *And be it enacted*, That the said institution shall invest no money in any public stock, other than such as are created under the laws of the United States or of the states of New

In what stocks money may be invested.

Jersey, New York, Massachusetts, or in the stocks of the city of Newark and Jersey City, in this state, authorized by the laws of the said states respectively, nor on bond and mortgage, except on unincumbered real estate, worth double the amount of the sum invested, nor in the stock or loans of any incorporated company whatever.

Certificates binding.

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

Payments regulated.

9. *And be it enacted*, That it shall be lawful for the said institution at their discretion, to pay to depositor, being a minor, such sum as may be due to such depositor, not exceeding five hundred dollars, in cases where no guardian shall have been appointed for such depositor, and that the receipt and acquittance of such minor shall be as valid as if the same were executed by a guardian of such minor duly appointed; *provided*, such deposits shall have been made personally by such minor, and not by any other person for his or her benefit; married women may deposit money in their own names, and receive the interest or dividend thereon and receive and withdraw the same, and such deposits shall not be subject to the control of the husband or liable for his debts, nor shall money be deposited by single women, be subject in case of marriage to the use or control, nor liable for the debts of the future husband.

Proviso.

Book to be kept.

10. *And be it enacted*, That a book shall be kept at the office of the institution, in which any depositor shall be at liberty to appoint a person or persons, to whom, in the event of his or her death, the money due shall be paid, if not otherwise disposed of by will, and all payments made to the person or persons so appointed, shall be a full discharge to said institution.

Interest on deposits.

11. *And be it enacted*, That the institution shall not be required to receive, on a deposit a less sum than ten cents, nor to allow interest on a deposit until it amounts to five dollars, nor to allow interest on the fractional part of five dollars, nor shall the institution be required to allow interest on the fractional parts of a month.

Vacancies.

12. *And be it enacted*, That the managers shall have power to fill up, by ballot, after notice of one month, any vacancy which may occur in their own body or its officers, by a vote of a majority of managers present.

Deposits to be entered.

13. *And be it enacted*, That all deposits and payments shall

be regularly entered in the books of the institution, and every person depositing money shall be furnished with a duplicate of his or her account, in which every deposit or payment shall be regularly entered as soon as made.

14. *And be it enacted*, That it shall be the duty of the said institution, to make an annual report to the legislature of this state, under oath or affirmation of the treasurer and a committee appointed for that purpose by the managers, of three or more of their number, of the state of its funds, and this statement shall be published in one or more of the newspapers in the city of New Brunswick. Report to be made.

15. *And be it enacted*, That the office or place of business of said institution shall be in South Amboy, and the books of the institution shall be open at all times to the inspection and examination of such person or persons as the legislature may from time to time appoint for that purpose. Location.

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

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

Approved April 6, 1865.

CHAPTER CCCCLXIX.

An Act to incorporate the Home for Friendless Children.

WHEREAS, a number of the citizens of this state have formed an association for the laudable and benevolent purpose of educating and providing for friendless and destitute children; and whereas, the legislature of this state are willing to encourage such purposes; therefore, Preamble.

Names of cor-
porators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Matthew Newkirk, Elijah G. Cattell, James H. Stevens, George W. N. Custis, J. Earl Atkinson, Joseph C. De Lacour, Joseph D. Reinboth, Robert B. Potts, Jesse W. Starr, Edmund E. Reed, John R. Graham, Benjamin H. Browning, Solomon L. Stimson, Philander C. Brink, John Aikman, Thomas P. Carpenter, Elisha V. Glover, Thomas B. Atkinson, Isaac L. Lowe and Peter L. Voorhees, and their associates, be and they are hereby incorporated and made a body politic in law and fact by the name, style and title of "The Camden Home for Friendless Children," and by that name, style and title shall have perpetual succession, with power to have a common seal, and the same to change at pleasure, to make contracts relative to the institution; to sue and be sued, implead and be impleaded, and by that name, style and title to be capable of taking, holding, purchasing and conveying any estate, real or personal, for the use of said corporation; *provided*, the annual income of such estate shall not exceed six thousand dollars, nor be applied to any other purpose than those for which this association is formed; to fix the quorum of the board of managers and of the board of trustees, and appoint such officers as may be requisite, to establish such other by-laws, rules and regulations as the said corporation shall judge necessary or expedient for the due management of the concerns of the said corporation; *provided*, that the same be not repugnant to the constitution of the United States or of this state.

Proviso.

Proviso.

Who may be
members.

2. *And be it enacted*, That every person who shall annually pay to the treasurer of "The Camden Home for Friendless Children" the sum of one dollar or upwards, shall be a member of the said "The Camden Home for Friendless Children," while such person so contributes, and every person who shall pay twenty dollars at one time shall be a member for life.

Election of
managers and
trustees.

3. *And it be enacted*, That the affairs and concerns of the said "The Camden Home for Friendless Children," shall be conducted by a board of managers consisting of twenty-four ladies, and a board of trustees consisting of twenty gentlemen, and the members of said corporation shall meet on the second Tuesday in May next, at such hour and place as the board of trustees shall designate, and elect by ballot a board of managers, six of whom shall be elected to serve for one year, six to serve for two years, six to serve for three years,

and six to serve for four years; and also a board of twenty trustees, five of whom shall be elected to serve for one year, five for two years, five for three years, and five for four years; and the members of said corporation shall annually thereafter, on the second Tuesday in May, at such hour and place as the said board of trustees shall designate, elect six managers and five trustees to serve for four years, and shall then and there also elect a manager or managers, trustee or trustees, to fill any vacancy or vacancies that may be occasioned by death, resignation or removal, or neglect or refusal to act of any manager or trustee; *provided*, that the managers now acting and the trustees now acting and mentioned as corporators in this act shall continue to act until others shall be elected; *and provided further*, that in case an election shall not be held at the time provided, the board of trustees shall give at least ten days notice before another election shall be held; *and provided*, that notice of an election shall be given at least one week in two of the newspapers of the city of Camden prior to the time of holding said election.

Proviso.

Proviso.

Proviso.

4. *And be it enacted*, That it shall and may be lawful for the managers and trustees in their discretion to take under their guardianship all children who may be placed under their care and management in either of the following modes: first, children under twelve years of age who shall be voluntarily surrendered by their father, or in case of his death or absence, by their mother or by their guardian to the care of said managers and trustees by an agreement or declaration in writing; second, children under twelve years of age who may be committed to the care of said managers and trustees by any judge of the supreme court of this state, or of the circuit court, or of the court of common pleas of the county of Camden, or by the mayor of the city of Camden, on account of vagrancy, or the exposure, or neglect, or abandonment of said children by their parents or parent, guardian or other people having custody of said children, and in case of poor children under the age above mentioned, contemplated by the twelfth and twenty-fifth sections of the act of the legislature of this state, entitled "An act for the settlement and relief of the poor," approved April ten, eighteen hundred and forty-six, it shall be lawful for the persons therein authorized to bind out such children, to commit the same by an agreement or declaration in writing, signed by said per-

Powers of managers and trustees.

sons required to sign such children's indentures, to the care and management of such trustees and managers.

Instruction of
children.

5. *And be it enacted*, That the said managers and trustees shall have the guardianship of the said children so placed under their care and management during their minority; shall cause them to be educated and instructed in a proper manner, and may when in their discretion it shall appear proper, bind the said children with their consent as apprentices during their minority to such persons and at such places and to learn such trades and employments, as in the judgment of the said managers and trustees will be most conducive to the benefit and advantage of said children; *provided*, that the charge and power of the said managers and trustees over and upon the said children, shall not, in the case of females, extend beyond the age of eighteen years, or the said managers and trustees, in their discretion, may return the said children to their parents or surviving parents or guardians.

Proviso.

Not to be
taxed.

6. *And be it enacted*, That the property of the said corporation held or occupied by them for the purposes of their incorporation, shall be freed from all taxes to be levied under the authority of this state; and no person shall lose or acquire a legal settlement by residence in the home to be provided by said incorporation.

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

Approved April 6, 1865.

CHAPTER CCCCL.

An Act to incorporate the Washington Gas Company of the county of Warren.

Preamble.

WHEREAS, it has been satisfactorily represented to the legislature that a number of the inhabitants of this state have associated together under the name and style of "The Washington Gas Company, of the County of Warren," for the purpose of erecting gas works in the town of Washington, Warren county, and it is desirable that the legislature

would pass a law to incorporate said association to enable them to carry their laudable undertaking into effect; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Amos Lentz, William W. Strader, John V. Mattison, Charles Strader, David Smith, Jacob Strader and William Sweney, their present and future associates, their successors and assigns be, and they are hereby created a body corporate and politic, in fact and in name by the name of "The Washington Gas Company, of the county of Warren," for the purpose of manufacturing gas from animal, vegetable, and mineral substances, with power to lease, purchase and hold such real and personal estate as may by said corporation be deemed necessary and advantageous; to sue and be sued, plead and be impleaded, also to make, have and use a common seal, and the same to make, alter and renew, and generally to do and execute all acts, matters and things, which a corporation or body politic in law may or can lawfully do and execute.

2. *And be it enacted*, That the capital stock of this company shall be fifty thousand dollars, with right to increase the same, divided into shares of twenty-five dollars each, and the said shares shall be deemed and considered personal estate, and shall be lawful for said company to grant certificates of shares in full or part payment for the real or personal estate that may be purchased or leased, and by the by-laws to compel payments of installments, not exceeding five dollars on each share at any one time, not deemed or declared full stock, and on failure to pay any installments, to forfeit the stock and all previous payments made thereon, giving at least ten days notice of such call and demand in a newspaper published in said Warren county and the city of New York.

3. *And be it enacted*, That Amos Lentz, William W. Strader, John V. Mattison, Charles Strader, David Smith, Jacob Strader and William Sweney, shall be the first directors to organize and manage the affairs of said company, and shall continue in office until the first Tuesday of May, one thousand eight hundred and sixty-seven, and until others are elected or appointed in their places.

4. *And be it enacted*, That the property and affairs of said company shall be managed and conducted by seven directors, being shareholders, a majority of whom, together with the secretary, shall form a quorum for the transaction of the business of the company, and the directors shall make all

needful by-laws not inconsistent with the laws of this state or of the United States; all elections shall be by ballot, each share shall be entitled to one vote, and if from any cause an election for directors shall not take place at the appointed time, it shall not therefore, work forfeiture of this charter, but a new election shall be ordered in conformity to the by-laws of said corporation.

Transfers to
be registered.

5. *And be it enacted*, That no transfer of stock shall be valid or effectual until such transfer shall be entered or registered on the books to be kept by the president or directors for that purpose, which said books shall be closed for the purpose of transfer of stock ten days before each election for directors, and no person shall be allowed to vote upon any stock unless the same has been transferred to him or her, and all the books of said corporation shall be open to the inspection of stockholders except the said transfer books.

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

Approved April 6, 1865.

CHAPTER CCCCLI.

An Act to incorporate the West Jersey Petroleum Refining and Storage Company.

Names of cor-
porators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Daniel Holsman, Benjamin Acton, P. C. Brinck, A. G. Cattell, J. S. Irick, Francis F. Patterson, John S. Lee, and such others as shall become subscribers, and owners of the capital stock hereby created, shall be, and they, and their successors, are hereby constituted and declared a body politic and corporate in fact and in law, by the name of the "West Jersey Petroleum Refining and Storage Company," and by that name shall have power to lease, purchase, and hold real estate, to erect and maintain thereon such buildings, wharves, docks, tanks, or other machinery or conveniences for storage, shipping, refining or procuring by purchase or otherwise of petroleum, and such other business as may properly be connected therewith.

2. *And be it enacted*, That the capital stock of said corporation shall consist of five thousand shares of the par value of one hundred dollars each, with liberty to increase the same to ten thousand shares of same par value which shall be transferred in such manner as said corporation shall direct. Amount of capital stock.

3. *And be it enacted*, That Daniel Holsman, Benjamin Acton, P. C. Brinck, A. G. Cattell, J. S. Irick, Francis F. Patterson and John S. Lee, or any five of them, be, and are hereby appointed corporators to receive subscriptions to the capital stock of such corporation, shall open books of subscription to such stock in the county of Camden, at such time and place as they may appoint and shall attend and receive subscriptions. Commissioners to receive subscriptions.

4. *And be it enacted*, That whenever the capital stock of said corporation to the amount of fifty thousand dollars, par value, shall be subscribed and ten per centum thereof paid in, the said corporators shall close the books and hold an election for directors of said corporation; that five directors shall be elected by ballot at such election by the stockholders, each of whom shall have one vote for each share of stock owned by him at this and any subsequent election; said directors shall constitute the first board of directors, and the same number, or such number as the corporation may by its by-laws appoint, shall constitute all subsequent boards, and in case of a vacancy occurring in the board between the elections the remaining directors shall have power to fill the vacancy; that said directors so elected shall hold their offices for one year, and until their successors shall be elected. Election of directors.

5. *And be it enacted*, That the directors shall have power to elect out of their body a president for such time and in such manner as they shall appoint. President to be chosen.

6. *And be it enacted*, That said corporators shall deliver to the said board of directors, when elected, the subscription books of said corporation, and all moneys received by them for such subscription; and said directors shall by their by-laws appoint an annual election for directors, but in case of failure to hold such election upon the appointed day said corporation shall not thereby be dissolved, but the said election shall be held on some subsequent day, and the directors in office shall continue until such election. Not dissolved for failure to elect.

7. *And be it enacted*, That the said board of directors shall have power to demand from the subscribers to the capital stock of said corporation the money for such subscriptions, and in case of the failure to pay such subscriptions, calls or Powers of directors.

assessments, at such time as they may appoint, the said board may, after four weeks notice in a newspaper published in Camden county, declare the said stock and all previous payments thereon forfeited to the corporation, and such stock, and all previous payments thereon, and all right to the same shall be forfeited and belong to the said corporation.

Business of
company.

8. *And be it enacted*, That the said corporation shall have power to carry on the business of storage, shipping, refining and purchasing or mining, or otherwise, and for this purpose may hold lands, leases or otherwise, in other places as may be required either by purchase or otherwise, and shall have power to hold, sell and convey, lease and mortgage as said corporation may require.

Restrictions
and liabilities.

9. *And be it enacted*, That the said corporation shall possess the general powers and be subject to the restrictions and liabilities contained in the act entitled "An act concerning corporations," approved February fourteenth, eighteen hundred and forty-six, so far as the same are applicable, and that this act shall take effect immediately.

Approved April 6, 1865.

CHAPTER CCCCLII.

An Act to authorize the sale and conveyance of a lot of land and premises claimed by the "Hall Association," at Ringoes, in the township of East Amwell, in the county of Hunterdon, and the distribution of the proceeds.

Preamble.

WHEREAS, a paper was executed on the twenty-seventh day of June, eighteen hundred and fifty, by David Williamson and Mary L., his wife, to Augustus Hunt, Derrick A. Sutphin, Joseph A. Pittenger, Jacob Williamson and David Shepherd, in trust for "The Hall Association," whereby it was supposed a lot of land situate at Ringoes, now in the township of East Amwell, in the county of Hunterdon, containing one-quarter of an acre of land, more or less, was conveyed to the persons aforesaid in trust; but owing to the omission of all words of grant and conveyance, no title whatever was granted or conveyed; and whereas, the

said "The Hall Association" never was incorporated in any way, and therefore, not authorized to hold, use or convey real estate; and whereas, the said "The Hall Association" is now indebted to various persons in the sum of about four hundred dollars, and have no means of making payments, and the creditors have no means of collecting their claims except by a sale and conveyance of the said lot of land and premises; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for David Williamson to sell said lot of land and premises, at public sale to the highest bidder, at any time within six months after the passage and approval of this act, giving notice of the time and place of sale by advertisements set up in five of the most public places in the said township of East Amwell, for the space of one month, immediately preceding the time appointed for the sale, and by publishing the said advertisement for the same period in one of the newspapers published in the said county of Hunterdon, and to convey the said lot of land and premises to the purchaser; and the conveyance made by the said David Williamson for the said lot of land and premises, shall vest in the purchaser, his heirs and assigns, all the estate and title which the said David Williamson ever had or now has therein, or which the said Augustus Hunt, Derrick A. Sutphin, Joseph A. Pittenger, Jacob Williamson and David Shepherd ever had or now have, either as individuals or as trustees, or which their successors ever had, or now have.

2. *And be it enacted*, That the proceeds arising from such sale shall be appropriated by the said David Williamson, first, to the payment of the costs and expenses of said sale, and secondly, to the payment of the indebtedness of the said "The Hall Association," and the balance, if any, shall be divided among such of the original contributors to the said "The Hall Association," as shall claim the same within three months after such sale and conveyance, and who shall submit satisfactory evidence to the said David Williamson of the truth and fairness of such claim, in case the same is disputed by any contributor, and such division shall be made according to the amount contributed by each claimant.

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

Approved April 6, 1865.

CHAPTER CCCCLIII.

An Act to provide for the better security of passengers on Railroads in this State.

Penalty for offending.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any engineer, officer, agent or employee of any railroad company, who, in this state, shall wilfully or negligently disregard and disobey any rule, regulation, or published order of any said company or companies, in regard to the running of trains, he shall be deemed guilty of a misdemeanor, and shall on conviction thereof, be punished by a fine not exceeding one thousand dollars, or imprisonment at hard labor for any term not exceeding one year, or both, at the discretion of the court.

2. *And be it enacted*, That nothing in this act contained shall be construed to repeal any acts or parts of acts punishing either of the persons mentioned in the first section of this act, in any other manner than that pointed out in this act.

Approved April 6, 1865.

CHAPTER CCCCLIV.

An Act to incorporate the Heroes' Monument Association.

Names of incorporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That John Linn, George H. Nelden, Dr. Charles V. Moore, Rev. George Lloyd, Gabriel L. Durning, Major General Judson Kilpatrick, Thomas Lawrence, John Rutherford, Daniel Haines, Dr. Thomas Ryerson, Benjamin B. Edsall, Cyrus Leport, Isaac Bonnell, Whitfield S. Johnson, and John R. Pettit, and such other persons as may be associated with them in the manner hereinafter directed, and their successors shall be, and they are hereby created a body politic and corporate by the name of "The Heroes' Monument Association," and be located in the county of Sussex.

2. *And be it enacted*, That the business of the said corporation shall be managed by fifteen trustees, who shall be governed by the by-laws and rules of the corporation, which by-laws shall define the terms and conditions upon which persons may become associated with them as members thereof, and who shall have power to elect a president, treasurer, and such other officers as they shall see fit from time to time, and whose first annual meetings shall be on the fourth day of July, unless changed by the vote of the trustees; that the incorporators herein named shall be the first trustees, and vacancies in the board by death or otherwise, shall be filled by the board of trustees, a majority of whom shall be a quorum for that purpose. ^{Board of trustees.}

3. *And be it enacted*, That the general object of said corporation shall be to raise funds, procure land, and erect a suitable monument to the memory of the officers and soldiers from the county of Sussex, who have fallen in the service of their country in the suppression of the present rebellion, and for that purpose they shall contribute such sums respectively as they shall agree to pay; shall receive contributions from others who may desire to associate with them; may purchase or receive, by devise or grant, land, and hold the same for the purposes of the incorporation, the whole value of which shall not exceed ten thousand dollars. ^{Objects.}

4. *And be it enacted*, That the property, land, and funds of the corporation, shall be free from taxation, for state, county, or township purposes, and that this act shall take immediate effect, and shall not be liable to the state assessment under the act entitled "An act to increase the revenues of the state," approved March sixth, eighteen hundred and fifty-eight. ^{Not to be taxed.}
Approved April 6, 1865.

CHAPTER CCCCLV.

An Act to incorporate Morristown.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all that tract of land situate, lying and being within the limits and boundaries hereinafter mentioned and described, that is to say: beginning on the Baskingridge road, at and including the house of Joseph ^{Boundaries of town.}

Thomson; thence in a straight line to the New Vernon road, to and including the house of William H. Howland; thence in a straight line to the Spring Valley road, to and including the house formerly owned by the Rev. J. M. Johnson, (and known as the Bellevue House); thence in a straight line to the Madison road, to and including the house of John Sneden; thence in a straight line to the Whippany road, to and including the house of Mrs. Joseph M. Lindsley; thence in a straight line to the Horse Hill road, to and including the house of Mrs. G. Meeker; thence in a straight line to and including the house of E. Boonen Graves; thence in a straight line to the Morris Plains road, to and including the house of Gordon Burnham; thence in a straight line to the Walnut Grove road, to and including the house of Byron Sherman; thence in a straight line to the Mendham road, to and including the house of Jacob T. Axtell; thence in a straight line to the place of beginning on the Baskingridge road, containing about one thousand acres, shall be and the same is hereby ordained, constituted and declared to be a town corporate, and shall henceforth be called, known and distinguished by the name of "Morristown."

Town officers

2. *And be it enacted*, That there shall henceforth be in the said town, a mayor, who shall be keeper of the common seal, a recorder, who, besides the office of recorder, shall, in case of the absence, death, or disability of the mayor, have, hold, use and execute the several duties annexed to the mayoralty and every one of them, during such absence or other disability, two aldermen, five common councilmen and one town clerk, which mayor, recorder, aldermen and common councilmen, shall be one body politic and corporate in deed, fact and name, by the name, style and title of "The Mayor, Recorder, Aldermen and Common Councilmen of Morristown," and by that name they and their successors forever hereafter shall and may have perpetual 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 they and their successors may have a common seal and use the same at their pleasure, and also by their corporate name aforesaid shall be in law capable of purchasing and holding and conveying any estate, real or personal, for the public use of the said corporation; a majority of the said mayor, recorder, aldermen and common councilmen shall

constitute a common council, and in the absence of the said mayor and recorder, the said common council may elect or appoint a presiding officer pro tempore, who during the time he presides, shall be fully vested with the power and authority of the mayor for the transaction of all the business of such meeting; *provided always*, that no by-laws nor ordinances of the said common council shall pass without the concurrence ^{Proviso.} of at least five votes.

3. *And be it enacted*, That it shall and may be lawful for ^{Election of of- ficers.} such of the inhabitants of Morristown as reside within the aforesaid limits, and who have resided in the county five months, and in the state for one year immediately preceding the election to be held for town officers, and who are in other respects legal voters, to assemble at the place appointed for holding the township or county elections in Morristown aforesaid on the second Monday in May next, and then and there by ballot, and by a plurality of votes, to elect a mayor, recorder, two aldermen and five common councilmen and a town clerk, to hold their respective offices for one year, and until their successors are elected and sworn into office, and on the second Monday in May yearly and every year thereafter, the inhabitants aforesaid shall and may hold a like election at such place in said town as may be designated by the common council; the time of opening and closing the poll at said election, and the mode and manner of conducting the same shall be prescribed by ordinance; *provided*, that the poll shall be open at least from twelve o'clock, noon, until seven o'clock in the afternoon; ^{Proviso.} in case of a vacancy in either the office of mayor, recorder, alderman or common councilman, the common council may at their discretion order a new election to fill such vacancy at such time and place as they may see proper, giving at least ten days' notice thereof which election shall be conducted in the same manner as the regular election, and in case of a vacancy in the office of town clerk, the common council shall and may appoint a town clerk pro tempore; *and provided further*, that at the first election, William O. ^{Proviso.} Casky and Theodore Ayler shall be the inspectors of election and John H. Stanborough be clerk, and either of said inspectors may act in case of the absence of the other, and in case of the absence of said clerk, the inspector or inspectors may appoint a clerk.

4. *And be it enacted*, That the aforesaid officers shall, before entering upon the duties of their respective offices, and ^{Oath to be taken.} within thirty days after their election, take and subscribe an

oath or affirmation for the faithful discharge and execution of the duties of their respective offices, or in default thereof, his or their election, as the case may be, shall be deemed void and of non-effect, and a new election may be ordered by the mayor for the time being to supply such vacancy or vacancies; the said oath or affirmation, or any oath or affirmation required under this act, may be administered by any officer authorized to administer an oath by the laws of the state.

May make ordinances.

5. *And be it enacted*, That the said common council shall and may pass and publish such by-laws and ordinances, not repugnant to the laws of this state or the United States, as they may consider calculated to promote the welfare, good government, health and prosperity of Morristown and the inhabitants thereof, and the same to put in execution, revoke, alter, amend, and make anew, as to them, in their discretion, may appear necessary and proper, which by-laws and ordinances shall be published in one or more of the public newspapers of the said town, within twenty days after the passage thereof, for the general information of the said inhabitants.

Powers of officers

6. *And be it enacted*, That the mayor, recorder, aldermen and common councilmen of Morristown shall and may impose reasonable fines and amercements against and upon all persons who shall offend against the laws, ordinances and regulations of the said common council, and the said mayor, recorder or either of the said aldermen, is hereby constituted a court of record, to take cognizance of all offences against such by-laws and ordinances and punish all offenders against the same, by fine not exceeding fifty dollars and imprisonment in the jail of the county of Morris, not exceeding six days, together with the cost of conviction; and it shall and may be lawful for the said mayor, recorder, or either of the said aldermen, upon complaint made on oath of an offence committed against the said by-laws and ordinances to issue his warrant to the marshal or other executive officer, commanding him, in case the said offender or offenders be sentenced to imprisonment, to convey him to the jail of the said county of Morris, there to remain until the term of imprisonment shall have expired, and from thence until the costs of prosecution shall be paid; and in case the offender or offenders shall be adjudged to pay a fine, then it shall and may be lawful for the said mayor, recorder, or either of the said aldermen before whom such conviction may be had, to issue an execution to said marshal or other executive officer, com-

manding him to levy and make such fine and costs of the goods and chattels of the offender or offenders, and for want of goods and chattels to take and convey such offender or offenders to said jail, there to remain until such fine and costs shall be paid, and the marshal is hereby required to execute the process aforesaid; *provided always*, that any person convicted of a breach of any by-law or ordinance may appeal to the common council upon such terms and conditions as said common council may by ordinance impose; but such appeal shall be brought within thirty days after conviction. Proviso.

7. *And be it enacted*, That the said common council shall and may make and appoint a town treasurer, town marshal, clerk of the market, assessor, collector, street commissioner, and such other subordinate officers as to them may seem proper and necessary for the good government and welfare of the said town; all the officers of the said corporation, except those elected by the people, shall hold their offices during the pleasure of common council, and shall give such security for the faithful performance of the duties thereof, to the mayor, recorder, aldermen, and common councilmen of Morristown, as they may order and direct. Council to appoint treasurer, &c.

8. *And be it enacted*, That the common council shall have sole and exclusive power of licensing all and every inn keeper or tavern keeper residing within the bounds of the said town, subject to the same provisions, restrictions and regulations, and in like manner as the said licenses now are or may at any time hereafter be granted by the laws of this state. Licensing taverns.

9. *And be it enacted*, That it shall not be lawful for any person or persons to exhibit or show, within the limits of this town, for any price, gain or reward, any menagerie, or collection of beasts or animals, or any circus; or to exhibit, show or perform, any feats of activity or agility of horses or other animals, or their riders, or both, or any such like shows or exhibitions, without having first obtained license for that purpose from the mayor or a majority of the common council; and before any such license shall be granted, the person or persons applying for the same, shall be required to pay into the hands of the mayor or treasurer, such sum of money as the said mayor or a majority of the common council shall deem proper, not less than ten dollars nor more than one hundred dollars for each day said exhibition or show shall be licensed to continue. Licensing exhibitions.

10. *And be it enacted*, That all actions for the recovery of any penalty or penalties created or imposed by any by-law Penalties how recovered.

or ordinance made and passed by the said common council, may be brought and prosecuted in the name of the "Treasurer of Morristown," without specifying the individual name of the treasurer of the said town, for the time being, and the books of records of the ordinances and by-laws of the said common council shall be taken and received as evidence of the due passage of all ordinances and by-laws recorded therein, and the publication, by authority of common council, of their ordinances and by-laws in a volume or pamphlet form, shall, in like manner, be taken and received as evidence of the due passage thereof, and the publication of the said ordinances and by-laws in one or more of the public newspapers of the said town according to law, shall in all cases be presumed to have been done, until the contrary shall be proved.

Inhabitants
not incompetent as witnesses.

11. *And be it enacted*, That upon the trial of any issue, or upon the judicial investigation of any fact to which issue or investigation the said common council are a party, or in which they are interested, no person shall be deemed an incompetent witness or juror by reason of his being an inhabitant or freeholder of said town, and if any person be sued or impleaded by reason of anything done by virtue of this act, such person may plead the general issue and give this act and the special matter in evidence at the trial.

Regulating
sidewalks, &c.

12. *And be it enacted*, That it shall and may be lawful for the common council of the said town to make and establish ordinances and regulations for the leveling, grading, curbing, regulating, paving, flagging or graveling of the sidewalks of the said town, the work to be done by the owners or occupants of lots fronting or adjoining such sidewalks, and to be superintended by the street commissioner, who, under the direction of common council shall prescribe the manner in which such work shall be done; if the owner or legal representative or guardian of the owner of any lot in front whereof the walk shall, by such ordinance or regulation, be directed to be leveled, paved, graded, regulated, flagged or graveled, shall neglect to comply with such ordinance or regulation within two months after the passage and publication of the same, it shall be lawful for the common council to cause the work to be done agreeably to the ordinance, for such person so neglecting and to cause a particular statement and account of the expenses of the said work to be rendered to them and recorded in their minutes and properly filed; if the said account be approved and allowed by common council, or if

any amount be allowed by them for the performance of said work they shall cause an advertisement to be inserted in the public papers in Morristown for one month, stating the amount allowed and approved of for the performance of the work, and requiring the owner or legal representative or guardian of the owner as the case may be, to pay the same to the treasurer of the said town at a certain time and place, and also appointing a certain time and place where such lot will be sold at public auction; if default be made in such payment for the lowest term of years at which any person shall offer to take the same in consideration of paying the amount due as aforesaid, and if, notwithstanding such notice and demand the owner or owners of such lot or lots, or the legal representative of such owner or owners shall neglect to pay the amount due as aforesaid, with the costs and charges thereof and the costs of the advertisement, it shall be lawful for the said common council to cause the said lots to be sold at public auction for a term of years at the time, for the purpose, and in the manner expressed in the advertisement, and and to give a declaration of such sale to the purchaser or purchasers thereof, his or their executors, administrators or assigns, and he or they shall by virtue thereof and of this act, lawfully hold and enjoy the same for his and their own proper use against the owner or owners and all claiming under him or them, until his time therein shall be complete and ended, and be at liberty to remove all buildings and materials which he or they may erect or place thereon; *provided* ^{Proviso.} *nevertheless*, that in case the owner or owners, or the representative or guardian of such owner or owners be a non-resident or non-residents of the county of Morris, he or they shall have due written notice of the passage or enactment of the ordinance requiring said work to be done, which said written notice shall be served personally or sent by mail, directed to the said person or persons within twenty days after the passage of such ordinance, and proof of having put the said written notice in the post office at Morristown, directed to such person or persons at his or their most usual place of abode, shall be deemed and taken as full proof of the service of such notice; and in case of neglect as aforesaid, and the performance of the work by common council, the said common council may, instead of the remedy aforesaid, sue for and recover the amount paid by them for the work aforesaid, from the owner or owners of such lot or lots or his or their legal representative, with interest and

costs, in any court in this state having cognizance thereof, in an action on the case for so much money by them paid, laid out and expended to and for the use of such owner or owners or his or their legal representative, and in every such action the proof of the amount paid by the common council shall be conclusive evidence for the plaintiffs of the amount due; *and provided however*, that no side walk shall be paved or flagged unless the ordinance for that purpose shall be passed by a two-third vote of the common council.

Proviso.

Duty of collector.

13. *And be it enacted*, That it shall be the duty of the collector of the township of Morris, on or before the first day of January, in each and every year, to pay over to the treasurer of Morristown, so much of the taxes, for the maintenance, working, and repair of roads, as shall have been raised by the said township and collected from the inhabitants residing within the limits of said town for that purpose, up to that time; and in case any money has not at that time been collected, the said collector shall pay over to the said treasurer such uncollected balance so soon as collected, which said money, or so much of it as may be deemed necessary shall be expended upon the streets in the town, under such regulations and ordinances as may from time to time be made by the common council.

Tenant may pave sidewalk and deduct charges out of rent.

Proviso.

14. *And be it enacted*, That it shall be lawful for the tenant of any lot, or house and lot, within the said town, upon the neglect or refusal of the owner or owners thereof, to cause the sidewalks to be leveled, paved, graded, flagged, curbed or graveled, in obedience to an ordinance or regulation to do the same, and to deduct the charges and expenses thereof out of his rent; *provided*, nothing in this act shall affect any contract or agreement made or to be made between landlord and tenant respecting such charges and expenses.

May vote to raise money.

15. *And be it enacted*, That it shall and may be lawful for the inhabitants of Morristown, who are entitled to vote at their annual town meeting, to vote a sum or sums of money, as they may think necessary to be raised for the ensuing year, for the expenses of the said town, which sum or sums shall be assessed upon the inhabitants of said town by the assessor, agreeably to the laws and regulations to be made by the common council of the said town for that purpose, in the same manner and upon the basis as township and county taxes are by law assessed, and collected by the collector at such time, and be paid and disposed of in such manner as the common council shall direct, and if no sum or an insufficient sum shall then

be voted to be raised, and the interests of the town require it, the common council are hereby authorized to call a meeting of the said inhabitants so entitled to vote, by advertisement or otherwise, giving at least ten days notice, and to propose to them the sum in their opinion necessary to be raised, and whatever sum the said inhabitants shall, by plurality of voices, vote to be raised, shall be assessed and collected, paid and disposed of in manner aforesaid; *provided*, that every person Proviso. in said town who may think him or herself aggrieved by any fine, penalty or assessment imposed on them in virtue of this act, may appeal to the common council, who are hereby required to hear his or her cause of complaint, and to do therein what to them may appear just and equitable; *and provided*, Proviso. *however*, that in no event shall any greater amount of money than five hundred dollars be voted and raised each and every year to pay the salaries of the officers of the said town; but in no event shall the mayor, recorder, or any member of the common council, receive any salary or compensation for their services, except such fees and costs as they may receive by reason of their acting as magistrates, as previously and hereinafter provided.

16. *And be it enacted*, That the act entitled "An act to Repealer. incorporate the Morristown Fire Association," approved February twenty-seventh, eighteen hundred and thirty-seven, and the several supplements thereto be, and the same are hereby repealed, and that the said "The Mayor, Recorder, Aldermen and Common Council, of Morristown," shall own all the property of the said "The Morristown Fire Association," and shall have full control and power over the property, real and personal, of the said "The Morristown Fire Association," and shall have the same power and authority as was vested in the managers of the said "The Morristown Fire Association," by the act incorporating "The Morristown Fire Association," and the several supplements thereto.

17. *And be it enacted*, That three justices shall be ap- Justices to be appointed. pointed and commissioned by the common council for said town for the same term of office as justices of the peace throughout this state are now appointed and commissioned, who may exercise the like power and have the same jurisdiction within the bounds of the said town in criminal cases as the said justices have and exercise in their respective counties, and who shall, in like manner, be amenable to the senate and general assembly of this state; the courts held by such justices shall be courts of record, and the said justices shall

have full power to keep and cause to be kept, all laws or ordinances made or to be made for the conservation of the peace and for the good government of the citizens and inhabitants of this state, within the said town of Morristown, according to the force, form and effect of the same laws or ordinances, and to cause to come before them or any of them, all persons who within said town shall break the peace, or have used or shall use threats to any of the citizens or inhabitants of this state concerning his or her body, or the firing of his or her house or other buildings, or who are not of good fame where they are found, to enter into recognizance with sufficient surety for the peace or their good behavior towards the people and inhabitants of this state, and if they enter not into such recognizance, then to cause them to be safely kept in prison until they do the same; and further to do, perform and execute all such matters, acts and things as by law appertain to their offices respectively, and are or shall be enjoined upon them and committed to their charge and execution, and all recognizances taken before any of the said justices by virtue of this act, may be sent to the court of general quarter sessions of the county of Morris, to the end that the said recognizances may be prosecuted to judgment, and executed if need be.

Powers of
mayor, recorder
and aldermen.

18. *And be it enacted*, That the mayor, recorder, and aldermen of the said town, shall have the same criminal jurisdiction within the bounds of the said town as the justices hereinbefore mentioned and appointed by this act, and for that purpose be vested with the like powers and subject to the same regulations.

Marshals.

19. *And be it enacted*, That the marshal and assistant marshals, of Morristown, shall be ministerial officers, and shall and may execute all process of the said courts according to law.

When to take
effect.

20. *And be it enacted*, That this act shall go into operation on the second Monday of May next.

21. *And be it enacted*, That this act shall be deemed and taken to be a public act, and as such be taken notice of by all courts of justice within this state.

Approved April 6, 1865.

CHAPTER CCCCLVI.

An Act to incorporate the "United States Soldiers' and Patriots' Orphans' Home," at Egg Harbor city, New Jersey.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That George O. Glavis, Philip M. Wolsieffer, John U. Guenther, Louis Ertell, Louis Brodhag, Alexander J. Schem, Charles Wehle, William Schmöele, August Heil, Louis Bullinger, James F. Thurn, Carl Gruner, George A. Muhleck, Adolph Kallasowsky, Theodore Kuntzmann, Theodore Wisswede, and such other persons as they may elect, are hereby created, declared, and constituted a body corporate and politic, by the name and style of "The United States Soldiers' and Patriots' Orphans' Home," and that by that name they shall have perpetual succession, and shall be capable of suing and being sued in all courts of this state, and shall have power to make and use a common seal, and alter the same at pleasure, and to make by-laws for the management of their property, for the regulation of their affairs, and to appoint all subordinate officers or agents required for the business of the society, and to allow them suitable compensation.

Names of corporators.

2. *And be it enacted*, That it shall be the business and purpose of the said society to provide a home for the disabled soldiers of the Union, especially to those of German birth, and also a home to receive and educate the children of all such who have fallen on the field of battle, or died in consequence of wounds received, or sickness contracted while in the service.

Aim and purpose.

3. *And be it enacted*, That the capital stock of said corporation shall be two hundred and fifty thousand dollars, with liberty to increase the same at the discretion of the directors to three hundred thousand dollars, and in such manner as the said corporation by their by-laws shall direct.

Amount of capital stock.

4. *And be it enacted*, That for the purposes aforesaid, the said corporation shall have power to purchase, take and hold personal property or real estate, or any interest therein, in this or any other state, territory, or district of the United States; to enter into, and execute contracts, to borrow money, to take, have, hold, receive and enjoy, any lands, tenements,

Powers of corporation.

or hereditaments, in fee simple or otherwise, and any goods, chattels, legacies, donations, annuities, or other personal property of what kind or quality soever, by gift, grant, devise, bequest, or otherwise; to make such improvements on any of their real estate as they may deem proper for any of the purposes aforesaid, and grant, convey, sell, assign, transfer, mortgage, lease, or otherwise dispose of property in like manner.

Election of directors.

5. *And be it enacted*, That there shall be not less than thirteen, nor more than twenty-five directors of the said company, and the persons named in the first act shall be the first directors of the said corporation, and shall manage its affairs; the directors shall choose out of their own number a president, a treasurer, and a secretary, who shall have such powers and functions as the by-laws of said corporation shall provide; the directors shall hold a regular meeting each first Tuesday of September, in Egg Harbor city, when vacancies shall be filled, the yearly report read by the president, and such other business shall be transacted as will best insure the welfare of the institution; persons not residing in this state shall be eligible to the office of directors, and the payment of one hundred dollars at one time shall constitute him or her a life-member; there shall also be appointed a board of twenty honorary directors, who at all times shall have the right to inspect the home, and whose suggestions for the improvement and welfare of the institution shall be heeded; of this board the governor of the state, the president of the senate, the speaker of the assembly, and the president and corresponding secretary of the institute of rewards for orphans of patriots, shall be members *ex officio*.

Restrictions and liabilities.

6. *And be it enacted*, That if the "Soldiers' Home" should, for want of inmates, cease to exist, all the property, utensils, &c., of the same shall be considered as belonging to the "Patriots' Orphans' Home," and that other orphans than those of soldiers shall be received, as soon as there are none, or few more of that class; the "Soldiers' Home" shall be conducted on military principles, as most in conformity with the intention and purpose of the founders, and on no account shall be made any distinction or preference in the reception at either branch, in any person, on account of his or her religious creed.

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

Approved April 6, 1865.

CHAPTER CCCCLVII.

An Act to confirm the acts of the common council of the city of Rahway, in paying bounties to volunteers, and to authorize taxation for the payment of the interest and principal of money borrowed for such purposes.

WHEREAS, the common council of the city of Rahway have Preamble. expended in the payment of bounties to volunteers the sum of eight thousand dollars in excess of the amount authorized by law, and have borrowed the said amount by temporary loans ; therefore

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said expenditure is declared May issue bonds. to be legal, and the common council of said city are hereby authorized to issue the bonds of the city in payment of such temporary loans redeemable in not over fifteen years from date, and bearing interest not to exceed seven per centum per annum.

2. *And be it enacted*, That it is hereby made the duty of To provide by tax for payment. the mayor and common council of said city to provide by taxation, yearly, for the payment of the interest on all bonds issued by said city for war purposes, and such portion of the principal as may be necessary to redeem the same as they become due and payable, and in addition to the assessment on the taxable property of inhabitants of said city for such purposes, they shall assess a poll tax yearly of not exceeding four dollars upon all inhabitants of said city who are not exempted from the payment of poll taxes by the provisions of the act entitled "An act to revise and amend the charter of the city of Rahway," approved March twenty-third, eighteen hundred and sixty-five.

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

Approved April 6, 1865.

CHAPTER CCCCLVIII.

A Further Supplement to the act entitled, "An act to regulate the practice of the courts of law," approved April fifteenth, eighteen hundred and forty-six.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for executors and administrators in any action brought against them upon any judgment suggesting a devastavit, where such judgment was to be made and levied of the goods and chattels of the testator or intestate, first giving notice for twenty days, before the time of trial of said cause, to the opposite party, to show that they have not eloiigned, wasted and converted, and disposed of to their own use said goods and chattels, and that they have duly administered the estate of their testator or intestate, notwithstanding the omission by them to plead plene administravit or plene administravit præter in the original action against them, and that hereafter the omission to plead either of said pleas by executors or administrators in actions brought against them in their representative capacity, shall not be held or taken in any court in this state to be conclusive evidence of a devastavit in any action upon such judgment as aforesaid.

2. *And be it enacted*, That if the plaintiff, in any action at law, shall neglect to bring his cause to trial at any term of the circuit court held in the county wherein the venue is laid, after the cause is at issue and after sufficient time has elapsed to enable him to give the requisite notice of trial, judgment shall be awarded for the defendant as in case of a nonsuit with costs, unless the court, upon just and reasonable terms, allow further time.

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

Approved April 6, 1865.

CHAPTER CCCCLIX.

An Act to secure statistics of orphanage resulting from deaths of soldiers and sailors of New Jersey during the present war.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the assessor of each township or ward of this state shall annually record the name and age of every boy and girl made orphan or half orphan before the first of the preceding May of each year, by the death of a parent enlisted from their respective townships or wards in the military or naval service of the United States since the outbreak of the rebellion, to be stated in a book, and on or before the first of September of each year shall return the same to the town clerk, who shall record the same in a book kept for that purpose, and shall at the time of making his returns of births, marriages and deaths to the secretary of state, forward a duplicate to the secretary of state, to be by him, on or before the first of January, recorded with a suitable index in a book kept for that purpose, and who shall certify to the township clerk the number of names so returned.

Assessor to record names of orphans.

2. *And be it enacted*, That the township committee, on the presentation of a certificate from the secretary of state of the number of names returned as by section one, shall pay to the assessors and clerks five cents each for every name so certified.

Fees of assessors and clerks.

3. *And be it enacted*, That the secretary of state shall be entitled for all said service under this act the sum of twenty-five dollars, to be paid by the treasurer on a warrant signed by the comptroller of this state.

Fee of secretary of state.

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

Approved April 6, 1865.

CHAPTER CCCCLX.

A Further Supplement to "An act authorizing an addition to the State Capitol," approved March twenty-fourth, eighteen hundred and sixty-three.

Duty of com-
missioners.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the commissioners of the State library be, and they are hereby authorized and empowered to procure the necessary shelving and furniture for the new library room, and to make such alterations in the old library room as may be necessary so soon as the same shall be vacated for the accommodation of the circuit and district courts of the United States, and to set apart and arrange some suitable room in the State House for a jury room for said courts; and also, to procure the necessary furniture, carpeting, etc., for the new executive chamber and committee rooms, and to furnish the same in a neat and becoming manner.

Expenses,
how paid.

2. *And be it enacted*, That the expense incurred in carrying out the provisions of the first section of this act, shall be drawn from the surplus (if any there shall be) of the appropriation now authorized by law for an addition to the State Capitol; *provided*, that in case the appropriation now authorized by law shall not be sufficient to accomplish the objects contemplated by this act, then and in that case the state treasurer be, and he is hereby authorized to pay to the said commissioners, for the purposes mentioned in the first section of this act, out of any moneys in the treasury not heretofore appropriated, a sum sufficient to pay the expenses authorized by this act; *provided*, that the amount to be expended under and by virtue of this act shall not exceed the sum of five thousand dollars.

Proviso

Proviso.

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

Approved April 6, 1865.

CHAPTER CCCCLXI.

A Further Supplement to the act entitled "An act concerning taxes," approved April fourteenth, one thousand eight hundred and forty-six.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That there shall be assessed and levied and collected on the inhabitants of this state, and on their taxable real and personal property, and upon the other objects liable to taxation, a state tax of three hundred and fifty thousand dollars, which is hereby appropriated and shall be applied as follows: two hundred and eighty thousand dollars, or so much thereof as may be needful, to the payment of such interest as shall have accrued on the first day of January next, and on the first day of July next thereafter, on the loan authorized by an act entitled "An act authorizing a loan for the purposes of war, to repel invasion and suppress insurrection, and appropriating the same, and providing for the payment thereof," approved May tenth, one thousand eight hundred and sixty-one; and the residue thereof, above what may be necessary to pay the said interest, shall be applied and added to the sinking fund provided for by the fifth section of said act towards the payment of the principal of said loan; and seventy thousand dollars of the said tax shall be applied, so much thereof as may be needful, to the payment of any other indebtedness of the state, and the residue thereof to any other uses of the state; which said state tax shall be and the same is hereby apportioned to and among the several counties of this state as follows, that is to say:

Taxes to be levied and collected, and how appropriated.

Apportionment.

To the county of Atlantic, the sum of two thousand two hundred and seven dollars;

To the county of Bergen, the sum of seventeen thousand two hundred and thirty dollars;

To the county of Burlington, the sum of twenty-four thousand nine hundred and seventy-five dollars;

To the county of Camden, the sum of sixteen thousand nine hundred and seventy-two dollars;

To the county of Cape May, the sum of two thousand eight hundred and thirty-one dollars;

To the county of Cumberland, the sum of nine thousand four hundred and seventy-six dollars ;

To the county of Essex, the sum of forty-seven thousand six hundred and sixty-nine dollars ;

To the county of Gloucester, the sum of nine thousand six hundred and ninety-eight dollars ;

To the county of Hudson, the sum of thirty-eight thousand two hundred and sixty dollars ;

To the county of Hunterdon, the sum of twenty thousand four hundred and sixteen dollars ;

To the county of Mercer, the sum of twenty thousand one hundred and sixty-four dollars ;

To the county of Middlesex, the sum of seventeen thousand three hundred and forty-eight dollars ;

To the county of Monmouth, the sum of twenty thousand three hundred and fifty-three dollars ;

To the county of Morris, the sum of sixteen thousand four hundred and forty dollars ;

To the county of Ocean, the sum of two thousand and thirty-eight dollars.

To the county of Passaic, the sum of thirteen thousand two hundred and eighty-three dollars ;

To the county of Salem, the sum of fourteen thousand seven hundred and thirty-nine dollars ;

To the county of Somerset, the sum of thirteen thousand eight hundred and twenty-three dollars ;

To the county of Sussex, the sum of twelve thousand two hundred and sixty-two dollars ;

To the county of Union, the sum of fourteen thousand one hundred and one dollars ;

To the county of Warren, the sum of fifteen thousand seven hundred and fifteen dollars ;

When to be
assessed and
collected.

Which tax, and the sums required to be raised for county, city, township and other public taxes, shall be levied, assessed and collected on the persons and property, and in the manner directed by the above recited act, entitled "An act concerning taxes," and the several supplements thereto, and the laws of this state now in force, regulating the assessment and collection of taxes, except as in and by this act is otherwise ordered and directed.

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

Approved April 6, 1865.

CHAPTER CCCCLXII.

An Act to authorize the extension of the State Lunatic Asylum.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the managers of the lunatic asylum are hereby authorized to build additional wings on either side of the present building, and corresponding in the style of architecture therewith, sufficient to provide rooms for one hundred and twenty additional patients, sixty of each sex, and that for the purpose of defraying the expense thereof, the treasurer of this state is authorized to pay out of the state treasury during the current year the sum of thirty thousand dollars; *provided*, that the whole cost of such extension shall not exceed sixty thousand dollars.

2. *And be it enacted*, That the said managers shall appoint two of their number, who, together with the superintendent of the asylum, shall be commissioners to superintend the erection of said buildings under the direction of the board of managers.

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

Approved April 6, 1865.

CHAPTER CCCCLXIII.

An Act to incorporate the Hudson County Aqueduct Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Edgar B. Wakeman, William Keny, Rufus Story, Isaac B. Culver, Robert L. Smith, Augustus A. Hardenburgh, Moses B. Bramhall, Henry D. Van Nostrand, John M. Cornelison, John Armstrong, Jacob R. Schuyler, John Hilton, Edwin R. V. Wright, James Watson, Garret Van Horn, Edwin C. Bramhall, and John R. Halli-

day, and all and every person or persons who may become subscribers according to the mode hereinafter directed, and their successors, are hereby created a body politic and corporate in fact and in law by the name of "The Hudson County Aqueduct Company," and by the name of the said corporation shall have power to construct water works, for the purpose of supplying the towns of Bayonne, Greenville, Bergen, Hudson City, and places adjacent with pure and wholesome water, as hereinafter directed.

Commissioners to receive subscriptions.

2. *And be it enacted,* That Edgar B. Wakeman, William Keny, Rufus Story, Isaac B. Culver, Robert L. Smith, Augustus A. Hardenburgh, Moses B. Bramhall, Henry D. Van Nostrand, John M. Cornelison, John Armstrong Jacob R. Schuyler, John Hilton, Edwin R. V. Wright, James Watson, Garret Van Horn, Edwin C. Bramhall, and John R. Halliday, are hereby appointed commissioners for receiving subscriptions for the sum of two hundred and fifty thousand dollars, to constitute the capital stock of the said corporation in shares of one hundred dollars each; and the said commissioners, or a majority of them, shall open books for that purpose, at such time and in such place or places within this state as they shall designate by public advertisement, to be previously inserted for at least three weeks in a newspaper printed in Jersey City, and also in a newspaper printed elsewhere in the county of Hudson; and shall continue the said books open until the said capital stock, or a portion of it, shall be subscribed, and such subscribers shall be entitled to receive a certificate for such stock from the said commissioners; and the sum of ten per centum upon each share so subscribed shall be paid by each subscriber at the time of subscription, to the said commissioners, or a majority of them, and the balance to be paid at such times and in such manner as the said commissioners shall specify, or be specified by the board of directors, after the power of the commissioners shall have ceased; and when requested so to do, the amount so received by the said commissioners shall be paid by them over to the board of directors, to be appointed as hereinafter directed.

Amount of capital stock.

Appointment of board of directors.

3. *And be it enacted,* That all powers of the said commissioners shall cease and determine after the appointment of a board of directors, to be appointed as follows: after the said amount of two hundred and fifty thousand dollars, or a portion of it, shall have been subscribed as aforesaid, the said commissioners, or a majority of them shall convene the stockholders, by public notice, to be inserted in not less than

two newspapers printed in Hudson county (one of which shall be printed in Jersey City), specifying the time and place of the meeting of said stockholders, (which said notice shall be published as aforesaid, at least three weeks, in such newspapers before said meeting), for the purpose of choosing seven directors, to be selected by the said stockholders from their number; and in choosing said directors, five of whom shall be selected from the stockholders who reside in the county of Hudson, and the said directors shall choose, by a plurality of votes, a president from among themselves.

4. *And be it enacted*, That the management of the concerns of said corporation shall be entirely vested in the said board of directors; and the first board of directors, to be chosen as hereinbefore prescribed, shall hold their offices until the third Monday of the month of May following the time of their election, and the said directors and president shall thereafter hold their offices from the third Monday of May, in every year, for one year, and shall be elected on the third Monday of May in each year, at such time and place as a majority of them shall appoint, and public notice shall be given of the time and place of holding such election, for ten days, in a newspaper published in Hudson county; and any vacancy which may happen in the said board of directors, may be supplied by appointments, to be made by the board, until the next election; and all elections shall be by ballot of the stockholders or their proxies, allowing one vote for each share which they shall respectively hold.

5. *And be it enacted*, That in case the whole amount of the said capital stock shall not have been subscribed after they assume the control of the affairs of said corporation, the said directors shall have power, and they are hereby authorized, from time to time, under the foregoing regulations, to open books for the further subscription of stock, until the whole stock subscribed amounts to the said sum of two hundred and fifty thousand dollars, and are also authorized to call upon said subscribers for the payment of further installments in such sum or sums, and at such time or times, and under such forfeiture or forfeitures as they may deem expedient until the whole amount of said shares so subscribed shall have been fully paid; and in case any stockholder shall refuse or neglect to make payment pursuant to the regulations of the board of directors under the provisions of this act, the stock of such stockholder or stockholders, or so much as shall be necessary, may be sold by the direction of said corporation

at public auction, after the lapse of sixty days from the time payment becomes due; and all surplus money, the avail of such sales, after deducting the payments due, and interest thereof, and the necessary expenses of the sale shall be paid over to such negligent stockholder or stockholders.

Authorized to take and convey water.

6. *And be it enacted*, That the said corporation be, and they are hereby authorized to take and convey into and through the towns of Bayonne, Greenville, Bergen, Hudson City and places adjacent, water from the Hackensack river (or other streams from which it may be convenient and practicable to take water), in such portions as may be required by the inhabitants of said places; the same to be pure and wholesome water, to be used for domestic and other purposes.

May purchase an^d hold lands, &c.

7. *And be it enacted*, That the said corporation may take and hold any lands or other real estate necessary for the construction of reservoirs, aqueducts or other works for containing or conveying water, or for the erection of any buildings or machinery, or for laying any pipes or conduits for conveying the water into or through said places, or to secure and maintain any portion of the works, and in general, to do any other acts necessary or convenient for accomplishing the purpose contemplated by this act; and may distribute the water, to be taken as aforesaid, throughout the corporate limits of said places, as the inhabitants thereof may require, as hereinafter provided.

Proceedings when company and owners cannot agree.

8. *And be it enacted*, That in case of any disagreement between the said company herein incorporated, and the owners of any land or water rights, which may be required for the said purposes, as to the amount of compensation to be paid to such owners or owner, or in case any such owner shall be an infant, or married woman, or insane, or be absent from this state, the circuit court in and for the county in which such land or lands lie shall on application of either party, nominate and appoint three disinterested persons to examine such property and estimate the value thereof or damage sustained thereby, and who shall, after reasonable notice to the parties of the time and place where they will be heard in relation to the matter, proceed without delay to make their report thereon, and deliver the same to the court, at the next session thereof, which shall be held in said county.

Notice to be given.

9. *And be it enacted*, That in case any land or estate of any infant, married woman, or insane person, be taken for the aforesaid purposes, the guardian of such infant or insane person, and the husband of such married woman may be notified of

the hearing in the manner prescribed in the foregoing section, and proceedings of the said court shall be as binding in such case as in other cases; and the guardian of such infant or insane person, and the husband of such married woman may, upon receiving satisfactory compensation, release said land or lands, and all damages, in the same manner as they might if the said land or estate were holden in their own right respectively.

10. *And be it enacted*, That whenever such report, herein before directed to be made and delivered to the court, shall be confirmed by the court aforesaid, the said company shall, within two months thereafter, pay to the said owner, or to such person or persons as the court may direct, the sum mentioned in said report, in full compensation for the property so required, or for the damage sustained, as the case may be; and thereupon the said company shall become seized in fee of such property so required, and shall be discharged from all claim by reason of such damage; but no claim shall be made or allowed after the expiration of three years from the time the land is taken or damages suffered.

Company to pay for lands taken.

11. *And be it enacted*, That the said corporation shall have the right to use the ground or soil under any road, railroad, highway, street, lane, alley or court within the limits they may extend their works under the provisions of this act, for the purpose of constructing the works contemplated by this act to supply the towns and city aforesaid with water; *provided*, that said corporation shall cause the surface of such road, railroad, highway, street, lane, alley or court, to be restored to its original state, and all damages done thereto be repaired.

Powers of company.

Proviso.

12. *And be it enacted*, That for the purpose of defraying all the expenses and cost of the construction of said works, and all expenses incidental thereto, the said corporation shall have authority to issue their bonds or scrip in their corporate name, bearing interest not exceeding seven per cent. per annum, payable semi-annually, and the principal shall be payable at periods not less than fifteen nor more than fifty years from date; and the amount of said bonds, together with the amount of the capital stock taken and paid in, shall not exceed the sum of one million dollars, which said scrip or bonds may be issued from time to time, by the said company, as they may require funds for the construction of said works.

May issue bonds or scrip.

13. *And be it enacted*, That the board of directors, constituted as aforesaid, shall regulate the distribution of water,

To regulate the distribution and price of water.

to be brought within said places by their works, and from time to time fix the price for the use thereof, and the times of payment; *provided*, that the price so fixed by them shall not exceed the prices and water rents at present paid by the property owners and inhabitants of Hoboken and Hudson City; and the said directors may erect such number of public hydrants, and in such places as they shall see fit, and direct in what manner, and for what purpose the same shall be used; *providing* it shall not apply to any fire department now existing in the towns of Bayonne, Greenville, Bergen and Hudson City.

Proviso.

To lay down pipes.

14. *And be it enacted*, That the said corporation shall, upon the written application of the owners of two-thirds of the property along and upon any street, lane, alley, avenue or court, within the corporate limits of the said towns of Bayonne, Greenville, Bergen and Hudson City, have the power to lay their pipes through any such street, lane, alley, avenue or court; and the company may sell and dispose of the water so procured by them upon such conditions, and for such rents as they may from time to time prescribe, and that such rents shall draw interest at the rate of seven per cent. per annum, from and after the times when they shall become due.

Application to be filed.

15. *And be it enacted*, That the written application mentioned in the preceding section, together with an affidavit, thereto attached, that the signatures to the said application are genuine, may be filed in the office of the clerk of the county of Hudson; and a copy thereof properly certified by the clerk of said county, shall be proof in any court in this state or elsewhere that such application was made, but proof of no other fact.

May enter on premises to examine pipe, &c.

16. *And be it enacted*, That the agents of the said company entrusted with the superintendence of the works, may at all reasonable times enter all premises supplied with water by them, to examine the pipes and fixtures, and prevent any unnecessary waste; and if any person or persons shall, without the consent of the said company, use any of the said water, either within or without the corporate limits of the the towns and city aforesaid, an action of trespass on the case may be maintained against such person or persons for the recovery of damages therefor.

May make contracts.

17. *And be it enacted*, That the said company may, in their corporate name, at any time hereafter, enter into any contract with the corporate authorities of Hudson City, or

with any other corporation in the county of Hudson, for the purchase of any pipes now used by them for the distribution of water, or for any other materials necessary in the construction of said works, for such price as may be mutually agreed upon by the said parties; and they may at any time before or after the construction of their works contemplated by this act, make and enter into any contract in like manner with the water commissioners of Jersey City, for a supply of water from the works of the said water commissioners of Jersey City, for such price and for such time as may be mutually agreed upon by them; and the said "The Water Commissioners of Jersey City," are hereby empowered to make such contract.

18. *And be it enacted*, That the said company, at any time after obtaining a sufficient supply of water, make and enter into any contract or contracts with the corporate authorities of the towns of Bayonne, Greenville, Bergen and Hudson City, for such supply of water as may be needed in said places for the extinguishment of fires, and for other general purposes; and the said company, after their said works shall have been completed, or partially completed, may enter into any contracts with the towns of Bayonne, Greenville, Bergen and Hudson City, or with either of them, for the sale of said works, or any portion thereof, to the corporate authorities of said towns and city, or to either of them, whereby the corporate authorities of the said towns and city, or either of them, can or may become the owner or owners of said works, or any portion thereof, and assume the liabilities of the corporation hereby created, or upon such terms as may be agreed upon; and the said municipal authorities of said townships or city, or either of them are hereby authorized to exercise the powers granted to this company upon the purchase of such right of this company.

May make contracts.

19. *And be it enacted*, That if any person or persons shall willfully or maliciously divert the water, or any portion thereof from the said works, or shall corrupt or render the same impure, or shall destroy or injure any portion of their works or property, such person or persons, their aiders and abettors, shall be considered guilty of a misdemeanor, and being thereof convicted, shall be punished by a fine not exceeding three hundred dollars, or imprisonment at hard labor not exceeding two years or both; *provided*, such criminal prosecution shall not in anywise impair the right of action for damages by a civil suit, hereby authorized to be brought for any such injury

Penalty for injuring works.

Proviso.

as aforesaid by and in the name of said corporation in any court having cognizance of the same.

To adopt by-laws, &c.

20. *And be it enacted*, That the said corporation shall have the power to make a common seal, and also to make, ordain, establish and put in execution, such by-laws, ordinances and regulations, as shall be deemed necessary and convenient for the government of said corporation; *provided* the same are not contrary to this act, and laws of this state and of the United States, and to do and execute all and singular the matters and things which may be necessary to carry out the objects of this their act of incorporation.

Proviso.

Not dissolved for failure to elect.

21. *And be it enacted*, That a majority of the said board of directors shall constitute a quorum for the transaction of any business; and if at any time an election is not held on the day 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.

Stock transferable.

22. *And be it enacted*, That the stock of the corporation shall be transferable according to the by-laws and regulations of said corporation, and shall be considered personal property, and the stock and transfer books may be inspected at any time by the stockholders; and all other books of account kept by said company (in which shall be fairly and truly entered all the transactions of said company), shall always be open to the inspection of stockholders.

Lands, &c., to be taxed.

23. *And be it enacted*, That the lands and real estate taken, held, occupied or used by said corporation for the constructing, maintaining or using said works, shall be assessed and taxed in the manner prescribed by law, at the value of the land, including any pipes, buildings, machinery, or works of any kind placed thereon.

Powers.

24. *And be it enacted*, That the said corporation shall in their corporate name have the power to sue, and they may be sued, plead and be impleaded, defend and be defended in all the courts in this state and elsewhere, and shall possess the general powers contained in the act entitled "An act concerning corporations," approved the fourteenth of February, eighteen hundred and forty-six, and the supplements thereto, so far as the same are applicable.

25. *And be it enacted*, That this act shall be deemed a public act, and shall take effect immediately.

Approved April 6, 1865.

CHAPTER CCCCLXIV.

An Act to incorporate the Millville, Vineland, and Carlsburg Turnpike Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all such persons as shall become subscribers to the capital stock hereinafter mentioned, their successors and assigns, shall be and hereby are ordained, constituted and made a body politic and corporate in fact and in law, by the name of the "Millville, Vineland, and Carlsburg Turnpike Company," and that the following named persons, to wit: Charles K. Landis, Oren Packard, Benjamin Swain, Junior, Charles H. Jones, and W. O. H. Gwynneth, or a majority of them, are hereby appointed commissioners to open subscription books, and receive subscriptions to the capital stock, at such times and places as they or a majority of them, may direct, giving notice thereof at least twenty days prior to the opening of said books, by publishing the same in at least one newspaper published in Trenton.

2. *And be it enacted*, That the capital stock of said company shall be fifty thousand dollars, and shall be divided into shares of twenty-five dollars each; that at the time of subscribing to said stock, one dollar shall be paid upon each share subscribed for to the said commissioners, or any of them, which money shall be paid over to the treasurer of the said company, so soon as one shall be appointed; that the residue of said stock shall be paid to the treasurer, in such installments, and at such times and places, as the board of directors of said company shall from time to time direct; that upon failure of the payment thereof, as so directed, the said board shall have power to forfeit the shares of each and every person so failing to pay said installments or any of them to and for the use of said company.

3. *And be it enacted*, That the affairs of said company shall be managed by a board of five directors, a majority of whom shall be a quorum for the transaction of business, but any less number may adjourn from time to time; that when one hundred shares of said stock shall be subscribed for, the said commissioners, or a majority of them, shall call a meeting of the said stockholders, giving at least ten days' notice of the time and place of said meeting in the newspaper aforesaid, at which meeting the subscription books shall be laid

Corporate name.

Commissioners to open books of subscription.

Amount of capital stock.

Election of directors.

before the stockholders, who shall thereupon proceed to elect by ballot, five directors, for the term of one year, who shall be citizens of this state, of which election the said commissioners, or a majority of them, shall be judges; and that at the expiration of said term, and annually thereafter, upon like notice being given by the existing board of directors, the stockholders shall elect by ballot five directors, who shall be citizens of this state, and the judge of such elections shall be appointed by the president, and at every such election, and in all other cases in which the stockholders shall be entitled to vote, a vote may be given for each share of stock by the holder thereof, in person or by proxy; and in case it shall happen that any election of directors should not be made on the day, when, pursuant to this act it ought to be made, said corporation shall not for that cause be deemed to be dissolved, but such election may be held at any other time, and the directors for the time being shall continue to hold their office until others shall have been chosen in their place.

Duties and powers of president.

4. *And be it enacted*, That so soon as conveniently may be after the first and subsequent annual election of directors, they shall elect from their number a president of said company for the term of one year and until another shall be elected, who shall receive such compensation for his services as the board of directors may direct; he shall keep the seal of said company, and preside at all meetings of said board, and in case of his absence, the said board shall appoint one of their number, who, for the time being, shall possess the same power and authority and perform the like duties; and the board of directors may fill any vacancy that may occur therein until the next annual election, and may exact from the president, treasurer, and other officers and agents of said company such security for the due performance of their respective trusts as they may deem expedient; and special meetings of said stockholders may be called by the said board, or by the stockholders owning one-fourth of the whole stock of the company, by giving notice of the time and place of holding the same and the object for which the meeting is called.

Powers of directors.

Annual statement to be made.

5. *And be it enacted*, That at the annual meeting of the stockholders, the board of directors for the preceding year shall exhibit to them a full and complete statement of the affairs of the company during their said term; *provided*, said company shall have the privilege of erecting toll houses, and

Proviso.

charging and receiving toll as soon as one mile of said road is completed.

6. *And be it enacted*, That it shall and may be lawful for the said company to construct and make a turnpike road from the town of Millville, in the county of Cumberland, at the terminus of the Malaga road, thence along said road to its intersection with the Weymouth road, and from the intersection of the Malaga road and Landis avenue westward until it intersects the Carlsburg and Bridgeton road in said county; and the said company may by their officers, agents, or other persons in their employ, enter from time to time and at all times, upon all lands necessary to make said road, and also to search for stone, gravel, sand or clay for constructing and keeping up said road, doing no unnecessary damage to said lands; *provided*, the said company as soon as they shall have constructed the said turnpike road, shall pay to the respective owners of the land over which they may pass, all damages which the said owners shall sustain by reason of the construction of said turnpike road; and in case the said owners and said company cannot agree upon the amount of said damages, then the damages shall be ascertained and determined as nearly as may be in the manner hereinafter provided for ascertaining and determining the damage which any land owner or owners may sustain by taking off stone, gravel, sand or other materials from his or her lands for the constructing and maintenance of said turnpike road.

7. *And be it enacted*, That the said turnpike road shall be constructed at least thirty-two feet in breadth, and shall be sufficiently arched and drained to make and keep the same dry, and at least eighteen feet thereof shall be sufficiently bedded and faced with stone or gravel to make a good and firm road; and it shall be so graded, that in its progress no part of said road shall rise above an angle of four degrees with the plane of the horizon; and said company shall make good and sufficient bridges along said road, not less than thirty feet in breadth, and whenever said road in passing over low ground shall be raised so much at the margin or side as to render carriages passing thereon liable to overset, the said company shall cause good and sufficient railings to be erected on the side road, so as to prevent horses and carriages from running off.

8. *And be it enacted*, That it shall be lawful for the said company, their agents, superintendents, engineers, and all persons employed by them, with carts, wagons and other car-

Construction
of road.

Proviso.

Breadth of
road.

Proceedings
when compa-
ny and owners
cannot agree.

riages, and with beasts of burden and draught, and all necessary materials, tools and implements, to enter upon all lands, contiguous or near to the said road, doing as little damage thereto as possible, repairing any breach they may make in the enclosures thereof, and to make all ditches and under-drains across and through such lands as are necessary for the proper draining of said road, and to take and carry away stone, gravel, clay or sand, or other materials therefrom suitable for making or repairing said road; and if the said company or their agents and the owner or owners of such required land or materials cannot agree as to the price of the same, it shall be the duty of any justice of the supreme court of this state, or a judge of the court of common pleas of the county of Cumberland, upon such application of either party, and after six days' notice in writing to the opposite party of such application, and after hearing the parties, to appoint three disinterested, impartial and judicious freeholders, residents of this state, commissioners to assess the price or value of such lands or materials as may be required by said company, and all damages that may be sustained by reason of the appropriation of the same to the use of said company, who shall before they enter upon the duties of their appointment, be duly qualified according to law faithfully and impartially to execute the duties thereof, and after six days notice in writing to both parties of the time and place, shall meet, view the premises, hear the parties, and evidence if desired, and thereupon make such decision or award as to them may appear just and equitable, and transmit such award and decision in writing, under their hands and seals, or the hands and seals of a majority of them to the clerk of the said county of Cumberland, to be by him filed as a public record, and certified copies taken if desired by either party; and upon payment or tender of the sum so awarded by the commissioners, the said company or their agents may enter upon said land or remove all such materials as have been appraised as aforesaid; and when by reason of any legal incapacity, or the absence of the owner or owners of such land or materials, no agreement can be made with said company, then it shall be the duty of said company to pay the amount of any awards made in behalf of any such persons, by commissioners appointed as aforesaid, into the court of chancery, to the clerk thereof subject to the order of said court for the use of said owner or owners.

9. *And be it enacted*, That as soon as the said company

shall have constructed said road, according to the direction of this act, and the true meaning and intent thereof, it shall and will be lawful for them to erect toll houses upon and gates or turnpikes across the same, and to demand and receive toll for travelling each mile, and all fractions over one-half a mile of the said road, not exceeding the following rates, to wit :

	Rates of toll.
For every carriage, sleigh or sled drawn by one beast,	one cent ;
For every additional beast,	one cent ;
For every horse and rider or led horse or mule,	one cent ;
For every dozen calves, sheep or hogs,	one cent ;
For every dozen horses, mules or cattle,	two cents ;

And it shall and may be lawful for the toll gatherers to stop all persons riding, leading or driving any horses, cattle, mules, sheep, calves or hogs, or carriages of burthen or pleasure at the said gates or turnpikes until they shall have paid the toll as above specified ; *provided*, that nothing in this act shall be construed so as to entitle the said company to demand or receive toll of or from any person passing to or from public worship on the Sabbath day, or horses, carriages, sleighs or sleds carrying persons to or from a funeral, to or from any mill to which he may usually resort for grinding of grain for his family use, or any person passing to or from his common business on his farm. Proviso.

10. *And be it enacted*, That before the said company shall receive toll for travelling said road they shall cause mile stones to be erected and maintained, and on each stone shall be fairly and legibly marked the distance said stone is from the termini of the road aforesaid, and shall cause to be fixed at the gates or turnpikes aforesaid, in some conspicuous place, a printed list of the rates of toll which may be lawfully demanded, and also a board on which shall be printed in large letters, "keep to the right, as the law directs, penalty ten dollars." mile stones to be erected.

11. *And be it enacted*, That if any person shall willfully break, throw down, or deface any of the mile stones so erected on said road, or willfully tear down or deface any of the printed rates of toll or directions, or shall cut, break down or destroy, or otherwise injure any gates, turnpikes or bridges that shall be erected pursuant to this act, or shall forcibly pass the same without having paid the legal toll at such gates or turnpikes, such persons shall forfeit and pay the sum of ten dollars, besides being subject to an action for damages for the same, to be recovered by said company by action of debt Penalty for injuring works.

or other proper action, in any court of competent jurisdiction, with costs of suit; and if any person with his or her carriage, team or vehicle turn out of said road to pass a gate or gates, upon private grounds adjacent thereto, with intent to avoid the toll due by virtue of this act, such person or persons shall forfeit and pay five times as much as the legal toll would have been for passing through said gates, to be recovered by said company for the use thereof, in an action of debt, with costs of suit.

Penalty for taking illegal tolls.

12. *And be it enacted*, That if any toll gatherer shall demand more toll than is by this act established, the said company shall for every such offence forfeit and pay the sum of twenty dollars, with costs of suit, to be prosecuted by and recovered for the sole use of the person so defrauded.

Penalty for obstructing passage.

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

Proceedings when road and bridges are not kept in repair.

14. *And be it enacted*, That if the said company shall not keep the road and bridges in repair, it shall be the duty of any judge of the court of common pleas of the county of Cumberland, upon complaint being made to him in writing, stating the bridge or part of the road that is out of repair, and specifying the particular defect, and after four days' notice in writing to said company, specifying the particular part of the road or bridge, and the particular defect complained of, and after hearing the parties, if the said company should not have mended or repaired the bridge or part of the road complained of, to appoint under his hand and seal three judicious, disinterested freeholders of the county of Cumberland, not residing in any township through which said road passes, who having been duly qualified according to law to act impartially in the case, shall proceed to view and examine said part of the turnpike road or bridge so complained of, and report to the said judge in writing, under their hands and seals, or under the hands and seals of any two of them, whether it be in such state as the law requires

it to be kept; and if the report be unfavorable to said road, said judge shall immediately, in writing, under his hand and seal, order the keeper of the gates or turnpikes established on the division complained of to keep open the same until otherwise ordered, and if the said keeper shall, notwithstanding the order of said judge to open said gate or turnpike, exact toll of travelers, the said company shall for each offence forfeit and pay twenty dollars, to be sued for by any person who shall prosecute for the same, in an action of debt, with costs of suit; and the said judge shall be allowed for his services one dollar, and the persons appointed one dollar each, to be paid by the company; and upon due proof before said judge that said company have repaired or mended said road or bridge in the particular complained of, he shall by license under his hand and seal, directed to the toll gatherers, permit the gates or turnpikes to be shut and the toll to be collected as before, and the said fee shall be allowed and paid as before directed; but if, on the view, as before mentioned, the report of the persons appointed, or a majority of them, shall be in favor of the company, the same fee shall be allowed as before prescribed, and be paid by the person or persons making the complaint.

15. *And be it enacted*, That the said company may construct their said turnpike upon the highway beginning at Millville, in the township of Millville, in the county of Cumberland, at the terminus of the Malaga road; thence along said road to its intersection with the Weymouth road; and from the intersection of the Malaga road and Landis avenue, westward until it intersects Carlsburg and Bridgeton road; and it shall be lawful for any one subscribing to the stock of said company, to pay for the same by work done upon the aforesaid road in its construction.

Road, where
constructed.

16. *And be it enacted*, That this act shall be taken and construed to be a public act, and that the said corporation shall possess the several powers, and be subject to the restrictions and liabilities contained in the act entitled "An act concerning corporations," and also be subject to an act to increase the revenues of the state of New Jersey, approved March sixth, eighteen hundred and fifty-eight.

Restrictions
and liabilities.

Approved April 6, 1865.

CHAPTER CCCCLXV.

An Act to incorporate the Forest County Oil and Lumber Company.

Names of cor-
porators.

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That Alexander R. Shreve, Barclay Haines, F. L. Taylor, A. N. Troth, John B. Roberts, Samuel E. Hancock and Jacob Snedaker, and such other persons as may be associated with them and their successors, are hereby created and declared to be a body politic and corporate in law by the name and title of the "Forest County Oil and Lumber Company," and by that name shall have perpetual succession and all the privileges and franchises belonging or incident to a corporation.

Amount of
capital stock.

2. *And be it enacted*, That the whole amount of capital stock of said company shall be five hundred thousand dollars, to be divided into shares of five dollars each, which shall be personal property and be transférable on the books of said company.

Commission-
ers to receive
subscriptions.

3. *And be it enacted*, That the above named corporators, or a majority of them, shall be commissioners to receive subscriptions to the capital stock of said company, at such time and place or places in this state, and upon such notice as they shall direct; and at the time of subscribing for said stock such amount on each share shall be paid, satisfied or satisfactorily secured to said commissioners as they or a majority of them shall determine, and the residue of the subscription shall be paid, satisfied or secured as the directors may determine, in such installments, at such times and places, in such manner and to such person or persons as said directors shall from time to time direct, giving notice of such time and place, and person or persons, by a notice published in a newspaper printed and circulating in the county of Burlington, for two weeks, at least once in each week; and upon the failure by any person to pay, satisfy, or secure the payment of the installments or any of them as aforesaid, the said directors shall have power to forfeit the shares of each and every person so failing, or any of them, to and for the use and benefit of the said company; and any shares of stock so forfeited as aforesaid, may be held by the said company, or any person or persons for its benefit, and may at any time be sold or disposed of for the benefit of the com-

pany, as said directors may direct, or divided proportionately among the remaining stockholders, to be by them held and enjoyed, or sold and transferred with all the rights and benefits incident thereto, the same in all respects as if they were original shares by them subscribed; and any land, property or materials used in the business of the said company, received in payment or satisfaction of subscriptions for stock, shall be taken at a valuation approved by a majority of the stockholders.

4. *And be it enacted*, That whenever fifteen thousand dollars of the capital stock aforesaid shall have been subscribed, the commissioners, or a majority of them, shall, as soon as they deem expedient, give notice in such manner as they may determine, of a meeting of the stockholders, at such time and place as they may designate, to choose eleven directors, who shall hold their office for one year and until others are duly elected; and such election shall be made at the time and place appointed by such of the stockholders as shall attend for that purpose, either in person or by proxy, each share of stock entitling the holder thereof to one vote; and the directors chosen at such meeting, or at the annual elections of said corporation, shall, as soon as may be, after every election, choose out of their own number a president, who shall hold his office for one year, and until his successor is duly appointed, and in case of the death, resignation, or other incapacity of the president or any director, such vacancy may be filled by the board of directors for the remainder of the then current year. Election of directors.

5. *And be it enacted*, That the said company shall be and they are hereby authorized and empowered to establish and carry on the business of developing oil lands, digging, boring, and excavating mines, shafts and wells, and mining, producing, and obtaining oil and other products or minerals from the earth, and manufacturing in forms, refining, transporting and vending the same, cutting, rafting, and selling lumber, and for that purpose to purchase, rent, take, hold, occupy and enjoy, grant, demise, lease and convey in this, or any other state or territory, such and so many lands, mines, deposits, springs and wells, and such parts, shares and interests therein, as they may deem proper in fee simple or any less estate; and to purchase, rent, hire, erect, build, hold, maintain and use, grant, demise, lease and convey such buildings, mills, tramways, wells, aqueducts, drains, tanks, engines, machinery, and other real and personal property as they may Powers of company.

deem necessary or proper for developing their property and carrying on their business; and when by the laws of the state or territory where any of the property may be situated or be, the said company may not be authorized or capable to have, hold, enjoy or convey, rent and lease the same, or the legal estate therein, themselves or otherwise, when they may think proper the said company may purchase, hire, rent, have, hold, use, enjoy, grant, lease and convey any trust or other equitable or beneficial estate or interest, as cestui que trust or otherwise, in any property which may be purchased, hired, leased or held by trustees or other person for the use and benefit of said company; and the same shall make part of the value of, and be represented by, the stock of said company; *provided*, that the said company, shall not be taxed in this state for or by reason of, or of any interest in any real estate situated in any other state or territory and taxed therein.

Proviso.

Powers of directors.

6. *And be it enacted*, That the board of directors of said company shall have power to make and adopt a common seal for said corporation, to appoint from their own number, or otherwise, a treasurer and secretary, and such other officers of the board and of the company as they may think necessary, and to fix their salaries; to borrow such sums of money as they may from time to time deem advisable for the purposes of said company, and to issue the bonds of the said company therefor, and secure the payment of the same by a mortgage or mortgages on the lands, estate, and other property of said company, and to make such by-laws, not inconsistent with the provisions of this act, as they may think proper, regulating the issuing and transfer of stock, and for the general government and management of the affairs of the company.

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

Approved April 6, 1865.

CHAPTER CCCCLXVI.

An Act to authorize the Morris and Essex Railroad Company to build a bridge across the Delaware river at Phillipsburg.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the Morris and Essex Railroad Company, and they are hereby authorized by and with the consent of the state of Pennsylvania, or in conjunction with any company that has obtained or that may obtain the consent of said state, to construct a railroad bridge or viaduct of iron or stone across the Delaware river, at or near Phillipsburg, to enable them to cross the said river with their locomotives, cars and trains, and to connect with any Pennsylvania railroad which may be authorized to form a connection with them, which bridge shall be so constructed in reference to the position and form of the piers and the height of the bridge above the water of said river. as to cause the least practicable obstruction to the navigation of said river; and the said company are also authorized to alter the location of their road or to lay out and construct a branch therefrom so as to enable them to connect with such bridge, and to pass their locomotives, cars and trains over the same.

2. *And be it enacted*, That nothing in this act shall be construed to authorize the construction of any bridge which shall destroy or materially injure any of the works of the Morris Canal and Banking Company or the ferry of the said company across the Delaware river, unless by agreement between the said companies or parties authorized to build the said bridge and the Morris Canal and Banking Company; and further, to protect as far as practicable the rights aforesaid, and also the rights of navigation and the interests of the public, the location of the piers and abutments of the said bridge shall, before the same shall be constructed, be approved by three suitable and disinterested commissioners, who shall be appointed by the chancellor and the chief justice of this state.

3. *And be it enacted*, That it shall be lawful for any other railroad or canal corporation of this state to use the said bridge for the transportation of passengers or freight upon and over it, and to make such connections by tracks, switches, turnouts or otherwise, as may be requisite to give them a free

May construct
railroad bridge
or viaduct
across the
Delaware
river.

Act, how to
be construed.

Other corpora-
tions may use
bridge.

use of the said bridge for the conveyance of passengers or freight to, upon, or over said bridge and to its connections on either side of the river Delaware; *provided*, that the corporation or corporations using the said bridge shall pay to the Morris and Essex Railroad Company a sum not exceeding three cents per ton for each ton of merchandise or freight, and five cents per passenger for each passenger transported over said bridge.

Approved April 6, 1865.

CHAPTER CCCCLXVII.

An Act for the more effectual organization of the Militia.

Militia divided
into two
classes.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the militia of the state shall be divided into two classes, the active and the reserve; in case of draft upon the reserve militia for state service, the contingent supplied thereby may be first applied to fill up any active corps deficient in the maximum number of recruits required to complete such corps.

Bureau of en-
rollment.

2. *And be it enacted*, That there shall be in the adjutant general's department a bureau of enrollment and drafting, under an assistant adjutant general, with the rank of colonel of cavalry, who shall be chief of enrollment and drafting.

Commission-
ers of enroll-
ment.

3. *And be it enacted*, That the commander-in-chief shall forthwith appoint for each county, on the recommendation of the brigadier general, or senior brigadier general, if there be more than one in the county, a commissioner of enrollment and drafting, with the rank of captain of cavalry, but where the population of any county shall be forty thousand or more, the commander-in-chief may designate a higher rank, not above that of lieutenant-colonel of cavalry, for such commissioner.

Assistants to
be appointed.

4. *And be it enacted*, That the commander-in-chief may allow to the chief of enrollment and drafting, and appoint accordingly, such deputies, aids and assistants of inferior rank to the officers whose aids and assistants they are, as the commander-in-chief may deem necessary; the same when appointed to serve in any county, to be appointed on the

recommendation of the brigadier general, or senior brigadier general, if there be more than one of the county, and the chief of enrollment and drafting and the several commissioners thereof, shall be deemed of and belonging to the general staff.

5. *And be it enacted*, That the commissioners of enrollment and drafting shall, upon receiving their commissions, forthwith proceed to make an enrollment of all able bodied white male inhabitants between the ages of eighteen and forty-five years residing in their respective counties, under such forms and regulations as they shall receive through the chief of enrollment and drafting.

When enrollment to commence.

6. *And be it enacted*, That the enrollment shall be conducted so that any companies, troops or batteries to be organized therefrom shall, as far as practicable, be made up of persons being in one neighborhood, reference being had to convenience of rendezvous; and in addition to such other particulars as may be prescribed by order or regulation, such enrollment shall state upon what road or highway, and between what road and highways such person resides, if he resides in a rural district; if he resides in a city, in what ward or precinct, and if he resides in a village it shall be so noted.

Companies, &c., how organized.

7. *And it be enacted*, That all assessors and other clerks or officers shall allow enrolling officers to examine and copy their tax and assessment rolls or poll lists, and all tavern keepers, keepers of boarding houses, persons having boarders or lodgers in their families, and any master or mistress of any dwelling house, shall, upon the application of any officer authorized to make such enrollment, give information of the names of all persons residing or lodging in such house liable to be enrolled, and all other proper information concerning such persons as such officer may demand.

Enrolling officers to examine tax rolls, poll lists, &c.

8. *And be it enacted*, That the inferior court of common pleas for each county shall constitute a court of exemption, to hear and determine applications for exemption; the commander-in-chief shall appoint a surgeon or surgeons, resident in the county, to attend such court of exemption, to whom shall be referred for examination and report all persons claiming exemption on account of physical or mental disability.

Court of exemption.

9. *And be it enacted*, That the consolidated enrollment of each county, when corrected as to exemptions, shall be filed with the county clerk, and a duplicate thereof transmitted to the chief of enrollment and drafting.

Enrollment to be filed.

10. *And be it enacted*, That the enrollment and all necessary proceedings thereunder, shall be had once in every three

Enrollment, when made.

years, and as much oftener, not to exceed once in each year, as the commander-in-chief shall direct, and he may order any enrollment or proceedings thereunder to be reviewed and corrected as often as may be necessary.

Brigades, &c.,
to be num-
bered.

11. *And be it enacted*, That each existing brigade and regiment, and new regiments, of whatever arm, at the formation thereof, shall be numbered by the commander-in-chief in such manner as he shall deem proper and best calculated to secure uniformity, and a register thereof shall be kept in the adjutant general's office.

General staff
increased.

12. *And be it enacted*, That the general staff shall be increased by the appointment of a surgeon general, with the rank of brigadier general, who shall have charge and the general supervision of the medical department of the state forces, and shall issue from time to time such regulations, subject to the approval of the commander-in-chief, as the necessities of the service shall require; all persons nominated as surgeons or assistant surgeons to any command shall be first examined by the surgeon general, or such competent surgeon on the medical staff of the state forces as he shall designate for that purpose, and no person shall be appointed upon the medical staff except upon certificate of the examining officer that he is a fit and competent person for such appointment; the surgeon general, or such officer as he may detail for that purpose, shall, if duly called upon, examine the location of all camps or stations, to see that they be established in proper places, and be properly laid out and conducted with reference to the health and comfort of the troops; the surgeon general shall also establish a medical bureau, in which all papers and transactions of his department, and all statistics and available information concerning the health and comfort of the troops in camp and in the field, shall be preserved for the use and guidance of the medical staff, and he shall deliver the same over to his successor.

Duties of pay-
masters.

13. *And be it enacted*, That all division, brigade, regimental and battalion paymasters, or persons acting as such, shall be the collecting and disbursing officers of their respective divisions, brigades, regiments and independent battalions, and shall have the charge, under the provisions of this act, of collecting and accounting for fines as hereinafter provided; and they shall before entering upon the duties of their office, severally give bond with sufficient sureties to be approved of by such officer, and in such sum or sums as may be prescribed by order or regulation, payable to the state of New

Jersey, conditioned for the faithful performance of the duties of their respective offices, and shall repair to the clerk of the county in which they reside, and take and subscribe such oath or affirmation as shall be prescribed by order or regulation, which oath the said clerk shall administer and endorse on said bond and file said bond in his office, to be prosecuted whenever the brigade board or other lawful authority shall so direct; the said clerk shall, on the back of the paymaster's commission, give a certificate under his hand and seal of the county, of said bond and oath (or affirmation) having been taken and filed, which shall be received as evidence of the authority of said paymaster.

14. *And be it enacted*, That if any officer holding a military commission is elected to another office in the state forces and accept the same, or if the corps to which he belongs is disbanded, his office shall thereby expire. Expiration of office.

15. *And be it enacted*, That whenever any company, battalion, regiment or other corps of the state forces shall fall below the standard of numbers, or fall short of the constituent corps required by law or regulation to constitute the same, the same may be disbanded or consolidated with other corps. Regiments, &c., may be consolidated.

16. *And be it enacted*, That every non-commissioned officer and private shall supply himself with his proper uniform within one month after the organization of his proper corps, and every officer thereof shall supply himself in the same time with his proper uniform, arms and equipments complete; but any non-commissioned officer or private may, if he so elect, be furnished by the state with his proper uniform prescribed by order or regulation; in case he so elect an entry to that effect shall be made upon his company or corps' roll, and such uniform shall be furnished by the quartermaster-general's department, upon the requisition of the commandant of his company, countersigned by the commandant of the regiment or battalion to which such company is attached; the uniform so furnished shall be left at the company or other proper armory for safe keeping, and the person supplied with the same shall be charged with the value thereof, and shall not be entitled to receive pay for any service for which he may become entitled to pay, until the sum charged against him for such uniform shall have been liquidated, when, and in that case, such uniform shall become the property of such person, and until then the same shall be and remain the property of the state. Uniform, arms and equipments.

Proceedings in
case of drafted
men.

17. *And be it enacted*, That whenever it shall become necessary to muster into service the forces drafted (after having from such drafted forces first filled up their maximum, all companies, or other corps of the active militia, when the active militia shall be likewise liable to the service then pending), the commissioners of enrollment for each county, omitting exempts and members of uniformed corps of the active force, and having especial reference to convenience of rendezvous, shall proceed to write off, from the original lists, a first list of the persons so drafted, which list shall contain, as nearly as practicable, the maximum number of a company of infantry, authorized by law or regulation, which first list shall constitute the first company, and the district in which the members of such company reside shall be known as the first company district; he shall proceed in like manner to set off the next company, and to mark the next company district, and so on until the lists shall be exhausted.

Organization
of reserve mi-
litia.

18. *And be it enacted*, That the reserve militia shall not be officered except in view of the performance of active service thereby, in which case the brigade boards of the respective brigades, shall, under the direction of the commander-in-chief, as aforesaid, proceed to organize the same, from lists to be furnished by the chief of enrollment and drafting.

Rank in bri-
gades.

19. *And be it enacted*, That the reserve militia, or any part thereof, when organized, shall form part of the respective brigades, in the bounds whereof they reside, and shall be designated as new and additional or temporary regiments attached to said brigades, and shall be numbered and take rank in said brigades according to date of organization.

Under com-
mand of drill
sergeants
until officered.

20. *And be it enacted*, That the reserve militia, until officered, shall be under the command of drill sergeants, appointed by the brigadier-generals of the brigades to which they are attached, and the meetings and exercise of the reserve militia shall be prescribed and regulated, under the direction of the commander-in-chief, whenever, in his judgment, the necessity for their organization no longer exists.

Reserves may
be disbanded.

21. *And be it enacted*, That the reserve militia, so organized, shall be disbanded by the commander-in-chief, whenever in his judgment, the necessity for their organization no longer exists.

Active militia.

22. *And be it enacted*, That every company of active militia shall be paraded at least twelve times in every year, and at least, one of its parades shall be by brigade.

23. *And be it enacted*, That officers, non-commissioned

officers and privates, of the active militia,^{Pay of active militia.} when ordered out on duty, whether such duty be encampment or post duty, or parade, whether by division, brigade, battalion or company, shall receive from the state, such pay, rations or allowances, or the money equivalent therefor, for every day actually on such duty, not exceeding the rate per diem allowed in the regular army of the United States for the time being, as the commander-in-chief shall, from time to time, recommend; *provided*, that compensation shall not be allowed to any com-^{Proviso.}pany for more than twelve parades in any one year, unless the additional parades be made in pursuance of the order of the commander-in-chief.

24. *And be it enacted*, That officers of the general staff^{Pay of officers and clerks.} or assistants, or clerks in the several staff departments, shall receive no pay, rations or allowances, except when actually on duty or sick leave therefrom, nor more than half pay when on sick leave, and when upon actual duty shall receive reasonable and proper compensation, not exceeding the pay, rations and allowances or emoluments of officers of the same rank in the regular service of the United States for the time being, together with their necessary expenses and those of their departments, to be paid by the state treasurer, upon the requisition of the commander-in-chief, showing a detailed statement of such services and expenses.

25. *And be it enacted*, That the physicians and surgeons^{Pay of physicians and surgeons.} whose services are required by this act, shall receive such pay, allowances or fees, to be paid by or on behalf of any person claiming to be exempt for physical or mental disability, and in other instances by the state, in such manner and in such amount as shall be prescribed by order or regulation.

26. *And be it enacted*, That officers comprising courts martial and military boards, and witnesses attending before them, shall receive ten cents for every mile they necessarily travel in going to and returning from the place of trial, and the following sums for each day of attendance: the president of court martial or military board, three dollars; the judge advocate of the same, four dollars, which shall be in full compensation for all services in preparing papers before and making copies after any trial, inquiry or investigation; the members of such court or board, two dollars; each witness attending on such court or board, one dollar and twenty-five cents; the fees for subpoenas and service of the same shall be the same as in civil cases.

27. *And be it enacted*, That officers obliged to go out of

Pay for at-
tending mili-
tary elections.

the city or town of their residence to attend a military election, shall be allowed twenty cents a mile each way for any distance over ten miles traveled; when an election is to fill a vacancy in any brigade, regiment, independent battalion or squadron, the presiding officer shall receive ten dollars for his services; when an election is to fill a vacancy in any company or troop, the presiding officer shall receive two dollars for his services.

Pay of justices
and constables.

28. *And be it enacted*, That justices and constables, for issuing or executing any execution or process for collection of fines and penalties, as provided by this act, shall receive the same fees and allowances as in civil cases.

Expenses of
court martial.

29. *And be it enacted*, That the expenses of any court martial ordered by the commander-in-chief shall be paid by the state; the expenses of all other courts martial shall be paid out of any fund under the control of the officers ordering the same, or under the control of the board of which he is the presiding officer.

Compensation
by whom paid

30. *And be it enacted*, That the compensation provided for officers holding elections shall be paid by the respective brigades, regiments, independent battalions, squadrons and companies in which such elections are to be held, out of any corps fund then not otherwise appropriated or set apart, and in all other cases the compensation for special services or duties provided by this act shall be paid by the proper officer, corps or board, out of any funds arising from fines and penalties, or any other official funds to them belonging which have not been otherwise appropriated, and which may be lawfully appropriated to the purpose.

Treasurer to
pay money on
warrant of
governor.

31. *And be it enacted*, That the commander-in-chief is authorized and empowered to make his requisition upon the treasurer, to meet the necessary and proper expenses to carry out the provisions of this act, and the treasurer shall pay the same upon the warrant of the governor, and not otherwise.

Arms, &c., by
whom fur-
nished.

32. *And be it enacted*, That the proper staff or department officer or officers, shall furnish upon due requisition, such arms, ordnance and accoutrements, equipments or implements therewith, ammunition, tents, camp equipage or other state property, and such subsistence and forage, to conform as nearly as may be to the rations and forage prescribed for the armies of the United States, to be issued in kind, as may be required at any time for the use and supply of the state forces at any such parade, encampment or station, or as may be required by them when on actual service.

33. *And be it enacted*, That the penalties and fines imposed by this act are as follows: if any person of whom information is required by any enrolling or drafting officer, in order to enable such officer to comply with the provisions of this act, shall refuse to give such information, or shall give false information, or if any person shall refuse to give his own name or proper information in respect to himself, or if he shall give a false name or false information in respect to himself, or shall otherwise materially obstruct or delay by force or otherwise, or harm any such officer while in pursuance of his duty, such person shall be deemed guilty as of obstruction of legal process, and be subject to like punishment or penalty as is prescribed for like offence in obstructing or opposing any sheriff or judicial officer or judicial process.

34. *And be it enacted*, That every officer, non-commissioned officer or private, who shall be absent from any parade or drill duly ordered, or from any state encampment, or from sea coast defence duty when called to the same, shall, if he be a general officer, be subject to a fine of ten dollars for every day he shall be so absent from such parade, drill, encampment or sea coast duty; if a regimental or battalion officer, to a fine of five dollars for every day; if a company or line officer to a fine of three dollars for every day; and if a non-commissioned officer or private, to a fine of two dollars for every day of such absence.

35. *And be it enacted*, That any member of a military board or court, who shall not attend the meetings of said board or court, when duly notified so to do, shall be subject to a fine not exceeding twenty dollars, to be imposed by said board or court.

36. *And be it enacted*, That any sheriff or constable to whom any process for the collection or enforcing any fines and penalties imposed by this act is committed, shall be subject for any neglect, misfeasance or malfeasance, to like fines and penalties as are now imposed upon them in civil cases.

37. *And be it enacted*, That witnesses not attending any military board or court when duly summoned or subpoenaed to appear before the same, shall be subject to like fines and penalties as are imposed for the like neglect or refusal in civil cases.

38. *And be it enacted*, That the orderly sergeant, under the direction of the commandant of the company, troop or battery, to which he is attached, shall report all breaches of discipline in said company, troop, or battery to the court

martial of the regiment to which said company, troop, or battery is attached.

Proceedings in
case of arrears

39. *And be it enacted*, That company commandants shall transmit to the commandant of the regiment or battalion of which they are a part, a correct list of all members of their respective companies, who are in arrears for any fines or penalties imposed upon them; commandants of regiments or battalions, shall direct the acting paymaster, serving under their command, to collect, or cause to be collected and enforced, according to law, any fines or penalties which may be returned to them; brigade boards shall direct the paymaster of the brigade to collect, or cause to be collected and enforced, according to law, any fines or penalties which may be returned to them; commandants of the division shall direct the paymaster of the division to collect or cause to be collected, according to law, any fines which may be returned to them; and the adjutant general may direct any proper paymaster or other person designated by order or regulation to collect and enforce any fines returned to him.

Company, re-
gimental and
battalion
courts.

40. *And be it enacted*, That there shall be a company court to consist of the commissioned officers, or a majority thereof, to each and every company, troop or battery; there shall be a regimental court to each regiment, and a battalion court to each independent battalion, each to consist of one field officer as president, one captain, and one first lieutenant, who shall be appointed annually by the respective commandants of regiments and battalions; said courts, respectively, shall hold at least three sittings in each year, at such times and places within the bounds of their commands, as the said commandants, respectively, shall direct, notices of which sittings shall be placed in such public places, and otherwise published, as the rules and by-laws of the company, or of the regimental or battalion board, shall prescribe; said courts shall have power to hear and decide upon all excuses of the members of their respective commands for non-attendance at company, regimental or battalion duty, or neglect of duty prescribed by law, or the laws and regulations of any company, or of the regimental or battalion boards in pursuance of law; and they may impose such fines or penalties, within purview of the law, as in their judgment may seem proper.

Duty of judge
advocate.

41. *And be it enacted*, That it shall be the duty of the judge-advocates of such courts, respectively, to transmit to the officer commanding the company, regiment, or battalion, as the case may be, the findings of the court, together with a

correct list of all delinquents upon whom said courts shall have imposed fines, and the amount of each fine, and such commandant, countersigning said list of delinquents, shall transmit the same to the regimental or battalion paymaster, or person acting as such, and if any delinquent shall refuse to pay to such paymaster the fine or fines against him within twenty days after notice, in writing to him given, to pay the same, then it shall be the duty of the paymaster to proceed to collect and enforce the same according to law; and all moneys so collected shall be expended for the use and purposes of the command whose court imposed said fine, as the by-laws or official board thereof may direct.

42. *And be it enacted*, That from the sentence of any regimental or battalion court imposing a fine there may be an appeal, if made within ten days, to the commandant of the regiment or battalion, who may mitigate or remit such fine, and certify the mitigation or remission to the paymaster charged with the collection of said fines. Appeals from fines.

43. *And be it enacted*, That all complaints upon which courts martial are ordered shall be in writing, and signed by the complainant, and shall clearly specify the offence, and when it was committed. Complaints to be in writing.

44. *And be it enacted*, That no officer shall be tried by court martial for an offence committed more than one year before the complaint. Limitation.

45. *And be it enacted*, That all fines imposed by any court martial, except company, regimental and battalion courts, so called, having power to impose fines merely, shall be certified by the judge advocate thereof to the brigade board when the delinquent is a member or officer of any corps attached to a brigade, and not the commandant of the brigade; where the delinquent is a commandant of a brigade and not a commandant of a division, or where he is a member of a division staff, any fines imposed upon such commandant of brigade or officer, shall be certified to the commandant of the division to which such brigade is attached; in case of fines imposed upon a commandant of division or other officer, not included in the foregoing, the judge-advocate of the court imposing the same shall certify the same to the adjutant-general, or such other officer as may be directed by order and regulations. To whom fines to be certified by the judge advocate.

46. *And be it enacted*, That all moneys received from fines and penalties by the brigade paymasters shall be paid out under the direction of the brigade board; all moneys re- Moneys from fines, how applied.

ceived in like manner by regimental or battalion paymasters, or persons acting as such, shall be paid out under the direction of the regimental or battalion board; all moneys received in like manner by the treasurer of any company shall be disbursed as the rules and by-laws of the company shall direct, but no moneys received by or accruing to any board or corps shall be expended for any other than military purposes, and any officer or officers, or board, assenting to any disbursements of the same for purposes not strictly military, shall be subject to court martial therefor.

Duties of brigade paymaster.

47. *And be it enacted*, That every brigade paymaster shall keep a journal of his proceedings, and receive and file all vouchers and returns, and keep proper and distinct accounts of the moneys accruing from the fines and forfeitures in the several regiments and battalions in the brigade, which shall be paid or returned to him, and shall also receive and file all returns, orders, vouchers, and receipts for all moneys which he may receive and pay conformably to law, and he shall submit his books of accounts, returns, orders, vouchers and receipts to the inspection and examination of the brigade board, to whom he shall account from time to time for all moneys and returns by him received, and produce orders for any disbursements he may have made; and he shall make like submission to the treasurer of the state, or to such other officer as may be provided by order or regulation of the adjutant-general, with the approval of the commander-in-chief, whenever the treasurer or such other officer may so require.

Duties of regimental or battalion paymasters.

48. *And be it enacted*, That the regimental or battalion paymasters, or persons acting as such, shall in a like manner keep a journal of their proceedings, receive and file all papers and vouchers and receipts for all moneys received and paid out by them, and shall account for all moneys or returns received by them, and produce orders for any disbursements that they may have made to the regimental or battalion board, and from time to time to such other officer or officers, or board of officers, as may be prescribed by order or regulation of the adjutant-general, with the approval of the commander-in-chief.

Proceedings in case of delinquents.

49. *And be it enacted*, That if any delinquent or delinquents shall neglect or refuse to pay any fine or fines returned against him or them, to any paymaster or person acting as such, within thirty days after receiving notice thereof in writing from said paymaster, or person acting as such, such paymaster or acting paymaster shall immediately thereafter

put the return or list of said fine or fines so unpaid into the hands of any judge of the inferior court of common pleas of the county, or justice of the peace of the town where the delinquent resides or has property, who is required forthwith to issue execution against the person or persons named in said return or list, for the sum or sums assessed opposite their respective names, with costs, as in cases of taxation, directed to the sheriff of the county or to any constable of the town in which such delinquent resides or hath property, who is required to levy the same of the goods and chattels of the delinquent and to pay the sum or several sums in said execution named, within thirty days, to the paymaster or person acting as such charged with the collection of said fine or fines.

50. *And be it enacted*, That in addition to the duties now provided by law for the "State Guard," the commander-in-chief shall have power to call upon any company or companies of said "State Guard," for escort or other duty, for the performance of which duty the same compensation shall be allowed as is now provided by law for encampment duty. May call upon State Guard.

51. *And be it enacted*, That the adjutant general shall cause the existing militia laws of the state to be properly compiled and digested and a proper index prepared, and the whole published in a suitable form for distribution, and also published in the pamphlet laws for the year eighteen hundred and sixty-five. Existing militia laws to be compiled and published.

52. *And be it enacted*, That all acts or parts of acts inconsistent with the provisions of this act are, so far only as the same are so inconsistent, hereby repealed. Repealer.

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

Approved April 6, 1865.

CHAPTER CCCCLXVIII.

An Act better to secure the safety of travelers on railroads.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be the duty of Duties of railroad companies.

every railroad company in the state of New Jersey, carrying passengers on the same, under any charter heretofore granted, or that may hereafter be granted, to provide against accident and injuries to any passenger, and to that end to cause to be applied to all their passenger cars which they now use or hereafter may use upon their railroads, at each end of each of said cars, an apron or other connection similar to that in use upon many of the passenger cars of the Camden and Amboy Railroad Company, and which shall cover the space between the platforms of said cars, and be sufficient to prevent the fall of any person or persons between said cars; and that such provision and application shall be made by the fourth day of July next ensuing, upon all cars that may or shall be used after that date, and already built or may be built before that date, and to all cars thereafter built, such provision and application shall be made before they shall be used upon their railroad; *provided*, that any new invention which shall be approved by the governor of this state for the above purpose may be substituted in the place of the apron aforesaid.

Proviso.

Penalty for neglect

2. *And be it enacted*, That any railroad company that shall be guilty of neglect or refusal to comply with the provisions of this act, shall, for every such violation thereof, forfeit and pay to the state of New Jersey the sum of three hundred dollars, to be recovered and sued for in any court of competent jurisdiction in this state, in any county through or in which said railroad may run, by the prosecutor of pleas of such county, but in the name of and for the use of the state.

Approved April 6, 1865.

CHAPTER CCCCLXIX.

A Supplement to an act entitled "An act to incorporate the Somerville and Easton Railroad Company," passed February twenty-sixth, eighteen hundred and forty-seven.

May hold title to bridge.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for such corporation of the state of Pennsylvania as has acquired or may acquire the requisite power from the said state, to

hold the title to such bridge and to the requisite offices at the ends thereof, in joint ownership or in such manner as may be agreed upon with the said Central Railroad Company of New Jersey.

2. *And be it enacted*, That nothing in this act, or the act to which this is a supplement shall be construed to authorize the construction of any bridge which shall destroy or materially injure any of the works of the Morris Canal and Banking Company or the ferry of the said company across the Delaware river, unless by agreements between the said companies or parties authorized to build the said bridge and the Morris Canal and Banking Company, and further to protect as far as practicable the rights of aforesaid and also the rights of navigation and the interests of the public; the location of the piers and abutments of the said bridge shall before the same shall be constructed, be approved by three suitable and disinterested commissioners who shall be appointed by the chancellor and the chief justice of this state. Act, how to be construed.

3. *And be it enacted*, That it shall be lawful for any other railroad or canal corporation of this state to use the said bridge for the transportation of passengers or freight upon and over it and to make such connections by tracks, switches, turnouts or otherwise as may be requisite to give them a free use of said bridge for the conveyance of passengers or freight to, upon or over said bridge and to its connections on either side of the river Delaware; *provided*, that the corporation or corporations using the said bridge shall pay to the said Central Railroad of New Jersey a sum not exceeding three cents per ton for each ton of merchandize or freight, and five cents per passenger for each passenger transported over said bridge. Other corporations may use bridge. Proviso.

Approved April 6, 1865.

CHAPTER CCCCLXX.

An Act to authorize the Lehigh Navigation Company to build a bridge across the Delaware river.

Preamble.

WHEREAS, by an act of the general assembly of the commonwealth of Pennsylvania, approved the sixteenth day of March, eighteen hundred and sixty-four, entitled "A supplement to an act to authorize the Lehigh Coal and Navigation Company to extend their railroad from White Haven to Mauch Chunk, approved the fourth of March, eighteen hundred and sixty-three," the said company was authorized to extend their railroad down the valley of the Lehigh to the river Delaware, and to erect a bridge across the river Delaware, and to connect their said railroad with any railroad now constructed, or that may hereafter be constructed in the vicinity in the state of New Jersey; *provided*, that in so doing the navigation of the Delaware shall not be injured, and that before erecting the said bridge concurrent legislation in New Jersey shall first be obtained; and whereas, the said company has applied to the state of New Jersey for such concurrent legislation to authorize the construction of the said bridge at or near Easton, in the said state of Pennsylvania; therefore,

Proviso.

Authorized to erect bridge.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That authority is hereby given to the Lehigh Coal and Navigation Company, a corporation created by the commonwealth of Pennsylvania to erect and construct a railroad bridge to be built of iron or stone across the river Delaware at or near Easton, as authorized by the act of the legislature of the said state recited in the preamble hereto, and to extend their railroad by means thereof to the eastern bank of the said river; *provided*, and it is hereby enacted, that any railroad company or companies incorporated by this state, shall have the right to connect their railroads with the said bridge and with the said road of the said Lehigh Coal and Navigation Company.

Proviso.

Act, how to be construed.

2. *And be it enacted*, That nothing in this act shall be construed to authorize the construction of any bridge which shall destroy or materially injure any of the works of the Morris Canal and Banking Company or the ferry of the said company across the Delaware river, unless by agreement be-

tween the said companies or parties authorized to build the said bridge and the Morris Canal and Banking Company, and further, to protect as far as practicable the rights aforesaid, and also the rights of navigation and the interests of the public; the location of the piers and abutments of the said bridge shall be approved by three suitable and disinterested commissioners, who shall be appointed by the chancellor and the chief justice of this state.

3. *And be it enacted*, That it shall be lawful for any other railroad or canal corporation of this state to use the said bridge for the transportation of passengers or freight upon and over it, and to make such connections by tracks, switches, turnouts or otherwise, as may be requisite to give them a free use of the said bridge for the conveyance of passengers or freight to, upon or over said bridge, and to its connections on either side of the river Delaware; *provided*, that the corporation or corporations using the said bridge shall pay to the said Lehigh Coal and Navigation Company, a sum not exceeding three cents per ton for each ton of merchandise or freight, and five cents per passenger for each passenger transported over said bridge.

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

Approved April 6, 1865.

CHAPTER CCCCLXXI.

An Act to authorize the Methodist Independent Church or Free Communion Chapel, established at Shark River, in union with the Methodist Protestant Church in the township of Wall, county of Monmouth, to sell lands.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the present trustees, or their successors, of the Methodist Independent Church or Free Communion Chapel, established at Shark River, in union with the Methodist Protestant Church, in the township of Wall, in the county of Monmouth, and state of New Jersey, are hereby authorized and empowered to sell, by public vendue

or otherwise, that certain lot of land situate in the township of Howell, said county, described in a deed from John F. Longstreet to Zenas Conger and others, trustees of the Methodist Independent Chapel of the township of Howell, etc., dated the twenty-second day of February, Anno Domini eighteen hundred and eight, and recorded in the clerk's office at Freehold, said county, in book R of Deeds, pages four hundred and seventy-nine, etc., containing two acres, and to execute good and sufficient deed or deeds therefor, to the purchaser or purchasers, and to appropriate the proceeds thereof for the use and benefit of the Methodist Independent Church or Free Communion Chapel, established at Shark River, in union with the Methodist Protestant Church aforesaid.

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

Approved April 6, 1865.

CHAPTER CCCCLXXII.

A Further Supplement to an act entitled "An act to incorporate the Camden, Moorestown, Hainesport, and Mount Holly Horse Car Railroad Company," approved March fifteenth, eighteen hundred and fifty-nine.

Time extended.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the time fixed for the completion of said road be extended to the fourth day of July, eighteen hundred and sixty-six.

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

Approved April 6, 1865.

CHAPTER CCCCLXXIII.

An Act to enable the banks of this state to become associations for the purpose of banking, under the laws of the United States.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That when two-thirds in interest of the stockholders of any bank, incorporated or organized by authority of this state, shall give their consent in writing to become an association for carrying on the business of banking, under the laws of the United States, and the directors of said bank shall file in the office of the secretary of state of this state, a certificate under their hands that such consent has been so given, and that said directors intend to act in pursuance thereof, said bank shall be deemed and taken to have surrendered its charter; *provided, nevertheless*, that every such bank shall be continued a body corporate for the term of three years after the time of such surrender, for the purpose of prosecuting and defending suits by or against it and closing its concerns, but not for any other business or purposes whatsoever; the board of directors for the time being of said new or national bank, shall act as and be deemed, and taken to be the directors of such corporation while closing its concerns during said last named period.

Charter surrendered upon filing a certificate.

Proviso.

2. *And be it enacted*, That when any bank shall in the manner aforesaid, have signified its purpose to become such banking association under the laws of the United States, any stockholder who may not consent to become a stockholder in such national bank, shall be entitled to receive from said original bank the full value at the time, of the stock held by him or her; and in case the board of directors of such bank, after attempt made, either by its officers, agent or attorney, cannot agree with such stockholder for the price to be paid him or her for such stock, and cannot procure from such stockholder such consent aforesaid, it shall be lawful for such bank, upon ten days' notice in writing to such stockholder, to make application to any justice of the supreme court, for the appointment of three disinterested and impartial commissioners, to make an estimate and appraisement of the value of such stock; and such commissioners, having taken an oath or affirmation fairly and honestly to make such appraisement

Proceedings in case of non-agreement with stockholders.

according to the best of their skill and understanding, and having caused notice in writing to be given to such stockholder, for at least five days, of the time and place of their meeting to make said appraisal, shall proceed to make the same; and when so made in writing, and signed by said commissioners, or a majority of them, the same shall be conclusive and final; and the amount so appraised shall be deemed a debt due from said bank to said stockholder, and shall draw interest until paid or tendered to said stockholder or to his or her lawful representatives; and the stock so appraised shall, upon such appraisal being made and signed as aforesaid, become the property of said bank, to be sold or disposed of, or held, as the board of directors may elect.

Disability of stockholders.

3. *And be it enacted*, That all the provisions of this act shall apply to stock, held or legally owned by one or more persons as trustee, guardian, or other legal representative; and in case the legal owner or owners of any stock cannot be found in this state, or shall be under age, or of any legal disability to transfer the same, said commissioners may be appointed as aforesaid by said judge upon the application of said bank; notice of such application having been first given for the space of three weeks in one or more newspapers published in the county in which said bank is located; and the appraisal and valuation of such commissioners shall be of the same force and effect as for other cases is hereinbefore provided.

Property vested in association.

4. *And be it enacted*, That when the charter of any such bank shall be surrendered to the state, as hereinbefore provided, and any such bank shall have been organized as a banking association, under the laws of the United States, or have become capable in law as such national bank to take and hold property, all the assets, real and personal, of any such bank shall immediately by act of law, and without any conveyance or transfer, be vested in, and become the property of the said association, formed as aforesaid under the laws of the United States, to be held by said association or its stockholders in as ample and beneficial a manner for all purposes as the same can, by virtue of the laws of the United States, be held and enjoyed; but nothing in this section shall be so construed as to impair the obligations existing in the first section of this act.

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

Approved April 6, 1865.

CHAPTER CCCCLXXIV.

An Act to incorporate Star Lodge, Number Sixty-five, Free and Accepted Masons, in the County of Cape May.

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Names of corporators.} *the State of New Jersey,* That Thomas L. Russle, Richard B. Stites, Rueben S. Robinson, Silas Wheaton, John Garwood, and their associates, members of Star Lodge, Number Sixty-five, Free and Accepted Masons, of Cape May County, State of New Jersey, and their successors, be and they are hereby declared to be a body politic and corporate in law, by the name, style and title of "Star Lodge, Number Sixty-five, Free and Accepted Masons," and by that name they and their successors may, at all times hereafter, be able to sue and be sued, plead and be impleaded, and to have full power to collect any debts now due and owing, or which may become due and owing to said Star Lodge, in any court of law and equity, or elsewhere.

2. *And be it enacted,* That the said corporation shall and may at all times hereafter be capable of having, holding, ^{May hold lands.} purchasing and possessing any lands, tenements, hereditaments and personal estate, purchased, devised or bequeathed by any person or persons, bodies corporate or politic, capable of making the same; *provided always,* that the said corporation or body politic shall not at any time hold or possess ^{Proviso.} property, real, personal or mixed, exceeding in value the sum of ten thousand dollars.

3. *And be it enacted,* That the management and disposition of the affairs and property of the said corporation shall be vested in a president, vice president, treasurer, secretary, and five directors, who shall be elected annually, at such time and in such manner as the said corporation shall by its by-laws provide; *provided,* such by-laws shall not be repugnant to the constitution and laws of this state or ^{Election of directors.} of the United States. ^{Proviso.}

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

Approved April 6, 1865.

CHAPTER CCCCLXXV.

An Act to incorporate the Pemberton and Hanover Furnace Railroad Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That John Black, Samuel H. Jones, Levi Parker, Samuel R. Gaskill, J. N. Billings, John Butterworth and Samuel Stockton and such other persons as may be hereafter associated with them shall be and are hereby ordained, constituted and declared to be a body corporate and politic, in fact and in name, by the name of "The Pemberton and Hanover Furnace Railroad Company, and shall be capable of purchasing, holding and conveying any lands, tenements, goods and chattels whatsoever, necessary and expedient for the objects of this corporation.

Amount of capital stock.

2. *And be it enacted*, That the capital stock of the said company shall be one hundred and fifty thousand dollars, with liberty to increase the same to two hundred thousand dollars, which shall be divided into shares of one hundred dollars each, which shall be deemed personal property, and transferable in such manner as the said corporation shall by their by-laws direct.

Commissioners to receive subscriptions.

3. *And be it enacted*, That the above named persons, or a majority of them, shall be commissioners to open books to receive subscriptions to the capital stock of the said corporation at such times and places as they or a majority of them, may think proper, giving at least ten days' notice in one of the newspapers published in Burlington county, and that at the time of subscribing, ten per centum shall be paid on each share subscribed for, to the commissioners or some one of them, and when fifty thousand dollars are subscribed to the capital stock of the said corporation, the persons holding the same shall be and they hereby are incorporated into a company and the commissioners shall give like notice for a meeting of the stockholders to choose seven directors, a majority of whom shall be residents and citizens of this state; and such election shall be made at the time and place appointed, by such of the stockholders as shall attend for that purpose, either in person or by lawful proxy, each share of the capital stock entitling the holder thereof to one vote; and the above named commissioners or a majority of them, shall be in-

spectors of the first election of directors of the said corporation, and shall certify under their hands the names of those persons duly elected, and deliver over the subscription books and moneys paid in to the said directors, deducting a reasonable compensation for their services, and the time and place of holding the first meeting of directors shall be fixed by the said commissioners or a majority of them.

4. *And be it enacted*, That the directors chosen at such meeting and at the annual elections of said corporation shall, as soon as may be after every election, choose one of their number a president, who shall hold office until after the next succeeding election and until another shall be appointed, and they shall have power to fill any vacancy which at any time may exist in their board by death or otherwise until the next succeeding annual election. President to be chosen.

5. *And be it enacted*, That annual elections for directors shall be held at such times and places as the board of directors shall hereafter direct, of which election public notice as above mentioned shall be given, and such election shall be made as hereinbefore directed, and in case it shall happen that an election of directors shall not be made when it ought to be made, the said corporation shall not, for that cause, be deemed to be dissolved, but the said election shall be held as soon thereafter as possible, and public notice shall be given as before directed; five directors shall be a quorum to transact all business of the said corporation, and the directors shall be authorized to call in the remaining capital stock of said company by such installments and at such times as they may direct; *provided*, that such payments shall not exceed twenty dollars on each share per month, and in case of the non-payment of the said installments or any one of them, they shall have the power to forfeit such share or shares upon which said default shall arise, to and for the use of said corporation, and also to make and prescribe such by-laws and regulations as to them shall appear needful and proper, touching the management and regulation of the stock, property, estate and effects of said corporation, and also to appoint such officers, clerks and servants as to them shall seem meet, and to establish and affix such salaries to them and also the president; as to the said directors shall appear proper. Election of directors.

6. *And be it enacted*, That the president and directors of the said corporation be and the same are hereby authorized and invested with all the rights and powers necessary and expedient to survey, lay out and construct a railroad from Provide.
May construct railroad.

some suitable point on the Burlington County Railroad, at or near the village of Pemberton, in the county of Burlington, to Hanover Furnace, in said county, with the privilege of extending the same to the county line of Burlington and Ocean counties, near said Hanover Furnace; the said road not to exceed one hundred feet in width, with as many sets of tracks and rails as they may deem necessary; and it shall be lawful for said president and directors, their agents, superintendents, engineers and others in their employ, to enter at all times upon all lands or water, for the purpose of exploring, surveying, levelling or laying out the route of such railroad and of locating the same, and to do and erect all necessary works, buildings and appendages thereof, doing no unnecessary damage to private or other property, and when the route of said road shall have been determined on and a survey of said route deposited in the office of the secretary of state, then it shall be lawful for said company, by its officers, agents, engineers, superintendents, contractors and workmen, and other persons in their employ, to enter upon, take possession of, hold, have, use and occupy any such lands, and to erect embankments, bridges, piers, and all other work necessary to lay rails, and to do all other things that shall be suitable or necessary for the construction, completion and repair of the said road, subject to such compensation as is hereinafter provided; *provided always*, that the payment, or the tender of the payment of all damages for the occupation of land through which the said railroad may be laid out, be made, and if the owner or owners of said land shall not see fit to receive such award, the amount of such award shall be paid into the circuit court of the county of Burlington, before the said company, or any person under their direction or in their employ, shall enter upon or break ground in the premises, except for the purpose of surveying or laying said road, unless the consent of the owner or owners of such land be first had or obtained.

Proviso.

Proceedings
when compa-
ny and owners
cannot agree.

7. *And be it enacted*, That if the said company or its agents cannot agree with the owner or owners of such required lands or materials, for the use or purchase thereof; or if, by reason of the legal incapacity or absence of such owner or owners, no such agreement can be made, a particular description of the land or materials so required for the use of the said company in the construction of said road, shall be given in writing under the oath or affirmation of some engineer or proper agent of the said company, and also the name or

names of the occupant or occupants, if any there be, and of the owner or owners, if known, and their residence, if the same can be ascertained, to one of the justices of the supreme court of this state, who shall cause the said corporation to give notice thereof to the persons interested, if known and in this state, or if unknown or out of this state, to make publication thereof, as he shall direct, for any term not less than ten days, and to assign a particular time and place for the appointment of the commissioners hereinafter named, at which time, upon satisfactory evidence to him of the service or publication of service, or publication of such notice aforesaid, he shall appoint, under his hand and seal, three disinterested and judicious freeholders, resident in the county in which the lands or materials in controversy lie, commissioners to examine and appraise the said lands or materials, and to assess the damages, upon notice, not less than ten days, to be given to the persons interested, as shall be directed by the justice making such appointment; and it shall be the duty of the said commissioners, (having first taken an oath or affirmation before some person duly authorized to administer the same, faithfully and impartially to examine the matter in question, make a true report, according to the best of their skill and understanding), to meet at the time and place appointed, and proceed to view and examine the said lands or materials, and to make a just and equitable estimate or appraisement of the value of the same, and assessment of damages which shall be paid by the company for such lands and materials, and damages aforesaid; the said commissioners are also directed and required to assess the damages which any individual or individuals may sustain by the said road, arising from the removal of the fencing on the line of the route of said road through any improved lands, over which the same may run; which report shall be made in writing, under the hands and seals of the said commissioners, or any two of them, and filed within ten days thereafter, together with the aforesaid description of the land, and the appointment, and oaths and affirmations aforesaid, in the clerk's office of the supreme court, to remain of record therein; which report, or a copy thereof, certified by the clerk of the said court, shall at all times be considered as plenary evidence of the right of said company to have, hold, use, occupy, possess and enjoy the said land or materials, or of the said owner or owners to recover the amount of said valuation, with interest and costs, in an action of debt, in any court of competent jurisdiction,

in a suit to be instituted against the company, if they shall neglect or refuse to pay the same for twenty days after demand made of their treasurer, and shall from time to time constitute a lien upon the property of the said corporation, in the nature of a mortgage; and the said justice of the said court shall, on application of either party, and on reasonable notice to the others, tax and allow such costs, fees, and expenses, to the said justice, commissioners, clerks, and other persons performing any of the duties prescribed in this section of the act as he shall think equitable and right, and direct to whom the same shall be paid by the said corporation.

Parties ag-
grieved may
appeal.

8. *And be it enacted*, That in case the said corporation, or owner or owners of the said land or materials shall be dissatisfied with the report of the commissioners named in the preceding section, the party so aggrieved may appeal to the circuit court of the county wherein the lands or materials in controversy lie, at the first or second term after the filing of the said report, by proceeding in form of petition to the said court, which proceeding shall vest in the said circuit court full right and power to hear and adjudge the same, and to direct a proper issue for the trial of the controversy to be formed between the said parties, and to order a jury to be struck, and a view of the premises or materials to be had, and the said issue to be tried at the next term of the said court, to be holden in said county, upon the like notice and in the same manner as other issues in the said court are tried; and it shall be the duty of the said jury to assess the value of the said lands or materials and damages sustained, and if they shall find a greater sum than the said commissioners have awarded in favor of the said owner or owners, then judgment thereon, with costs, shall be entered against the said company, and execution awarded therefor; but if the said jury shall be applied for by the owner or owners, and shall find the same or a less sum than the company shall have offered or the said commissioners awarded, then said costs shall be paid by the said applicant or applicants, and either deducted out of the said sum found by the said jury, or execution awarded therefor, as the said court shall direct; but such application shall not prevent the company from taking the said land or materials, upon the filing of the aforesaid report, the value or damages being first paid, or upon a refusal to receive the same upon a tender thereof, or (the owner or owners thereof being under any legal disability), the same being first paid into the court of chancery.

9. *And be it enacted*, That it shall be the duty of the said corporation to construct and keep in repair good and sufficient bridges or passages over or under the said railroad, where any public or other road, now or hereafter laid, shall cross the same, so that passage of carriages, horses and cattle on the said road, shall not be impeded thereby; and, also, where the said road shall intersect any farm or lands of any individual, to provide and keep in repair suitable and convenient wagon ways over or under said railroad, and shall also construct and maintain suitable and proper cattle-guards at all road crossings. Bridges to be erected.

10. *And be it enacted*, That the president and directors of the said corporation shall have power to have constructed or to purchase with the funds of the corporation and to place on said railroad, all machinery, engines, cars, wagons, carriages, or vehicles, for the transportation of persons and property, and they are hereby authorized to demand and receive such sum or sums of money for the transportation of persons and property thereon as they, from time to time, shall think reasonable and proper; *provided*, that they shall not charge more than at the rate of four cents per mile for carrying each passenger, but no charge shall be required to be less in the aggregate than ten cents, nor shall said corporation charge more than ten cents per ton per mile for the transportation of any description of property, nor shall more than one-half of the above rate be charged for carrying any fertilizing material; and the said railroad, with the appendages and the lands over which the same shall pass, and all the works, improvements, and all other property whatsoever, belonging to the corporation, are hereby vested in the said corporation and their successors for and during the continuance of their charter. Rates of transportation. Proviso.

11. *And be it enacted*, That the president and directors shall declare and make such dividends of the net profits thereof as they may deem prudent and proper from time to time. Dividends.

12. *And be it enacted*, That the said company may purchase, have and hold real estate at or near the commencement and termination of said road, or at any other point on the line of said road, where the directors may think proper to establish a depot, and may also erect thereon houses, warehouses, and workshops, and such other buildings and improvements as they may deem expedient for the safety of their property, and for other necessary use appertaining to their business, and receive the rents and emoluments thereof. May hold real estate.

Penalty for injuring property.

13. *And be it enacted*, That if any person or persons shall willfully or maliciously injure the said road, or any buildings, bridges, wharves, carriages, machinery or other works or property of said corporation, such person or persons shall forfeit or pay therefor, to the said corporation, three times the amount of damages sustained by means of such injury, to be recovered in the name of said corporation, with costs of suit, in any court having cognizance thereof.

Annual statement to be made.

14. *And be it enacted*, That from and after the completion of said road, it shall be the duty of said company, under oath or affirmation, to make yearly returns of the number of passengers and the number of tons of goods, wares and merchandise, transported upon said road, to the treasurer of this state, and that no tax shall be levied on said corporation until the earnings of said road over their expenses, shall warrant and allow a dividend to the stockholders of six per centum per annum.

State may take road on payment of appraisement.

15. *And be it enacted*, That at any time after the expiration of thirty-five years from the passage of this act the legislature of this state may cause an appraisement of said road, with the appendages thereof, to be made by six persons, three of whom shall be appointed by the chief justice of the state, for the time being, and the remaining three by the said corporation, who, or a majority of them, shall report the value thereof to the legislature within one year from the time of their appointment, or if they cannot agree they shall choose a seventh, who, or a majority of them, shall report as aforesaid, or in case the said corporation shall neglect or refuse to appoint the said three persons on their part, for two months after the said appointment by the said chief justice, then the said three persons so appointed by him, shall proceed to make the said appraisement, which shall be binding on the said corporation, or in case the said six commissioners shall be appointed as aforesaid, and cannot agree upon the seventh man, then, upon two weeks notice to the said corporation, the said chief justice shall appoint such seventh man as aforesaid, and thereupon the state shall have the privilege, for two years, of taking said road, and upon payment to the corporation of the amount of said appraisement, within one year after electing to take said road, which report shall be filed in the office of the secretary of state; and the whole property and interest of said road, and the appendages thereof, shall be vested in the state of New Jersey, upon the payment to the said company of the amount so reported; *provided*, that the

Proviso.

said valuation shall in no case exceed the first cost of said road, with the appendages thereof, and no person who is a stockholder or stockowner in said company shall be such commissioner.

16. *And be it enacted*, That if the said railroad shall not be commenced within three years, and completed and in use within six years from the fourth day of July next ensuing, then and in that case this act shall be void. Limitation.

17. *And be it enacted*, That the governor, the chancellor, and the judges of the supreme court, the secretary of state, state treasurer, the attorney general, and the judges of the court of errors, of this state, when travelling for the discharge of the duties of their offices, and the members of both houses of the legislature of this state, during, or for ten days prior or subsequent to their annual or other sessions, shall pass and repass on the railroad of said corporation, in their cars, free of charge. Who may ride free.

18. *And be it enacted*, That the president and directors of the said corporation shall have the power to borrow an amount of money not exceeding seventy-five thousand dollars, for the uses and objects of said corporation, and to secure the repayment thereof, with the interest, by executing bonds and mortgages or otherwise, on the said road, lands, personal property, privileges, franchises and appurtenances of, or belonging to said corporation, at an interest not exceeding seven per centum per annum, (with the right to dispose of said bonds as they may see fit); and it shall not be lawful for the said corporation to plead any statute or statutes of this state against usury in any suit in law or equity instituted to enforce the payment of any bond or mortgage executed under this section. May borrow money.

Approved April 6, 1865.

CHAPTER CCCCLXXVI.

Supplement to "An act to incorporate the Morristown Savings Institution," approved March eighth, eighteen hundred and sixty-one.

In what
stocks funds
may be invest-
ed.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said corporation are authorized to invest their funds, in addition to the stocks and bonds mentioned in the original act, in the bonds of the cities of Trenton, Jersey City, Paterson and Morristown.

Quorum.

2. *And be it enacted*, That five managers shall be a quorum for the transaction of any business required by the original act.

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

Approved April 6, 1865.

CHAPTER CCCCLXXVII.

An Act to incorporate the Paterson Lyceum Association.

Names of cor-
porators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Charles S. Day, Henry A. Williams, Richard B. Chiswell, Robert McCulloch, and John J. Brown, and their associates and successors be and they hereby are constituted a body politic and corporate in law, by and under the name of "The Paterson Lyceum Association," for the purpose of advancing the general intelligence, by means of popular lectures and addresses upon scientific and other subjects, and that, for the purpose aforesaid, the said corporation may purchase or hire real and personal property, and may mortgage, sell, let and dispose of the same in any manner not inconsistent with the laws and constitution of this state, or of the United States; *provided*, the real estate to be held by said corporation shall not, at any one time, exceed in value the sum of twenty thousand dollars.

Proviso.

2. *And be it enacted*, That, for the purposes of this act, the persons named in the first section hereof, may open books of subscription to the capital stock of said corporation, giving ten days' notice of the time and place of opening the same, in two newspapers in Paterson, and when stock to the amount of three thousand dollars is subscribed for, the said association may organize and proceed with the business hereby authorized, but ten days' notice, in two of the newspapers of Paterson, shall be given of the time and place of the meeting of the subscribers, for the purpose of organizing, and such subscribers, when so met, or a majority of them, shall appoint a president, secretary, treasurer and board of directors, not more than five in number, who shall hold their offices until the first day of July succeeding such election, and until others are duly appointed in their stead, and that all succeeding officers shall hold their offices for one year.

3. *And be it enacted*, That the said corporation may issue scrip to the subscribers to said stock, in shares of ten dollars each, which shall be deemed to be personal property, and be transferred as the by-laws may direct, but no transfer shall be lawful until the same shall be entered in the books of the company; and that at all meetings of stockholders a majority of those present and acting, shall decide all questions and votes submitted and taken at such meetings.

4. *And be it enacted*, That said directors may, from time to time, make such rules, regulations and by-laws as may be needful and proper for the management of the affairs of the corporation; *provided*, the same do not conflict with the laws or constitution of this state, or of the United States.

5. *And be it enacted*, That at all meetings of stockholders they shall each be entitled to one vote upon each share of stock held by him; that in case more stock shall be subscribed for than this act permits, the said persons above named shall divide and distribute the same pro rata among the subscribers.

6. *And be it enacted*, That this act shall continue in force for twenty years from the day of its approval as a law; but the legislature may amend or repeal the same whenever the public good shall require.

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

Approved April 6, 1865.

CHAPTER CCCCLXXVIII.

An Act making appropriation for the relief of the Keeper of the State Prison.

Appropriation
to keeper of
state prison.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the sum of ten thousand dollars be and is hereby appropriated to the use of the keeper of the State Prison for the purpose of defraying the necessary expenses of the State Prison during the current year of one thousand eight hundred and sixty-five.

Treasurer to
pay money.

2. *And be it enacted*, That the state treasurer shall pay to the said keeper out of any funds in his hands not otherwise appropriated, the sum of ten thousand dollars as aforesaid.

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

Approved April 6, 1865.

CHAPTER CCCCLXXIX.

An Act to establish and organize the State Reform School for Juvenile Offenders.

Reform school
to be estab-
lished.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That a reform farm school be established in this state for the reformation of such boys between the ages of eight and sixteen years who may be committed to it as hereinafter provided.

Board of con-
trol.

2. *And be it enacted*, That the governor, chancellor and chief justice of the state for the time being shall constitute a board of control, whose duty it shall be to appoint six (6) suitable persons as trustees of said reform school, and to exercise such further supervisory care as may be confided to them.

Vacancies,
how supplied.

3. *And be it enacted*, That on the first day of each year after eighteen hundred and sixty-six, the term of office of the

first two named trustees shall terminate, and the names of the persons appointed to fill the vacancies shall be placed at the bottom of the list; other vacancies may, at any time be filled, and the names of the persons appointed shall be substituted in the list for that of those whom they succeed and for the remainder of their term; the trustees may be reappointed; they shall receive no compensation for their services, but shall be allowed all expenses incurred by them in the discharge of their duties; they shall be removed by the board of control for sufficient cause.

4. *And be it enacted*, That the trustees shall have authority to receive by gift, or to purchase, a tract of land in a healthy location, abundantly supplied with pure water, of easy access from different parts of the state, and of sufficient area for the proper seclusion and employment of the boys, to erect suitable buildings thereon, and to enact needful by-laws for their own government; these several particulars to be subject to the approval of the board of control.

May hold land
and erect
buildings.

5. *And be it enacted*, That the trustees shall be a corporation by the name of "The Trustees of the New Jersey State Reform School," for the purpose of taking and holding to themselves and their successors, in trust for the state, any grant or devise of lands, and any donation or bequest of money or other personal property, made for the use of said institution, and for the purpose of preserving and investing the proceeds thereof in good securities, with all powers necessary to carry said purposes into effect.

Corporate
name.

6. *And be it enacted*, That they shall take charge of the general interests of the institution; see that its affairs are conducted in accordance with the requirements of the legislature and the approved by-laws, and that strict discipline is maintained therein; provide employment and instruction for the inmates, and bind them out, discharge or remand them, as herein provided; appoint a superintendent, a steward, teacher or teachers, and such other officers as in their judgment the wants of the institution may require, and prescribe their duties; exercise a vigilant supervision over the institution, its officers and inmates; remove such officers at pleasure and appoint others in their stead, and determine the salaries to be paid to the officers; the by-laws may be amended by the assent of four trustees, at a legal meeting, but no alteration shall be valid until approved by the board of control.

Duties of trustees.

7. *And be it enacted*, That they shall cause the boys under their charge to be instructed in piety and morality, and in

Boys to be instructed.

such branches of useful knowledge as are adapted to their age and capacity, and in some regular course of labor, either mechanical, manufacturing, agricultural or a combination of these as is best suited to their age, strength, disposition and capacity, and in such other arts or trades as may seem best adapted to secure the reformation, amendment and future benefit of the boys.

May bind out boys.

8. *And be it enacted*, That they may bind out boys committed to the school as apprentices or servants until they become twenty-one years of age, or for any less time; stipulating in the indentures for the needful amount of school learning, and from time to time as the rightful guardians of the boys, ascertaining whether the duties and obligations of the master or mistress are faithfully performed, and if not, applying the proper remedy; in binding out boys they shall have scrupulous regard to the religious and moral character of those to whom they are to be bound, that they may secure to the boys the benefit of a good example and wholesome instruction and the sure means of improvement in virtue and knowledge, and thus the opportunity of becoming intelligent, moral and useful and happy citizens.

Examinations

9. *And be it enacted*, That one or more of the trustees shall visit the school at least once in every fortnight, at which times the boys shall be examined in the school room and at their labor, and the register shall be inspected; a record shall be kept of these visits in the books of the superintendent; once in every three months the school, in all its departments, shall be thoroughly examined by a majority of the trustees, and a report thereof signed; they shall prepare an annual report of the condition of the institution on or before the fifteenth of December in every year, which, together with a full report of the superintendent, and a list of the salaried officers and their salaries, with an inventory of the value of the live stock and other personal property of the state in the buildings or on the farm, shall be laid before the governor to be by him presented to the legislature.

SUPERINTENDENT.

Duties of superintendent.

10. *And be it enacted*, That the superintendent, with such subordinate officers as the trustees may appoint, shall have the charge and custody of the boys; he shall be a constant resident at the institution, and shall discipline, govern, instruct, employ and use his best endeavors to reform the

inmates in such manner as while preserving their health will secure the formation as far as possible of moral, religious and industrious habits, and regular, thorough progress and improvement in their studies, trades and employments.

11. *And be it enacted*, That he shall, before entering upon his duties, give a bond to the state, with sureties satisfactory to the governor, in the sum of three thousand dollars (\$3,000), conditioned that he shall faithfully perform all his duties, and account for all money received by him as superintendent, which bond shall be filed in the office of the treasurer of the state; he shall have charge of all the property of the institution, within the precincts thereof, he shall keep in suitable books, complete accounts of all his receipts and expenditures, and of all property entrusted to him; showing the income and expenses of the institution; and in such manner as the trustees may require, for all money received by him; his books and all documents relating to the school shall at all times be open to the inspection of the trustees, who shall, at least once in every six months, carefully examine the books and accounts, and the vouchers and documents connected therewith, and make a record thereof; he shall keep a register containing the name, age, and circumstances connected with the early history of each boy, and shall add such facts as come to his knowledge, relating to his history, while at the institution, and after leaving it.

12. *And be it enacted*, That he shall, in writing, make all contracts on account of the institution with the approval of the trustees, if their by-laws require it; and he or his successor may sue or be sued thereon to final judgment and execution: no suit shall abate by reason of the office of superintendent becoming vacant, but any successor in office may take upon himself the prosecution or defence thereof, and upon motion of the adverse party and notice, he shall be required so to do.

COMMITMENTS.

13. *And be it enacted*, That when a boy under the age of sixteen years is brought by a constable, police officer or other inhabitant of this state, before two judges of any orphans' court or before a justice of the supreme court, upon complaint that he has committed an offence which may be punished by imprisonment, other than imprisonment for life, the judge shall issue a summons to the father of the boy, if he is living

and resident in the place where the boy was found, and if not then to his mother if she is living and so resident, and if there is no such father or mother, to the lawful guardian of said boy, if any there is so resident, or if not, to the person with whom, according to his own statement and such testimony as shall be received, he resides, and if there is no person with whom he statedly resides, the justice or judges may appoint some suitable person to act in his behalf, requiring him or her to appear at a time and place stated in the summons, to show cause, if any there is, why said boy shall not be committed to the state reform school; and the justice or judges shall also cause notice of the pendency of the complaint to be given to the mayor of the city, or to one of the committee of the township where the boy resides or shall have been found.

To be committed by warrant.

14. *And be it enacted*, That at the time mentioned in the summons, the justice or judges shall proceed to examine the boy and any party appearing in answer to the summons, and to take such testimony in relation to the case as may be produced; if the allegations are proved, and it appears that the boy is a suitable subject for said school, and that his moral welfare and the good of society require that he should be sent thereto for instruction, employment and reformation, he or they shall commit the boy to the state reform school, by warrant, in substance as follows: "To (A. B.) one of the constables (or police officers) of the city (or township) of _____ : You are hereby commanded to take charge of (C. D.) a boy under the age of sixteen years, to wit: of the age of _____ as near as can be ascertained, who at the time of his arrest resided in _____, and who has been proved to me (or us) to be a suitable subject for the state reform school, and a proper subject for its care, discipline and instruction, and deliver said boy without delay to the superintendent of the said school, or other person in charge thereof, at the place where the same is established, and for so doing this shall be your sufficient warrant. Dated, this _____ day of _____, 18____, at _____, in the county of _____, in the state of New Jersey;" but no variance from said form shall be deemed material if it sufficiently appears upon the face thereof, that the boy is committed by the justice or judges, in the exercise of the powers given by this act.

Justices or judge to certify as to residence, age, &c.

15. *And be it enacted*, That the justice or judges shall certify in the warrant the place in which the boy resided at the time of his arrest, also his age as near as can be ascertained;

and such certificate for the purpose of this act shall be conclusive evidence of his residence and age; accompanying the warrant, the judges shall transmit to the superintendent, by the officer serving it, a statement of the substance of the complaint and testimony given in the case, together with such other particulars concerning the boy as the judges are able to ascertain.

16. *And be it enacted*, That the warrant shall be executed by a constable or police officer; any summons to appear before a judge as aforesaid shall be served by a constable or police officer, by delivering an attested copy of the same personally to the party to whom it is addressed, or leaving it with some person of sufficient age at the place of residence or business of such party; and said constable or police officer shall immediately make return to the same judge of the time and manner of such service.

17. *And be it enacted*, That when a boy under sixteen years of age is brought for trial before a justice or police court, charged with an offence which may be punished by imprisonment other than imprisonment for life, and the justice or court is of opinion, or any person makes affidavit, that if found guilty he would be a fit and proper subject for the state reform school, a decree to that effect shall be entered of record, and thereupon such justice or court shall cause notice of the proceedings to be given to the mayor of the city or one of the committee of the township where the boy resided at the time of his arrest, and shall, by a warrant cause the boy to be brought forthwith before two judges of the orphans' court of the county, or a justice of the supreme court, and transmit to him or them a copy of the complaint and warrant by virtue of which he was arrested; the justice or judge shall thereupon have the same jurisdiction and powers as if the boy had been brought before him or them upon an original complaint.

18. *And be it enacted*, That if the judge is of the opinion that the boy brought before him is guilty, and is not a fit subject for the school, he shall, if the offence charged is one within the jurisdiction of the justices of the peace or the police courts, sentence him to such punishment as is provided by law for the offence; otherwise he shall bind him over to appear before the court of oyer and terminer for the county.

19. *And be it enacted*, That any boy ordered to be committed to the school may appeal to the court of oyer and ter-

By whom
warrant executed.

Notice to be
given to mayor
or township committee.

Appeals

miner, and the appeal shall be had, entered, tried and determined in a summary manner.

Compensation 20. *And be it enacted,* That the fees and compensation allowed to judges under this act shall be the same as by law are allowed to justices of the peace, and all officers serving process shall be allowed the same fees as they are entitled to for serving process in criminal proceedings.

CONFINEMENT AND DISCHARGE.

Discharges. 21. *And be it enacted,* That any boy committed to state reform school shall be there kept, disciplined, instructed, employed and governed, under the direction of the trustees, until he arrives at the age of twenty-one years, or is bound out or discharged as reformed, or otherwise legally discharged; the discharge of a boy as reformed, or his being sent on a voyage at sea, or arriving at the age of twenty-one years, shall be a complete release from all penalties and disabilities created or incurred by the sentence.

May remove unruly boys. 22. *And be it enacted,* That if any boy committed to the reform school shall prove incorrigible, or if his presence and example shall be manifestly dangerous to the moral welfare of the school, the trustees shall have power to order his removal to the township or city from whence he came, and to deliver him to a magistrate to be dealt with according to law.

Appropriation of fifteen thousand dollars. 23. *And be it enacted,* That for the purpose of purchasing land and the erection of suitable buildings as contemplated in this act, and for procuring the needful stock, implements, furniture, food and clothing, and for the payment of wages, and other incidental expenses, the sum of fifteen thousand dollars is hereby appropriated, and the treasurer of the state is hereby directed to pay the same upon lawful warrant to the order of the board of trustees, when approved by the board of control.

When act to go into effect. 24. *And be it enacted,* That when the buildings and premises of the reform school authorized by this act shall be prepared for the reception of pupils, the trustees shall by resolution inform the governor thereof, upon which he shall issue his proclamation of the fact; and the provisions of this act in relation to commitments shall not go into effect until such proclamation be issued.

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

Approved April 6, 1865.

CHAPTER CCCCLXXX.

An Act to incorporate the East Brunswick and New Brunswick Turnpike Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the subscription books of the capital stock of the East Brunswick and New Brunswick Turnpike Company shall be opened by J. Biddle Herbert, T. T. Vanderveer, A. J. Disbrow, William Whitehead, Daniel B. Martin, Vincent Barkeley, Daniel McLaury, Saxton M. Tice, John T. Jenkins, Lawrence Fisher, or a majority of them, who are hereby appointed to receive subscriptions to said stock, at such times and places as they, or a majority of them may direct, giving notice thereof at least twenty days prior to the opening of said books, by publishing the same in at least one of the newspapers published in the county of Middlesex. Commissioners to receive subscriptions.

2. *And be it enacted*, That the capital stock of said company shall be ten thousand dollars, with the privilege of increasing it to twenty thousand dollars, and shall be divided into shares of twenty-five dollars each; and that when one hundred and fifty shares shall be subscribed for and taken, the persons holding the same shall be and they are hereby incorporated into a company by the name and title of the "East Brunswick and New Brunswick Turnpike Company," and by that name and style shall have, enjoy, and exercise all the rights, powers and privileges appertaining to corporate bodies, and necessary to carry the objects of this law into effect. Amount of capital stock.

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

scription shall be paid in installments, at such times and places, and to such persons as the president and directors of the company shall from time to time direct, and give public notice thereof, in manner aforesaid; and upon failure of the payments thereof as so directed, the president and directors shall have power to forfeit the shares of each and every person so failing to pay the said installments, or any of them, to and for the use of said company.

Act void if shares not subscribed in certain time.

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

Election of directors.

5. *And be it enacted*, That when one hundred and fifty shares of said stock shall be subscribed for, the said commissioners shall call a meeting of the stockholders, giving at least twenty days notice of the time and place of said meeting, as hereinbefore directed with regard to the opening of said books, at which meeting the subscription books shall be laid before the stockholders, who shall thereupon proceed to elect by ballot five directors, a majority of whom shall be citizens of this state, to manage the affairs of said company for one year, of which election the said commissioners, or a majority of them, shall be judges, and at the expiration of that term, and annually thereafter, upon like notice being given by the directors for the time being, the said stockholders shall elect by ballot the same number of directors, a majority of whom shall be citizens of this state as aforesaid; and at every such election, and in all other cases in which the stockholders shall be entitled to vote, a vote may be given for each share by the holder or holders thereof, either in person or by proxy.

Duties and powers of president.

6. *And be it enacted*, That within twenty days after the election aforesaid, the directors shall elect from their number a president of said company, who shall hold his office for one year and until another shall be elected, and shall be the presiding officer, at all meetings of said directors, and shall have a casting vote when they shall be equally divided; he shall have charge of the seal of the company, and he shall appoint the judge or judges of all elections of stockholders, or in case of his death or absence or inability so to do, the said directors

shall appoint some other suitable person, who, for the time being, shall possess the same powers and authority and perform all the duties herein prescribed.

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

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

9. *And be it enacted*, That special meetings of the stockholders may be called by order of the president and directors, or by the stockholders owning one-fourth of the stock of the company, by giving notice of the time and place of holding the same, as hereinbefore directed with regard to the annual meeting, which said notice shall specify the particular object of the meeting; but that no business of the company shall be transacted at such special meeting, unless a majority in value of the stockholders attend and concur therein, who may require the books, accounts, and all other papers of the proceedings of the company to be exhibited to them by the president and directors. Special meetings.

10. *And be it enacted*, That if, from any cause, any election hereinbefore named, shall not be had at the time specified in this act, the same may be held at any other time, on notice as aforesaid, and that until such election be had, the officers of the preceding year shall continue to hold their respective offices, until others are elected in their stead; and that this Not dissolved for failure to elect.

charter shall not be defeated nor avoided by reason of irregularity, or want of such election.

May construct
turnpike road.

11. *And be it enacted*, That it shall and may be lawful for the said company to construct and make a turnpike road from Old Bridge, in Middlesex county, to the city of New Brunswick, in said county, beginning in the public road at Old Bridge, where said road intersects the Camden and Amboy railroad, near the hotel lately kept by B. F. Lloyd, deceased, and thence following on or near the route of the said public road, as it now runs and ending at or near Burnet street, New Brunswick, being the most direct and convenient route between the said points, which said turnpike road shall not exceed forty feet in width, and sixteen feet of the same shall be sufficiently bedded and faced with stone, gravel or other material, to make a solid, firm, and even road, at all seasons of the year, and the said sixteen feet shall be so graded, that in its progress no part of it shall rise above an angle of five degrees with the plane of the horizon; and the said company shall construct, keep in repair, maintain, and make good and sufficient bridges along the line of said road, not less than sixteen feet in width; and whenever said road shall be raised so much at the margin or side, as to render carriages passing thereon liable to overset, the said company shall cause good and sufficient railings to be erected and maintained at the sides, so as to prevent horses and carriages from running off; *provided*, that before the said company shall construct the said turnpike road as aforesaid, they shall pay to the respective owners of the land over which the same may pass, all damages which the said owners shall sustain by reason of the construction of the said turnpike road; and in case said owners and said company cannot agree upon the amount of damage, then the damage shall be ascertained and determined, as nearly as may be, in the manner herein-after provided for ascertaining and determining the damages which any land owner or owners may sustain by taking of stone or gravel, sand or clay, from his lands, for the construction or maintaining of said turnpike road.

Proviso.

Proceedings
when compa-
ny and owners
cannot agree.

12. *And be it enacted*, That it shall be lawful for the said company, their officers, superintendents, engineers and workmen, with carts and wagons or other carriages, and with beasts of burden and draught, and all necessary materials and tools, to enter upon all lands contiguous or near to the route of said road, doing as little damage thereby as possible, repairing any breach they may make in the enclosures thereof,

and to make all ditches and underdrains across and through such lands necessary for properly draining said road; and that when said company or its agents cannot agree with the owner or owners of said land or materials for the purchase thereof, or when, by reason of the legal incapacity or absence of such owner or owners, no such agreement can be made, a particular description of the lands or materials so required for the use of said company in the construction of the said road, shall be given in writing, under the oath or affirmation of some engineer or proper agent of the company, and also the name or names of the occupants, if any there be, and of the owner or owners and their residence, if the same can be ascertained, to one of the judges of the court of common pleas of the county of Middlesex, who shall cause the said company to give notice thereof to the persons interested, if known or in this state, or if unknown or out of this state, to make publication thereof, as he shall direct, for any term not less than twenty days, and to assign a particular time and place for the appointment of the commissioners hereinafter named, at which time, upon satisfactory evidence to him of the service or publication of such notice aforesaid, he shall appoint, under his hand and seal, three disinterested, impartial and judicious freeholders, commissioners to examine and appraise the said land and materials, and to assess the damages, upon such notice to the persons interested as shall be directed by the judge making such appointment, to be expressed therein not less than twenty days; and it shall be the duty of said commissioners, having first taken and subscribed an oath or affirmation before some person duly authorized to administer an oath or affirmation, faithfully and impartially to examine the matter in question, and to make a true report, according to the best of their skill and understanding; to meet at the place and time appointed, and to view and examine the lands and materials, and make a just and equitable appraisal of the value of the same, and assessment of damages to be paid by the said company for such land or materials and damages aforesaid, and to make report thereof, under the hands and seals of the said commissioners, or any two of them, and file the same within ten days thereafter, with the aforesaid description of the lands or materials, and the appointments and oaths or affirmations aforesaid, in the clerk's office of the county of Middlesex, to remain on record therein, and shall be recorded by the said clerk, which report, or a copy of it, certified by the clerk of

said county, shall at all times be considered as plenary evidence of the right of said company to have, hold, use, occupy, possess and enjoy the said lands or materials, after the payment of the value and damages so assessed, and of the right of said owner or owners to recover the amount of said valuation, with interest and cost, in an action in any court of competent jurisdiction, in a suit to be instituted against the company, if they shall neglect or refuse to pay the same for twenty days after demand being made of their treasurer, and shall constitute a lien upon the property of the company in a nature of a mortgage; and the said judge shall tax and allow such costs, fees and expenses to the judge, clerk, commissioners and other persons performing any of the duties prescribed in this section, as he shall think equitable and right, which shall in all cases be paid by the company.

Toll-gates to be erected.

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

Rates of toll.

For every carriage, sleigh or sled drawn by one beast,	one cent;
For every additional beast,	one cent;
For every horse and rider or led horse or mule,	five mills;
For every dozen of calves, sheep or hogs,	five mills;
For every dozen of horses, mules or cattle,	two cents;

And it shall be lawful for the toll gatherers to stop persons riding, leading or driving any horses, cattle, mules, calves sheep, or hogs, or carriages of burthen or pleasure from passing through the said gates or turnpikes until they shall have paid the toll as above specified.

Mile stones to be erected.

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

15. *And be it enacted*, That if any person shall willfully break, thrown down or deface any of the mile stones or posts so erected on the said road, or willfully tear down or deface any of the rates of toll or directions, or shall cut, break down or destroy, or otherwise injure any gates, turnpikes, railings, fenders or bridges that shall be erected pursuant to this act, or shall forcibly pass the gates or turnpikes without paying the legal toll at such gates or turnpikes, such person shall forfeit and pay the sum of twenty dollars, besides being subject to an action for damages for the same, to be recovered by the said company by action of debt or other proper action in any court of competent jurisdiction, with costs of suit; and if any person, with his or her carriage, team or horse, turn out of the said road to pass a gate or gates, on private grounds adjacent thereto, and enter again 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 be for passing through said gate, to be recovered by the said company for the use thereof, in an action of debt, with costs of suit.

Penalty for injuring works.

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

Penalty for delaying travellers.

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

Penalty for obstructing passage.

18. *And be it enacted*, That if the said company should not keep the said road, bridges, rails and fenders in repair, and complaint thereof shall be made to any judge of the court of common pleas wherein the same shall be situate, he shall immediately appoint, by writing, three disinterested free

Proceedings when road and bridges are not kept in repair.

holders of the county as aforesaid, who shall view said road and report in writing, under their hands and seals, or under the hands and seals of two of them, whether the said road so complained of 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 judge shall immediately, under his hand and seal, order the keeper of the gates or turnpikes to keep the same open until otherwise ordered, and if the said keeper shall, notwithstanding the order of the said judge, refuse to open the said gate or turnpike and exact toll of travellers, he shall for such offence forfeit and pay the sum of twenty dollars, to be sued for by any person who will prosecute for the same in an action of debt, with costs of suit, and the judge shall be allowed for his services fifty cents, and the persons appointed one dollar each, to be paid by the company; and it shall be the duty of the persons appointed, or a majority of them, on application of the said company, again to view the said road, rails, fences or bridges, and report as aforesaid to the said judge, who shall, if authorized by the report of the said persons, or any two of them, by license under his hand and seal, directed to the toll-gatherer, permit the gates or turnpikes to be shut and the toll collected as before, and the said fees shall be allowed and paid as before directed; but if, on the first view, as before mentioned, the report of the persons appointed, or a majority of them, shall be in favor of the company, the same fees shall be allowed as before prescribed and paid by the person or persons making the complaint.

When toll
may be taken.

19. *And be it enacted*, That whenever the said company shall have completed any two consecutive miles of the said road, according to the directions and true intent and meaning of this act, it shall be lawful for the said company to erect a toll gate across said road and demand and receive toll for travelling thereon, agreeably to the foregoing rules.

May use public road.

20. *And be it enacted*, That the said corporation may use any portion or the whole of the public road on the route above named, by and with the consent of a majority of all the land owners adjoining the public road or parts thereof, so taken on the route of said road; and if the consent of the said majority is refused, then, and in that case, such road or roads shall be first vacated according to law.

Limitation.

21. *And be it enacted*, That if the said road be not commenced within three years and completed within six years from the passage of this act, that then and in that case this act shall be void.

22. *And be it enacted*, That this act shall go into effect immediately.

Approved April 6, 1865.

CHAPTER CCCCLXXXI.

An act to prevent injuries by fire from locomotive engines on railroads, and to provide for compensation therefor.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be the duty of every Duty of railroad companies. railroad company in this state, and of every company or person operating or using any railroad in this state, with a locomotive engine or locomotive engines, to take and use all practicable means to prevent the communication of fire from any locomotive engine used or employed by them on any railroad in this state, in passing along or being upon any such railroad to any property of whatever description of any owner or occupant of any land adjacent or near to such railroad.

2. *And be it enacted*, That when any injury is done to any building, grain, hay, crops or other property of any person or corporation, by fire communicated by a locomotive engine of any person or railroad corporation, in violation of the first section of this act, said person or corporation shall be held responsible in damages to the person or corporation so injured; and it shall be lawful for any railroad corporation to make an agreement for insurance of any such property on which an insurance may be practicable, and shall have an insurable interest therein accordingly, and may effect insurance thereon in its own behalf. Person or corporation responsible for any injury.

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

Approved April 6, 1865.

CHAPTER CCCCLXXXII.

An Act for the better protection of Hotel, Inn and Boarding House Keepers.

Hotel and boarding house keepers to have a lien on baggage and property.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all hotel, inn and boarding house keepers shall have a lien on all baggage and property belonging to boarders and lodgers at said hotel, inn or boarding house, for the amount of their bill or bills due to the proprietor thereof for the hire of rooms or board in said hotel, inn or boarding house, and shall have the right, without the process of law, to retain the same until the said amount of indebtedness is discharged, and all parties engaging rooms or board in said hotel, inn or boarding house may be summarily ejected by the proprietor thereof, from said premises, upon the aforesaid proprietor giving to said parties so indebted, a written notice of three days of the amount of said indebtedness, and their demand for the same, unless said parties shall have entered into an agreement with said hotel, inn or boarding house keepers, for the mode and manner of payment for room or board other than those announced by notice in said hotel, inn or boarding house.

Baggage may be sold at auction.

2. *And be it enacted*, That all baggage and property so held, by said hotel, inn and boarding house keeper shall, after the expiration of six months from the date of such detention, be sold at public auction, upon a notice published for three days in a public newspaper published in the city or town where said hotel, inn or boarding house shall be kept, and the proceeds thereof shall be applied to the payment of such lien and the expenses of such sale, and the balance if any remaining, shall be paid over to the owner of such property or his representatives, and if said balance is not claimed by such owners within thirty days, then the said balance to be paid over to the overseer of the poor house of said city or town for the support of the poor.

Proprietors not responsible if money, &c. is not deposited in safe

3. *And be it enacted*, That whenever the proprietor or proprietors of any hotel, inn or boarding house, shall provide a safe in the office of such hotel, inn or boarding house or other convenient place, for the safe keeping of any money, jewels or ornaments belonging to the guests or boarders thereof, by posting a notice, stating the fact that such safe

is provided, in which such money, jewels or ornaments may be deposited, in the room or rooms occupied by such guest or boarder in a conspicuous manner, and if such guest or boarder shall neglect to deposit such money, jewels, or ornaments in such safe, the proprietor or proprietors of such hotel, inn or boarding house shall not be liable for any loss of such money, jewels or ornaments sustained by such guest or boarders by theft or otherwise.

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

Approved April 6, 1865.

CHAPTER CCCCLXXXIII.

A Further Supplement to "An act for the preservation of deer and other game, and to prevent trespassing with guns," approved April sixteenth, eighteen hundred and forty-six.

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Repealer.} *the State of New Jersey*, That so much of the act entitled "An act for the preservation of deer and other game, and to prevent the trespassing with guns," and the various supplements thereto, as prevents the killing of deer in the counties of Burlington, Ocean and Monmouth, be and the same is hereby repealed.

2. *And be it enacted*, That no person or persons be allowed to hunt, watch or kill any deer from the first day of January ^{Time of killing deer.} to the first day of September of each year.

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

Approved April 6, 1865.

CHAPTER CCCCLXXXIV.

An Act concerning Banks.

Banks discontinuing business to file a certificate of intention

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That whenever any banking association, incorporated by this state shall determine by its board of directors, with the consent of three-fourths of its stockholders in interest, to discontinue its business and settle its affairs, it shall be lawful for such board of directors to file a certificate, under their corporate seal, with the secretary of this state, setting forth such intention, and that they thereby surrender to the state their corporate privileges and powers; and thereupon said corporation shall be deemed and taken to be dissolved, except for the purpose of distributing its assets and otherwise settling its affairs.

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

Approved April 6, 1865.

CHAPTER CCCCLXXXV.

An Act to authorize the township of Frankford, in the county of Sussex, to raise money.

Liability of inhabitants.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the inhabitants of the township of Frankford, in the county of Sussex, shall be held and deemed to be liable in their corporate capacity for all the money raised and paid, or which may be raised and paid for bounties to volunteers, substitutes or drafted men mustered or to be mustered into the military service of the United States and credited or to be credited to said township under the call for volunteers from this state, made by the president of the United States in December last, together with the interest and expenses thereon; and that any and every person or persons or corporation that have loaned or advanced,

or may loan or advance money for the payment of such bounties, or any of them, may have an action of debt to recover such money, with interest, from the inhabitants of said township in their corporate capacity; *provided*, the amount Proviso. for which they shall be liable or which may be recovered shall not exceed the amount voted or ordered to be paid by the inhabitants assembled for that purpose in said township or determined upon by the township committee, or a majority of them, with the interests and expenses thereon.

2. *And be it enacted*, That it shall be lawful, and it is hereby made the duty of the inhabitants of said township to Money to be raised by tax. levy and raise by taxation in the manner other township taxes are by law levied and raised, the money paid or which may be paid for bounties to volunteers, substitutes or drafted men, credited or to be credited to said township under said call with the interest and expenses thereon to the extent for which the inhabitants of said township are made liable by the first section of this act; and the assessor and collector of said township, with the other proper officers, are hereby enjoined and required to proceed in the assessment and collection of the same within the time and in the manner, and subject to the obligations prescribed by law for the assessment and collection of other township taxes, and when collected the same shall be paid to the person or persons or corporation entitled thereto; *provided*, that in levying and assessing the Proviso. moneys by this act authorized to be raised in said township, it shall be lawful to assess a poll tax of three dollars upon every male inhabitant therein of the age of twenty-one years and over by the existing law subject to poll tax.

3. *And be it enacted*, That it shall and may be lawful for the township committee, or a majority of them, if they so choose, to determine at any time whether the inhabitants of said township shall raise the amount required to be raised by them, or any part thereof, and what part, by loan upon the obligations of the inhabitants of said township, and when and where payable, and at what rate of interest not exceeding seven per centum per annum; and for the amount so determined to be raised by loan, it shall be lawful for the said township committee, or a majority of them, to issue obligations in the corporate name of the said township, payable at the time and place, and rate of interest so determined upon to be signed by the township collector and countersigned by the town clerk, and to be drawn payable to such order, or to the bearer, as the township committee, or a majority of them, may direct; To determine how to raise money.

and it shall be the duty of the town clerk to number and register the said obligations; and the township committee, or a majority of them, shall negotiate and dispose of the said obligations at not less than their par value, in satisfaction of the moneys required to be raised as aforesaid, or in payment of the bounties authorized to be paid by said committee; and it shall be lawful, and it is hereby made the duty of the inhabitants of said township to levy and raise money from time to time, by taxation, in said township to pay the interest upon the said obligations, and for the payment and redemption of the same.

Obligations
binding.

4. *And be it enacted*, That any obligations before the passage of this act, issued in the corporate name of the said township by the township committee or a majority of them, being of the same general form, nature and character as those specified and described in the third section of this act and negotiated by said committee or a majority of them, on the terms, in the manner, and for the purposes therein mentioned, or used and disposed of by said committee, or a majority of them, in payment of said bounties, shall be legal and binding upon the inhabitants of said township as fully, to all intents and purposes as if made, issued, negotiated, used or disposed of after the passage of this act, under the provisions of the second section thereof; and payment of the principal thereof, and of the interest thereon shall be provided for by them in the manner therein specified.

Deficiency
provided for.

5. *And be it enacted*, That in case the whole or any part of the money loaned or advanced, or which may be loaned or advanced, in the first section of this act mentioned, shall not be raised by loan, as in the last preceding section provided, and paid by the first day of September next, then the same shall be raised by taxation, as provided for in the second section of this act: *provided*, that any volunteer, substitute or drafted man credited or to be credited to said township under said call, who has accepted, or shall accept, one or more of said obligations in lieu of the bounty authorized to be paid to him by said township committee shall be held and considered as having loaned the amount of said bounty to the inhabitants of said township, and his acceptance of such obligation or obligations shall be held and considered full payment and discharge of his said loan.

Proviso.

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

Approved April 6, 1865.

CHAPTER CCCCLXXXVI.

An Act supplementary to an act approved March thirtieth, eighteen hundred and sixty-four, entitled, "An act for the more effectual organization of the New Jersey Rifle Corps."

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the companies attached to the rifle corps be empowered, as an independent organization, to form battalion, regimental, and brigade organizations, in accordance with the militia laws of the state of New Jersey which are now, or may hereafter be established. To form battalion, &c., organizations.

2. *And be it enacted*, That in addition to the non-commissioned officers now authorized by law, there shall be one paymaster appointed by the commandant to each company, who shall be empowered to collect all fines and dues in such manner as now is, or may hereafter be prescribed by law. Paymaster to be appointed.

3. *And be it enacted*, That there shall be a company court martial to each company, consisting of one commissioned officer, one sergeant, one corporal, and two privates, who shall be appointed annually by the commandant of the company. Company court martial.

4. *And be it enacted*, That every officer, non commissioned officer, musician and private now belonging to, or who shall hereafter enlist in the rifle corps, and who shall faithfully serve as a member of any company attached to any battalion, regiment or brigade, shall be exempt from military tax and jury duty during such service; and if he faithfully serve for the term of seven years, shall, at his request, receive a discharge entitling him to exemption thereafter from all military duty, except in time of war or insurrection. Exemptions.

5. *And be it enacted*, That all military districts where tax is or may be imposed for military purposes, the companies of the rifle corps shall be entitled to share pro rata with all the companies in said district in all moneys so collected. Moneys to be shared pro rata.

6. *And be it enacted*, That all general and field officers shall belong to the state military board. General and field officers.

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

Approved April 6, 1865.

CHAPTER CCCCLXXXVII.

A Further Supplement to an act to provide for the support of the government of this state, and to fix the salaries of public officers, approved April fourth, eighteen hundred and forty-five.

- Compensation to Judges of court of common pleas. 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the judges of the court of common pleas of the several counties of the state, shall each receive three dollars per diem for every day's attendance at court.
- Compensation to criers of court. 2. *And be it enacted*, That the criers of the circuit courts and courts of common pleas of the several counties of this state shall each receive two dollars per diem for every day's attendance at court.
- Limitation. 3. *And be it enacted*, That this act shall remain in force for the period of two years.
- Repealer. 4. *And be it enacted*, That all acts and parts of acts inconsistent herewith are hereby repealed.
5. *And be it enacted*, That this act shall take effect immediately.

Approved April 6, 1865.

CHAPTER CCCCLXXXVIII.

An Act to regulate the storage of Petroleum.

- Preamble. WHEREAS, the rapid increase in the production of, and demand for petroleum has made it an important article of commerce, and one of great value; and whereas, from a want of care in storage and refining the same, there has been great loss of life and property; therefore,
- Regulating storage. 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful to store petroleum, either crude or refined, and benzine, in such quantities as may be required, in such places and under such ordinances as the council or township committee of any city or township

shall make; *provided*, the same shall not be stored within five hundred feet of any dwelling house, barn or manufacturing establishment, unless the consent of the owner of such property be first had in writing. Proviso.

2. *And be it enacted*, That this act shall take effect within thirty days after its passage.

Approved April 6, 1865.

CHAPTER CCCCLXXXIX.

An Act to amend an act entitled "An act to authorize the investment and distribution of the interest of absent persons in the proceeds of land sold in partition, or belonging to the estates of intestates," approved April eighth, eighteen hundred and sixty-four.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That where the residence of any person interested in the proceeds of lands or real estate which have been heretofore, or may be hereafter, sold by virtue of any proceedings in partition in this state, or in the personal estate of any intestate is unknown; or where it is not known whether a person who, if living, would be interested in such proceeds of the sale of lands or real estate, or in such personal estate as next of kin, is living or not, it shall be lawful for the court having the power, by order or decree, of distributing such proceeds of the sale of land or real estate, or of distributing such personal estate, to order or decree the share or interest of any such person to be invested in bonds of this state, or of any city or county of this state, authorized by law to issue bonds, or on bonds secured by mortgage on real estate, or in such public or other securities as the court may approve, and to direct and control the custody of the securities which may be taken from time to time for any investment ordered; and also, either before or after an investment is ordered, at such time as the court may determine, to order or decree a distribution of the share or interest, which any such person, if living, would be entitled to, among and to the person or persons interested in such proceeds of the

Powers of court in cases where the residence of persons interested in real estate is unknown.

sale of lands or real estate, or in such personal property under the laws regulating the distribution thereof, as are known to be living, in proportion to their interest therein respectively, or to and among the person or persons who would, if such person was known to have died, be entitled to receive the same as an heir or heirs, in the case of proceeds of land or real estate, and as next of kin in the case of personal property; and the court may fix the time when it may be supposed or deemed such person died; and may order refunding bonds to be given by or on behalf of any of the persons to whom any part of such share shall be distributed, to the clerk of the court and his successors in office, in such sum and with such condition, with or without security, as the court may direct.

Repealer.

2. *And be it enacted*, That the first section of the act hereby amended is hereby repealed.

Approved April 6, 1865.

CHAPTER CCCCXC.

An Act to incorporate the National Fire and Marine Insurance Company.

Corporate
name.

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That all such persons as shall become stockholders in the capital stock hereinafter mentioned, their successors and assigns, are hereby constituted and made a body politic and corporate, by the name and style of the "National Fire and Marine Insurance Company," of Elizabeth, and by that name shall be known in law, and have power to sue and be sued, and to defend and be defended in all courts, whether in law or equity; and by that name may also have, purchase, possess and enjoy, and to them and their successors, lands tenements and hereditaments, goods, chattels and effects of what nature or kind soever, necessary for the purposes of this corporation, and the same to grant, demise, alien and dispose of at pleasure, for the benefit of the said company, and may also have a common seal, and alter and renew the same at pleasure, and also to create and establish such by-laws and regulations as shall seem necessary and ex-

pedient for the government of said corporation, and to put ^{Proviso.} the same in execution; *provided*, the same be not contrary to the laws of this state, or of the United States.

2. *And be it enacted*, That the capital stock of the said ^{Amount of capital stock.} company shall be one hundred thousand dollars, divided into shares of fifty dollars each, with privilege to increase the same to five hundred thousand dollars, and that one-half of said capital stock shall be actually paid in before it shall be lawful for said company to commence the business of insurance.

3. *And be it enacted*, That the business, property and affairs of said company shall be managed and conducted by ^{Election of directors.} such directors, not less than ten or more than twenty in number, as may be elected for that purpose, a majority of whom shall form a quorum; which directors shall hold their offices for one year, and until others shall be chosen, and they shall at all times during their continuance in office, be stockholders in their own right, and a majority of them shall be citizens of this state; said directors shall be elected on the second Monday in each and every year, at such hour of the day, and at such place in said city of Elizabeth, as the board of directors for the time being shall direct, of which election two weeks public notice shall be given in the newspapers printed in the said city of Elizabeth, and each share of stock shall entitle its owner to one vote at each election, to be given either in person or by proxy; and that the office and records of the company shall be kept in the city of Elizabeth, in the county of Union.

4. *And be it enacted*, That the board of directors shall ^{Powers of directors.} have power to appoint a president, secretary, and treasurer, and such other officers and agents as they may deem necessary for carrying on the business of the company, and to allow them respectively such compensation for their services as may in their judgment be deemed reasonable.

5. *And be it enacted*, That Jacob Davis, A. Denman Mulford, William J. Magie, and Amos Clark, Junior, are hereby ^{Commissioners to open books of subscription.} appointed commissioners to open books for subscription to the capital stock of said company at Elizabeth City, in the county of Union, upon two weeks notice published in the newspapers, printed at Elizabeth, and as soon as one thousand shares are subscribed, the said commissioners shall, by like notice, appoint the hour and place for holding the first election for directors.

6. *And be it enacted*, That it shall and may be lawful for ^{Business of company.} the said company to insure houses and other buildings and

property against loss or damage by fire upon such rates and conditions as shall be contained in the policy of insurance, and may also insure ships and other vessels, rights, interests and property against every description of casualty incident to inland and marine transportation.

Policies and contracts.

7. *And be it enacted*, That all policies or contracts founded thereon, which shall be made or entered into by said company, may be made either under or without the seal thereof, and shall be subscribed by the president, or by such other officer as may be designated by the company for that purpose, and attested by the secretary, and being so subscribed and attested, shall be obligatory upon the company, according to the tenor, intent and meaning of this act, and of such policies or contracts.

May purchase and hold lands, &c.

8. *And be it enacted*, That it shall and may be lawful for said company to purchase and hold such and so much real estate as shall be necessary for their convenient accommodation in the transaction of their business, and also to take and hold any real estate or securities, bona fide mortgaged or pledged to said company, to secure the payment of any debt which may be contracted with them, and also to proceed on said mortgage or other securities for the recovery of the moneys thereby secured, either at law or in equity, and to purchase on sales made under such proceedings, or otherwise to take and receive any real estate in payment, or toward satisfaction of any debt previously contracted with or due to said company, and the said real estate, to mortgage, sell, exchange or otherwise dispose of, and said company may invest their capital and accumulating premiums from time to time in public stocks, bonds and mortgages; *and provided*, that nothing in this act contained shall authorize said company to use its funds for banking purposes, as the directors may approve.

Proviso.

Stock transferable.

9. *And be it enacted*, That the stock of said company shall be deemed to be personal property, and shall be assignable and transferable according to such rules and regulations as the directors may establish from time to time in the by-laws of said company.

Dividends.

10. *And be it enacted*, That it shall be lawful for the directors to make dividends of so much of the profits of the company as shall appear advisable among the stockholders upon such ratio as shall be established by the by-laws, which dividends shall be paid out semi-annually to the parties entitled thereto, or to their legal representatives.

11. *And be it enacted*, That this act shall continue in force ^{Limitation.} thirty years; *provided*, that no contract made by said corporation before the repeal or expiration of this charter shall be affected thereby; and the said corporation shall have a reasonable time to bring its accounts to a final settlement.

12. *And be it enacted*, That the said company shall pay ^{Tax on capital stock.} into the treasury of this state for the school fund one quarter of one per centum per annum on the capital stock, and which amount shall be paid in under oath or affirmation of the president and secretary thereof.

Approved April 6, 1865.

CHAPTER CCCCXCI.

A Further Supplement to an act entitled "An act to authorize the establishment and to prescribe the duties of companies for manufacturing and other purposes," approved March second, eighteen hundred and forty-nine.

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Provisions of act extended.} *the State of New Jersey*, That the first section of the act to which this is a supplement be, and the same is hereby extended so as to embrace within it all persons exceeding four, who shall associate themselves together for the purpose of carrying on any lawful business whatever.

Approved April 6, 1865.

CHAPTER CCCCXCII.

An Act to create a new township in the county of Ocean, to be called the Township of Manchester.

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Boundaries of township.} *the State of New Jersey*, That all that portion of the township of

Dover, in the county of Ocean, lying within the boundaries and descriptions following, to wit: beginning in the middle of the channel of the north or main branch of Tom's River, at the southerly boundary of the township of Jackson, and running thence down the middle of the channel of said branch, to where it unites with the Ridgway branch; thence to a stake in the main stage road from Tom's River village to Manchester, which stake is the dividing line between the lands of A. P. Stanton and the lands of James Brown, and running thence in a straight line to a point in the line between Burlington and Ocean counties, distant two miles easterly from the centre of the track of the Delaware and Raritan Railroad, northwesterly along the said dividing line, to the southeasterly line of Plumsted township; thence along the southeasterly line of Plumsted and Jackson townships to the place of beginning, shall be, and hereby is, set off from the township of Dover aforesaid, and made a separate township, to be called and known by the name of "The Township of Manchester."

Corporate
name.

2. *And be it enacted*, That the inhabitants of the township of Manchester, 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 Manchester, in the county of Ocean," and shall be entitled to all rights and powers, authority, privileges and advantages, and subject to the same regulations, government and liabilities, as the inhabitants of the township of Dover aforesaid have hitherto been entitled, or subject to by the laws of this state.

Town meet-
ing.

3. *And be it enacted*, That the inhabitants of the township of Manchester shall hold their first town meeting at the hotel now kept by Ridgway Taylor, in the village of Manchester, in said township, on the fourth Tuesday of April, and thenceforward at such house in said village, as the inhabitants may appoint at each prior annual town meeting.

Allotment and
division of
moneys, &c.

4. *And be it enacted*, That the town committee of the townships of Dover and Manchester respectively, shall meet at such time as they or a majority of each of them shall agree upon not later than the first day of July next, at the place hereinbefore mentioned, in the village of Manchester; and then and there proceed, in writing, signed by a majority of the members present, to allot and divide, between the said townships, all properties and moneys in hand or due belonging to said township of Dover, and all debts owing by the said township of Dover, in proportion to the taxable properties

and ratables within the townships of Manchester and Dover respectively, as appraised by the commissioners hereinafter mentioned; and the inhabitants of the township of Manchester, shall be liable to pay the proportion of the debts of the township of Dover so assigned and allotted to them; and it shall be the duty of the town committee of the township of Manchester to issue a bond or bonds with interest payable semi-annually to the township committee of the township of Dover for their proportion of the debt as allotted to them by the commissioners hereinafter mentioned, which bond or bonds shall be conditioned so as to make the payments fall due at least ten days before the several bonds now issued or to be issued by the township of Dover shall fall due.

5. *And be it enacted*, That it shall be the duty of the township committee of the township of Manchester, and they are hereby required to cause to be assessed upon the real estate and personal property of said township of Manchester, and collected therefrom, such sum or sums annually as may be sufficient to meet the payments falling due as provided by the foregoing sections. Money to be raised by tax.

6. *And be it enacted*, That John Torrey, Junior, John H. Gulick, and Thomas W. Ivins, are hereby appointed commissioners to appraise the taxable properties and ratables of the said townships, which appraisement shall be made prior to the first day of July next, and shall be the basis for the apportionment of the properties, money and debts of the township of Dover as aforesaid, and the proper expenses of the said appraisement shall be allowed by said town committees in the said joint meeting, and one-half of the same shall be paid by each of the said townships. Appraisers.

7. *And be it enacted*, That nothing in this act shall be so construed as to impair, or in anywise affect, the right of the said township of Manchester, of, in, or to, any portion of the surplus revenue of the United States government, to which the said township may now, or at any time hereafter, be entitled in the distribution of the surplus revenue, or of its income. Surplus revenue.

8. *And be it enacted*, That this act shall go into effect immediately.

Approved April 6, 1865.

CHAPTER CCCCXCIII.

A Supplement to the act entitled "An act to incorporate the Morris and State Line Railroad Company," approved March the thirty-first, in the year eighteen hundred and sixty-four.

Preamble.

WHEREAS, the Morris and State Line Railroad Company, by an act of the legislature of this state, entitled "An act to incorporate the Morris and State Line Railroad Company," approved March the thirty-first, in the year eighteen hundred and sixty-four, was ordained, constituted and declared to be a body corporate and politic in fact and in name, with certain rights, privileges and franchises, and subject to certain duties, restrictions and limitations; and whereas, the said company, through inadvertance or oversight, have not paid the tax and assessment imposed upon their said act of incorporation by the act entitled "An act to increase the revenues of the state of New Jersey," approved March sixth, eighteen hundred and fifty-eight; therefore,

Act revived.

1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That the act entitled "An act to incorporate the Morris and State Line Railroad Company," approved March thirty-first, eighteen hundred and sixty-four, shall stand revived and shall have the same force and effect as if the said tax and assessment had been duly paid on or before the first day of July next ensuing the passage of said last mentioned act; *provided*, that the said tax and assessment imposed upon this supplement and upon the said original act of incorporation, by the said act entitled "An act to increase the revenues of the state of New Jersey," shall be duly paid on or before the first day of July next.

Proviso.

Authorized to construct branch railroad.

2. *And be it enacted*, That it shall be lawful for the said company to lay out and construct a branch railroad from some point in the main line of their road, to and through Culver's Gap to some point on or near the Delaware river in the county of Sussex, and for such purpose they shall be invested with all the powers and privileges, and be subject to all the duties and obligations contained within their said act of incorporation in reference to the said main line; and the time for the commencement of the said main line be extended two years, and for its completion to five years.

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

Approved April 6, 1865.

CHAPTER CCCCXCIV.

An Act to prevent the carrying on offensive trades and manufactures in the county of Bergen, or county of Hudson, east of the Hackensack river, or within the corporate limits of the city of Paterson, in Passaic county:

WHEREAS, it is represented to the legislature that certain persons have been and are now engaged in offensive and noisome manufactures on the shores of the Hudson river, in the county of Bergen and Hudson, and city of Paterson; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That after the first day of October next it shall not be lawful for any person or persons within the county of Bergen, or county of Hudson, east of the Hackensack river, or within the corporate limits of the city of Paterson, in Passaic county, to make, erect or set up any building or apparatus, or cause the same to be made, erected or set up, or use the same when so made, for the purpose of boiling any part of the dead bodies of any animals, or of manufacturing the same into tallow, glue, ivory black, bone dust, manure or other substance, whereby any noisome, or offensive, or unwholesome, or annoying smokes, smells, or stench may be emitted therefrom and every person or persons offending against the provisions of this act, shall, in addition to being liable to indictment for nuisance, forfeit and pay for every such offence the sum of seventy-five dollars, to be recovered before any justice of the peace in the state by action of debt, with costs of suit, by any person who will sue for the same.

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

Approved April 6, 1865.

CHAPTER CCCCXCV.

A Further Supplement to the act entitled "An act relative to the Court of Errors and Appeals."

Compensation
of Judges.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the compensation of each of the six appointed judges of the court of errors and appeals shall, from and after the passage of this act, be eight dollars a day for every day they shall respectively attend the said court.

Limitation.

2. *And be it enacted*, That this act shall take effect immediately, and continue in force for two years and no longer.
Approved April 6, 1865.

CHAPTER CCCCXCVI.

An Act to authorize the inhabitants of the township of Linden, in the county of Union, to raise money to pay volunteers.

Preamble.

WHEREAS, a special town meeting of the township of Linden, in the county of Union, have appropriated, and the town committee have paid the sum of three thousand six hundred and seventy-five dollars, which has been expended for bounties to pay volunteers under the call made by the president of the United States of December nineteenth, eighteen hundred and sixty-four,

Money to be
raised by tax.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the township committee of the township of Linden, in the county of Union, to raise by tax at the next annual assessment and collection of taxes for said township, and in the same manner as other taxes are raised for township purposes, such sums of money as the town committee of said township shall direct, to pay whatever moneys have been appropriated or advanced by or on behalf of said township as bounty money to volun-

teers to fill the quota of said township under the call of the president of the United States of December nineteenth, eighteen hundred and sixty-four; such money, when collected, to be paid to the town committee aforesaid, and which shall be used for no other purpose than that herein designated.

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

Approved April 6, 1865.

CHAPTER CCCCXCVII.

A Supplement to an act entitled "An act for the better security of titles to lands sold by sheriffs or other officers," approved March twenty-fifth, eighteen hundred and sixty-four.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the third section of the act to which this is a supplement, be construed and held to apply only to sales made since the fourth day of July, eighteen hundred and sixty-four; *provided*, that nothing in this act contained shall apply to or in any wise affect the title to any land or real estate made since the act to which this a supplement went into operation and effect.

Approved April 6, 1865.

CHAPTER CCCCXCVIII.

An Act to incorporate the Cape May Academical Institute.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That David Reeves, Jesse H. Diverty, Downs Edmunds, George Hildreth, Isaac Whildin, Jr., Aaron Miller, Anthony Steelman, Jonathan F. Leaming, Joseph

Young, Elmer Edwards, M. C. Ross, Morris Cresse, Virgil M. D. Marcy, Joseph Hall, Jr., S. R. McGonigal, Joseph Ware, W. W. Ware, Thomas Beasley, Joshua Swain, Joseph S. Leach, J. F. Cake, Sumner Marcy, Levi Ludlam, George Schellinger and Waters B. Miller, and their associates shall be, and are hereby created, declared and constituted a body corporate and politic, in fact and in name, by the name and style of "The Cape May Academical Institute," and by that name they and their successors shall have perpetual succession, and may sue and be sued, plead and be impleaded, answer and be answered unto, in all courts and places whatsoever; to make a common seal, and to purchase, take and have, hold, receive and enjoy any lands, tenements or hereditaments, in fee simple or otherwise, or any goods, chattels, legacies, donations, annuities, or other personal property, of what kind or quality soever, by gift, grant, devise, bequest, or otherwise, and the same to grant, convey, assign, sell, or otherwise dispose of for the purposes of said corporation; and the said association, hereby incorporated, shall succeed to, and is hereby vested with, all the property, rights and privileges intended in this act, and that all property acquired by the said corporation shall be used expressly for the same.

Objects of association.

2. *And be it enacted*, That the objects of this corporation shall be for the promotion of education, and shall be located in Cape May county, wherever a majority of the stockholders may so determine, at a special election held for that purpose, twenty days' notice having been given by advertisement in any newspaper published in said county, or set up in five public places in said county.

Amount of capital stock.

3. *And be it enacted*, That the capital of this corporation shall be twenty-five thousand dollars, which shall be divided into shares of one hundred dollars each, which shall be considered personal property, and transferable on the books of the corporation; and any person holding one or more shares of stock shall be a member of the corporation, and shall be entitled at all meetings of the stockholders, or at any election or question at issue, to cast one vote, in person or by proxy, for every share of stock by him or her owned, and standing in his or her name on the books of said corporation; and that whenever five thousand dollars shall be subscribed of said stock, the trustees may purchase a lot of ground, and proceed to erect thereon such buildings as they may deem needful and proper; and that installments of the shares may be called in as the wants of the corporation shall require,

ten per centum of said subscription to be paid at the time of subscribing.

4. *And be it enacted*, That this corporation shall be managed by a board of trustees, five in number, stockholders in said corporation, a majority of whom shall constitute a quorum; and David Reeves, Aaron Miller, Jacob F. Cake, Jesse H. Diverty and Joshua Swain shall be the first trustees of said corporation, until the fourth Tuesday of December next, when an election for trustees shall take place.

Board of trustees.

5. *And be it enacted*, That the said trustees shall be elected annually thereafter, on the last day of the academic year, at a meeting of the stockholders, to be held at the institution, and by a majority of the votes legally cast by the stockholders and representatives of stock; the trustees heretofore named, and thus elected, shall have power to make by-laws for their own government and that of the institution and its officers, which by-laws shall not be repugnant to the laws of this state, nor of the United States; to fill vacancies occurring in their own body by means of death, removal, inability or refusal to serve of any person elected; and on the event of any failure or neglect of the stockholders to hold an election on the day annually appointed therefor, said trustees shall continue in office until a new election shall be held, either at a special meeting of the stockholders, to be held upon twenty days' notice aforesaid, or at a subsequent annual meeting; the said trustees shall at their first annual meeting, and annually thereafter, elect a president, secretary, and treasurer, and appoint such other officers, and fix compensation for the same, as they may from time to time deem necessary.

Election of trustees.

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

Approved April 6, 1865.

CHAPTER CCCCXCIX.

An Act to confirm certain acts of the inhabitants of Sandyston, in the county of Sussex, and to authorize them to raise money by taxation.

Preamble. WHEREAS, at a special town meeting of the inhabitants of the township of Sandyston, in the county of Sussex, held on the thirteenth day of March, one thousand eight hundred and sixty-five, for the purpose of providing money to be paid to volunteers, substitutes and drafted persons, under the call of December nineteenth, one thousand eight hundred and sixty-four, it was resolved to pay to such person who has or shall volunteer to the credit of said township under said call, the sum of six hundred dollars, and to such as furnished substitutes credited as aforesaid, the sum of six hundred dollars, and a like sum to all drafted persons who shall have entered or may enter the service from said township under said call; *provided*, that the sum paid to persons furnishing substitutes as aforesaid shall not exceed the sum paid by them for such substitute; and that the said money be considered a township debt and be raised by taxation as other township taxes are levied and raised;

Proviso. *provided*, that in levying and assessing said tax, a poll tax of five dollars be levied, assessed and collected of all persons in said township by the existing laws subject to poll-tax; therefore,

Acts legalized 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the acts, votes and resolutions of the inhabitants of said township of Sandyston, as set forth in the preamble to this act be, and the same are, hereby ratified and confirmed, and that all moneys paid or advanced by any person or persons, committee or corporation, in carrying out the objects of said resolutions in paying such volunteers, drafted persons, and for such substitutes, with the interest and expenses thereon, shall be a debt for which said township shall be liable in its corporate capacity; and it shall be lawful and it is hereby made the duty of the proper officers of said township to proceed at the time and in the manner other township taxes are levied and collected, to levy and collect by tax as aforesaid, the said sum of money so expended, with the interest and expenses thereon; *provided*, that in levying

Proviso.

and collecting said tax, a poll-tax of five dollars on all persons, by existing laws subject to poll tax, shall be levied and collected, and when collected, said moneys shall be paid to the person or persons or corporation who may have paid or advanced the same or to whom the same is due.

2. *And be it enacted*, That it shall be lawful for the town committee of said township, or a majority of them, to issue bonds in the name of the inhabitants of said township for the moneys so expended as aforesaid, which bonds shall be signed by the town collector and countersigned by the town clerk of said township, and shall be numbered and registered in the town book of said township, which bonds shall bear interest at a rate per cent. not exceeding seven, and be made payable at such time and place as said committee shall designate, and said bonds when issued shall be sold or disposed of by said committee at not less than par, and the proceeds thereof applied to the payment of said indebtedness. Authorized to issue bonds.

3. *And be it enacted*, That in case said bonds shall not be issued and disposed of as heretofore mentioned, and said indebtedness remains unpaid on the first day of September next, that then said moneys shall be raised by taxation as heretofore provided for. Deficiency provided for.

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

Approved April 6, 1865.

CHAPTER D.

A Further Supplement to the act entitled "An act to incorporate the city of Trenton," passed March seventh, eighteen hundred and thirty-seven.

WHEREAS, the common council of the city of Trenton have been unable to fill the quota of the said city with volunteers, under the late call for three hundred thousand men, and a draft has taken place to make up the deficiency, and the said common council have passed an ordinance to give to each drafted man held liable, the bonds of the city to an amount equal to that given to volunteers, and have also Preamble.

passed an ordinance directing the issue of the bonds of the city, to an amount not exceeding one hundred thousand dollars, for the carrying out the purpose of the said ordinances, which said ordinances were passed April third, eighteen hundred and sixty-five; therefore,

Acts legalized

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said ordinances and the said acts and doings of the common council of the city of Trenton be, and they are hereby legalized, ratified and confirmed.

May issue bonds.

2. *And be it enacted*, That it shall be lawful for the said common council to issue the bonds of the said city, in accordance with the provisions of the ordinance, to an amount not exceeding one hundred thousand dollars.

Money to be raised by tax.

3. *And be it enacted*, That it shall be lawful for the said common council to raise by tax in said city, the sums of money necessary to pay the interest and principal of said bonds, at the times specified in the ordinance, in addition to the amount now limited by law.

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

Approved April 6, 1865.

CHAPTER DI.

A Further Supplement to an act entitled "An act against Usury."

Rate of interest.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the bonds and notes authorized to be issued by the inhabitants of the township of Manalapan, and the township of Holmdel, in the county of Monmouth, shall bear a rate of interest not to exceed seven per centum per annum.

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

Approved April 6, 1865.

CHAPTER DII.

A Supplement to an act entitled "An act to authorize the Board of Chosen Freeholders of the county of Union, to borrow money and to issue their bonds therefor," approved March fourth, eighteen hundred and sixty-four.

WHEREAS, the said board of chosen freeholders of the county of Union, did, for the purposes mentioned in the said act, borrow money, and issue their coupon bonds therefor, for an amount of one hundred and sixty-six thousand one hundred dollars, exceeding the three hundred thousand dollars specially authorized by the said act, and have petitioned for power to raise a further sum of money by taxation or otherwise, for like purposes. Preamble.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all bonds heretofore issued by the said board of chosen freeholders for the purposes mentioned in the said original act, shall be and are hereby declared to be valid in law against the said corporation, the same as if they had been issued by authority of the said act; *provided*, that the assessment on each city and township of said county for the principal and interest of the bonds issued by virtue of this act and the act to which this is a sulpement, shall be in pro rata proportion to the amounts expended in bounties for account of such cities and townships respectively, and the statement of the expenditures of said board for bounties and other expenses incident to the war, shall be made out in detail by said board, and published in each of the newspapers in said county, showing the payment made for each city and township in said county. Bonds valid.

2. *And be it enacted*, That it shall be lawful for the said corporation to borrow, from time to time, a further sum of money, not to exceed in the whole three hundred and seventy-five thousand dollars, for the purposes mentioned in the said act, and to issue their bonds or obligations therefor, with interest, not exceeding seven per cent. per annum, and payable at such time as they may see proper; which bonds shall not be sold or negotiated for a less sum than their par value. May borrow money and issue bonds.

3. *And be it enacted*, That the said corporation shall have power and authority to provide by taxation, for the said bonds and the interest thereon, and shall assess a poll tax of Payment of principal and interest by tax

five dollars on every white male resident over twenty-one years, who is not a pauper; *provided*, that the apportionment of such city and township for account of poll taxes shall be made separately from the assessment on the ratables and that no city or township shall be required to pay over to the county collector any more moneys assessed as a poll tax than shall have been actually collected; *and provided further*, that no such poll tax shall be assessed on any resident of said county who has been honorably discharged from the military service of the United States, during the period such resident is exempted from further military duty by reason of such service; *and provided nevertheless*, that the said corporation shall not levy an assessment for more than one hundred thousand dollars in any one year, for the redemption of any of the bonds issued under the authority of this act or the act to which this is a supplement.

4. *And be it enacted*, That all acts or parts of acts inconsistent with the provisions of this act are hereby declared of no force, as far as this act is concerned.

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

Approved April 6, 1865.

CHAPTER DIII.

An Act to incorporate the Newark and South Orange Horse Car Railroad Company.

Names of corporators. 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That James G. Barnet, Robert Dod, A. B. Baldwin, Stephen B. Sanders, Watson Snyder, James B. Boylan, Byron Irvin, Francis Mackin, and such other persons as may be hereafter associated with them shall be and they are hereby ordained, constituted and declared a body corporate and politic, in fact and in law, by the name of "The Newark and South Orange Horse Car Railroad Company," and shall be capable of purchasing, holding and conveying any lands, tenements, goods and chattels whatsoever, necessary or proper for the objects of this corporation.

2. *And be it enacted*, That the amount of the capital stock ^{Amount of capital stock.} of said company shall be thirty thousand dollars, with the privilege of increasing the same to seventy-five thousand dollars, and shall be divided into shares of twenty-five dollars each, which shall be deemed personal property, and transferable in such manner as the said corporation shall by their by-laws direct.

3. *And be it enacted*, That the above named persons, or a ^{Commissioners to receive subscriptions.} majority of them, shall be commissioners to open books to receive subscriptions to the capital stock of the said company, at such time or times and place or places as they, or a majority of them, may think proper, giving at least twenty days' notice of the same in two of the newspapers published in the county of Essex; and at the time of subscribing for said stock, ten per centum shall be paid upon the amount subscribed for, to the commissioners, or some one of them; and when fifteen thousand dollars of the capital stock is subscribed for, such commissioners shall give notice for a meeting of the stockholders to choose nine directors, a majority of whom shall be chosen from the above commissioners, and shall be residents of this state; and such election shall be ^{Election of directors.} made at the time and place appointed, by a majority of the stockholders as shall attend for that purpose, either in person or by proxy, each share of the capital stock entitling the holder thereof to one vote; and the above named persons, or any three of them, shall be inspectors of the first election of directors of said corporation, and shall certify under their hands the names of those persons duly elected, and deliver over the subscription books and money paid in, deducting all expenses previously incurred, to the said directors; and the time and place of holding the first meeting of directors shall be fixed by the said persons, named in the first section of this act, or a majority of them; and the directors chosen at such meeting, or at the annual election of said corporation, shall, as soon as may be after every election, choose out of their own number a president, who shall be a resident of this state; and in case of the death, resignation or removal of the president or any director, such vacancy or vacancies may be filled for the remainder of the year in which they may happen, by the said board of directors, or a majority of them; and in case of the absence of the president, the said board of directors, or a majority of them, may appoint a president pro tempore, who shall have such power and functions as the by-laws of said corporation shall provide.

Not dissolved
for failure to
lect.

4 *And be it enacted*, That the directors of the said company shall be nine; and in case it shall happen that an election of directors shall not be made during the day when, pursuant to the by-laws of said company, it ought to have been made, the said corporation shall not, for that cause, be deemed to be dissolved, but such election may be held at any other time, on giving at least ten days' notice in two newspapers published in the county aforesaid, and the directors for the time being, shall continue to hold their offices until others shall have been chosen in their places.

Payment of
installments.

5. *And be it enacted*, That a majority of the directors of said company shall be competent to transact all business of said corporation, and shall have power to call in the remaining stock of said company by such installments and at such times as they may direct, by giving thirty days' previous notice in two of the newspapers published in the county of Essex; *provided*, that no installment shall exceed ten dollars on each share, and that no two installments shall be required to be paid within thirty days of each other; and in case of the non-payment of said installments, or any one of them, they shall have power to forfeit the share or shares upon which said default shall arise, to the said corporation; and the said directors shall have power to make and prescribe such by-laws, rules and regulations as to them shall appear useful and proper touching the management and regulation of the stock, property, estate, effects and business of the said corporation, and also shall have power to appoint such officers, clerks and servants as to them shall seem meet, and to establish and fix such salaries to them and to the president, as to the said directors shall seem proper.

Proviso.

May construct
railroad.

6. *And be it enacted*, That the said company be and they are hereby authorized and invested with all the rights and powers necessary and expedient to survey, lay out and construct a railroad from some suitable point on the South Orange Avenue, in the city of Newark, to some point in South Orange, in the county of Essex, and to locate and construct said railroad, not exceeding one hundred feet in width; and it shall be lawful for said president and directors, their agents, engineers, superintendents and others in their employ, to enter at all times upon all lands for the purpose of exploring, leveling, surveying or laying out the route of such railroad and of locating the same, and to make and erect all necessary works, buildings and appendages thereof, doing no unnecessary damage to private property, and when the route and location of

said railroad shall have been determined upon and a survey thereof deposited in the office of the secretary of state, then it shall be lawful for said company, by its officers, agents, engineers, superintendents, contractors, workmen, and other persons in their employ, to enter upon, take possession of, hold, use, occupy and excavate any such lands, and to erect embankments, and all other necessary works thereon, and to lay rails, and to do all other things which may be suitable and necessary for the completion or repair of the said railroad, and to carry into full effect the objects of this act, subject to such compensation and upon such terms as is hereinafter provided for.

7. *And be it enacted*, That if the said railroad shall be lo-Regulations.
cated on any public street or highway, except for the purpose of crossing the same, in the city of Newark, the said company shall not lay any rails along said streets or highways, nor commence the work for that purpose, without first obtaining the permission of the common council of said city, upon such conditions and restrictions as the said common council may designate, to lay the same; and if the said railroad shall be located on any public highway, except for the purpose of crossing the same, in the township of Clinton, the said company shall not lay any rails along such highway, without first obtaining the consent, in writing, of the township committee, surveyors of highways and chosen freeholders of said township, or a majority of them, to lay the same, which consent shall be filed in the office of the clerk of the county of Essex; and the said railroad and the rails thereof shall be constructed in such manner and of such size and pattern as to impair as little as practicable, the ordinary travel in any street or highway in which the said road may be located.

8. *And be it enacted*, That if the said company or its agent or agents cannot agree with the owner or owners of such re-Proceedings when company and owners cannot agree.
quired land, for the use or purchase thereof; or if, by reason of the legal incapacity or absence of such owner or owners, no such agreement can be made, a particular description of the land so required for the use of the said company, in the construction of the said road, shall be given in writing under the oath or affirmation of some engineer or proper agent of the said company, and also the name or names of the occupant or occupants, if any there be, and of the owner or owners, if known, and their residence, if the same can be ascertained, to one of the judges of the inferior court of common pleas of the county of Essex, who shall cause the said corpo-

ration to give notice thereof to the persons interested, if known and in this state, or if unknown or out of this state, to make publication thereof, at he shall direct, for any term not less than ten days, and to assign a particular time and place for the appointment of the commissioners hereinafter named, at which time and place, upon satisfactory evidence to him of the service or publication of such notice as aforesaid, he shall appoint, under his hand and seal, three disinterested impartial and judicious freeholders, residents of this state, commissioners to examine and appraise the said lands, and to assess the damages, upon such notice, not less than ten days, to be given to the persons interested, or otherwise, as shall be directed by the judge making such appointment of commissioners, and it shall be the duty of said commissioners, (having first taken an oath or affirmation before some person duly authorized to administer the same, faithfully and impartially to examine the matter in question, make a true report, according to the best of their skill and understanding) to meet at the time and place appointed, and to proceed to view and examine the lands, the said commissioners, at the same time, taking into consideration all the benefits to be derived from or in consequence of said railroad, as the case may be, to the said owner or owners, and to make a just and equitable appraisement of the value of the same, and an assessment of damages to be paid by the said company; which report shall be made in writing, under the hands and seals of said commissioners, or any two of them, and filed within twenty days thereafter, together with the aforesaid description of the lands, and the appointments and oaths or affirmations aforesaid, in the clerk's office of said county, to remain of record therein; which report, or, in case of an appeal, the verdict of a jury and the judgment of the court, and a copy thereof, certified by the clerk of said county (the damages and costs assessed and adjudged being first paid as hereinafter mentioned) shall at all times be considered as plenary evidence of the right of said company to have, hold, use, occupy, possess and enjoy the said lands; and either of the judges of said court shall, on application of either party, on reasonable notice to the others, tax and allow such costs, fees and expenses to the judges of the said court, commissioners, clerks, and other persons performing any of the duties prescribed in this section, as he shall think equitable and just, and to order and direct by whom the same shall be paid.

Parties aggrieved may appeal.

9. *And be it enacted*, That in case the said company or owner or owners of the said lands shall be dissatisfied with

the report made by the said commissioners named in the preceding section of this act, the party so aggrieved may appeal to the circuit court of the said county of Essex, at the first term after filing of the said report, by proceeding in form of petition to said court, which proceeding shall vest in said circuit court full right and power to direct a proper issue for the trial of the said controversy between the said parties, and order a jury to be empanelled and sworn as in other cases, and a view of the premises to be had, if either of the parties desire it, and the issue to be tried at the next term of the said court, to be holden in said county, upon the like notice and in the same manner as other issues in the said court are tried; and it shall be the duty of the jury to assess the value of the said land and the damages sustained, and if they shall find a greater sum than the commissioners have awarded or the company have offered to the said owner or owners, then judgment thereon, with costs, shall be entered against the said company, and execution awarded thereon; and if the said appeal shall be applied for by the owner or owners, and the jury shall find the same or a less sum than the commissioners awarded or the company offered, then the said costs shall be paid by the said applicant or applicants, and either deducted out of the said sum found by the said jury or execution awarded therefor, as the said court shall direct; but such application shall not prevent the company from taking the said land, upon filing the said report; *provided*, that in no case whatever shall said company enter upon or take possession of the lands of any person or persons for the purpose of actually constructing said railroad, or of making any erections or improvements whatever, or otherwise appropriating said lands to the use of the company, until they have paid the party or parties entitled to receive the same, the amount found by the said commissioners as the value of the said lands or damages, in case the report of the commissioners is not appealed from; or if the same is appealed from, then the amount which shall be found by the jury by whom the issue shall be tried; but in case the party or parties entitled to receive the amount assessed by the commissioners, in case there shall be no appeal, or the amount found by the jury in case of an appeal, shall refuse, upon tender thereof being made, to receive the same, or shall be out of this state or under any legal disability, then payment of the amount assessed or found as aforesaid, into the circuit court of the county of Essex, shall be deemed a valid and

legal payment; and further, that the party or parties entitled to receive the amount assessed by the commissioners, may, upon tender thereof being made, receive the same without being debarred thereby from an appeal from the report of the commissioners, and it shall be lawful for said company and they are hereby authorized with their road to cross the line of any other railroad; *provided*, that the grade of the road hereby authorized, at the point or points of crossing such other railroad, shall correspond with the grade of the railroad so to be crossed, or otherwise, at such point or points, or shall be constructed a viaduct at such a height as not to interfere with the passage of the trains upon such other railroad.

Proviso.

Highway to be left in good condition.

10. *And be it enacted*, That in case the said railroad is located on or across any road or highway, the said company shall restore such road or highway to such state or condition as not to impair its usefulness.

Rate of transportation.

11. *And be it enacted*, That the president and directors of said Newark and South Orange Horse Car Railroad Company shall have power to have constructed or to purchase with the funds of the company and place and use on said railroad, cars, wagons, carriages or vehicles, for the transportation of persons or any species of property, with such motive power as they may think reasonable, expedient, or right, but that no steam power shall be used in passing on or over any public road or highway, or on said railroad; and they are hereby authorized to demand and receive such sum or sums of money for the transportation of persons and every species of property whatsoever thereon as they, from time to time, shall think reasonable and proper; *provided*, that they shall not charge more than five cents per mile for each passenger, and ten cents per ton per mile for the transportation of every species of heavy merchandize and goods, as usually weighed by the ton, in the carriages of the company, and for dry goods and packages such reasonable rates as shall be fixed by the board of directors, or six cents per ton per mile for every ton, four cents per mile for every passenger carried on said railroad in the carriages of others, and four cents per mile for every empty carriage not the property of the company; and that the road authorized by this act, shall be and is declared a public highway and free for the passage of any railroad carriage thereon, with passengers or property, upon payment of the tolls prescribed by this act; *provided always*, that the carriages so used thereon shall be of the same de-

Proviso.

Proviso.

scription in the formation of the wheels and length of axles as those used by the company, and shall be regulated as to the time of starting and running and rates of travelling by the company in the same manner as the carriages of the company are, and the said railroad and its appendages and the land over which the same shall pass, and all the works and improvements and all other property whatsoever belonging to the company and their successors, for and during the continuance of the charter; *provided, always*, that in case the said company, after the road is completed, shall abandon the same or cease to use or keep it in repair for one successive year in the city of Newark, that the charter shall be annulled so far as it affects said city of Newark, and the common council may remove the same and appropriate enough of the materials thereof to defray the expenses of such removal, and for repairing said street or streets, that then and in that case this charter shall be annulled, and the title of the land over which the said railroad is located shall be reverted in the person or persons who would have been legally entitled thereto if the said railroad had not been located; but the superstructure of the said railroad and the material of which the same are composed shall, in such case, be deemed and taken to be personal property of the company, and shall be by them removed and disposed of, within a reasonable time, to and for the use of the said company.

Proviso.

12. *And be it enacted*, That the president and directors may, within one year after the said railroad shall have been completed, declare and make such dividends of the net profits thereof among the stockholders as they may deem prudent, and shall in like manner, semi-annually thereafter, declare such dividends and pay the same to the stockholders or their legal representatives in proportion to the amount of stock held by them respectively.

Dividends.

13. *And be it enacted*, That the said company may purchase, have, hold and occupy such real estate at or near the commencement and termination of said road, and at such points along the line of said road, as may be necessary for the convenient transaction of business, not exceeding five acres in each place, and may erect and build thereupon depots, warehouses, and such other buildings and improvements as they may deem expedient for the safety of their property, and the necessary uses appertaining to their business.

May hold real estate.

14. *And be it enacted*, That if any person shall willfully or maliciously injure the said road, or any buildings, cars,

Penalty for injuring works.

vehicles, animals or works of said corporation, such person or persons shall forfeit and pay therefor, to the corporation, three times the amount of damages sustained by means of such injury, to be recovered in the name of the corporation, with costs of suit, in any court having cognizance of the same.

Tax to be paid

15. *And be it enacted*, That as soon as the said railroad is finished, the president of the said company shall file, under oath or affirmation, a statement of the amount of the costs of said railroad, including all expenses, in the office of the secretary of state, and annually thereafter, he shall, under oath or affirmation, make a statement to the legislature of this state of the proceeds and expenses of said road, immediately thereafter the said company shall pay to the treasurer of this state, a tax of one-half of one per centum on the cost of the said road, to be paid annually on the first Monday in January; *provided*, that no other tax or impost shall be levied or raised from said corporation by virtue of any law of this state.

Proviso.

May borrow money.

16. *And be it enacted*, That the said corporation shall have power to borrow such sum or sums of money from time to time, as shall be necessary to build construct or repair said road, and furnish the company with all necessary rails, buildings, cars, vehicles, and animals for the use and object of said corporation, and to secure the repayment thereof, by bond and mortgage or otherwise, on the said road, land, franchises and appurtenances of, or belonging to the said corporation, at a rate of interest not exceeding seven per centum per annum; *provided however*, that the said company shall not plead the statute of usury in consequence thereof.

Proviso

May make contracts.

17. *And be it enacted*, That it shall be lawful for the said corporation, at any time during the continuance of its charter, to make contracts and engagements with any other company or corporation or with individuals, for operating said railroad, for transporting or conveying any kind of goods, produce, merchandize, freight or passengers, and to enforce the fulfillment of such contracts, and also to demand and receive for the transportation of all passengers and freight by them carried and transported over the road of any other company, the same rates of fare and tolls as the said company are entitled to demand and receive by virtue of this act, for transportation and passage over their own road.

Limitation.

18. *And be it enacted*, That if the said railroad is not completed and in use within three years from the fourth of July next, then and in that case this act shall be void.

19. *And be it enacted*, That the said company shall have Connection. power to connect with the Newark and Orange Horse Railroad Company upon such terms and conditions as shall be agreed on between them, and not inconsistent with their respective charters.

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

Approved April 6, 1865.

CHAPTER DIV.

A Further Supplement to the act entitled "An act to fix the salaries of the officers of the Senate and General Assembly of the State of New Jersey."

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That there shall be paid to the secretary of the senate and the clerk of the house of assembly, the sum of four hundred dollars, in addition to the present compensation allowed by law; to the assistant secretary of the senate and assistant clerk of the house of assembly, the sum of four hundred dollars, in addition to the present compensation allowed by law; to the engrossing clerks of the house of assembly and senate, the sum of four hundred dollars, in addition to the present compensation allowed by law; to the sergeant-at-arms of the senate and house of assembly, the sum of one hundred dollars, in addition to the present compensation allowed by law; to each of the pages of the senate and house of assembly, the sum of fifty dollars, in addition to the compensation allowed by law. Compensation to certain officers.

2. *And be it enacted*, That this act shall apply only to the officers of the present senate and house of assembly. Limitation.

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

Approved April 6, 1865.

CHAPTER DV.

An Act to incorporate the Orange Water Company.

Names of cor-
porators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That John L. Blake, Charles A. Lighthipe, William H. Vermilye, Stephen W. Tichenor, William Pierson, Junior, and Isaac J. Everitt, and such other persons as may hereafter be associated with them, shall be and are hereby ordained, constituted and declared to be a body politic and corporate in fact and in name, by the name of "The Orange Water Company;" and by that name shall have continual succession.

Amount of
capital stock.

2. *And be it enacted*, That the capital stock of said company shall be one hundred thousand dollars, with the privilege of increasing the same to three hundred thousand dollars, as hereinafter provided; which stock shall be divided into shares of fifty dollars each, and be deemed personal property, and be transferable in such manner as the corporation by their by-laws shall direct; and that in any election or meeting of the stockholders, each stockholder shall be entitled, either in person or by proxy, to one vote for each share of stock actually held by him fifteen days before such election or meeting.

Commission-
ers to receive
subscriptions.

3. *And be it enacted*, That the above named persons, or a majority of them, shall be commissioners to open books and to receive subscriptions to the said capital stock, at such time or times, and place or places, in the county of Essex, as they, or a majority of them shall appoint, by at least fifteen days' previous notice given in one or more of the newspapers published in said county; that, at the time of subscribing, ten per cent. of the par value of each share of stock shall be paid to said commissioners; and that as soon as one hundred shares of said stock shall be subscribed for as aforesaid, the said commissioners, or a majority of them, shall, in like manner, appoint a meeting of the stockholders to be held at some place in said county; and that, at such meeting, the said stockholders shall, by ballot, elect seven of their own number, being residents of said state of New Jersey, to be the directors of the said company until the next annual election; that the said commissioners, or a majority of them, shall be the inspectors of the said first election, and shall

Election of di-
rectors.

certify under their hands the names of the directors so elected, and shall appoint the time and place of the first meeting of said directors, and shall deliver unto such directors, or a majority of them, when so met, the subscription books, together with the moneys already paid in on account of such subscription, after deducting their own expenses and a reasonable compensation for their services; and that thereupon, all the powers of such commissioners shall cease.

4. *And be it enacted*, That the annual election for directors shall be held on the second Monday in January, at such time and place in said county as the board of directors may previously appoint, by at least seven days' notice given in a newspaper as aforesaid, and shall be held by three inspectors, not being candidates at such election, to be appointed by said directors; and that, in such election, the polls shall continue open for at least one hour, and the voting shall be by ballot; and that such directors shall serve for one year, and until others are elected in their stead; and if it shall so happen that an election for directors shall not take place on the day herein appointed for the purpose, the corporation shall not be deemed to be dissolved, but the directors for the time being shall appoint a future day for such election, giving the same notice thereof as is hereinbefore required.

5. *And be it enacted*, That four of said directors shall constitute a quorum for the transaction of business; and that at their first meeting after any election, they shall choose a president from their own number; and in case of the death or resignation of such president, or any other member of their board, the remaining members of the said board shall have power to fill the vacancy or vacancies until the next annual election; and that they may from time to time appoint and remove a secretary and treasurer and other necessary officers or agents, and determine their compensation, and require of them security for the faithful performance of their duties; and that they may make, alter and repeal by-laws and rules for their own government, and the government of their officers and servants and the management of their business and affairs, and for regulating and controlling the use of water which may be furnished by them as hereinafter provided; and that they shall have power to call in the remainder of the stock subscribed for by installments not exceeding five dollars upon each share, and payable not less than thirty days apart, by giving at least thirty days previous notice thereof in a newspaper as aforesaid; and they shall have power to forfeit any

Annual election.

Duties and powers of directors.

share or shares upon which default may be made in the payment of any balance due thereon, at the times and in the manner so appointed; such forfeiture to include all previous payments made thereon, and to be for the use and benefit of the corporation; and that the said directors shall have power, in their discretion, from time to time, to increase the capital stock to any amount not exceeding three hundred thousand dollars, to be paid by installments and in the manner hereinbefore provided for the original capital, and subject to the like forfeiture; and that whenever a subscription to said additional stock shall be authorized by the board of directors, the stockholders for the time being shall be first entitled to subscribe for said stock in a ratable proportion of the stock then held by them.

Objects of corporation.

6. *And be it enacted*, That the object of said corporation is hereby declared to be the procuring of a supply of good and wholesome water for the use of the people of Orange and its vicinity, in the county of Essex; and that, to this end, the said company are hereby authorized and empowered to purchase, take, hold, enjoy, convey and dispose of all such real and personal estate as may be necessary therefor, or which may be taken in the payment of debts, and to secure the right to use, divert and appropriate any springs, streams or ponds of water in the county of Essex, and to contract with other parties or corporations for such supply of water, and to construct and maintain reservoirs, wells, aqueducts, buildings, machinery and apparatus of every kind that may be necessary or useful for such purpose; and that it shall at all times be lawful for the officers, agents, servants and employees of said company to enter upon any lands and real estate in said county of Essex, and survey, excavate and bore for water, and examine the quality thereof, and locate all and singular such reservoirs, wells, aqueducts, buildings, machinery and apparatus, and all other necessary works and appendages to the same, doing no unnecessary damage to private or other property, and to lay down, examine, take up, replace and repair pipes and other conduits beneath the streets, alleys, lanes and other places of Orange and its vicinity, and to place hydrants and fire-plugs in such streets, alleys, lanes and places free of all charge, and to tap the main pipes, and insert, repair and remove branch pipes, as to said company may seem advisable; *provided*, that public travel shall at no time be unnecessarily impeded, and that, after the completion of any such work, the said streets,

Proviso.

alleys, lanes and places shall be left in as good condition as the same were in before the commencement of such work.

7. *And be it enacted*, That if it shall become necessary, in the opinion of said directors, to lay pipes through any private lands in said county of Essex, or if any such private lands shall be required for erecting reservoirs or other works thereon, and no agreement can be made with the owner or owners thereof as to the amount of compensation to be paid therefor, by reason of the unwillingness of said owners, or any of them, to accept such compensation as said directors may deem reasonable, or by reason of the absence or legal incapacity of said owners, or any of them, or for any other cause, it shall be the duty of either of the judges of the court of common pleas of the county in which said lands lie, upon application to him by said directors, and after thirty days' previous notice in writing of such application to the persons interested, if known to said directors and in this state, or if unknown or out of the state, after publication thereof for any term not less than thirty days in a newspaper published in said county to appoint three disinterested appraisers from the said county, to determine the compensation to be paid to the several owners, for the laying of said pipes through said lands or the price to be paid for such lands, as the case may be; and it shall be the duty of said appraisers, or a majority of them (after having taken an oath or affirmation faithfully and impartially to discharge the trusts herein reposed in them, and after having carefully viewed the premises), within twenty days after their appointment, to deliver to said directors a written appraisalment under the hands and seals of them, or a majority of them, of the award which they shall have made, containing a general description of the lands through which the pipes are to be laid, or the lands required for the erection of reservoirs or other works as aforesaid, which appraisalment the directors shall cause to be recorded in the registry of deeds for the county in which said lands lie, as the case may require; and upon payment or tender by the said directors to such owner or owners, as aforesaid, or some one of them, of the sum or sums awarded in such appraisalment, if any, then the said directors shall have the right to lay said pipes through the lands aforesaid, or the said directors shall be deemed to be seized in fee simple of the lands required for the erection of the said reservoirs or other works as aforesaid; and in case any owner or owners of such land shall be feme covert, under age, non compos mentis, or out of this state, then and

Proceedings in
case of dis-
agreement.

in that case it shall be sufficient for said directors to pay the amount which may have been appraised as aforesaid into the court of common pleas of said county in which said lands lie, as the case may require, for the use of the party or parties entitled to the same; the costs of all which proceedings shall be taxed by some one of the judges of the court of common pleas of the said county, and paid by the said directors; and that a copy of said award, certified by the clerk or register of said county, shall at all times be considered as plenary evidence of the right of the said company to have, hold, use, occupy, possess, enjoy and convey the lands so described.

Parties dissatisfied may appeal.

8. *And be it enacted*, That in case the directors, or any owner or owners of the said lands, shall be dissatisfied with the award of the appraisers named in the preceding section, or any part of such award, and shall appeal to the judge of the circuit court of the county in which said lands lie, at the next term of said court after the filing of the said award, the said circuit court shall have power, upon good cause shown, to set the said award, or any part thereof, aside, and thereupon to direct a proper issue for the trial of the said controversy to be formed between the said parties, and to order a jury to be struck, and a view of the premises to be had, and the said issue to be tried at the next circuit court to be holden in said county, upon the like notice, and in the same manner as other issues in said court are tried; and it shall be the duty of the jury to assess the value of said land, or the damages sustained, and if they shall find a greater sum than the said appraisers shall have awarded in favor of the said owner or owners, then judgment therefor, with costs, shall be entered against said company, and execution awarded therefor; but if the jury shall be applied for by the said owner or owners, and shall find the same or a less sum than the directors shall have offered, or the said appraisers awarded, then the said costs shall be paid by the appellant or appellants, and be deducted out of the said sum found by the said jury, or be collected upon execution, as the court shall direct; but such appeal shall not prevent the directors from taking said lands, or laying pipes through said lands, upon the award of the appraiser, the value or damages being first paid or tendered as aforesaid.

May enter upon lands.

9. *And be it enacted*, That whenever it shall become necessary to make any repairs or alterations in any pipes or works of said company, which may be laid or built in or through any private lands, or to examine the same, it shall be lawful

for the said directors, with their workmen and agents, and with necessary vehicles, tools and implements, to enter upon said lands and make the necessary examination, repairs and alterations, doing no unnecessary damage; *provided always*, Proviso. that nothing in this section contained, shall be so construed as to protect the said company or their workmen or agents, from any action that may be brought against them by the owner or owners of said lands for any damages which they may willfully or wrongfully do.

10. *And be it enacted*, That the directors of said company and their officers, agents and employees, are hereby authorized and directed, at all reasonable hours, to enter any dwelling or other place where the water of said company is taken or used, and where unnecessary waste thereof is known or suspected, and examine and inquire into the cause thereof; and the said directors, officers, agents and employees, shall have full power to examine all service pipes, stopcocks and other apparatus connected with the water supply or drainage works, for the purpose of ascertaining whether the same are of the character and dimensions, and fixed in the manner directed in the permits issued therefor; and if any person or persons shall refuse to permit such examinations, or oppose or obstruct such director, officer, agent or employees in performance of such duty, he, she, or they so offending shall be liable to such penalty, not exceeding ten dollars for each offence, as may be imposed by any justice of the peace of the said county of Essex, before whom complaint may be made, by and in the name of said company, and the supply of water may also be shut off until the required examination is made, and such alterations and repairs as may be found necessary shall be completed. Powers of directors.

11. *And be it enacted*, That if any person shall willfully do or cause to be done, any act or acts whatsoever to injure any engine, machine, reservoir, pipe, fire-plug, hydrant, or structure whatsoever, or anything appertaining to the works of said company, or whereby the same may be obstructed, stopped, or injured, or shall willfully or maliciously draw off or waste the water from any fire-plug or hydrant, the person so offending shall be deemed guilty of a misdemeanor, and, being thereof convicted, shall be punished by a fine not exceeding five hundred dollars, or imprisonment in the county jail not exceeding six months, or both; *provided*, such criminal prosecution shall not in any wise impair the right of action for damages by a civil suit; and the said corporation are hereby Penalty for injuring property. Proviso.

authorized to bring an action and recover for damages by a civil suit for any such injury aforesaid, by and in the name of said corporation, in any court in this state having cognizance of the same.

Penalty for
polluting or
adulterating
water.

12. *And be it enacted*, That if any person or persons shall willfully pollute or adulterate the waters in any reservoir, aqueduct, conduit, or race-way erected, built, or laid down under the provisions of this act, every person so offending shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding five hundred dollars, or by imprisonment not exceeding three years, or both, at the discretion of the court before whom such conviction shall be had.

May rent
water.

13. *And be it enacted*, That the company may sell and dispose of the water so procured by them, upon such conditions, and for such rents, as they may from time to time prescribe; and that such rents shall draw interest at the rate of seven per cent. per annum from and after the times when they shall become due.

Books of ac-
count to be
kept.

14. *And be it enacted*, That the president and directors of said company shall declare and make such dividends as they may deem prudent and proper from time to time, out of the net profits of their business; and the said corporation shall cause to be kept at their office proper books of account, in which shall be truly and fairly entered all the transactions of the company, which books shall be at all times open within the usual hours of business for the inspection of the stockholders.

May borrow
money.

15. *And be it enacted*, That the said company shall have power to borrow such sum or sums of money from time to time, as shall be necessary to build, construct, lay down, or repair said water-works, fixtures, pipes, and apparatus, and furnish said company with all necessary engines and machinery for the uses and objects of the said company, and to secure the payment thereof by bond and mortgage, or otherwise, on the said water-works, engines, machinery, pipes and fixtures and appurtenances of or belonging to said company, at a rate of interest not exceeding seven per cent. per annum; *provided*, that it shall not be lawful for said company to plead any statute or statutes of this state against usury in any suit in law or equity instituted to enforce the payment of any bond or mortgage executed under this section.

Proviso.

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

Approved April 6, 1865.

CHAPTER DVI.

A Supplement to the act entitled "An act to facilitate judicial proceedings in the county of Hudson," approved March twenty-second, eighteen hundred and sixty, extending said act to the county of Passaic.

WHEREAS, owing to the rapid growth of the city of Paterson, ^{Preamble.} the duties of grand jurors are becoming more onerous, and their sessions more protracted; and whereas, the administration of criminal law in the county of Passaic would be facilitated by a law authorizing the appointment of a clerk of the grand jury, with prescribed duties similar to what has been provided most beneficially for the county of Hudson; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Provisions of act extended.} *the State of New Jersey,* That the provisions of the act entitled "An act to facilitate judicial proceedings in the county of Hudson," approved the twenty-second day of March, eighteen hundred and sixty, be, and the same are hereby extended and declared to be in full force and operation in the county of Passaic; and the court of oyer and terminer and general jail delivery of Passaic county, the board of chosen freeholders of said county, and all other officers in said act specified, shall have like powers and perform like duties under the said act, in said county of Passaic, as though they were herein enacted and recited in full length.

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

Approved April 6, 1865.

CHAPTER DVII.

An Act to authorize "The Trustees of the Second Reformed Dutch Church of Totowa, at Paterson," to assess the pews therein.

Taxes to be assessed on pews.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the trustees of "The Second Reformed Dutch Church of Totowa, at Paterson," be and they are hereby authorized and empowered to assess, from time to time, such sums of money as a tax or rent upon the pews in the said church, as may be necessary to support the preaching of the gospel therein, and to defray the annual current expenses of the congregation; which tax or rent may be made payable, and may be collected in such manner and at such times as the said trustees by their by-laws or by resolution may order and direct; and in default of the payment of the tax or rent so assessed as aforesaid, upon any pew or pews for the space of one year, then it may be lawful for the said trustees to sell the same for the shortest period of time, not exceeding one year at any one time, in consideration of the payment of the tax or rent so due and in arrear thereon.

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

Approved April 6, 1865.

CHAPTER DVIII.

Further Supplement to "An act to incorporate the New Brunswick Water Company," approved March first, eighteen hundred and fifty-nine.

Additional powers of directors.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said "The New Brunswick Water Company," in addition to the powers granted to them in and by the third section of the act to which this is a sup-

plement, shall when organized according to the provisions of the said act to which this act is a supplement, have power to take, divert and use from the Raritan river, at any point within the distance of three miles northwesterly from the railroad bridge at the city of New Brunswick, so much of the water of the said river as may be necessary for the purposes contemplated by the said act to which this act is a supplement; and also, for the said purposes, the said company are hereby authorized and empowered to construct, repair and maintain, a dam across the said Raritan river, within the limits aforesaid, with necessary abutments at the ends thereof; and to keep up, repair and maintain such abutments; *provided*, that the height of the dam be not above five feet above high water mark.

2. *And be it enacted*, That the president and directors of the said company be, and they are hereby authorized and invested with all the rights and powers necessary and expedient to survey and lay out the site for the said dam and abutments, and for one or more reservoirs, drains, ditches, conduits, aqueducts, canals, pipes, hydrants, fountains, water-wheels, pumps, engines, and all other works and devices which they may deem necessary for supplying the city of New Brunswick with water sufficient for extinguishing fires, culinary and other family uses, watering the streets, and all such other purposes as may conduce to the health and comfort of the citizens; and it shall be lawful for the said president and directors, or others in their employ, to enter at all times upon all lands or waters in the counties of Middlesex or Somerset, and survey and locate, all and singular the dam, abutments, reservoirs, drains, ditches, aqueducts, conduits, canals, pipes, hydrants, fountains, water wheels, pumps, engines and buildings, and all other necessary works and appendages thereto, doing no unnecessary damage to private and other property; and it shall and may be lawful for the said company, by its officers, agents, engineers, superintendents, contractors, workmen, and other persons in their employ, to enter upon, take possession of, hold, have, use, occupy, erect and excavate their dam, abutments, reservoirs, drains, ditches, conduits, aqueducts, canals, hydrants, fountains, water-wheels, pumps, engines, buildings, lay their pipes and all necessary appendages thereto, and do all other things which shall be suitable or necessary for completing the works hereby contemplated, making compensation for the lands necessary for the use thereof, as hereinafter mentioned.

Authorized to
survey and lay
out site for re-
servoirs, &c.

Proceedings
when compa-
ny and owners
cannot agree.

3. *And be it enacted*, That in all cases, when it shall be necessary, in the opinion of the president and directors of the said company, to lay pipes through any private lands, or the lands of any corporation, in the county of Somerset or the county of Middlesex, and in all cases where any private lands, or the lands of any corporation, (whether such lands shall be covered with water or not,) shall be required for the purpose of erecting or constructing any dam, abutment, reservoir, conduit, aqueduct, fountain, water-wheel, pump, engine or building, or for the purpose of digging any drain, ditch, canal, or any other necessary work for the purposes of the said company or appendages to said work, and in all cases where it shall be necessary to flood or flow the land of any individual or individuals, or corporation, in the construction of the said dam, and no agreement can be made with the owner or owners of such land as to the amount of compensation to be paid for the laying of the said pipes through the said lands, or for the flooding or flowing the said lands, or for the price of the said lands, as the case may be, by reason of the unwillingness of the said owner or owners, or any of them, to accept such compensation or price as the said president and directors may deem reasonable, or by reason of the absence or legal incapacity of said owners or any of them, it shall be the duty of either of the judges of the court of common pleas of the county of Middlesex, upon application to him by the said president and directors, and after ten days previous notice in writing of such application to the persons interested, if known and in this state, or if unknown or out of the state, after publication thereof for any term not less than twenty days, in the newspapers published in the said city of New Brunswick, to appoint three disinterested appraisers from the county of Middlesex, to determine the compensation to be paid for the laying of said pipes through the said lands, or for flowing or flooding the said lands, or the price to be paid for such lands, as the case may be, and it shall be the duty of said appraisers (after having taken an oath or affirmation faithfully and impartially to discharge the trusts herein reposed in them, and after having carefully viewed the premises) within twenty days after their appointment, to deliver to the said president and directors a written appraisement, under the hands and seals of them, or a majority of them, of the award they have made, containing a full description of the lands through which the pipes are to be laid, or the lands which are to be flowed or flooded, or of

the lands required for the erection of the said dam, abutments, reservoirs, conduits, buildings, or other works aforesaid, which appraisement the said president and directors shall cause to be recorded in the registry of deeds for the county of Middlesex or Somerset, or both, as the case may require; and upon payment or tender by the said president and directors to such owner or owners as aforesaid, or some one of them, of the sum awarded in such appraisement, if any, then the said president and directors shall have the right to lay said pipe through the lands aforesaid, or to flood or flow the lands aforesaid; or the said president and directors shall be deemed seized in fee simple of the lands required for the erection of the said dam, abutments, reservoirs, conduits, buildings, or other works as aforesaid; and in case any owner or owners of such lands shall be feme covert, under age, non compos mentis, or out of this state, then and in that case it shall be sufficient for said president and directors to pay the amount which may have been appraised as aforesaid to the clerk of the county of Somerset, or to the clerk of the county of Middlesex, as the case may require, for the use of the party or parties entitled to the same; the costs of all which proceedings shall be taxed by some one of the judges of the court of common pleas of the said county of Middlesex, and paid by the said president and directors.

4. *And be it enacted*, That in case the president and directors, or the owner or owners of the said land, shall be dissatisfied with the award of the appraisers named in the preceding section, and shall apply to the judge of the circuit court of the county of Middlesex or Somerset, as the case may require, at the next term of said court after filing of the said award, the said court to which application may be made, shall have the power, upon good cause shown, to set the same aside, and thereupon direct a proper issue for the trial of the said controversy to be formed between the said parties, and to order a jury to be struck, and view of the premises to be had; and the said issue to be tried at the next circuit court, to be holden in said county, upon the like notice, and in the same manner as other issues in said court are tried; and it shall be the duty of the jury to assess the value of said land or damages sustained, and if they shall find a greater sum than the said appraisers shall have awarded in favor of the said owner or owners, then judgment therefor, with costs, shall be entered against said company, and execution awarded therefor; but if said jury be applied for by

Proceedings if
parties are
dissatisfied.

the said owner or owners and shall find the same or a less sum than the president or directors shall have offered, or the said appraisers awarded, then the costs to be paid by the applicant or applicants, and either deducted out of the said sum found by the said jury or execution awarded therefor, as the court shall direct; but such application shall not prevent the president and directors taking or laying pipe through said lands upon the award of the appraisers, the value or damages being first paid, or upon refusal to receive the same upon the tender thereof, or the owner or owners thereof being under any legal disability or out of this state, the same being first paid to the county clerk as hereinbefore directed.

May enter on lands to make repairs.

5. *And be it enacted*, That whenever it shall become necessary to make any repairs or alterations in any pipes which may be laid through any private lands, it shall be lawful for the said president and directors, with their workmen and agents, and with necessary vehicles, tools and implements, to enter upon said lands and make the necessary repairs and alterations, doing no unnecessary damage; *provided always*, that nothing in this section contained shall be so construed as to protect the said company or their workmen or agents from any action that may be brought against them by the owner or owners of said lands for any damage which they may willfully or wrongfully do.

Proviso.

Penalty for polluting or adulterating waters.

6. *And be it enacted*, That if any person or persons shall willfully pollute or adulterate the waters in any reservoir, aqueduct, conduit, canal or raceway, or flowing into or through any part of the works erected, built or laid down under the provisions of this act, or of the act to which this act is a supplement, or shall commit any nuisance, or bathe in any of the said waters, every person so offending shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by fine not exceeding five hundred dollars, or by imprisonment not exceeding three years, or both, at the discretion of the court before whom such conviction shall be had.

May enter dwellings to make repairs.

7. *And be it enacted*, That the president and directors of the said company and all engineers, superintendents or inspectors in their service, are hereby authorized and directed, at all reasonable hours, to enter any dwelling or other place where the water of the said company is taken or used, and where unnecessary waste thereof is known or suspected, and examine into the cause thereof, and the said president and

directors, engineers, superintendents and inspectors shall have full power to examine all service-pipes, stop-cocks and all other apparatus connected with the water supply or drainage works, for the purpose of ascertaining whether the same are of the character and dimensions and fixed in the manner directed in the permits issued therefor, and if any person or persons shall refuse to permit such examination, or oppose or obstruct such officer in the performance of such duty, or if any unnecessary waste shall be found or ascertained, or such works shall not prove satisfactory on examination, it may be lawful for the said president and directors to shut off the supply of water until the same shall be adjusted to their satisfaction.

8. *And be it enacted*, That the fifth, sixth and seventh sections of the act to which this act is a supplement, be and the same are hereby repealed, and that the said act to which this act is a supplement, and all supplements thereto, be and the same are in all other respects hereby ratified and confirmed. Repealer.

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

Approved April 6, 1865.

CHAPTER DIX.

An Act making an appropriation in aid of the "Soldiers' Children's Home of New Jersey."

WHEREAS, the managers of "The Soldiers' Children's Home" have decided to locate the home for homeless orphan children of New Jersey soldiers in the city of Trenton; therefore, Preamble.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the treasurer shall pay, according to law, out of any moneys not otherwise appropriated, to the managers of "The Soldiers' Children's Home," the sum of five thousand dollars, towards sustaining the home, from time to time, during the year eighteen hundred and sixty-five, as the governor shall deem expedient. Appropriation of five thousand dollars.

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

Approved April 6, 1865.

CHAPTER DX.

An Act for the relief of the commissioners appointed by the act entitled "An act to authorize commissioners to dig a ditch from some point on the Passaic River at or near Pine Brook, in a direct course, or as near as may be, to some point on the said river at or near the mouth of Deepavaal Brook, in the county of Essex, for the purpose of draining the flowed lands on the said river and its tributaries, and to relieve the people in the vicinity thereof of sickness and diseases caused thereby," approved March eleventh, eighteen hundred and fifty-eight.

Preamble.

WHEREAS, Henry Hillard, William Kitchell and Joseph Booth, the commissioners named in, and appointed by the first section of the act above mentioned, in pursuance of and in obedience to the request and command of the legislature of this state, contained in the act above mentioned, in the spring of the year eighteen hundred and fifty-eight, entered upon the performance of the duties imposed upon and required of them in and by the said act, and continued in the performance of those duties during a considerable portion of that spring and summer, and until they were stopped by an injunction issued from the court of chancery of this state; and whereas, the services of the said commissioners, and the moneys which they necessarily expended and became liable for in the performance of said duties amounted to the sum of eleven hundred and seven dollars and twelve cents, of which there was due on the first day of October, eighteen hundred and fifty-nine, to Henry Hillard, the sum of two hundred and eighty-one dollars and seventy-five cents, to William Kitchell the sum of three hundred and ninety-one dollars and eighty-nine cents, and to Joseph Booth the sum of two hundred and seventy-six dollars and seventy-three cents, and to other persons the sum of one hundred and fifty-six dollars and seventy-five cents; and whereas, the said commissioners are not only prevented from continuing the work by said act required to be done by them by injunction from the court of chancery at the suit of Abraham C. Van Duyne and others, but the collection of the assessment made by them pursuant to said act to defray the expenses of their work was,

and has been prohibited by some restraining writ issued from the supreme court of this state, and said suits remain undetermined, the said commissioners not feeling required to defend and pursue said suits at their own expense; and whereas, it is just and reasonable that said commissioners should be paid for their said services and reimbursed the moneys which they advanced and necessarily expended in the performance of their said duties; and whereas, the said William Kitchell has died since the year eighteen hundred and fifty-nine, leaving surviving his widow, Martha Kitchell; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Treasurer to pay moneys.} *the State of New Jersey,* That the treasurer of this state do pay, on or before the first day of May next, out of any money in the treasury not otherwise appropriated, to the widow of the said William Kitchell, the said sum of three hundred and ninety-one dollars and eighty-nine cents; to the said Henry Hillard the said sum of two hundred and eighty-one dollars and seventy-five cents; to the said Joseph Booth the said sum of two hundred and seventy-six dollars and seventy-three cents, and to the said Henry Hillard and Joseph Booth the said sum of one hundred and fifty-six dollars and seventy-five cents; and the treasurer of the state, at the same time shall also pay interest on the said several sums to the persons so as aforesaid respectively entitled to receive the same; the interest to be computed from the first day of October, eighteen hundred and fifty-nine, until the said several sums shall be paid.

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

Approved April 6, 1865.

CHAPTER DXI.

An Act to authorize the township committee of the township of Washington, in the county of Morris, to raise money for war purposes, under the call of the president of the United States, December nineteenth, eighteen hundred and sixty-four, for troops.

May issue
bonds.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the township committee of the township of Washington, in the county of Morris, to issue and deliver to each person who has been drafted to serve under said call, or who has been or shall be drafted to fill the same, or who may have furnished a substitute and had him credited to the township under the said call, a bond or scrip for said township for four hundred and fifty dollars, payable in three equal payments to wit: on or before the first day of January, eighteen hundred and sixty-seven, sixty-eight and sixty-nine, with interest from the date thereof, payable annually, which said obligations shall be delivered to said drafted men when they shall be mustered into the service of the United States, or furnish a substitute to fill said quota, and shall be valid obligations of the said township and binding upon all the inhabitants thereof in their corporate capacity.

Money to be
raised by tax.

2. *And be it enacted*, That the assessor and collector of said township shall, in the year of our Lord one thousand eight hundred and sixty-six, assess and collect the amount, in money, of said bonds or scrip, and the interest which shall accrue thereon, at the same time that county and township taxes are assessed and collected in said township, upon and against the persons and property therein, in the following manner, namely: first, that a poll tax of two dollars shall be assessed and collected against each person who is of the age of twenty-one years and upwards, in said township; second, that the balance of said amount shall be assessed and collected upon and against the real and personal estate subject to taxation in said township, in the same manner and proportions as township and county taxes are then assessed therein.

Proceeds, how
applied.

3. *And be it enacted*, That said taxes and money, when collected, shall be applied to the payment and discharge of said obligations.

4. *And be it enacted*, That in case there shall hereafter be any other call for men to serve in the army or navy of the United States, with an order to draft them for either of those purposes issued by the president of the United States, it shall be lawful for the inhabitants of the said township of Washington, when convened in town meeting, legally called, to raise money on the credit and in the name of the inhabitants of the township of Washington, in the county of Morris, by ordering bonds or scrip to be issued in the corporate name of said township, and to be sold or otherwise converted into money at par, and to order the assessment of taxes to pay the interest and principal of the bonds or scrip so ordered to be issued, the said bonds or scrip to be in such sums and payable at such time or times as the said inhabitants at such town meeting shall determine and order, and to use the moneys thus raised to pay drafted men or who shall put in a substitute, for the period of service of one year, to fill the quota of men assigned to said township, but in no case shall such town meeting authorize a greater compensation than four hundred and fifty dollars to any drafted man or substitute or volunteer.

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

Approved April 6, 1865.

CHAPTER DXII.

Further Supplement to an act entitled "An act to provide for the publication of the public laws of this state," approved February sixteenth, eighteen hundred and fifty-four.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the public laws enacted at each session of the legislature, which are now required, by the act to which this is a supplement, to be published in two papers in each county, shall be published in all of the newspapers printed in this state which shall have been regularly published for the term of one year or more; *provided*, that where daily and weekly newspapers are issued from the same establishment the laws shall be published in one edition only.

Future calls provided for.

Publication of laws regulated

Proviso.

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

Approved April 6, 1865.

CHAPTER DXIII.

A Supplement to an act entitled "An act to authorize the inhabitants of the township of Sparta, in the county of Sussex, to raise money, by tax, expended for procuring substitutes, and paid as commutation money, by reason of the draft that was enforced upon the said township in June and October last," approved February twenty-two, eighteen hundred and sixty-five.

Money to be
raised by tax.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the inhabitants of the township of Sparta be and they are hereby authorized to raise by an assessment and poll tax of five dollars on each male taxable inhabitant of said township, and by an assessment and tax on the taxable property in said township, for the purpose of refunding the money paid by the township to drafted men to fill the quota of the township on the last call of the president for three hundred thousand men; the money raised is to be four hundred dollars with the interest on the same until paid for each drafted man that may enter the service or furnish a substitute to fill the quota of the township, and is to be raised in the year eighteen hundred and sixty-six, agreeable with the provisions of the act to which this is a supplement.

Approved April 6, 1865.

CHAPTER DXIV.

A Supplement to an act entitled "An act to incorporate the Chosen Freeholders of the several counties of this state," approved April sixteenth, eighteen hundred and forty-six.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the account required to be published by the forty-third section of the act to which this is a supplement shall embrace a detailed statement of all the expenditures of said boards for the preceding year, including every description of expenditure by items, the amount claimed and the amount allowed in each instance, for what purpose, by whom ordered, and to whom paid; also, a full statement of all moneys paid on account of matters incident to the war, for bounties to volunteers, substitutes, or drafted men, and to whom paid, including discounts or commissions allowed to any person or corporation for negotiating the sale of bonds, notes, or other obligations issued by said boards.

Statement of accounts, what to embrace.

2. *And be it enacted*, That it shall be the duty of the clerk of the board to make out and cause such annual statement to be published in the newspapers printed in the county, within thirty days after the annual meeting of the board, and for every neglect so to do such clerk shall be deemed guilty of a misdemeanor, and shall on conviction thereof be punished by a fine not exceeding fifty dollars.

Duties of clerk

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

Approved April 6, 1865.

JOINT RESOLUTIONS.

NUMBER I.

Relative to the Senate Journal.

WHEREAS, the printing of the senate journal for eighteen hundred and sixty-four was awarded to Louis C. Vogt; and whereas, the office wherein the work was performed became involved in legal difficulties; and whereas, an injunction from the high court of chancery stopped the work; and whereas, when completed, the time set forth and allowed by law for the delivery of the same had expired; and whereas, the state treasurer, in the performance of his duties, very rightly expressed his unwillingness to receive such work, when not completed within the time required by law; and whereas, it now remains at the book-bindery in this city; and whereas, said journal should now be upon the desks of senators and members; therefore,

1. BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey*, That the state treasurer be, and hereby is authorized to receive said journal, the same as if completed within the time when required by law, and that copies be placed upon the desks of members and senators, without delay.

Preamble.

Treasurer authorized to receive journal of senate.

Approved February 20, 1865.

NUMBER II.

In relation to the State Treasurer's signature on the coupons or interest warrants on bonds issued by the State of New Jersey.

Preamble.

WHEREAS, by a provision of the act entitled "An act authorizing a loan for the purposes of war, to repel invasion and suppress insurrection, and appropriating the same, and providing for the payment thereof," approved May tenth, eighteen hundred and sixty-one, it is required that the interest warrants attached to the bonds of the state shall be signed by the treasurer; therefore,

Signature to be imprinted.

1. BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey*, That the state treasurer shall be and is hereby authorized to cause his signature to be imprinted upon all interest warrants which may hereafter be attached to the bonds of the state.

Approved March 9, 1865.

 NUMBER III.

Relative to the Soldiers' National Cemetery at Gettysburg.

Preamble.

WHEREAS, by a joint resolution, approved April eighth, one thousand eight hundred and sixty-four, the governor of this state was authorized to pay, by his warrant, out of the war fund, a sum not exceeding three thousand dollars for the purpose of defraying New Jersey's share of the expense of removing and re-interring the bodies of New Jersey soldiers who died on the battle-field near Gettysburg, and of finishing and keeping in repair the cemetery, and erecting a monument; and whereas, it will be necessary to make further expenditures of money for the purposes aforesaid; therefore,

Treasurer to pay money.

1. BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey*, That there shall be paid by the

treasurer of this state out of the war fund, on warrant according to law, all necessary expenses which may hereafter be incurred for the purposes expressed in the preamble to these resolutions; *provided*, the whole amount expended under this appropriation shall not exceed the sum of three thousand dollars. Proviso.

Approved April 5, 1865.

NUMBER IV.

Relative to the payment of the salary of E. B. Dayton Ogden, deceased, late associate justice of the supreme court of this state.

1. BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey*, That the treasurer of this state be authorized and directed to pay to the legal representatives of E. B. Dayton Ogden, deceased, late associate justice of the supreme court of this state, the salary to which he would have been entitled as such associate justice on the fourth day of August next. Treasurer to pay money.

Approved April 6, 1865.

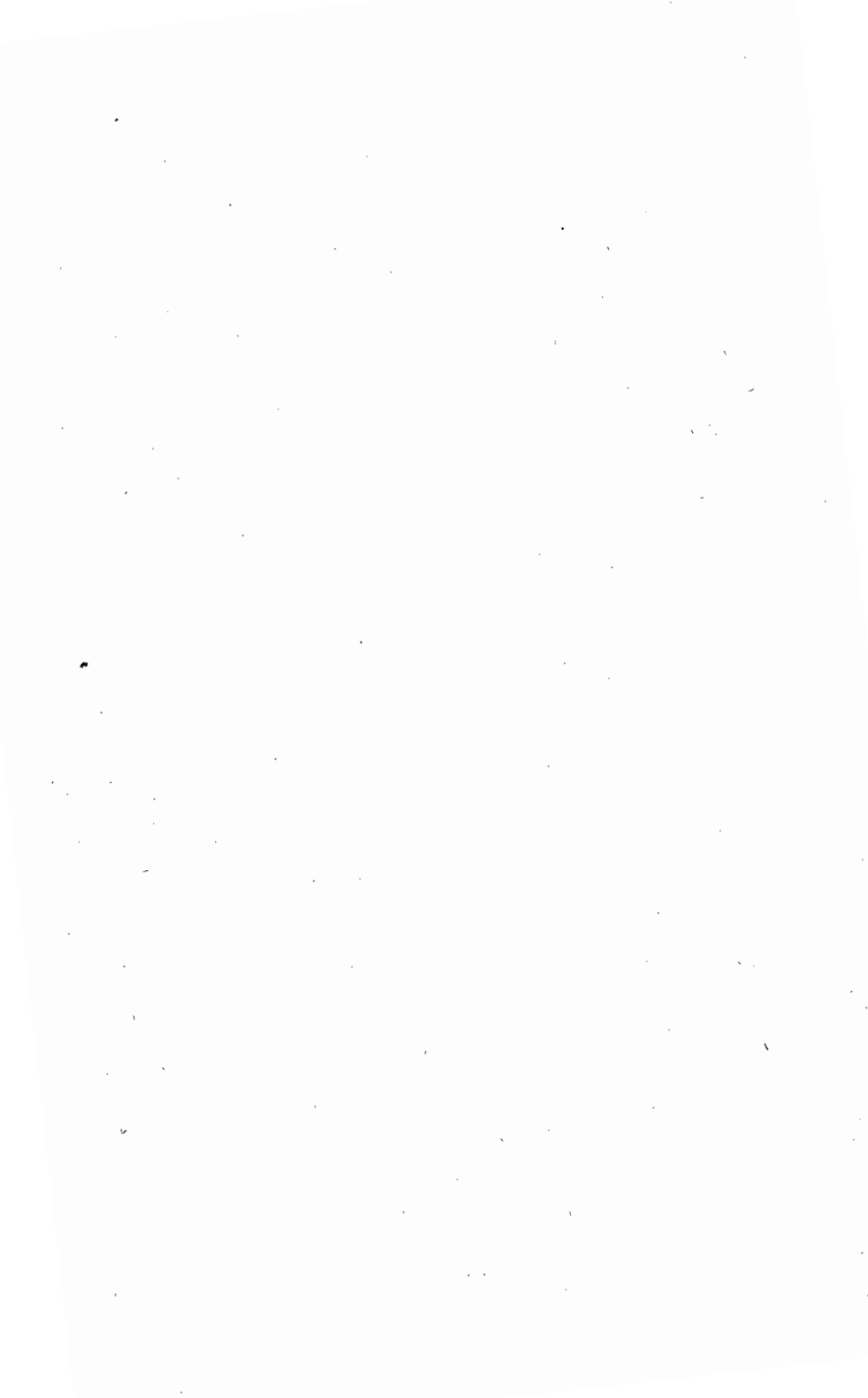
NUMBER V.

In relation to the salary of the late Treasurer.

1. BE IT RESOLVED *by the Senate and General Assembly of the State of New Jersey*, That the treasurer be and he is hereby authorized to pay to the administrators of the late R. M. Smith, six hundred and twenty-five dollars, in full compensation for his services from the twenty-seventh day of November last. Treasurer to pay money.

2. *And be it resolved*, That this resolution take effect immediately.

Approved April 6, 1865.



961

CERTIFICATE OF ASSENT OF THE MORRIS AND
ESSEX RAILROAD COMPANY

TO A "FURTHER SUPPLEMENT TO THE ACT ENTITLED 'AN ACT TO INCORPORATE THE MORRIS AND ESSEX RAILROAD COMPANY,' PASSED JANUARY TWENTH-NINTH, EIGHTEEN HUNDRED AND THIRTY-FIVE." [For supplement, see page 555.]

The Morris and Essex Railroad Company to all whom it may concern: These presents, duly executed under the corporate seal of the said company, are to certify and make known, that, whereas by an act of the Legislature of the State of New Jersey, approved on the twenty-third day of March, in the year eighteen hundred and sixty-five, entitled "A further supplement to the act entitled 'An act to incorporate the Morris and Essex Railroad Company,' passed January twenty-ninth, eighteen hundred and thirty-five," it was, amongst other things, in and by the third section thereof, enacted, "that the tax of one-half of one per cent. provided by their said original act of incorporation to be paid by the said company to the state whenever the net earnings of the said company amount to seven per cent. upon the cost of the road, shall be paid at the expiration of one year from the time when the road of the said company shall be open and in use to Phillipsburg, and annually thereafter; which tax shall be in lieu and satisfaction of all other taxation or imposition whatsoever by or under the authority of this state or any law thereof; *provided*, that this section shall not go into effect or be binding upon the said company until the said company, by an instrument duly executed under its corporate seal, and filed in the office of the secretary of state, shall have signified its assent hereto; which assent shall be signified within sixty days after the passage of this act, or this act shall be void."

CERTIFICATE OF ACCEPTANCE.

And whereas, the said Morris and Essex Railroad Company hath received a copy of the said act, and considered the same,—

Now, therefore, these presents and this instrument are to certify and make known, and the said “The Morris and Essex Railroad Company,” in said act mentioned and referred to, doth hereby declare that the said company, in consideration of the terms and conditions of the said supplement, and more especially of the third section thereof, has assented, and does hereby assent, to the said act approved, as aforesaid, on the twenty-third day of March, in the year eighteen hundred and sixty-five, and has agreed, and does hereby agree, to be subject to the provisions of the said act, and to pay the tax therein named, as therein specified.

In witness whereof, the said Company has hereto caused its corporate seal to be affixed, and the signature of its President to be subscribed, and the execution hereof to be attested by its Secretary, this seventeenth day of April, in the year of our Lord one thousand eight hundred and sixty-five.

WM. WRIGHT, *President*, [SEAL.]

Attest,

WM. VANDERPOOL,

Secretary M. & E. R. R. Co'y.

Filed April 24th, 1865.

W. S. JOHNSON, *Sec'y of State.*

PROCLAMATIONS

BY

HIS EXCELLENCY JOEL PARKER,

GOVERNOR OF NEW JERSEY,

From the 25th day of July, 1864 to the 13th day of July, 1865.

PROCLAMATIONS.

A Proclamation by the Governor.

The President of the United States, on the eighteenth day of July, Anno Domini eighteen hundred and sixty-four, issued a proclamation calling for five hundred thousand volunteers for the military service, to be accepted for one, two or three years, and ordering that immediately after the fifth day of September next a draft for troops to serve for one year shall be had for each sub-district to fill the quota which shall be assigned to it under said call, or any part thereof which may remain unfilled by volunteers.

The quota of the State of New Jersey has been assigned by the War Department as fifteen thousand eight hundred and ninety-one men.

It is presumed that the United States authorities will announce the quotas of sub-districts, and give information in reference to bounties and other details.

[L. s.] Given under my hand and privy seal at Trenton, this twenty-fifth day of July, Anno Domini eighteen hundred and sixty-four.

JOEL PARKER.

Attest :
S. M. DICKINSON, *Private Secretary.*

PROCLAMATIONS.

A Proclamation by the Governor.

WHEREAS, the congress of the United States, at its last session, did, by resolution, request the President to appoint a day of humiliation; and whereas, the president in accordance therewith has appointed for such purpose, the fourth day of August, Anno Domini eighteen hundred and sixty-four,

Now, I, Joel Parker, Governor of the State of New Jersey, recognizing Him who rules above as the Sovereign Power that controls the destiny of nations, do recommend the people of this state on Thursday next, to assemble in their usual places of public worship, to humble themselves before Almighty God in confession of sin, and in prayer that He will not destroy this nation; that the effusion of blood may be stayed, unity be restored and peace established throughout the land.

Given under my hand and privy seal, at Trenton, this [L. s.] thirtieth day of July, Anno Domini eighteen hundred and sixty-four.

JOEL PARKER.

Attest:

S. M. DICKINSON, *Private Secretary.*

A Proclamation by the Governor.

God in his wisdom has afflicted this nation with civil war. It becomes us as a people reverently to humble ourselves, and asking forgiveness of the sins which brought this great calamity upon us, to pray that the remainder of wrath may be restrained, and that the rod of our chastisement may soon be removed.

But in the midst of deep affliction, we should not be unmindful of the numerous blessings that have been bestowed, and should offer fervant thanks to our Heavenly Father for His infinite mercy.

Impressed by these sentiments, and desiring publicly to recognize God as the Sovereign Ruler of Nations,

I, Joel Parker, Governor of the State of New Jersey, (in accordance with the custom in this state,) do hereby designate and appoint the last Thursday of November, eighteen hundred and sixty-four, as a day of thanksgiving and prayer, and I do recommend to the people on that day to assemble in their usual places of public worship to give thanks to Almighty God for the many blessings vouchsafed to us during the past year; and in prayer humbly to supplicate that peace with the Union may be restored, and the lawful authority of the government be re-established; and to ask forgiveness for all our sins, through the merits of Him who is the Mediator and Saviour of mankind.

Given under my hand and privy seal, at Trenton, the
[L. s.] twelfth day of November, Anno Domini eighteen hundred and sixty-four.

JOEL PARKER.

Attest:

S. M. DICKINSON, *Private Secretary.*

A Proclamation by Joel Parker, Governor of New Jersey.

WHEREAS, information hath been communicated to me in due form of law, that Stephen Tice was, on the fourth day of November, Anno Domini eighteen hundred and sixty-four, at the city of Trenton, in the county of Mercer, and state of New Jersey, feloniously assaulted and beaten by a person or persons unknown, from the effects of which the said Stephen Tice has since died—

Now therefore, I, Joel Parker, Governor of the State of New Jersey, by virtue of authority vested in me by law, do issue this my proclamation, and hereby offer a reward of three hundred dollars, to be paid out of the treasury of this state, for the apprehension and conviction of each of the persons who committed the said crime.

Given under my hand and the great seal of the state
[L. s.] of New Jersey, at Trenton, this fifteenth day of November, Anno Domini eighteen hundred and sixty-four.

JOEL PARKER.

By the Governor,
W. S. JOHNSON, *Secretary of State.*

A Proclamation by the Governor of New Jersey.

WHEREAS, information hath been communicated to me, in due form of law, that a stranger, supposed (from a memorandum found upon his person) to be named John Jurgen or John Bruning, was on the seventeenth day of November, Anno Domini, eighteen hundred and sixty-four, in the township of Freehold, county of Monmouth, and state of New Jersey, murdered by some persons unknown,

Now, therefore, I, Joel Parker, Governor of the State of New Jersey, by virtue of authority vested in me by law, do issue this my proclamation, and hereby offer a reward of three hundred dollars, to be paid out of the treasury of this state, for the apprehension and conviction of each of the persons who committed the said crime.

Given under my hand and the Great Seal of the State of New Jersey, at Trenton, this eighteenth day of
 [L. S.] November, Anno Domini one thousand eight hundred and sixty-four.

JOEL PARKER.

By the Governor;
 W. S. JOHNSON, *Secretary of State.*

A Proclamation by the Governor of New Jersey.

WHEREAS, since the issuing of my proclamation of the eighteenth instant, offering a reward for the apprehension and conviction of the person who, on the seventeenth instant, murdered a stranger, supposed to be named John Jurgen, in the township of Freehold, county of Monmouth, and state of New Jersey, it hath come to my knowledge on due proof that the commission of said murder was attended with circumstances of great atrocity, demanding, in my opinion, that the highest reward authorized by law should be offered for the detection of the guilty parties,

Now, therefore, I, Joel Parker, Governor of the State of New Jersey, by virtue of authority vested in me by law, do

issue this my proclamation, and hereby offer in addition to the amount heretofore offered, the sum of three hundred dollars for the apprehension and conviction of each of the persons who committed the said crime, thus making a reward of six hundred dollars for the apprehension and conviction of each of the murderers.

[L. s.] Given under my hand and the Great Seal of the State of New Jersey, at Trenton, this twenty-fifth day of November, Anno Domini one thousand eight hundred and sixty-four.

JOEL PARKER.

By the Governor:
W. S. JOHNSON, *Secretary of State.*

A Proclamation by the Governor.

The President of the United States having appointed Thursday the first day of June next, to be observed wherever in the United States the flag of our country is respected, as a day of humiliation and mourning, on account of the death of the late Chief Magistrate of the Nation.

Therefore, I, Joel Parker, governor of the state of New Jersey, hereby recommend that the people of this state do, on that day, abstain from secular business, assemble in their usual places of public worship to engage in religious services, and further to observe the day as a special season of humiliation and prayer.

[L. s.] Given under my hand and privy seal, at Trenton, this twenty-second day of May, Anno Domini eighteen hundred and sixty-five.

JOEL PARKER.

Attest:
S. M. DICKINSON, *Private Secretary.*

PROCLAMATIONS.

Proclamation by the Governor.

To the People of New Jersey :

After four years of war against a gigantic rebellion, which, if successful, would have severed the Union, peace again smiles upon us. All patriotic hearts are rejoiced that the work of death has ceased, and that the strength and authority of the government have been established. Many of our citizens who have risked their lives upon the battle-field have been discharged from service, and returned to their homes to enjoy with us the fruit of their valor. In consequence of the terrible deed which so soon followed the tidings of victory and peace, no day of general rejoicing has been observed; and as it is eminently proper that the whole people should, on the same day, manifest their joy at the return of peace and the preservation of the Union,—

Therefore, I, Joel Parker, Governor of the State of New Jersey, hereby recommend that on the Fourth day of July next, the anniversary of our national independence, the people of every city, town and village of this State assemble, and by appropriate public exercises, observe the day as an occasion of thanksgiving and rejoicing; and that especial arrangements be made in each locality to give a suitable welcome to the brave soldiers of the Union.

Given under my hand and privy seal the tenth day of
[L. S.] June, Anno Domini eighteen hundred and sixty-five.

JOEL PARKER.

Attest,
S. M. DICKINSON, *Private Secretary.*

Proclamation by the Governor of the State of New Jersey.

WHEREAS, information hath been communicated to me, in due form of law, that Joseph Hollaback was, on the first day of July, Anno Domini eighteen hundred and sixty-five, at the city of Trenton, in the county of Mercer, and state of New

Jersey, feloniously murdered by a person or persons unknown,—

Now, therefore, I, Joel Parker, Governor of the State of New Jersey, by virtue of the authority vested in me by law, do issue this my proclamation, and hereby offer a reward of three hundred dollars, to be paid out of the treasury of this state, for the apprehension and conviction of each of the persons who committed the said crime.

[L. s.] Given under my hand and the great seal of the State of New Jersey, at Trenton, this thirteenth day of July, Anno Domini eighteen hundred and sixty-five.

JOEL PARKER.

By the Governor,
W. S. JOHNSON, *Secretary of State.*

CONTENTS.

CONTENTS.

Chapter.	Page
1. An act to authorize the purchase by the State of New Jersey of the State Normal and Model School buildings and property,.....	3
2. A further supplement to the act entitled "An act revising and amending an act to incorporate the City of Paterson," approved March fourteenth, one thousand eight hundred and sixty-one,.....	4
3. An act to incorporate the West Jersey Canning and Pickling Company, in the county of Cumberland,...	5
4. An act to incorporate the Red Bank and Eatontown Turnpike Company,.....	7
5. A supplement to the act entitled "An act to incorporate the Elizabethtown Steam Manufacturing Company," approved March fourth, eighteen hundred and forty-six,.....	15
6. An act to incorporate the Aquetong Fire Company, of the Town of Lambertville,.....	16
7. An act to incorporate the Trenton Pottery Company,...	17
8. An act to incorporate the American Velvet Company,...	19
9. An act to authorize the stockholders of the Farmers and Mechanics' Bank of Rahway to reduce their capital stock, and afterwards, if they deem it advisable, to increase the same,.....	20
10. An act to incorporate the Eatontown and Sea Shore Turnpike Company,.....	22
11. A supplement to an act entitled "An act concerning the estates of persons who die insolvent," approved April sixteenth, eighteen hundred and forty-six,.....	31
12. A further supplement to an act entitled "An act to create from parts of the town of Orange and the townships of Caldwell and Livingston, in the county of Essex, a new township, to be called the township of Fairmount," approved March eleventh, Anno Domini eighteen hundred and sixty-two,.....	32

Chapter.	Page
13. An act to authorize the extension of Mechanic street, in East Orange, Essex county, New Jersey, from Main street to Central avenue,.....	34
14. An act to confirm the action of the Board of Chosen Freeholders of the County of Salem in appropriating money for bounties to volunteers, and to authorize them to issue bonds and to provide for the payment of the same,.....	37
15. An act to authorize the inhabitants of the township of Acquackanonk, in the county of Passaic, to raise money, issue bonds, and for other purposes,.....	39
16. An act to incorporate the Musconetcong Iron Works, in the county of Sussex,.....	40
17. An act to extend the charter of the Hudson River Steamboat Company,.....	42
18. An act to legalize loans made and bonds issued by the Mayor and Common Council of Jersey City for war purposes, and provide for the raising of further sums,	43
19. An act to authorize the town committee of the township of Raritan, in the county of Hunterdon, to borrow money for the purpose of filling the quota of soldiers of said township under the call of the President of the United States of the nineteenth day of December, Anno Domini one thousand eight hundred and sixty-four,.....	44
20. An act to authorize the inhabitants of the township of Kingwood, in the county of Hunterdon, to raise by taxation the amount expended by the township committee of said township in paying bounties to volunteers and to those who furnished substitutes,.....	45
21. An act to legalize the acts of the town committee of the township of Bethlehem, in the county of Hunterdon, in the matter of raising money for the payment of bounties, and for other purposes	47
22. A further supplement to the act entitled " An act revising and amending an act to incorporate the City of Paterson " approved March fourteenth, one thousand eight hundred and sixty-one,.....	50
23. A further supplement to the act entitled " An act to incorporate the Town of Orange," approved January thirty-first, one thousand eight hundred and sixty, ..	51
24. An act to authorize the town committee of the township of East Amwell, in the county of Hunterdon, to borrow money for the purpose of filling the quota of troops of said township under the call of the President of the United States of December nineteenth, Anno Domini eighteen hundred and sixty-four, and to provide for the payment of the same by taxation,.....	53

CONTENTS.

977

Chapter.	Page
25. An act to confirm the acts of the township committee of the township of Ewing, in the county of Mercer, in raising money by taxation to aid in the suppression of the rebellion,.....	54
26. An act to legalize the action of the special town committee of the township of Evesham, in the county of Burlington; in raising bounty money to fill the quota of said township,.....	56
27. An act to authorize the inhabitants of the township of Linden, in the county of Union, to raise money to pay volunteers,.....	57
28. An act to confirm the acts of the township of Clinton, in the county of Hunterdon, in paying bounties for volunteers, and to provide for the raising of the money therefor,.....	58
29. An act to authorize the inhabitants of the township of Harrison, in the county of Gloucester, to raise by taxation the amount to be expended by the town committee of said township in paying bounties to volunteers and to those who furnish substitutes under the present call,.....	60
30. A further supplement to the act entitled "An act to incorporate the Washington Manufacturing Company," approved January thirty-first, eighteen hundred and forty-four,.....	62
31. An act to renew the charter and to reduce the capital stock of the Gloucester Manufacturing Company, incorporated March nineteen, eighteen hundred and forty-five,.....	63
32. An act to authorize the township of Mantua, in the county of Gloucester, to raise money by an extra tax,.....	64
33. An act to authorize the City of Elizabeth to raise money in certain wards,.....	66
34. An act to legalize the raising of bounty money in the township of Lebanon, in the county of Hunterdon,...	67
35. An act to confirm and legalize the action of the City Council of the City of Camden in issuing bonds and notes to raise money for bounties and providing for the payment of the same and the indebtedness of the city, by a special tax,.....	68
36. An act to authorize the inhabitants of the township of Warren, in the county of Somerset, to raise money, ..	70
37. An act to renew the charter of the Gloucester Land Company, incorporated February sixteen, eighteen hundred and forty-six,.....	72
38. An act to legalize and authorize the inhabitants of the township of Deerfield, in the county of Cumberland, in the raising of money by taxation for the payment of bounties to volunteers,.....	73

Chapter.	Page
39. An act to legalize certain acts of the inhabitants of the township of Hopewell, in the county of Cumberland, and also of the assessor, collector, and township committee of said township,	75
40. An Act to authorize the inhabitants of the township of Wayne, in the county of Passaic, to raise money by issuing bonds,	76
41. An act to confirm the acts of the township committee of the township of Hardwick, in the county of Warren, in paying bounties for volunteers and substitutes, and to provide for the raising of the money therefor,....	77
42. An act to authorize the inhabitants of the township of Millstone, in the county of Monmouth, to raise money, issue bonds and other purposes.	79
43. An act to authorize the township of Millville, in the county of Cumberland, to raise money by taxation to liquidate liabilities for the payment of bounties to volunteers,	80
44. An act to provide for raising money paid or to be paid for bounties to volunteers credited to the township of Lawrence, in the county of Mercer,	82
45. An act to legalize certain acts of the voters and officers of the township of Raritan, in the county of Hunterdon, and to enforce an assessment of taxes made by the assessor of said township in pursuance of the direction of the voters of said township in town meeting assembled,	83
46. A further supplement to the act entitled "An act to recognize and authorize the organization of and to incorporate the Central American Transit Company," approved March twenty-eighth, eighteen hundred and sixty-two,	86
47. An act to authorize the inhabitants of the townships of Centre, Washington, Gloucester, Waterford, Winslow and Monroe, in the county of Camden, to raise and borrow money,	88
48. An act to provide for raising moneys paid and to be paid to volunteers or for substitutes in the township of Independence, in the county of Warren,	90
49. An act to legalize certain acts and to authorize the town council of the town of Union, in the county of Hudson, to raise money for the payment of bounties to volunteers,	92
50. An act to provide for moneys paid for bounties in the township of Hampton, in the county of Sussex,	94
51. An act to authorize the inhabitants of the township of Clinton, in the county of Essex, to raise money by taxation,	ib.

CONTENTS.

979

Chapter.	Page
52. A supplement to "An act to authorize the Board of Chosen Freeholders of the County of Mercer to issue bonds for money borrowed to pay bounties to volunteers," approved February twenty-sixth, eighteen hundred and sixty-four,.....	95
53. An act to authorize the inhabitants of the township of Hamilton, in the county of Mercer, to raise bounty money, and to legalize the acts of said township for bounties paid heretofore,.....	96
54. An act to authorize the town committee of the township of Franklin, in the county of Hunterdon, to reimburse certain drafted men moneys paid by them,.....	98
55. An act to authorize the inhabitants of the township of Ewing, in the county of Mercer, to raise money by issuing bonds,	100
56. An Act to authorize the inhabitants of the township of Howell, in the county of Monmouth, to raise money to pay volunteers,.....	101
57. An act to legalize and provide for the payment of certain debts incurred by the inhabitants of the township of Morris, in the county of Morris, in furnishing men for the military service of the United States,.....	103
58. An act to authorize the Mayor and Common Council of the City of New Brunswick to issue bonds for the purpose of paying bounties to volunteers, and for other purposes,.....	106
59. An act to legalize certain acts of the inhabitants of the township of Tewksbury, in the county of Hunterdon,.....	107
60. An act to confirm the acts of the township committee of the township of Oxford, in the county of Warren, in paying bounties for volunteers, and to provide for the raising of the money therefor,.....	109
61. An act to legalize and make valid the bonds of the township of Milburn, in the county of Essex, heretofore issued for bounties, and also to authorize the inhabitants of said township to raise additional moneys by bonds for volunteers or drafted men, and to provide for the payment of the same,.....	111
62. An act to legalize loans made and bonds issued by the Common Council of the City of Trenton to pay bounties to volunteers,.....	112
63. An act to authorize the inhabitants of the township of Bordentown, in the county of Burlington, to raise by tax an amount necessary to pay the bounties advanced to volunteers of the said township,.....	114
64. An act to authorize the inhabitants of the township of Hopewell, in the county of Mercer, to raise bounty money, and to legalize the acts of said township for bounties paid heretofore,.....	ib.

Chapter.	Page
65. An act to confirm and legalize the action of the inhabitants and township committee of the township of Newton, in the county of Camden, in paying money and issuing bonds for bounties to volunteers, and in providing by taxation for the payment of the same, and to authorize all payments of further bounties and the raising of money for the payment thereof by taxation,	116
66. An act to create the township of Haddon out of the township of Newton, in the county of Camden,	119
67. An act to confirm certain debts and liabilities incurred by the township of Franklin, in the county of Somerset, in raising money incidental to the war, and to authorize the raising by special tax such further sums of money as may be necessary for the payment of sufficient bounties to secure the filling of the quota of said township by volunteers and substitutes under the pending draft,	121
68. An act to legalize certain acts of the township committee, of the assessor, and of the inhabitants of the township of Delaware, in the county of Camden, in raising money for the purpose of the payment of bounties in filling the quotas assigned to said township upon the calls of the government for troops for the war,	123
69. An act to legalize the acts of a special town meeting of the inhabitants of the township of Pilesgrove, in the county of Salem, held on the twenty-first of January, eighteen hundred and sixty-five,	124
70. An act to authorize the inhabitants of the township of Washington, in the county of Morris, to raise by taxation the amount of money paid by the township committee of said township to procure volunteers for the military service of the United States, and the interest thereon, and also the incidental expenses incurred by said committee respecting the same,	125
71. An act to authorize the inhabitants of the township of Blairstown in the county of Warren, to raise money by issuing bonds, to pay bounties to volunteers or drafted men,	126
72. An act to enable the inhabitants of the township of Pahaquarry in the county of Warren, to fill the quotas of the said township under the several calls of the President of the United States for volunteers, and to legalize the action of the town committee of said township in filling quotas heretofore assigned to the said township,	128
73. An act to authorize the township of Maurice River, in the county of Cumberland, to raise money by taxation to liquidate liabilities for the payment of bounties to volunteers,	131

CONTENTS.

981

Chapter.	Page
74. An act to incorporate the Watson Manufacturing Company	132
75. An act for the relief of Washington P. Taylor,	135
76. An act to extend the provisions of the act entitled "An act to prevent horses, cattle, sheep and swine from running at large in the townships of Hackensack and Harrington, in the county of Bergen," approved February twelfth, eighteen hundred and fifty-two, to the township of Hohokus, in the county of Bergen, .	ib.
77. An act to legalize certain acts of the township committee and inhabitants of the township of West Hoboken, in the county of Hudson, in raising money by taxation to pay bounties,	136
78. An act to incorporate Bordentown Lodge, Number Sixteen, of the Independent Order of Odd Fellows of the State of New Jersey,	138
79. An act to legalize and provide for the payment of certain debts incurred by the inhabitants of the township of Hanover, in the county of Morris, and to authorize them to contract certain debts hereafter to furnish men for the military service of the United States, ...	139
80. An act to confirm the action of the Board of Chosen Freeholders of the County of Camden in appropriating money to fill the quota of the county of Camden under the call of the President of the United States, made July eighteenth, eighteen hundred and sixty-four, for five hundred thousand men, and to authorize said board to issue bonds and to provide for the payment of the same,	143
81. An act to authorize the inhabitants of the township of Freehold, in the county of Monmouth, to raise money, issue bonds, and for other purposes,	145
82. An act to authorize the inhabitants of the town of Lambertville, in the county of Hunterdon, to raise bounty money, and to legalize the acts of the said town, ...	147
83. An act to enable the township committee of the Upper Township in the county of Cape May, to borrow money to pay bounties, and to re-pay the same,	149
84. An act to incorporate the New Brunswick and Cranberry Turnpike Company,	151
85. An act to confirm certain acts of the township committee and inhabitants of the township of Bayonne, in the county of Hudson, and to authorize the raising of money for volunteers,	160
86. A further supplement to an act entitled "An act to incorporate the city of Hoboken," approved March twenty-eighth, eighteen hundred and fifty-five,	161
87. An act to legalize the certificates and bonds of the Board of Chosen Freeholders of the County of Hudson,	163

Chapter.	Page
88. A supplement to the act entitled "An act to authorize the inhabitants of the township of Fairfield, in the county of Cumberland, to raise money by issuing bonds, and for other purposes," approved February nineteenth, eighteen hundred and sixty-four,.....	166
89. An act to authorize the inhabitants of the township of Branchburg, in the county of Somerset, to raise money to pay volunteers and those who have furnished substitutes, or may hereafter furnish substitutes, with the consent of the township committee, for the army or navy of the United States,.....	167
90. An act to authorize the inhabitants of the township of West Orange, in the county of Essex, to raise money to pay bounties to volunteers,.....	169
91. An act to authorize the township of East Amwell, in the county of Hunterdon, to raise money by taxation to pay the indebtedness incurred in filling the quotas of said township,.....	170
92. An act to confirm certain debts and liabilities incurred by the township of Hillsborough, in the county of Somerset, in raising money incidental to the war, and to authorize the raising by special tax such further sums of money as may be necessary for the payment of sufficient bounties to secure the filling of the quota of said township by volunteers and substitutes, under the pending draft,.....	173
93. An act to legalize certain acts, and authorize the inhabitants and township committee of the township of Union, in the county of Union, to raise money,.....	175
94. An act to authorize the inhabitants of the township of Mansfield, in the county of Warren, to raise by taxation the amount of money paid by the township committee of said township to procure volunteers, and the incidental expenses incurred by the said township committee respecting the same,.....	177
95. An act to confirm certain acts of the township committee and inhabitants of the township of Readington, in the county of Hunterdon, and to authorize the raising of money for volunteers, substitutes and drafted men, and the payment of liabilities heretofore incurred by said township committee in furnishing troops to fill the several quotas of said township under the several calls of the President of the United States,.....	179
96. A further supplement to an act entitled "An act to incorporate the town of Bergen, in the county of Hudson," approved February eleventh, eighteen hundred and sixty-four,.....	184
97. An act to legalize certain acts of the inhabitants of the township of West Amwell, in the county of Hunterdon, and also to legalize certain acts of the assessor, collector and township committee of said township,...	185

CONTENTS.

983

Chapter.	Page
98. An act to authorize the township of Woolwich, in the county of Gloucester, to raise by taxation the amount sufficient to pay bounty to volunteers to fill the quota for the present call made by the President of the United States,.....	187
99. An act to authorize the inhabitants of the township of Pilesgrove, in the county of Salem, to raise money by taxation,	189
100. An act to authorize the inhabitants of the township of Hope, in the county of Warren, to raise by tax a sum sufficient to pay the indebtedness of said township for amount paid volunteers and commutation money,	190
101. An act to ratify the bonds or other evidences of indebtedness heretofore issued or hereafter to be issued, by the Board of Chosen Freeholders of the County of Essex, in this State, for war purposes, and to provide for the payment thereof,.....	192
102. An act to authorize the inhabitants of the township of Shrewsbury, in the county of Monmouth, to raise moneys relative to the township's former quotas of troops,	193
103. An act to authorize the inhabitants of the township of Chester, in the county of Morris, to raise money by issuing scrip or bonds, to impose taxes to re-pay the same, and for other purposes,.....	195
104. An act to legalize certain acts of the inhabitants of the township of Washington, and of the committee, assessor and collector of said township of Washington, in the county of Mercer, in raising money for volunteers for the war,.....	198
105. An act to authorize the inhabitants of the township of East Brunswick, in the county of Middlesex, to raise money,.....	200
106. An act to legalize certain acts of the township committee of the township of Byram, in the county of Sussex, ..	202
107. An act to confirm the action of the city council of the city of Perth Amboy, county of Middlesex, in appropriating money for bounties, and to authorize them to provide for the payment of the same,.....	203
108. An act to authorize the inhabitants of the township of Mendham, in the county of Morris, to raise by taxation an amount of money sufficient to re-pay certain moneys advanced to said township to pay bounties to volunteers and substitutes, under the call of July eighteenth, eighteen hundred and sixty-four, for five hundred thousand additional men for the military and naval service of the United States,.....	206
109. An act to authorize the inhabitants of the township of East Windsor, in the county of Mercer, to raise bounty money, and to legalize the acts of said township for bounties paid heretofore,.....	207

Chapter.	Page
110. An act to confirm certain debts and liabilities incurred by the township of Montgomery in the county of Somerset, for bounties to soldiers to fill the quotas of said township, and to authorize further loans for the same purpose,.....	209
111. An act to authorize the town of Phillipsburgh, in the county of Warren, to raise money by taxation to liquidate liabilities for the payment of bounties to volunteers and to inhabitants of said town furnishing substitutes,.....	210
112. An act to legalize certain acts of the township committee and inhabitants of the township of Springfield, in the county of Union, in raising money for volunteers,..	211
113. An act to authorize the inhabitants of the township of Atlantic, in the county of Monmouth, to raise money by issuing bonds, and for other purposes,.....	213
114. An act to authorize the inhabitants of the township of West Milford, in the county of Passaic, to raise money, issue bonds, and for other purposes,.....	214
115. An act to authorize the township of Franklin, in the county of Warren, to raise money by taxation to liquidate liabilities incurred by said township in raising volunteers, and for other purposes,.....	216
116. An act to authorize inhabitants of the township of Pompton, in the county of Passaic, to raise money, issue bonds, and for other purposes,.....	218
117. An act to legalize certain acts of the mayor and common council of Atlantic City in issuing bonds to raise bounties, and further provide for raising funds for future calls,.....	220
118. An act to legalize certain acts of the citizens of Hamilton township, in the county of Atlantic, to raise bounties,	ib.
119. An act to legalize the actions of the inhabitants of the township of Piscataway, in the county of Middlesex, in paying bounties to volunteers,.....	221
120. An act to authorize the township of Landis, in the county of Cumberland, to raise money by taxation to liquidate liabilities for the payment of bounties to volunteers,.....	223
121. An act to legalize certain acts of the inhabitants of the township of North Brunswick, and for other purposes,.....	224
122. An act to authorize the inhabitants of the township of Knowlton, in the county of Warren, to levy a tax and raise money,.....	226
123. An act to provide for raising moneys heretofore expended in procuring volunteers and substitutes and for commutation money, and to raise money to pay bounties	

CONTENTS.

985

Chapter.	Page
for volunteers hereafter to be called, in the township of Frelinghuysen, in the county of Warren.....	227
124. An act to authorize the inhabitants of the township of Greene, in the county of Sussex, to loan or raise by taxation a sufficient sum of money to pay bounties to volunteers, substitutes or drafted men.....	229
125. An act to authorize the township of Lafayette, in the county of Sussex, to raise money by taxation to liquidate liabilities for the payment of bounties to drafted men, volunteers and substitutes.....	230
126. An act to authorize the inhabitants of the township of Andover, in the county of Sussex, to loan or raise by taxation a sufficient sum of money to pay bounties to volunteers, substitutes or drafted men.....	231
127. An act to legalize the proceedings of a township meeting in the township of Stafford, in the county of Ocean, to raise money to fill the quota for said township,...	232
128. An act to legalize certain bonds issued by the board of chosen freeholders of the county of Burlington,.....	233
129. An act to legalize and provide for the payment of certain debts incurred by the inhabitants of the township of Chatham, in the county of Morris, in furnishing men for the military service of the United States,.....	234
130. An act to incorporate the Ogden Iron Company,.....	238
131. An act to authorize the inhabitants of the township of Vernon, in the county of Sussex, to raise by tax money advanced to fill the quota of said township,...	241
132. A further supplement to authorize the inhabitants of the township of Freehold, in the county of Monmouth, to raise money, issue bonds, and for other purposes,...	242
133. An act to legalize the issuing of bonds by the township of Weymouth, in the county of Atlantic, and to provide for their payment,.....	244
134. A further act to authorize the board of chosen freeholders of the county of Monmouth to raise money, issue bonds, and for other purposes,.....	245
135. An act to authorize the inhabitants of the township of Bedminster, in the county of Somerset, to raise money by issuing bonds, and for other purposes,.....	246
136. An act to legalize certain acts of the inhabitants of the township of Wall, in the county of Monmouth, and also of the assessor, collector, and township committee of said township,.....	249
137. An act to legalize certain acts of the township committee and inhabitants of the township of West Windsor, in the county of Mercer, in raising money by taxation to pay bounties,.....	250

Chapter.	Page
138. An act to authorize the township of Pittsgrove, in the county of Salem, to raise money by taxation to liquidate liabilities for the payment of bounties to volunteers,	252
139. An act to legalize the issuing of bonds by the township of Greenwich, in the county of Warren, and to provide for the payment thereof,	253
140. An act to authorize the inhabitants of the road districts in the township of New Hanover, in the county of Burlington, to elect their overseers,	254
141. An act in regard to the township of Upper Pittsgrove, in the county of Salem, raising money for volunteers for the war,	ib.
142. An act to authorize the township of Matavan, in the county of Monmouth, to raise by taxation the amount of money heretofore paid by them to procure volunteers from said township, and also a sum sufficient to procure volunteers under the last call of the government,	256
143. An act to authorize the inhabitants of the township of Mansfield, in the county of Warren, to issue bonds and raise money for the payment of bounties	258
144. An act to authorize the inhabitants of the township of Manchester, in the county of Passaic, to raise money by issuing bonds,	259
145. An act to authorize the inhabitants of the township of Sparta, in the county of Sussex, to raise money by tax, expended for procuring substitutes and paid as commutation money, by reason of the draft that was enforced upon the said township in June and October last,	260
146. An act to confirm certain acts of the inhabitants of the township of Franklin, in the county of Hunterdon, and to authorize the raising of money to procure volunteers and substitutes,	261
147. An act to authorize James F. Vandoren to contract with the Morris Canal and Banking Company for the use of certain feed waters,	264
148. An act to authorize the inhabitants of the township of Morris, in the county of Morris, to pay bounties for war purposes,	265
149. An act to authorize the inhabitants of the township of Union, in the county of Ocean, to raise money by issuing bonds, and for other purposes,	266
150. An act to authorize the inhabitants of the respective townships in the county of Burlington to borrow or raise, by issuing bonds or by taxation, a sufficient amount of money to pay bounties to volunteers, drafted men or substitutes,	268

CONTENTS.

987

Chapter.	Page
151. An act to authorize the board of chosen freeholders of Middlesex county to issue bonds and to provide for the payment of the same by taxation, and for other purposes,.....	269
152. An act to incorporate the Gould Machine Company,....	271
153. A further supplement to an act entitled "An act to revise and amend the charter of the town of Bergen," approved March twenty-fourth, eighteen hundred and sixty-four,.....	273
154. An act to incorporate the New Jersey Oil Company,....	276
155. An act to legalize and provide for the payment of certain scrip issued by the inhabitants of the township of Rockaway, in the county of Morris, for the purpose of furnishing men for the military service of the United States,.....	278
156. An act to incorporate the Passaic Thread Company,....	283
157. An act to incorporate the Gloucester Ferry Company,..	284
158. An act to renew the charter of the Camden and Philadelphia Steamboat Ferry Company,.....	287
159. An act to confirm certain acts of the township committee and of the inhabitants of the township of Deptford in the county of Gloucester, and for other purposes,....	288
160. An act to incorporate the South Jersey Oil and Mining Company,.....	290
161. An act to enable the inhabitants of the township of Pequannac, in the county of Morris, to raise money,....	292
162. An act to incorporate the Newark Watch Manufacturing Company,.....	295
163. An act for the relief of the Hunterdon County Mutual Fire Insurance Company,.....	297
164. An act to authorize the inhabitants of the township of Manalapan, in the county of Monmouth, to raise bounty money and to legalize the acts of said township for bounties paid heretofore.....	298
165. An act to legalize bonds issued by the township committee of the Middle Township, in the county of Cape May, to drafted and commuted men, and to raise money to pay volunteers,.....	299
166. An act to legalize and require the issuing and payment of certain bonds of Middle Township, in the county of Cape May,.....	301
167. An act to authorize the town committee of the township of Shrewsbury to issue scrip, bonds, or other evidences of indebtedness, to provide for the payment of the same, and for other purposes,.....	302
168. An act authorizing the township committee of the township of Northampton, in the county of Burlington, to perform certain duties, &c.....	303

Chapter.	Page
169. An act to authorize the inhabitants of the township of South Brunswick, in the county of Middlesex, to raise money to pay bounties,.....	304
170. An act to authorize the inhabitants of the township of Atlantic, in the county of Monmouth, to raise by tax an amount necessary to pay the bounties advanced to volunteers, substitutes and drafted men under the call of the President of the United States for five hundred thousand men, made on the eighteenth day of July. Anno Domini eighteen hundred and sixty-four,	305
171. An act to legalize the action of the inhabitants of the township of Upper Freehold, in the county of Monmouth, in the raising of money by taxation for the payment of bounties to volunteers, and to provide for the collection thereof,.....	306
172. An act to incorporate the South Amboy Clay Dock Company,.....	308
173. An act to incorporate the Millville Manufacturing Company,.....	310
174. An act to incorporate Mystic Lodge, Number Forty-six, of the Independent Order of Odd Fellows, of the Borough of Bordentown, and State of New Jersey,....	312
175. An act to legalize certain acts of the township committee and of the inhabitants of the township of Egg Harbor, in the county of Atlantic in raising bounties to fill their several quotas of troops for the war.....	313
176. An act to provide for the raising of moneys paid to volunteers and drafted persons in the township of Sandyston, in the county of Sussex.....	314
177. An act to incorporate the Hoboken Ferrymen's Association,.....	317
178. An act to legalize the acts of the township of Marlboro', in Monmouth county, to pay bounties, and for other purposes,.....	318
179. An act to authorize the township committee of the township of Union, in the county of Camden, to raise moneys for the payment of volunteers to fill the quota of said township, and for other purposes.....	319
180. An act to incorporate the South Jersey Cranberry Company,.....	321
181. An act to authorize the inhabitants of the township of Woodbridge, in the county of Middlesex, to raise money by issuing bonds,.....	323
182. An act to authorize the inhabitants of the township of Monroe, in the county of Middlesex, to raise money by issuing bonds,.....	324
183. A supplement to an act entitled "An act to incorporate the Warren Foundry and Machine Company," approved March third, Anno Domini eighteen hundred and fifty-six,.....	326

CONTENTS.

989

Chapter.	Page
184. An act to authorize the inhabitants of the township of Downe, in the county of Cumberland, to raise money,	326
185. An act to authorize the inhabitants of the township of Bernards, in the county of Somerset, to raise money for volunteer purposes,.....	327
186. An act to confirm certain acts of the inhabitants of the township of Stillwater, in the county of Sussex, and to authorize the raising of money to pay volunteers credited and to be credited to said township,.....	328
187. An act to confirm certain acts of the township committee of the Lower Township, in the county of Cape May,	331
188. An act to provide for raising moneys paid volunteers in Frankford township, in the county of Sussex,.....	333
189. An act to confirm the acts of the inhabitants of the township of Alexandria, in the county of Hunterdon, in raising money to fill the quota of said township,....	335
190. A supplement to an act entitled "An act to authorize the town committee of the township of Raritan, in the county of Hunterdon, to borrow money for the purpose of filling the quota of soldiers of said township under the call of the President of the United States of the nineteenth day of December, Anno Domini eighteen hundred and sixty-four," approved the twentieth day of February, Anno Domini eighteen hundred and sixty-five,.....	336
191. An act to legalize the acts of the inhabitants of the township of Montague, in the county of Sussex, in raising money for war purposes,.....	ib.
192. An act to legalize certain acts of the township committee and inhabitants of the township of Bridgeton, in the county of Cumberland, in raising money for volunteers for the war,.....	337
193. A supplement to an act entitled "An act revising and amending the act to incorporate the city of Paterson" passed March fourteenth, eighteen hundred and sixty-one,	339
194. An act to confirm and legalize the action of the city council of the city of Cape Island in issuing bonds, and to raise money for bounties, and provide for the payment of the same	341
195. An act to legalize certain acts of the inhabitants of the township of Randolph, in the county of Morris, and also certain indebtedness incurred by the said inhabitants, and to authorize them to create certain other debts hereafter, to furnish men for the military and naval service of the United States, and to issue bonds of indebtedness and impose taxes to re-pay the same, and for other purposes,.....	342
196. An act to authorize the inhabitants of the township of Lower Penns Neck, in the county of Salem, to bor-	

Chapter.	Page
row or raise, by issuing bonds or by taxation, a sufficient amount of money to pay bounties to volunteers and to drafted men.....	349
197. An act making an appropriation to defray the expenses of commissioners appointed by "An act to ascertain the rights of the state and of the riparian owners in the lands lying under the waters of the bay of New York and elsewhere in the state," approved April eleventh, eighteen hundred and sixty-four,.....	350
198. An act to amend "An act for the incorporation of companies to navigate lakes, ocean and inland waters," approved March seventeenth, eighteen hundred and fifty-four,.....	ib.
199. An act to legalize certain acts of the township of Jefferson, in the county of Morris, relative to raising money to pay bounty to volunteers or drafted men, and to provide for the payment of the same,.....	351
200. An act to authorize the township of East Orange, in Essex county, to grade and work the streets, avenues, roads and sidewalks in said township, and to borrow money for that purpose,.....	353
201. A supplement to the act entitled "An act to authorize the establishment and to prescribe the duties of companies for manufacturing and other purposes,".....	354
202. An act to incorporate the New Jersey Classical and Scientific Institute, at Hightstown, New Jersey,.....	355
203. A supplement to the act entitled "An act to incorporate the Franklin Agricultural Society, of Somerset County," approved March thirteenth, eighteen hundred and fifty-seven,.....	357
204. An act to further extend the charter of the New Brunswick Mutual Fire Insurance Company.....	358
205. An act to authorize the inhabitants of the township of Ocean, in the county of Monmouth, to raise moneys relative to the township's former quotas of troops,..	359
206. An act to incorporate the West Jersey Oil Company,....	360
207. Supplement to the act entitled "An act to incorporate Egg Harbor City,".....	363
208. An act to legalize certain acts of the inhabitants of the township of Stoe Creek, in the county of Cumberland, and also of the assessor, collector and township committee of said township,.....	364
209. A supplement to the act entitled "An act to authorize a sluice and dam across Moonachie creek, in the county of Bergen," approved February seventh, eighteen hundred and sixteen,.....	365
210. An act to provide for the payment of bounties in the township of Ocean, county of Monmouth, under the recent call and the future calls that may be made for	

CONTENTS.

991

Chapter.	Page
troops, and also for the raising of the amounts thereof by tax.....	368
211. An act to incorporate the Elizabeth Horse Railroad Company,.....	370
212. An act creating the office of Comptroller of the Treasury and defining the duties thereof,.....	374
213. A further supplement to the act entitled "An act concerning taxes," approved April fourteenth, eighteen hundred and forty six,.....	377
214. An act to authorize the inhabitants of the township of Raritan, in the county of Monmouth, to raise by tax money to fill the quota of said township under the call of December, eighteen hundred and sixty-four,.....	378
215. An act to provide for the raising of money paid for bounties in the town of Newton, in the county of Sussex,.....	379
216. Supplement to an act entitled "An act to incorporate Jersey City," approved March eighteenth, eighteen hundred and fifty-one,.....	381
217. A supplement to an act entitled "An act to authorize the inhabitants of Clayton and Franklin townships, in the county of Gloucester, to raise and borrow money," approved March seventeenth, eighteen hundred and sixty-four, being an act authorizing bonds to be issued to pay drafted men for going or furnishing substitutes,.....	388
218. An act to legalize the raising and payment of bounties to volunteers. substitutes and drafted men in the township of Washington, in the county of Warren, and to provide for the payment of debts and liabilities incurred in reference thereto,.....	389
219. An act to authorize the township of Greenwich, in the county of Cumberland, to raise money by taxation to liquidate liabilities for the payment of bounties to volunteers,.....	390
220. A further supplement to the act entitled "An act to incorporate the West Jersey Marl and Transportation Company," approved March sixth, eighteen hundred and sixty-three,.....	391
221. A supplement to an act entitled "An act to incorporate the Elizabeth and Newark Horse Railroad," passed March twenty-fifth, eighteen hundred and sixty-four,.....	392
222. An act authorizing the sale of tickets of the North American Transit Insurance Company in this State,.....	ib.
223. An act to incorporate the Mariners' Mutual Insurance Company of New Jersey,.....	393
224. A further supplement to the act entitled "An act to incorporate the New Jersey Railroad and Transportation Company,.....	397

Chapter.	Page
225. A further supplement to the act entitled "An act to incorporate the Northern Railroad Company of New Jersey," approved February ninth, eighteen hundred and fifty-four,.....	397
226. A further supplement to an act entitled "An act to incorporate the Hightstown and Perrineville Turnpike Company," approved the ninth day of March, Anno Domini eighteen hundred and fifty-nine,.....	399
227. An act to confirm the acts of the township committee and of the inhabitants of the township of Roxbury, in the county of Morris, in paying bounties for volunteers, and to provide for the raising of money therefor,....	400
228. Supplement to an act entitled "An act to incorporate the Oxford Iron Company," approved March fifteenth, eighteen hundred and fifty-nine,.....	401
229. An act to authorize the township of Howell, in the county of Monmouth, to raise money by a special assessment,.....	ib.
230. An act to incorporate the Union Car Spring Company,...	403
231. An act to confirm certain debts and liabilities incurred by the township of Bridgewater, in the county of Somerset, in raising money for military bounties, and to authorize the raising by special tax additional sums of money for that purpose, to secure the filling the quota of said township by volunteers and substitutes,.....	406
232. An act to authorize the township of Harrison, in the county of Gloucester, to raise money by taxation to pay the indebtedness incurred in filling the quota of said township under the call of the President of the United States for five hundred thousand men, and to provide for any future call or calls,.....	408
233. A further supplement to an act entitled "An act to incorporate the Elizabeth and Newark Horse Railroad," passed March twenty-fifth, eighteen hundred and sixty-four,.....	410
234. An act to divide School District Number Two, in the township of Lodi, in the county of Bergen, into two school districts.....	ib.
235. An act to vacate a portion of an alley called Court street, in the city of Hoboken,.....	411
236. A further supplement to "An act to incorporate the city of Hoboken," approved March twenty-eighth, eighteen hundred and fifty-five,.....	412
237. An act to repeal an act entitled "An act to facilitate judicial proceedings in the county of Camden,.....	415
238. Supplement to an act entitled "An act to authorize the inhabitants of the township of Hamilton, in the county of Mercer, to raise bounty money, and to legalize the	

CONTENTS.

993

Chapter.	Page
acts of said township for bounties paid heretofore," approved the twenty-second day of February, eighteen hundred and sixty-five,.....	416
239. An act to incorporate Vincentown Lodge, Number Twenty-three, of the Independent Order of Odd Fellows, of Vincentown, in the county of Burlington, and State of New Jersey,.....	ib.
240. An act to authorize the township of Ewing, in the county of Mercer, to vote by ballot at their town meetings,.....	417
241. An act to prevent horses, cattle, sheep and swine from running at large in the Middle Township, in the county of Cape May,.....	419
242. An act to authorize the inhabitants of the township of South Amboy, in the county of Middlesex, to raise money to pay bounties,.....	421
243. An act further supplementary to the act entitled "An act to incorporate trustees of religious societies," approved April seventeenth, eighteen hundred and forty-six,.....	422
244. An act to incorporate the Schooley's Mountain Turnpike Company,.....	423
245. An act to authorize the inhabitants of the township of Dennis, in the county of Cape May, to raise money by issuing bonds, to pay bounties to volunteers or drafted men,.....	431
246. A further supplement to the act entitled "An act to prevent horses, cattle, sheep and swine from running at large in the township of Clinton, in the county of Essex, and the township of Rahway, in the county of Union," approved March fourth, eighteen hundred and fifty-eight,.....	433
247. An act to authorize the township of South Orange, in the county of Essex, to raise money by taxation to liquidate liabilities for the payment of bounties to volunteers,.....	434
248. An act to legalize certain acts of the township of Jefferson, in the county of Morris, relating to bounties, under the call of the President of the United States of December nineteenth, eighteen hundred and sixty-four, for three hundred thousand men to serve in the army of the United States,.....	435
249. An act to legalize certain acts of the inhabitants of Walpack township, in the county of Sussex, in raising money to pay bounties,.....	439
250. An act to authorize the inhabitants of the township of Stockton, in the county of Camden, to raise and borrow money,.....	441
251. An act to authorize the township of Harmony, in the county of Warren, to raise money by taxation to li-	

Chapter.	Page
quidate liabilities for payment of bounties to volunteers and recruits,.....	442
252. An act to authorize the township of Lopateong, in the county of Warren, to raise money by taxation to liquidate liabilities for the payment of bounties to volunteers and recruits,.....	444
253. An act to confirm certain acts of the township committee and of the inhabitants of the township of Holmdel, in the county of Monmouth, and for other purposes,....	445
254. An act to incorporate the Trenton Chain Manufacturing Company,.....	447
255. A further supplement to the act entitled "An act to establish public schools," being an act authorizing the inhabitants of Bethel School District Number Two, Washington township, in Camden county, to raise money for school purposes.....	448
256. An act to authorize the township of Dennis, in the county of Cape May, to raise by taxation the amount of money paid by them to volunteers or drafted men....	449
257. An act to incorporate the New Jersey Produce Company,.....	451
258. Supplement to an act entitled "An act to divide the township of North Bergen, in the county of Hudson," passed February twenty-eighth, eighteen hundred and sixty-one,.....	454
259. An act to authorize the inhabitants of the township of Caldwell, in the county of Essex, to raise money for war purposes,.....	ib.
260. A further supplement to an act entitled "An act revising and amending the act to incorporate the city of Paterson," passed March fourteenth, eighteen hundred and sixty-one,.....	456
261. An act to incorporate the Normal School Boarding House Association,.....	457
262. A further supplement to "An act to authorize the inhabitants of the township of Bloomfield, in the county of Essex, to raise money for the support of free schools," approved March first, one thousand eight hundred and forty-nine,.....	458
263. A further supplement to the act entitled "An act to authorize the inhabitants of the township of Plainfield, in the county of Union, to raise money,".....	459
264. An act to incorporate the Franklin Mining Company of New Jersey,.....	460
265. A supplement to an act entitled "An act concerning executors and the administration and distribution of intestates' estates,".....	463
266. An act to incorporate the Paterson Land Improvement Company,.....	464

CONTENTS.

995

Chapter.	Page
267. An act empowering railroad companies to employ a police force,.....	466
268. A supplement to an act entitled "An act for the relief of creditors against corporations," approved April fifteenth, eighteen hundred and forty-six,.....	467
269. An act to incorporate Varick Lodge, Number Thirty-one. Free and Accepted Masons, of the State of New Jersey,.....	468
270. A supplement to the act entitled "An act relative to the supreme and circuit courts," approved April sixteen, eighteen hundred and forty-six,.....	469
271. An act to authorize the inhabitants of the township of Clark, in the county of Union, to raise money,.....	470
272. An act to authorize the township of Princeton, in the county of Mercer, to raise money by taxation and to issue bonds to pay the indebtedness incurred in filling the quotas of said township,.....	471
273. An act to authorize and enable the Thomas Iron Company to hold lands and real estate in this State,.....	473
274. A further supplement to an act entitled "An act to revise and amend the charter of the city of Perth Amboy," approved March eighth, eighteen hundred and fifty-nine,.....	474
275. An act to protect butter and cheese manufacturers,....	478
276. An act amendatory of an act entitled "A further supplement to an act entitled 'an act to revise and amend the charter of the town of Bergen,'" approved March ninth, eighteen hundred and sixty-five,.....	479
277. An act to prevent horses, cattle, sheep and swine from running at large in the township of Lumberton, in the county of Burlington,.....	480
278. Supplement to the act entitled "An act to incorporate the Cooper's Point and Philadelphia Ferry Company,".....	481
279. A supplement to the act entitled "An act to incorporate the Peapack Railroad Company," approved March twentieth, eighteen hundred and fifty-seven,.....	ib.
280. An act relative to the compensation and duties of the law and chancery reporters of the state,.....	482
281. A further supplement to an act entitled "An act concerning roads," approved April sixteenth, eighteen hundred and forty-six,.....	483
282. An act authorizing the Weldon Iron Mining Company to hold lands in the State of New Jersey,.....	ib.
283. An act to incorporate the Travers Land and Mining Company,.....	484
284. An act to enable the owners and possessors of the meadow and marsh lands adjoining the creek commonly called Birch Creek, in the county of Gloucester, to dam the	

Chapter.	Page
same, and to erect and maintain banks, dykes, dams and water works sufficient to prevent the tide from overflowing the same,.....	486
285. A supplement to the act entitled "An act to incorporate the Lodi Manufacturing Company," approved March second, eighteen hundred and fifty-five,.....	490
286. An act to legalize certain acts of the citizens and township committee of Galloway township, in the county of Atlantic, in raising bounties,.....	494
287. An act to authorize the Glassborough and Carpenter's Landing Turnpike Company, in the county of Gloucester, to surrender a part of their road.....	495
288. An act to incorporate the Union Car Manufacturing and Transportation Company.....	496
289. Supplement to the act entitled "An act to incorporate the Paterson Orphan Asylum," approved March eleventh, eighteen hundred and sixty-four,.....	498
290. An act to revise and amend the charter of the city of Rahway,.....	499
291. An act to incorporate the Red Bank and Rumson Neck Railroad Company,.....	541
292. An act supplementary to an act entitled "An act to incorporate the West Jersey Canning and Pickling Company, in the county of Cumberland,.....	550
293. An act to incorporate the Soldiers' Children's Home,....	551
294. An act to authorize the inhabitants of the township of Middletown, in the county of Monmouth, to raise bounties,.....	552
295. An act to authorize the establishment of a Home for Disabled Soldiers,.....	553
296. A further supplement to the act entitled "An act to incorporate the Morris and Essex Railroad Company," passed January twenty-ninth, eighteen hundred and thirty-five,.....	555
297. An act to authorize the inhabitants of the township of Dover, in the county of Ocean, to raise money for military purposes,.....	557
298. A supplement to the act entitled "An act to authorize the inhabitants of the township of Freehold, in the county of Monmouth, to raise money, issue bonds, and for other purposes," approved February twenty-fourth, eighteen hundred and sixty-five,.....	558
299. Supplement to the act entitled "An act to authorize the inhabitants of the township of Millstone, in the county of Monmouth, to raise money, issue bonds, and other purposes," approved.....	559

CONTENTS.

997

Chapter.	Page
300. An act to authorize the inhabitants of the township of Lebanon, in the county of Hunterdon, to raise bounty money, and to legalize the acts of said township for bounties paid heretofore,	559
301. An act to authorize the board of chosen freeholders of the county of Ocean to raise money for military purposes,	560
302. An act to establish a salary for the crier of the courts of the county of Middlesex,	562
303. An act to incorporate the Jersey City Library Association,	563
304. An act to incorporate the Gloucester Iron Foundry and Machine Company,	566
305. An act to legalize and make valid the bonds or other obligations of the township of Livingston, in the county of Essex, heretofore issued for bounties, or may be now issued, or may hereafter be issued, to fill the quota for the call for three hundred thousand men, of December nineteenth, Anno Domini eighteen hundred and sixty-four, and also to authorize the inhabitants of said township to raise additional moneys by bonds for volunteers, substitutes or drafted men, and to provide for the payment of the same,	569
306. An act to change the name of the Broad Street Methodist Episcopal Church of Newark, incorporated by certificate dated June twenty-eighth, eighteen hundred and fifty-three, and recorded in the clerk's office of the county of Essex, in book B, of Miscellanies of said county, on page two hundred and fifty-six,	571
307. An act to authorize the inhabitants of the township of Wantage, in the county of Sussex, to raise money to pay bounties to, volunteers, drafted men, and for other purposes,	571
308. An act to legalize bonds issued by the mayor and common council of the city of Hudson, for war purposes, and to provide for the raising of further sums,	577
309. An act to incorporate the Associate Mining Company, ..	579
310. An act to legalize certain acts of the township committee and of the inhabitants of the township of Upper Penns Neck, in the county of Salem, and to authorize the raising of money by tax to pay the amount expended by the township committee in paying bounties to volunteers,	582
311. An act to confirm certain debts and liabilities incurred by the township of Greenwich, in the county of Gloucester, in raising money incidental to the war, and to authorize the raising by special and annual tax such further sums of money as may be necessary for the payment of sufficient bounties to secure the fill-	

Chapter.	Page.
ing of the quota of said township by volunteers and substitutes under the pending or any future draft,...	585
312. An act to incorporate the Cedar Cliff Cemetery Company,	587
313. An act to authorize the city of Newark to issue war bounty bonds,	590
314. An act to incorporate the Jersey City Warehouse Company,	592
315. A supplement to "An act to legalize certain acts of the inhabitants of the township of Wall, in the county of Monmouth, and also of the assessor, collector, and township committee of said township," approved March second, eighteen hundred and sixty-five,.....	596
316. A supplement to the act entitled "An act to authorize the board of chosen freeholders of the county of Burlington to raise money, issue bonds, and for other purposes," approved March fourth, eighteen hundred and sixty-four,.....	597
317. An act to authorize the inhabitants of the township of Acquackanonk, in the county of Passaic, to raise poll tax,.....	598
318. An act to legalize certain acts of the township of Byram, in the county of Sussex.....	599
319. An act to authorize the raising of money to procure volunteers and substitutes, in the township of Belleville, county of Essex,.....	600
320. An act to authorize the inhabitants of the township of Wayne, in the county of Passaic, to raise poll tax,...	603
321. An act to provide for the collection of bounty money in the township of Bloomfield, in the county of Essex,.	604
322. An act to authorize the inhabitants of the township of Chesterfield, in the county of Burlington, to raise by tax an amount necessary to pay the bounties advanced to volunteers of the said township,.....	605
323. An act to authorize the West Hoboken and Hoboken Passenger Railway Company, and the Hoboken and Hudson City Horse Car Railroad Company, or either of them, to sell and convey their or its property, powers, privileges and franchises to the Hoboken and Weehawken Horse Railroad Company, and the latter Company to purchase and hold, possess, exercise and enjoy the same, and to alter the name of the last mentioned Company to that of the North Hudson County Railway Company,.....	606
324. An act entitled "An act to charter the Passaic Valley and Peapack Railroad Company,".....	610
325. An act to authorize John H. Thomson, Clayton N. Shuster, John L. Shuster, Garret Clark, Rufus W. Clark and Joseph S. Shuster to extend their wharf in front	

CONTENTS.

999

Chapter.	Page
of their property, on the river Delaware, at Billingsport, in the township of Greenwich, in the county of Gloucester, New Jersey,.....	618
326. An act to incorporate the East Jersey Petroleum and Mining Company,.....	619
327. An act to incorporate the Orange Oil Company,.....	622
328. An act to enable the trustees of West Hoboken School District, Hudson county, to borrow money, and for other school purposes pertaining to said district,...	625
329. An act to incorporate the Lawrence Oil and Mining Company,.....	626
330. An act to authorize the township committee of the township of Union, in the county of Hudson, to raise money by issuing bonds, to pay bounties to volunteers,	629
331. A supplement to "An act to authorize the inhabitants of the township of Ewing, in the county of Mercer, to raise money by issuing bonds," approved the twenty-second day of February, eighteen hundred and sixty-five,	630
332. A supplement to an act entitled "An act to authorize the township of Kingwood, in the county of Hunterdon, to raise money by taxation to relieve the inhabitants of said township from the burden of a draft," approved March twenty-fifth, eighteen hundred and sixty-four,.....	631
333. An act to incorporate the Mercer County Agricultural Society,.....	ib.
334. An act to renew the charter of the New Brunswick Manufacturing Company.....	633
335. Supplement to an act entitled "An act to incorporate the Rahway Savings Institute," approved February nineteenth, eighteen hundred and fifty-one,.....	634
336. A supplement to the act entitled "An act to authorize the township of Delaware, in the county of Hunterdon, to raise money by taxation to relieve the inhabitants of said township from the burden of a draft," approved March twenty-fifth, eighteen hundred and sixty-four,.....	635
337. A further supplement to "An act for the preservation of sheep,"	636
338. An act to incorporate the Patent Machine Company....	ib.
339. An act authorizing the inhabitants of Summer Hill School District Number Nine, in East Brunswick township, Middlesex county, to raise money for school purposes,.....	639
340. A supplement to "An act to authorize the construction of works for the supplying of Jersey City and places adjacent with pure and wholesome water," approved March twenty-fifth, eighteen hundred and fifty-two,.	641

Chapter.	Page
341. An act to authorize the city of Elizabeth to raise money to fill the quota of the city under the present call for volunteers,	643
342. A supplement to "An act to incorporate the city of Bridgeton," approved March twenty-ninth, eighteen hundred and sixty-four,	644
343. An act to prevent horses, cattle and sheep from running at large in the township of Chester, county of Burlington,	645
344. A further supplement to an act entitled "An act to incorporate the city of Hoboken," approved March twenty-eighth, eighteen hundred and fifty-five,	646
345. A supplement to the act entitled "An act concerning inns and taverns," approved April seventeenth, eighteen hundred and forty-six,	647
346. An act to incorporate the East Trenton Crockery and Kaoline Company,	648
347. An act for the relief of Philip McEntee,	649
348. An act to incorporate the Citizens' Gas Light Company, of Paterson,	650
349. An act to incorporate a company to improve and encourage the agricultural, horticultural, and the mechanical, manufacturing and scientific arts and productions, and the improvement of blooded stock of all kinds of this State and of other States, at their discretion,	654
350. An act to incorporate the Travellers' Insurance Company of New Jersey,	656
351. An act to prevent horses, cattle, sheep and swine from running at large in that part of the township of Plumsted, in the county of Ocean, north of the old Monmouth road,	661
352. An act to incorporate the Harrisville Manufacturing Company,	ib.
353. A supplement to an act entitled "An act to incorporate the Hibernia Mine Railroad Company," approved March eighteenth, eighteen hundred and sixty-three,	664
354. Supplement to an act entitled "An act incorporating the Cortlandt Van Rensselaer Memorial Institute," approved February twenty-sixth, eighteen hundred and sixty-one,	665
355. An act to incorporate the Ewing and Hopewell Turnpike Company,	ib.
356. An act to incorporate the Educational Association of Stockton, in the county of Hunterdon,	672
357. An act to prevent fraud in the payment of bounties to volunteers,	674

CONTENTS.

1001

Chapter.	Page
358. An act to incorporate Pocahontas Lodge, Number One Hundred and Seven, of the Independent Order of Odd Fellows, of the Borough of Moorestown, and State of New Jersey,.....	675
359. An act to incorporate the Monmouth and Middlesex Railroad Company,.....	ib.
360. An act to authorize the inhabitants of the township of Kingwood, in the county of Hunterdon, to raise money by issuing bonds, for the purpose of filling the quota of said township under the call of the President of the United States of December nineteenth, eighteen hundred and sixty-four, for three hundred thousand men.....	685
361. An act to incorporate Mount Moriah Lodge, Number Twenty-eight. Ancient Free and Accepted Masons, located at Bordentown,.....	687
362. A supplement to an act entitled "An act to incorporate the South River Milling and Manufacturing Company," approved February twenty-fifth, eighteen hundred and forty-seven,.....	688
363. An act to authorize the Mead Rubber Company to establish works in New Jersey, and to incorporate the same,.....	689
364. An act to legalize the action of the township committee of the township of Plumsted, in the county of Ocean, in raising money by loan to fill the quota of said township under the calls of the President of the United States for troops, made respectively July eighteenth and December nineteenth, Anno Domini eighteen hundred and sixty-four,.....	690
365. Supplement to "An act to incorporate the Kingsland and Saw Mill Creek Company," approved March second, eighteen hundred and forty eight,.....	ib.
366. An act to incorporate the Longshoremen's Union Protective Association, Number One, of Jersey City.....	691
367. A further supplement to the act entitled "An act to incorporate the Sussex Mine Railroad Company," approved March ninth, eighteen hundred and forty-eight,.....	692
368. A supplement to "An act to establish a new township in the county of Burlington, to be called the township of Bass River,".....	ib.
369. An act to reimburse Pennsylvania Institute for Deaf and Dumb for losses sustained by them on account of the pupils of New Jersey,.....	693
370. A further supplement to "An act for the government and regulation of the State Prison," approved April sixteenth, eighteen hundred and forty-six,.....	694
371. An act to incorporate the Monmouth County Petroleum and Mining Company,.....	695

Chapter.	Page
372. An act to authorize the inhabitants of the township of West Orange, in the county of Essex, to raise money to pay bounties to volunteers.....	698
373. An act to authorize the inhabitants of the township of Brick, in the county of Ocean, to raise money to pay volunteers, substitutes and drafted men. and to issue bonds to provide for the payment of the same,.....	699
374. Supplement to "An act to incorporate the Hudson Land and Improvement Company,".....	700
375. An act to confirm certain debts and liabilities incurred by the township of Upper Freehold, in the county of Monmouth, for bounties to soldiers to fill the quotas of said township, and to authorize further loans for the same purpose,.....	701
376. An act relative to the Teacher and Moral Instructor to the convicts in the State Prison.....	702
377. An act to authorize the inhabitants of the township of Caldwell, in the county of Essex, to raise money for war purposes,.....	703
378. An act to incorporate the New Jersey Paper Manufacturing Company.....	704
379. An act to encourage and facilitate the improvement of lands in this State,.....	707
380. A further supplement to an act incorporating the New York and Fort Lee Railroad Company,.....	710
381. A supplement to an act entitled "An act for the better preservation of the public peace in the township of Millville, in the county of Cumberland,".....	ib.
382. A supplement to an act entitled "An act relative to the public streets in the town of Millville, in the county of Cumberland," approved March ninth, eighteen hundred and fifty-nine,.....	711
383. Supplement to an act entitled "An act to authorize the inhabitants of School District Number Four, in the township of Millville, to raise money to build school houses. and for the support of public schools," passed February twenty-sixth, eighteen hundred and forty-nine,.....	712
384. An act to legalize certain acts of the town committee and inhabitants of the township of Westfield, in the county of Union, in raising money for volunteers for the war. and to authorize them to hold special town meetings in the future for that purpose,.....	ib.
385. An act to confirm the acts and proceedings of the inhabitants and of the township committee of the township of Rockaway, in the county of Morris, and to authorize the raising of money for the payment of bounties to drafted men, volunteers and substitutes, for filling the quota of said township under the call of the Pre-	

CONTENTS.

1003

Chapter.	Page
sident of the United States made in December, eighteen hundred and sixty-four, and for other purposes.	715
386. An act to authorize the inhabitants of the township of Clinton, in the county of Essex, to raise money by taxation,.....	718
387. An act to incorporate the Paterson Petroleum Company,	ib.
388. An act to incorporate Franklin Lodge, Number Ten, Free and Accepted Masons, of the State of New Jersey,.....	721
389. An act to revive and continue in force an act approved the thirteenth day of March. Anno Domini eighteen hundred and sixty-one, entitled "An act to incorporate the Middlesex and Union Railroad Company,".	722
390. An act to incorporate the Newark and Centerville Petroleum Company,.....	723
391. An act to authorize the building of a bridge over the South Shrewsbury river, at or near Jumping Point, in the county of Monmouth,.....	726
392. A further supplement to an act entitled "An act to authorize the construction of works for the supplying of Jersey City and places adjacent with pure and wholesome water," approved March twenty-fifth, one thousand eight hundred and fifty-two,.....	ib.
393. Supplement to the act entitled "An act for the relief of such portion of the militia of this State as may be called into service," approved May eleventh, eighteen hundred and sixty one,.....	729
394. A supplement to "An act to legalize the acts of the township of Marlboro', in Monmouth county, to pay bounties, and for other purposes." approved March tenth, Anno Domini eighteen hundred and sixty-five,	731
395. Supplement to the act respecting executions,.....	ib.
396. An act to prevent animals from running at large in the borough of Bordentown and in the city of Newark...	732
397. An act to incorporate the Newark Shooting Society,....	734
398. A supplement to an act entitled "An act to incorporate the Ogden Mine Railroad Company," approved February nineteenth, eighteen hundred and sixty-four...	736
399. An act to authorize executors and others to invest in the bonds of this State,.....	737
400. An act authorizing the inhabitants of the township of Chatham, in the county of Morris, to raise money by taxation for the purpose of filling the quota of said township under the call of the President dated December nineteenth, eighteen hundred and sixty-four, and for any future call or calls,.....	738
401. An act to incorporate the American Hotel Company, of Rahway,.....	740

Chapter.	Page
402. A further supplement to the act entitled "An act to incorporate the Monmouth County Plank Road Company," approved February twentieth, eighteen hundred and fifty,.....	741
403. An act to authorize the city of Newark to issue additional war bounty bonds,	742
404. An act to confirm the acts and proceedings of the inhabitants and of the township committee of the township of West Hoboken, in the county of Hudson, and to authorize the raising of money for the payment of bounties to drafted men, volunteers and substitutes, for filling the quota of said township under the call of the President of the United States made in December, eighteen hundred and sixty-four,.....	743
405. An act to provide for raising moneys paid for bounties in the township of Hardiston, in the county of Sussex, ..	745
406. Supplement to the act entitled "An act against usury," approved April tenth, eighteen hundred and forty-six,.....	746
407. An act to authorize the inhabitants of the township of Raritan, in the county of Hunterdon, to raise money by issuing bonds, to reimburse certain drafted men, ..	747
408. An act to confirm certain debts and liabilities incurred by the township of New Providence, in the county of Union, for bounties to soldiers to fill the quotas of said township, and to authorize further loans for the same purpose.....	749
409. A supplement to "An act to re-organize the courts of law," approved February ninth, eighteen hundred and fifty-five,.....	750
410. An act to incorporate the New Jersey Central Oil and Coal Company,.....	751
411. An act to enable the Mechanic Street Methodist Episcopal Church of Elizabeth to convey property,.....	754
412. An act to repeal part of "A further supplement to 'An act to establish public schools,' approved April seventeenth, eighteen hundred and forty-six,".....	755
413. A further supplement to an act entitled "An act to authorize the inhabitants of Clayton and Franklin townships in the county of Gloucester, to borrow money," approved March seventeenth, eighteen hundred and sixty-four,.....	ib.
414. A further supplement to the act entitled "An act to revise and amend the charter of the city of Newark," approved March eleventh, eighteen hundred and fifty-seven,.....	757
415. An act entitled "An act to prevent fishing with seines, baskets, nets and fikes in Bound, Maple Island, Parsons, Woodruff and Wheeler's Creeks, in the coun-	

CONTENTS.

1005

Chapter.	Page
ties of Union and Essex, for the preservation of fish,"	758
416. An act authorizing the appointment of commissioners to lay out streets, avenues and squares in the city of Rahway,	759
417. A supplement to an act entitled " An act to authorize the inhabitants of the township of Downe, in the county of Cumberland. to raise money," approved March fourteenth, Anno Domini eighteen hundred and sixty-five,	762
418. An act to confirm the acts and proceedings of the inhabitants and of the township committee of the township of Roxbury, in the county of Morris, and to authorize the raising of money for the payment of bounties to volunteers, drafted men and substitutes, to fill the quota of said township under the President's call made in December, eighteen hundred and sixty-four, and for other purposes,	763
419. A further supplement to an act entitled " An act to incorporate the city of Hudson." approved April eleventh, eighteen hundred and fifty-five,	766
420. A further supplement to " An act relative to insurance companies," approved April fifteenth, eighteen hundred and forty-six,	767
421. Supplement to an act entitled " An act to authorize the business of banking," approved February twenty-seventh, eighteen hundred and fifty,	768
422. An act to authorize the inhabitants of the road districts in the township of Piscataway, in the county of Middlesex, to elect their overseers,	769
423. An act to legalize the acts of the inhabitants of the township of Southampton, in the county of Burlington, to raise money,	ib.
424. A further supplement to " An act incorporating the inhabitants of townships, designating their powers, and regulating their meetings." approved March fourth, eighteen hundred and sixty-four,	770
425. An act for the better protection of the agricultural and horticultural interest of the county of Atlantic,	771
426. A supplement to an act entitled " A further supplement to an act concerning taxes," approved March twenty-eighth, eighteen hundred and sixty-two,	772
427. An act in relation to the public printing,	773
428. A supplement to an act entitled " An act to regulate the practice of the courts of law,"	776
429. A further supplement to the act entitled " An act to provide for the publication of the public laws of this State," approved February sixteenth, eighteen hundred and fifty-four,	ib.

Chapter.	Page
430. An act to authorize the erection of a monument to the memory of John Hart,.....	777
431. An act to incorporate the town of Clinton, in the townships of Clinton, Franklin and Union, in the county of Hunterdon.....	778
432. Supplement to "An act concerning the fencing of improved lands in the townships of West Milford, Pompton and Wayne, in the county of Passaic,"....	789
433. A supplement to "An act constituting courts for the trial of small causes,".....	ib.
434. A further supplement to "An act to re-organize the courts of law," approved February ninth, one thousand eight hundred and fifty-five.....	790
435. A supplement to the act entitled "An act relative to the sale and disposition of the real estates of infants," approved March nineteenth, eighteen hundred and forty-five,	ib.
436. A further supplement to an act entitled "An act to incorporate the Somerville and Easton Railroad Company," passed February the twenty-sixth, eighteen hundred and forty-seven,.....	792
437. An act to incorporate the Bordentown and Buffalo Creek Oil and Mining Company,.....	ib.
438. An act making an appropriation for the support of the State Lunatic Asylum,.....	795
439. A further supplement to the act entitled "An act to provide for the instruction of indigent blind persons, inhabitants of this state," approved April tenth, eighteen hundred and forty-six,.....	796
440. A supplement to the act entitled "An act to incorporate the Holmdel and Keyport Turnpike Company," approved March ninth, eighteen hundred and fifty-nine,.....	ib.
441. A supplement to the act entitled "An act to incorporate the Middletown and Keyport Turnpike Company," approved March fifteenth, eighteen hundred and fifty-nine,.....	797
442. A supplement to an act entitled "An act to revise and amend the charter of the city of Elizabeth," approved March fourth, eighteen hundred and sixty-three,....	ib.
443. A supplement to the act entitled "An act creating the office of Comptroller of the Treasury, and defining the duties thereof," approved March seventeenth, eighteen hundred and sixty-five,.....	798
444. An act respecting writs of errors, supersedeas and certiorari,.....	799
445. A further supplement to the act entitled "An act to incorporate societies for the promotion of learning," approved April sixteenth, eighteen hundred and forty-six,.....	800

CONTENTS.

1007

Chapter.	Page
446. An act to incorporate the Home and Foreign Passenger and Freight Company of North America.....	800
447. An act to incorporate Arcana Lodge, Number Sixty, Free and Accepted Masons, at Boonton, New Jersey,.....	805
448. An act to incorporate the Savings Bank of South Amboy,	806
449. An act to incorporate the Home for Friendless Children,	809
450. An act to incorporate the Washington Gas Company of the county of Warren,.....	812
451. An act to incorporate the West Jersey Petroleum Refining and Storage Company,.....	814
452. An act to authorize the sale and conveyance of a lot of land and premises claimed by the "Hall Association," at Ringoes, in the township of East Amwell, in the county of Hunterdon, and the distribution of the proceeds,.....	816
453. An act to provide for the better security of passengers on railroads in this State,.....	818
454. An act to incorporate the Heroes' Monument Association,	ib.
455. An act to incorporate Morristown,.....	819
456. An act to incorporate the United States Soldiers and Patriots' Orphans' Home, at Egg Harbor City, New Jersey,.....	829
457. An act to confirm the acts of the common council of the city of Rahway in paying bounties to volunteers, and to authorize taxation for the payment of the interest and principal of money borrowed for such purposes,	831
458. A further supplement to the act entitled "An act to regulate the practice of the courts of law," approved April fifteenth, eighteen hundred and forty-six,.....	832
459. An act to secure statistics of orphanage resulting from deaths of soldiers and sailors of New Jersey during the present war,.....	833
460. A further supplement to an act authorizing an addition to the State Capitol," approved March twenty-fourth, eighteen hundred and sixty-three,.....	834
461. A further supplement to the act entitled "An act concerning taxes," approved April fourteenth, one thousand eight hundred and forty-six,.....	835
462. An act to authorize the extension of the State Lunatic Asylum,.....	837
463. An act to incorporate the Hudson County Aqueduct Company,.....	ib.
464. An act to incorporate the Millville, Vineland and Carlsburg Turnpike Company,.....	845
465. An act to incorporate the Forest County Oil and Lumber Company,.....	852

Chapter.	Page
466. An act to authorize the Morris and Essex Railroad Company to build a bridge across the Delaware River at Phillipsburg,.....	855
467. An act for the more effectual organization of the militia,.....	856
468. An act better to secure the safety of travellers on railroads,.....	867
469. A supplement to an act entitled "An act to incorporate the Somerville and Easton Railroad Company," passed February twenty-sixth, eighteen hundred and forty-seven,.....	868
470. An act to authorize the Lehigh Navigation Company to build a bridge across the Delaware River,.....	870
471. An act to authorize the Methodist Independent Church, or Free Communion Chapel, established at Shark River, in union with the Methodist Protestant Church in the township of Wall, county of Monmouth, to sell lands,.....	871
472. A further supplement to an act entitled "An act to incorporate the Camden, Moorestown, Hainesport and Mount Holly Horse Car Railroad Company," approved March fifteenth, eighteen hundred and fifty-nine,.....	872
473. An act to enable the banks of this State to become associations for the purpose of banking under the laws of the United States,.....	873
474. An act to incorporate Star Lodge, Number Sixty-five, Free and Accepted Masons, in the county of Cape May,.....	875
475. An act to incorporate the Pemberton and Hanover Furnace Railroad Company,.....	876
476. Supplement to "An act to incorporate the Morristown Savings Institution," approved March eighth, eighteen hundred and sixty-one,.....	884
477. An act to incorporate the Paterson Lyceum Association,.....	ib.
478. An act making appropriation for the relief of the Keeper of the State Prison,.....	886
479. An act to establish and organize the State Reform School for juvenile offenders,.....	ib.
480. An act to incorporate the East Brunswick and New Brunswick Turnpike Company,.....	893
481. An act to prevent injuries by fire from locomotive engines on railroads, and to provide for compensation therefor,.....	901
482. An act for the better protection of hotel, inn and boarding house keepers,.....	902
483. A further supplement to "An act for the preservation of deer and other game, and to prevent trespassing with guns," approved April sixteenth, eighteen hundred and forty-six,.....	903

CONTENTS.

1009

Chapter.	Page
484. An act concerning banks	904
485. An act to, authorize the township of Frankford, in the county of Sussex, to raise money,	ib.
486. An act supplementary to an act approved March thirtieth, eighteen hundred and sixty-four, entitled "An act for the more effectual organization of the New Jersey Rifle Corps,"	907
487. A further supplement to "An act to provide for the support of the government of this State, and to fix the salaries of public officers," approved April fourth, eighteen hundred and forty-five,	908
488. An act to regulate the storage of Petroleum,	ib.
489. An act to amend an act entitled "An act to authorize the investment and distribution of the interest of absent persons in the proceeds of land sold in partition or belonging to the estates of intestates," approved April eighth, eighteen hundred and sixty-four,	909
490. An act to incorporate the National Fire and Marine Insurance Company,	910
491. A further supplement to an act entitled "An act to authorize the establishment and to prescribe the duties of companies for manufacturing and other purposes," approved March second, eighteen hundred and forty-nine,	913
492. An act to create a new township in the county of Ocean, to be called the township of Manchester,	ib.
493. A supplement to the act entitled "An act to incorporate the Morris and State Line Railroad Company," approved March the thirty-first, in the year eighteen hundred and sixty-four,	916
494. An act to prevent the carrying on offensive trades and manufactures in the county of Bergen or county of Hudson, east of the Hackensack river, or within the corporate limits of the city of Paterson, in Passaic county,	917
495. A further supplement to the act entitled "An act relative to the court of errors and appeals,"	918
496. An act to authorize the inhabitants of the township of Linden, in the county of Union, to raise money to pay volunteers,	ib.
497. A supplement to an act entitled "An act for the better security of titles to lands sold by sheriffs or other officers," approved March twenty-fifth, eighteen hundred and sixty-four,	919
498. An act to incorporate the Cape May Academical Institute,	ib.
499. An act to confirm certain acts of the inhabitants of Sandyston, in the county of Sussex, and to authorize them to raise money by taxation,	922

Chapter.	Page
500. A further supplement to the act entitled "An act to incorporate the city of Trenton," passed March seventh, eighteen hundred and thirty-seven,.....	923
501. A further supplement to an act entitled "An act against usury,".....	924
502. A supplement to an act entitled "An act to authorize the board of chosen freeholders of the county of Union to borrow money and to issue their bonds therefor," approved March fourth, eighteen hundred and sixty-four,.....	925
503. An act to incorporate the Newark and South Orange Horse Car Railroad Company,.....	926
504. A further supplement to the act entitled "An act to fix the salaries of the officers of the senate and general assembly of the State of New Jersey,".....	935
505. An act to incorporate the Orange Water Company,....	936
506. A supplement to the act entitled "An act to facilitate judicial proceedings in the county of Hudson," approved March twenty-second, eighteen hundred and sixty, extending said act to the county of Passaic, ..	943
507. An act to authorize the Trustees of the Second Reformed Dutch Church of Totowa, at Paterson, to assess the pews therein,.....	944
508. Further supplement to "An act to incorporate the New Brunswick Water Company," approved March first, eighteen hundred and fifty-nine,.....	ib.
509. An act making an appropriation in aid of the Soldiers Children's Home of New Jersey,.....	949
510. An act for the relief of the commissioners appointed by the act entitled "An act to authorize commissioners to dig a ditch from some point on the Passaic River at or near Pine Brook, in a direct course, or as near as may be, to some point on the said river at or near the mouth of Deepavaal Brook, in the county of Essex, for the purpose of draining the flowed lands on the said river and its tributaries, and to relieve the people in the vicinity thereof of sickness and diseases caused thereby," approved March eleventh, eighteen hundred and fifty-eight,.....	950
511. An act to authorize the township committee of the township of Washington, in the county of Morris, to raise money for war purposes under the call of the President of the United States, December nineteenth, eighteen hundred and sixty-four, for troops,.....	952
512. Further supplement to an act entitled "An act to provide for the publication of the public laws of this State," approved February sixteenth, eighteen hundred and fifty-four,.....	953
513. A supplement to an act entitled "An act to authorize the inhabitants of the township of Sparta, in the county	

CONTENTS.

1011

Chapter.	Page
of Sussex, to raise money by tax expended for procuring substitutes, and paid as commutation money, by reason of the draft that was enforced upon the said township in June and October last," approved February twenty-two, eighteen hundred and sixty-five,	954
514. A supplement to an act entitled "An act to incorporate the chosen freeholders of the several counties of this State," approved April sixteenth, eighteen hundred and forty-six,	955

JOINT RESOLUTIONS.

1. Relative to the Senate Journal,.....	957
2. In relation to the State Treasurer's signature on the coupons or interest warrants on bonds issued by the State of New Jersey,.....	958
3. Relative to the Soldier's National Cemetery at Gettysburg,	ib.
4. Relative to the payment of the salary of E. B. Dayton Ogden, deceased, late Associate Justice of the Supreme Court of this State,.....	959
5. In relation to the salary of the late Treasurer,.....	ib.
Certificate of assent of the Morris and Essex Railroad Company,.....	961

PROCLAMATIONS.

1. Relative to the draft,.....	965
2. Relative to a day of humiliation,.....	966
3. Relative to thanksgiving day,	ib.
4. Offering a reward for the apprehension of the murderers of Stephen Tice,.....	967
5. Offering a reward for the apprehension of the murderers of John Jurgen,.....	968
6. Offering a further reward for the apprehension of the murderers of John Jurgen,.....	ib.
7. Appointing a day of humiliation and mourning on account of the death of the President,.....	969
8. Recommending the fourth of July to be celebrated in New Jersey,.....	970
9. Offering a reward for the apprehension of the murderers of Joseph Hollaback,.....	ib.

I N D E X .

INDEX.

A.

	Page
Academical Institute, Cape May—act to incorporate.....	919
Addition to the State Capitol—supplement to act authorizing..	834
Agricultural Society, Franklin—supplement to incorporation..	357
Mercer County—act to incorporate.....	631
and other arts and improvement of stock—to in-	
corporate a company to encourage.....	654
&c., interest in Atlantic county—act to protect.	771
Alexandria township volunteer fund—act to authorize.....	335
American Velvet Company—act to incorporate.....	19
Hotel Company of Rahway—act to incorporate.....	746
Andover township bounty fund—act to authorize.....	231
Animals from running at large in the borough of Bordentown	
and city of Newark—act preventing.....	732
Appropriation for the purchase of the State Normal and Model	
School buildings.....	3
to defray expenses of commissioners on riparian	
water rights.....	350
to erect a monument to the memory of John Hart.	777
for the support of the State Lunatic Asylum.....	795
to provide for the instruction of indigent blind per-	
sons.....	796
for the State Capitol.....	834
for the extension of the State Lunatic Asylum.....	837
for the relief of the Keeper of the State Prison....	886
for Soldiers' Children's Home.....	949
Aquetong Fire Company of Lambertville—act to incorporate.	16
Acquaackanonk township volunteer fund—act to authorize....	39
township volunteer fund—act to authorize.....	598
Aqueduct, Hudson County—act to incorporate.....	837
Arcana Lodge of Masons—act to incorporate.....	805
Associate Mining Company—act to incorporate.....	579
Association, Hoboken Ferrymen's—act to incorporate.....	317
Normal School Boarding House—act to incorporate	457
Jersey City Library—act to incorporate.....	563
Educational, of Stockton—act to incorporate.....	672

	Page
Association, Longshoremen's Union Protective, of Jersey City	
—act to incorporate	691
Heroes' Monument—act to incorporate	818
Paterson Lyceum—act to incorporate	884
Asylum, State Lunatic—act authorizing extension of	837
act making appropriation for	795
Paterson Orphan—supplement to incorporation of	498
Atlantic township volunteer fund—act to authorize	213
city volunteer fund—act to authorize	220
township volunteer fund—act to authorize	305
county—act for protection of agricultural and horti- cultural interest in	771

B.

Ballot—act authorizing Ewing township to vote by	417
Bank, Farmers and Mechanics' of Rahway—act authorizing re- duction of capital stock	20
Banking—supplement to act authorizing business of	768
Banks of this State to do business under United States laws— act to enable	873
Banks—an act concerning	904
Bayonne township volunteer fund—act to authorize	160
Bass River—supplement to act creating township of	692
Bethlehem township volunteer fund—act to authorize	47
Bergen township volunteer fund—act to authorize	184
Bedminster township volunteer fund—act to authorize	246
Bernards township volunteer fund—act to authorize	327
Bergen, town of—supplement to act renewing charter	273
supplement to act revising and amending charter	479
Belleville township volunteer fund—act to authorize	600
Birch Creek—act enabling owners of to dam	486
Blairstown volunteer fund—act to authorize	126
Bloomfield volunteer fund—act to authorize	604
township of, to raise money for public schools	458
Blind persons, indigent, of this State—act to provide for the in- struction of	796
Boarding House Association, Normal School—act to incorpo- rate	457
Bordentown volunteer fund—act to authorize	114
Lodge of Odd Fellows—act to incorporate	138
Mystic Lodge of Odd Fellows of the Borough of —act to incorporate	312
act to prevent animals from running at large in the Borough of	732
and Buffalo Creek Oil and Mining Company—act to incorporate	792
Bonds of this State—act enabling executors and others to in- vest in	737
Bounties to Volunteers—to prevent fraud in payment of	674

	Page
Bounty for volunteers—act to authorize	
in city of Jersey City.....	43
Elizabeth.....	66
Camden.....	68
New Brunswick.....	106
Trenton.....	112
Hoboken.....	161
Perth Amboy.....	203
Atlantic.....	220
Paterson.....	339
Cape Island.....	341
Hudson.....	577
Newark.....	590
Elizabeth.....	643
Newark.....	742
Rahway.....	831
Trenton.....	923
in county of Burlington.....	233
Burlington.....	268
Burlington.....	597
Camden.....	88
Camden.....	143
Essex.....	192
Hudson.....	163
Mercer.....	95
Middlesex.....	269
Monmouth.....	245
Ocean.....	560
Salem.....	37
in township of Acquackanonk.....	39
Raritan.....	44
Kingwood.....	45
Bethlehem.....	47
East Amwell.....	53
Ewing.....	54
Evesham.....	56
Linden.....	57
Clinton.....	58
Harrison.....	60
Mantua.....	64
Lebanon.....	67
Warren.....	70
Deerfield.....	73
Hopewell.....	75
Wayne.....	76
Hardwick.....	77
Millstone.....	79
Millville.....	80
Lawrence.....	82
Raritan.....	83
Independence.....	90
Union.....	92
Hampton.....	94

	Page
Bounty for volunteers—act to authorize	
in township of Clinton.....	94
Hamilton.....	96
Franklin.....	98
Ewing.....	100
Howell.....	101
Morris.....	103
Tewksbury.....	107
Oxford.....	109
Millburn.....	111
Bordentown.....	114
Hopewell.....	ib.
Newton.....	116
Franklin.....	121
Delaware.....	123
Pilesgrove.....	124
Washington.....	125
Blairstown.....	126
Pahaquarry.....	128
Maurice River.....	131
West Hoboken.....	136
Hanover.....	139
Freehold.....	145
Lambertville.....	147
Upper Township.....	149
Bayonne.....	160
Fairfield.....	166
Branchburg.....	167
West Orange.....	169
East Amwell.....	170
Hillsborough.....	173
Union.....	175
Mansfield.....	177
Readington.....	179
Bergen.....	184
West Amwell.....	185
Woolwich.....	187
Pilesgrove.....	189
Hope.....	190
Shrewsbury.....	193
Chester.....	195
Washington.....	198
East Brunswick.....	200
Byram.....	202
Mendham.....	206
East Windsor.....	207
Montgomery.....	209
Phillipsburg.....	210
Springfield.....	211
Atlantic.....	213
West Milford.....	214
Franklin.....	216
Pompton.....	218

	Page
Bounty for volunteers—act to authorize in township of Hamilton.....	220
Piscataway.....	221
Landis.....	223
North Brunswick....	224
Knowlton.....	226
Frelinghuysen.....	227
Greene.....	229
Lafayette.....	230
Andover.....	231
Stafford.....	232
Chatham.....	234
Vernon.....	241
Freehold.....	242
Weymouth.....	244
Bedminster.....	246
Wall.....	249
West Windsor.....	250
Pittsgrove.....	252
Greenwich.....	253
Upper Pittsgrove....	254
Matavan.....	256
Mansfield.....	258
Manchester.....	259
Sparta.....	260
Franklin.....	261
Morris.....	265
Union.....	266
Rockaway.....	278
Deptford.....	288
Pequannoc.....	292
Manalapan.....	298
Middle Township....	299
Middle Township....	301
Shrewsbury.....	302
Northampton.....	303
South Brunswick....	304
Atlantic.....	305
Upper Freehold....	306
Egg Harbor.....	313
Sandyston.....	314
Marlboro.....	318
Union.....	319
Woodbridge.....	323
Monroe.....	324
Downe.....	326
Bernards.....	327
Stillwater.....	328
Lower Township....	331
Frankford.....	333
Alexandria.....	335
Raritan.....	336
Montague.....	ib.

	Page
Bounty for volunteers—act to authorize	
in township of	
Bridgeton	337
Randolph	342
Lower Penns Neck	349
Jefferson	351
Ocean	359
Stoe Creek	364
Ocean	368
Raritan	378
Newton	379
Clayton	388
Franklin	ib.
Washington	389
Greenwich	390
Roxbury	400
Howell	401
Bridgewater	406
Harrison	408
Hamilton	416
South Amboy	421
Dennis	431
South Orange	434
Jefferson	435
Walpack	439
Stockton	441
Harmony	442
Lopateong	444
Holmdel	445
Dennis	449
Caldwell	454
Plainfield	459
Clark	470
Princeton	471
Galloway	494
Middletown	552
Dover	557
Freehold	558
Millstone	559
Lebanon	ib.
Livingston	569
Wantage	571
Upper Penns Neck	582
Greenwich	585
Wall	596
Acquackanonk	598
Byram	599
Belleville	600
Wayne	603
Bloomfield	604
Chesterfield	605
Union	629
Ewing	630
Kingwood	631

INDEX.

1021

	Page
Bounty for volunteers—act to authorize in township of Delaware.....	635
Kingwood	685
Plumsted	690
West Orange.....	698
Brick	699
Upper Freehold.....	701
Caldwell.....	703
Westfield	712
Rockaway.....	715
Clinton.....	718
Marlboro.....	731
Chatham	738
West Hoboken.....	743
Hardiston	745
Raritan	747
New Providence.....	749
Clayton and Franklin.....	755
Downe	762
Roxbury	763
Southampton	769
Frankford	904
Linden.....	918
Sandyston	922
Washington.....	952
Sparta	954
Branchburg township volunteer fund—act to authorize.....	167
Bridgeton township volunteer fund—act to authorize.....	337
Bridgewater township volunteer fund—act to authorize.....	406
Briek township volunteer fund—act to authorize.....	699
Bridgeton, city of—supplement to incorporation.....	644
Bridge over South Shrewsbury River—act authorizing to build Delaware River—act authorizing Morris and Essex Railroad to build.....	726 855
Broad Street Methodist Episcopal Church, Newark—act to change name of.....	571
Burlington county volunteer fund—act to authorize.....	233
volunteer fund—act to authorize	268
volunteer fund—act to authorize.....	597
Butter and cheese manufacturers—act to protect.....	478
Byram township volunteer fund—act to authorize.....	202
volunteer fund—act to authorize.....	599

C.

Caldwell township volunteer fund—act to authorize.....	454
volunteer fund—act to authorize.....	703
Camden city volunteer fund—act to authorize.....	68
county volunteer fund—act to authorize.....	88
volunteer fund—act to authorize.....	143
and Philadelphia Steamboat Ferry Company—act to renew charter of.....	287

	Page
Camden county—act to repeal an act to facilitate judicial proceedings in	415
Moorestown, Hainesport and Mount Holly Horse Car Railroad—supplement to incorporation	872
Canning and Pickling Company of West Jersey—act to incorporate	5
supplement to incorporation	550
Cape May county, Upper Township volunteer fund—act to authorize	149
Academical Institute—act to incorporate	919
Cape Island city volunteer fund—act to authorize	341
Car Spring Company, Union—act to incorporate	403
Certificate of assent of Morris and Essex Railroad Company ..	961
Cedar Cliff Cemetery Company—act to incorporate	587
Central American Transit Company—supplement to incorporation	86
Centre township volunteer fund—act to authorize	88
Chancery and law reporters—act relative to compensation and duties of	482
Chain Manufacturing Company, Trenton—act to incorporate ..	447
Charter of Hudson River Steamboat Company—act to extend ..	42
Gloucester Manufacturing Company—act to renew ..	63
Land Company—act to renew	72
town of Bergen—supplement to act to revise and amend	273
Camden and Philadelphia Steamboat Ferry Company—act to renew	287
New Brunswick Mutual Fire Insurance Company—act to extend	358
city of Perth Amboy—act to revise and amend	474
town of Bergen—act to revise and amend	479
city of Rahway—act to revise and amend	499
Passaic Valley and Peapack Railroad Company—an act to	610
New Brunswick Manufacturing Company—an act to renew	633
city of Newark—supplement to act to revise	757
city of Elizabeth—supplement to act to revise	797
Chatham township volunteer fund—act to authorize	234
volunteer fund—act to authorize	738
Chester township volunteer fund—act to authorize	195
Chesterfield township volunteer fund—act to authorize	603
Chester township—act to prevent horses, &c., from running at large in	644
Cheese and butter manufacturers—act to protect	478
Children, Soldiers'—act to incorporate home for	551
friendless—act to incorporate a home for	809
Soldiers'—act making appropriation for a home for ..	949
Chosen freeholders in the several counties—act incorporating ..	955
Church, M. E., of Newark—act to change name of	754
Elizabeth—act authorizing to convey property ..	754
township of Wall—act authorizing to sell land ..	871
Circuit and Supreme Courts—supplement to act relative to	469

INDEX.

1023

	Page
Citizens' Gas Light Company of Paterson—act to incorporate,	650
City of Paterson—supplement to incorporation of,.....	4
volunteer fund—act to authorize,.....	50
Elizabeth volunteer fund—act to authorize,.....	66
Camden volunteer fund—act to authorize,.....	68
New Brunswick volunteer fund—act to authorize,.....	106
Trenton volunteer fund—act to authorize,.....	112
Hoboken volunteer fund—act to authorize,.....	161
Perth Amboy volunteer fund—act to authorize,.....	203
Atlantic volunteer fund—act to authorize,.....	220
Paterson volunteer fund—act to authorize,.....	339
Cape Island volunteer fund—act to authorize,.....	341
Egg Harbor—supplement to incorporation,.....	363
Hoboken—act to vacate Court street in,.....	411
supplement to incorporation,.....	412
Paterson—supplement to incorporation,.....	456
Perth Amboy, supplement to act to revise and amend charter of,.....	474
Rahway—supplement to act to revise and amend char- ter of,.....	499
Hudson—bounty for volunteers, act to authorize,.....	577
Newark—bounty for volunteers, act to authorize,.....	590
Elizabeth—bounty for volunteers, act to authorize,.....	643
Bridgeton—supplement to incorporation,.....	644
Hoboken—supplement to incorporation,.....	646
Newark—supplement to incorporation,.....	742
supplement to act to revise and amend char- ter of,.....	757
Rahway—act authorizing appointment of street commis- sioners in,.....	579
Hudson—supplement to incorporation,.....	766
Elizabeth—act to amend charter of,.....	797
Rahway—bounty for volunteers, act to authorize,.....	831
Trenton—bounty for volunteers, act to authorize,.....	923
Clark township volunteer fund—act to authorize,.....	476
Clayton township volunteer fund—act to authorize,.....	755
and Franklin townships volunteer fund—to authorize,.....	388
Clinton township volunteer fund—act to authorize,.....	58
volunteer fund—act to authorize,.....	94
and Rahway—supplement to act to prevent horses, cat- tle, &c., from running at large in,.....	433
township volunteer fund—act to authorize,.....	718
town of act to incorporate,.....	778
Commissioners on water rights—act to defray expenses of,...	350
for draning in Essex county—act for relief of,...	950
Companies for navigating lakes, &c., act amending corporation of,.....	350
for manufacturing and other purposes, supplement to act authorizing establishment of,.....	354
for manufacturing and other purposes, supplement to act authorizing establishment of,.....	913
Company—to incorporate West Jersey Canning and Pickling,...	5
Red Bank and Eatontown Turnpike,.....	7

	Page
Company—to incorporate Aquetong Fire, of Lambertville....	16
Trenton Pottery.....	17
American Velvet.....	19
Eatontown and Sea Shore Turnpike..	22
to extend charter of Hudson River Steamboat Com- pany	42
to renew charter of Gloucester Land.....	72
to incorporate Watson Manufacturing.....	132
New Brunswick and Cranberry Turn- pike	151
Ogden Iron.....	238
Gould Machine.....	271
New Jersey Oil.....	276
Passaic Thread.....	283
Gloucester Ferry.....	284
to renew charter of Camden and Philadelphia Steam- boat Ferry	287
to incorporate South Jersey Oil and Mining.....	290
Newark Watch Manufacturing.....	295
South Amboy Clay Dock.....	308
Millville Manufacturing.....	310
South Jersey Cranberry.....	321
to extend charter of New Brunswick Mutual Fire Insurance	358
to incorporate West Jersey Oil.....	360
Elizabeth Horse Railroad.....	370
Mariners' Mutual Insurance.....	393
Union Car Spring.....	403
Schooley's Mountain Turnpike.....	423
Trenton Chain Manufacturing.....	447
New Jersey Produce	451
Franklin Mining.....	460
Paterson Land Improvement.....	464
authorizing the Weldon Iron Mining to hold land in this state.....	483
to incorporate Travers Land and Mining.....	484
Union Car Manufacturing and Trans- portation	496
Red Bank and Rumson Neck Rail- road	541
Gloucester Iron Foundry and Machine Associate Mining.....	566
Cedar Cliff Cemetery.....	579
Jersey City Warehouse.....	587
Passaic Valley and Peapack Rail- road	592
East Jersey Petroleum and Mining..	610
Orange Oil.....	619
Lawrence Oil and Mining	622
to renew charter of New Brunswick Manufacturing	626
to incorporate Patent Machine.....	633
East Trenton Crockery and Kaoline..	636
Citizens' Gas Light of Paterson.....	648
	650

INDEX.

1025

	Page
Company to improve the agricultural arts in this State.....	654
to incorporate Traveller's Insurance of New Jersey.....	656
Harrisonville Manufacturing.....	661
Ewing and Hopewell Turnpike.....	665
Monmouth and Middlesex Railroad..	675
Mead Rubber to establish in New Jersey and to incorporate.....	689
Monmouth County Petroleum and Mining.....	695
New Jersey Paper Manufacturing...	704
Paterson Petroleum.....	718
to renew act to incorporate Middlesex and Union Railroad	722
to incorporate Newark and Centerville Petroleum..	723
American Hotel.....	740
New Jersey Central Oil and Coal...	751
Bordentown and Buffalo Creek Oil and Mining.....	792
Home and Foreign Passenger and Freight of North America.....	800
Washington Gas.....	812
West Jersey Petroleum Refining and Storage.....	814
Hudson County Aqueduct.....	837
Millville, Vineland and Carlsburg Turnpike.....	845
Forest County Oil and Lumber.....	852
Pemberton and Hanover Furnace Railroad.....	876
East Brunswick and New Brunswick Turnpike.....	893
National Fire and Marine Insurance.	910
Comptroller of the Treasury—act creating office, &c.....	374
supplement to act creating.....	798
Corporations—an act for the relief of creditors against.....	467
Cooper's Point and Philadelphia Ferry Company—supplement to incorporation.....	481
Cortlandt Van Rensselaer Memorial Institute—supplement to incorporation	665
County of Salem volunteer fund—act to authorize.....	37
Mercer volunteer fund—act to authorize.....	95
Camden volunteer fund—act to authorize.....	143
Hudson volunteer fund—act to authorize.....	163
Essex volunteer fund—act to authorize.....	192
Burlington volunteer fund—act to authorize.....	233
Monmouth volunteer fund—act to authorize.....	245
Burlington volunteer fund—act to authorize.....	268
Middlesex volunteer fund—act to authorize.....	269
Camden volunteer fund—act to authorize.....	415
Ocean volunteer fund—act to authorize.....	560
Burlington volunteer fund—act to authorize.....	597
Union volunteer fund—act to authorize.....	925

	Page
County of Atlantic—act for protection of Agricultural, &c., interest in.....	771
Counties—supplement to act incorporating Chosen Freeholders in several.....	955
Courts, supreme and circuit—supplement to act relative to... in Middlesex county—act to establish salary of criers of.....	469
of law—supplement to act reorganizing.....	562
supplement to act regulating practice of.....	750
for the trial of small causes—supplement to act constituting.....	776
of law—supplement to act reorganizing.....	789
supplement to act regulating practice of.....	790
of errors and appeals—supplement to act relative to...	832
Cranberry Company of South Jersey—act to incorporate.....	918
Creditors against corporations—act for relief of.....	321
Criers of Middlesex county court—act to establish salaries of.....	466
Crockery and Kaoline Company, East Trenton—act to incorporate.....	562
	648

D.

Dam—act enabling owners of Birch Creek to erect.....	486
Deerfield township volunteer fund—act to authorize.....	73
Deer and other game—supplement to act for preservation of..	903
Delaware township volunteer fund—act to authorize.....	123
volunteer fund—act to authorize.....	635
river—act enabling Morris and Essex Railroad Company to bridge.....	855
act enabling Lehigh Navigation Company to bridge.....	870
Dennis township volunteer fund—act to authorize.....	431
volunteer fund—act to authorize.....	449
Deptford township volunteer fund—act to authorize.....	288
Dock Company, South Amboy Clay—act to incorporate.....	308
Dogs as personal property—decided in act respecting executions.....	731
Dover township volunteer fund—act to authorize.....	557
Downe township volunteer fund—act to authorize.....	326
volunteer fund—act to authorize.....	762

E.

East Amwell township volunteer fund—act to authorize.....	53
volunteer fund—act to authorize.....	170
Brunswick township volunteer fund—act to authorize...	200
Windsor township volunteer fund—act to authorize.....	207
Orange township—act authorizing grading of streets, &c.	853
Jersey Petroleum and Mining Company—act to incorporate.....	619

	Page
East Trenton Crockery and Kaoline Company—act to incorporate	648
Brunswick and New Brunswick Turnpike Company—act to incorporate	893
Eatontown and Sea Shore Turnpike Company—act to incorporate	22
Educational Association of Stockton—act to incorporate	672
Egg Harbor township volunteer fund—act to authorize	313
city—supplement to incorporation	363
city—act to incorporate Soldiers and Patriots' Orphans' Home	829
Elizabeth Steam Manufacturing Company—supplement to incorporation	15
city volunteer fund—act to authorize	66
Horse Railroad Company—act to incorporate	370
and Newark Horse Railroad Company—supplement to incorporation	392
and Newark Horse Railroad Company—supplement to incorporation	410
city volunteer fund—act to authorize	643
city—supplement to act to amend charter of	797
Errors and appeals, court of—supplement to act relative to	918
Essex county volunteer fund—act to authorize	192
act for preservation of fish in	758
act for the relief of commissioners authorized to drain lands in	950
Evesham township volunteer fund—act to authorize	56
Ewing township volunteer fund—act to authorize	54
volunteer fund—act to authorize	100
volunteer fund—act to authorize	630
to vote by ballot—act authorizing	417
and Hopewell Turnpike Company—act to incorporate ..	665
Extension of Mechanic's street in East Orange—act authorizing	34
Executors of intestates' estates—supplement to act concerning and others—enabling them to invest in State bonds ..	463
Executions—supplement to an act respecting dogs as personal property	731

F.

Fairfield township volunteer fund—act to authorize	166
Fairmount township—supplement to act creating	32
Farmers and Mechanics' Bank of Rahway—act authorizing the stock of	20
Ferry Company, Gloucester—act to incorporate	284
Cooper's Point and Philadelphia—supplement to incorporation	481
Ferryman's Association, Hoboken—act to incorporate	317
Fish—act for preservation of in Union and Essex counties	758
Fire Company, Aquetong, of Lambertville—act to incorporate ..	16
Forest County Oil and Lumber Company—act to incorporate	852

	Page
Franklin township volunteer fund—act to authorize.....	93
volunteer fund—act to authorize.....	121
volunteer fund—act to authorize.....	216
volunteer fund—act to authorize.....	261
volunteer fund—act to authorize.....	388
volunteer fund—act to authorize.....	755
Agricultural Society—supplement to incorporation..	357
Mining Company of New Jersey—act to incorporate..	460
Lodge of Masons—act to incorporate.....	721
Frankford township volunteer fund—act to authorize.....	333
volunteer fund—act to authorize.....	904
Freehold township volunteer fund—act to authorize.....	145
volunteer fund—act to authorize.....	242
volunteer fund—act to authorize.....	558
Frelinghuysen township volunteer fund—act to authorize....	227
Freeholders, chosen, of the several counties—supplement to act incorporating.....	955

G.

Galloway township volunteer fund—act to authorize.....	494
Gas Light Company, Citizens', of Paterson—act to incorporate	650
Washington—act to incorporate.....	812
Glassboro' and Carpenter's Landing Turnpike Company—act to surrender part of their road.....	495
Gloucester Manufacturing Company—act to renew charter and reduce stock of.....	63
Land Company—act to renew charter of.....	72
township volunteer fund—act to authorize.....	88
Ferry Company—act to incorporate.....	284
Iron Foundry and Machine Company—act to incor- porate.....	566
Gould Machine Company—act to incorporate.....	271
Greene township volunteer fund—act to authorize.....	229
Greenwich township volunteer fund—act to authorize.....	253
volunteer fund—act to authorize.....	390
volunteer fund—act to authorize.....	585

H.

Haddon township—act creating.....	119
Hackensack and Harrington townships—act to extend act to prevent horses, cattle, sheep and swine from run- ning at large in.....	135
Hall Association—act authorizing sale of land claimed by.....	816
Hampton township volunteer fund—act to authorize.....	94
Hamilton township volunteer fund—act to authorize.....	96
volunteer fund—act to authorize.....	220
volunteer fund—act to authorize.....	416
Hanover township volunteer fund—act to authorize.....	139

INDEX.

1029

	Page
Harrison township volunteer fund—act to authorize	60
volunteer fund—act to authorize	408
Hardwick township volunteer fund—act to authorize	77
Harmony township volunteer fund—act to authorize	442
Harrisonville Manufacturing Company—act to incorporate	661
Hardiston township volunteer fund—act to authorize	745
Hart, John—act authorizing the erection of a monument to the memory of	777
Heroes' Monument Association—act to incorporate	818
Hillsborough township volunteer fund—act to authorize	173
Hightstown and Perrineville Turnpike Company—supplement to incorporation	399
Hibernia Mine Railroad Company—supplement to incorpora- tion	664
Hoboken city volunteer fund—act to authorize	161
Ferryment's Association—act to incorporate	317
city—act to vacate Court street in	411
supplement to incorporation of	412
and Weehawken Horse Railroad—act authorizing to purchase property and to change name of	606
city of—supplement to incorporation	646
Holmdel township volunteer fund—act to authorize	445
and Keyport Turnpike Company—supplement to incor- poration	796
Home for soldiers' children—act to incorporate	551
disabled soldiers—act to establish	553
and Foreign Passenger and Freight company of North America	800
for friendless children—act to incorporate	809
for United States soldiers' and patriots' children	829
for soldiers' children—act making appropriation for	949
Hopewell township volunteer fund—act to authorize	75
volunteer fund—act to authorize	114
Hope township volunteer fund—act to authorize	190
Horses, &c., running at large in townships of Hackensack and Harrington—to extend act to prevent	135
act to prevent running at large in Middle town- ship	419
supplement to act to prevent running at large in townships of Clinton and Rahway	433
act to prevent running at large in town of Lum- berton	480
act to prevent running at large in township of Chester	645
act to prevent running at large in township of Plumsted	661
Hotel Company, American, of Rahway—act to incorporate	740
inn, and boarding house keepers—act for better protec- tion of	902
Howell township volunteer fund—act to authorize	101
volunteer fund act to authorize	401
Hudson River Steamboat Company—act to extend charter of ..	42
county volunteer fund—act to authorize	163

	Page
Hudson city volunteer fund—act to authorize.....	577
Land and Improvement Company—act to incorporate.	700
city, supplement to incorporation.....	766
county Aqueduct Company—act to incorporate.....	837
supplement to act facilitating judicial proceed- ings in.....	943
Hunterdon County Mutual Fire Insurance Company—act for relief of.....	297

I.

Incorporating West Jersey Canning and Pickling Company..	5
Red Bank and Eatontown Turnpike Company..	7
Aquetong Fire Company of Lambertville.....	16
Trenton Pottery Company.....	17
American Velvet Company.....	19
Eatontown and Seashore Turnpike Company... ..	22
Musconetcong Iron Works of Sussex County... ..	40
Watson Manufacturing Company.....	132
Bordentown Lodge of Odd Fellows.....	138
New Brunswick and Cranberry Turnpike Com- pany.....	151
Ogden Iron Company.....	238
Gould Machine Company.....	271
New Jersey Oil Company.....	276
Passaic Thread Company.....	283
Gloucester Ferry Company.....	284
South Jersey Oil and Mining Company.....	290
Newark Watch Manufacturing Company.....	295
South Amboy Clay Dock Company.....	308
Millville Manufacturing Company.....	310
Mystic Lodge of Odd Fellows, Bordentown,....	312
Hoboken Ferrymen's Association.....	317
South Jersey Cranberry Company.....	321
New Jersey Classical and Scientific Institute... ..	355
West Jersey Oil Company.....	360
Elizabeth Horse Railroad Company.....	370
Mariners Mutual Insurance Company.....	393
Union Car Spring Company.....	403
Vincentown Lodge of Odd Fellows.....	416
Schooley's Mountain Turnpike Company.....	423
Trenton Chain Manufacturing Company.....	447
New Jersey Produce Company.....	451
Normal School Boarding House Association....	457
Franklin Mining Company of New Jersey.....	460
Paterson Land Improvement Company.....	464
Varick Lodge, Free and Accepted Masons.....	468
Travers Land and Mining Company.....	484
Union County Manufacturing and Transporta- tion Company.....	496
Red Bank and Rumson Neck Railroad Company	541
Soldiers' Children's Home.....	551

INDEX.

1031

	Page
Incorporating Home for Disabled Soldiers.....	553
Jersey City Library Association.....	563
Gloucester Iron Foundry and Machine Company, Associate Mining Company.....	566
Cedar Cliff Cemetery Company.....	579
Jersey City Warehouse Company.....	587
East Jersey Petroleum and Mining Company...	592
Orange Oil Company.....	619
Lawrence Oil and Mining Company.....	622
Mercer County Agricultural Society.....	626
Patent Machine Company.....	631
East Trenton Crockery and Kaoline Company.	636
Citizens Gas Light Company.....	648
A company to improve the agricultural &c., arts. &c.....	650
Travellers' Insurance Company.....	654
Harrisonville Manufacturing Company.....	656
Ewing and Hopewell Turnpike Company.....	661
Educational Association of Stockton.....	665
Pocahontas Lodge of Odd Fellows.....	672
Monmouth and Middlesex Railroad Company...	675
Mount Moriah Lodge of Masons.....	675
Mead Rubber Company.....	687
Monmouth County Petroleum and Mining Company.....	689
New Jersey Paper Manufacturing Company...	695
Paterson Petroleum Company.....	704
Franklin Lodge of Masons.....	718
Middlesex and Union Railroad Company.....	721
Newark and Centerville Petroleum Company...	722
Newark Shooting Society.....	723
American Hotel Company of Rahway.....	734
New Jersey Central Oil and Coal Company...	740
town of Clinton.....	751
Bordentown and Buffalo Creek Oil and Mining Company.....	778
Home and Foreign Passenger and Freight Company of North America.....	792
Arcana Lodge of Masons, of Boonton.....	800
Savings Bank of South Amboy.....	805
Home for Friendless Children.....	806
Washington Gas Company.....	809
West Jersey Petroleum Refining and Storage Company.....	812
Heroes' Monument Association.....	814
Morristown.....	818
United States Soldiers and Patriots Orphans' Home, at Egg Harbor City.....	819
Hudson County Aqueduct Company.....	829
Millville, Vineland and Carlsburg Turnpike Company.....	837
Forest County Oil and Lumber Company.....	845
Star Lodge of Masons in Cape May county....	852
	875

	Page
Incorporating Pemberton and Hanover Furnace Railroad Company.....	876
Paterson Lyceum Association.....	884
East Brunswick and New Brunswick Turnpike Company.....	893
National Fire and Marine Insurance Company..	910
Cape May Academical Institute.....	919
Newark and South Orange Horse Car Railroad Company.....	926
Orange Water Company.....	936
Improved lands in several townships—act regarding.....	789
Independence township volunteer fund—act to authorize.....	90
Infants' real estate—supplement to act relative to sale of.....	790
Inns and taverns—supplement to act concerning.....	647
Insolvent persons—supplement to act concerning estates of..	31
Institute, New Jersey Classical and Scientific, at Hightstown act to incorporate.....	355
Rahway Savings—supplement to incorporation.....	634
Cortlandt Van Renssalaer Memorial—supplement to incorporation.....	665
Deaf and Dumb, Pennsylvania—act to reimburse for losses on account of New Jersey pupils.....	693
Cape May Academical—act to incorporate.....	919
Insurance Company, Hunterdon County Mutual Fire—act for relief of.....	297
New Brunswick Mutual Fire—act to extend charter of.....	358
North American Transit—act authorizing sale of tickets in this State.....	392
Mariners' Mutual—act to incorporate... ..	393
Traveller's, of New Jersey—act to incorporate.....	656
National Fire and Marine—act to incorporate.....	910
companies—supplement to act relative to.....	767
Intestates' estates—supplement to act concerning administration of.....	463
Iron Works, Musconetcong, of Sussex county—act to incorporate.....	40
Company, Ogden—act to incorporate.....	238
Oxford—supplement to incorporation.....	401
Thomas—to hold lands in this State.....	473
Foundry and Machine Company, Gloucester—act to incorporate.....	566

J.

Jefferson township volunteer fund—act to authorize.....	351
volunteer fund—act to authorize.....	435
Jersey City volunteer fund—act to authorize.....	43
supplement to incorporation of.....	381
Library Association—act to incorporate.....	563

INDEX.

1033

	Page
Jersey City Warehouse Company—act to incorporate.....	592
Water Works—supplement to act authorizing construction of.....	641
supplement to act authorizing construction of.....	726
Longshoremen's Union Protective Association—to incorporate.....	691
Joint Resolutions relative to the Senate Journal.....	957
relative to the State Treasurer's signature on the State bonds of New Jersey.....	958
relative to the Soldiers' Cemetery at Gettysburg.....	958
relative to the payment of the salary of E. B. Dayton Ogden.....	959
relative to the salary of the late treasurer..	959
Judicial proceedings in Camden county—act to repeal act facilitating.....	415
in Hudson county—supplement to act to facilitate.....	943

K.

Keeper of the New Jersey State Prison—act for relief of.....	886
Kingsland and Saw Mill Creek Company—supplement to incorporation.....	690
Kingwood township volunteer fund—act to authorize.....	45
volunteer fund—act to authorize.....	631
volunteer fund—act to authorize.....	685
Knowlton township volunteer fund—act to authorize.....	226

L.

Lafayette township volunteer fund—act to authorize.....	230
Lambertville township volunteer fund—act to authorize.....	147
Land Company, Gloucester, act to renew charter of.....	72
Improvement Company, Paterson—to incorporate.....	464
and real estate in this state—act authorizing Thomas Iron Company to hold.....	473
in this State—act authorizing Weldon Iron Company to hold.....	483
and Mining Company, Travers—act to incorporate....	484
and Improvement Company, Hudson—supplement to incorporation.....	700
in this state—act to facilitate improvement of.....	707
claimed by Hall Association—act authorizing sale of...	816
authorizing Methodist churches in Wall township to sell belonging to absent persons—supplement to act authorizing investment of proceeds of.....	909
sold by sheriffs and other officers—act for better security of titles of.....	919
Landis township volunteer fund—act to authorize.....	223

	Page
Law and chancery reporters—act relative to duties and compensation of.....	482
courts of—supplement to act re-organizing.....	750
Lawrence township volunteer fund—act to authorize.....	82
Oil and Mining Company—act to incorporate.....	626
Learning—supplement to act creating societies for the promotion of.....	800
Lebanon township volunteer fund—act to authorize.....	66
volunteer fund—act to authorize.....	539
Lehigh Navigation Company—act authorizing to bridge the Delaware.....	870
Linden township volunteer fund—act to authorize.....	57
volunteer fund—act to authorize.....	918
Library Association of Jersey City—act to incorporate.....	563
Livingston township volunteer fund—act to authorize.....	569
Locomotive engines—act to prevent injuries by fire from.....	901
Lodi township—act to divide school district in.....	410
Manufacturing Company—supplement to incorporation..	490
Longshoremen's Union Protective Association of Jersey City—act to incorporate.....	692
Lopatcong township volunteer fund—act to authorize.....	444
Lower township of Cape May county volunteer fund—act to authorize.....	331
Penns Neck township volunteer fund—act to authorize..	349
Lumberton township—act to prevent horses, &c., from running at large.....	480
Lyceum Association, Paterson—act to incorporate.....	884

M.

Machine and Foundry Company, Warren—supplement to incorporation.....	326
Company, Gould—act to incorporate.....	271
and Iron Foundry Company, Gloucester—act to incorporate.....	566
Company, Patent—act to incorporate.....	636
Manalapan township volunteer fund—act to authorize.....	298
Manchester township volunteer fund—act to authorize.....	259
act creating.....	913
Mantua township volunteer fund—act to authorize.....	64
Mansfield township volunteer fund—act to authorize.....	177
volunteer fund—act to authorize.....	258
Manufacturing Company, Washington—supplement to incorporation.....	62
Gloucester—act to renew charter and reduce stock of.....	63
Watson—act to incorporate.....	132
Millville—act to incorporate.....	310
Lodi—supplement to incorporation..	486
and Transportation—act to incorporate the Union.....	496

INDEX.

1035

	Page
Manufacturing Company, New Brunswick—act to renew charter of.....	633
Harrisonville—act to incorporate....	661
and other purposes—supplement to act authorizing establishment of companies for.....	354
and other purposes—supplement to act authorizing establishment of companies for.....	913
Marlboro' township volunteer fund—act to authorize.....	318
volunteer fund—act to authorize.....	731
Marl and Transportation Company of West Jersey—supplement to incorporation.....	391
Mariners' Mutual Insurance Company—act to incorporate....	393
Masons, Free and Accepted, Varick Lodge of—act to incorporate.....	468
Mount Moriah Lodge of—act to incorporate.....	687
Franklin Lodge of—act to incorporate.....	721
Arcana Lodge of—act to incorporate.....	805
Star Lodge of Cape May—act to incorporate.....	875
Matavan township volunteer fund—act to authorize.....	256
Maurice River township volunteer fund—act to authorize....	131
McEntee, Philip—act for the relief of.....	649
Mead Rubber Company to establish works in New Jersey and to incorporate.....	689
Mechanic's street in East Orange—act authorizing extension of	34
Mercer county volunteer fund—act to authorize.....	95
Agricultural Society—act to incorporate.....	631
Mendham township volunteer fund—act to authorize.....	206
Mechanic Street Methodist Episcopal Church of Elizabeth—act to enable to convey property.....	754
Methodist Episcopal Church, Broad Street, Newark—act to change name of.....	571
Church in township of Wall—act to authorize to sell lands.....	871
Middlesex county volunteer fund—act to authorize.....	269
courts—act to establish salary of criers of..	562
and Union Railroad Company—act to revive act to incorporate.....	722
Middle Township of Cape May county volunteer fund—act to authorize.....	299
act to prevent horses, cattle, &c. from running at large in.....	419
Middletown township volunteer fund—act to authorize.....	552
and Keyport Turnpike Company—supplement to incorporation.....	797
Millstone township volunteer fund—act to authorize.....	79
volunteer fund—act to authorize.....	559
Millburn township volunteer fund—act to authorize.....	111
Millville township volunteer fund—act to authorize.....	80
supplement to act for preservation of peace.	710

	Page
Millville township—supplement to act relative to public streets	711
supplement to act to raise money for school purposes	712
Vineland and Carlsburg Turnpike Company—act to incorporate	845
Manufacturing Company—act to incorporate	310
Milling and Manufacturing Company, South River—supplement to incorporation	688
Militia of this State—act for relief of	729
act for the more effectual organization of the	856
Mining Company, Franklin, of New Jersey—act to incorporate	460
Weldon Iron—act enabling to hold land in this State	483
Travers Land—act to incorporate	484
Associate—act to incorporate	579
and Petroleum, East Jersey—act to incorporate	619
and Oil, Lawrence—act to incorporate	626
Monmouth County Petroleum—act to incorporate	695
Model and Normal School buildings—act authorizing purchase of by the State of New Jersey	3
Monroe township volunteer fund—act to authorize	88
volunteer fund—act to authorize	324
Montgomery township volunteer fund—act to authorize	209
Monmouth county volunteer fund—act to authorize	245
Morris township volunteer fund—act to authorize	103
volunteer fund—act to authorize	265
Canal and Banking Company—act authorizing James T. Vandoren to contract with	264
and Essex Railroad Company—supplement to incorporation	555
and Essex Railroad Company—certificate of assent	961
act authorizing to bridge the Delaware	855
and State Line Railroad Company—supplement to incorporation	916
Montague township volunteer fund—act to authorize	336
Moonachie Creek—supplement to act authorizing a dam across, Moorestown, Pocahontas Lodge. Order of Odd Fellows—to incorporate	365
incorporate	675
Monmouth county bounty for volunteers—act to authorize	242
and Middlesex Railroad Company—to incorporate	695
County Petroleum and Mining Company—to incorporate	741
Plank Road Company—supplement to incorporation	741
Mount Moriah Lodge of Masons at Bordentown—to incorporate, Monument to memory of John Hart—act authorizing erection of	687
Association, Heroes—act to incorporate	777
Association, Heroes—act to incorporate	818
Morristown—act to incorporate	819
Savings Institution—supplement to incorporation	884

	Page
Musconetcong Iron Works of Sussex county—act to incorporate.....	40
Mystic Lodge of Independent Order of Odd Fellows—to incorporate.....	312

N.

National Fire and Marine Insurance Company—act to incorporate.....	910
Navigation, inland—act amending act incorporating companies for.....	350
Newark Watch Manufacturing Company—act to incorporate.....	295
city volunteer fund—act to authorize.....	590
and Centerville Petroleum Company—supplement to incorporation.....	723
act to prevent animals from running at large in city of.....	732
Shooting Society—act to incorporate.....	734
city volunteer fund—act to authorize.....	742
supplement to act to amend charter of.....	757
and South Orange Horse Car Railroad Company—act to incorporate.....	926
New Brunswick city volunteer fund—act to authorize.....	106
and Cranberry Turnpike Company—to incorporate.....	151
Mutual Fire Insurance Company—act to extend charter of.....	358
Manufacturing Company—act to extend charter of.....	633
Water Company—supplement to incorporation.....	944
New Hanover township—act relative to election of road overseers.....	254
New Jersey Oil Company—act to incorporate.....	276
Classical and Scientific Institute—to incorporate.....	355
Railroad and Transportation Company—supplement to incorporation.....	397
Produce Company—act to incorporate.....	451
Manufacturing Company—act to incorporate.....	704
Central Oil and Coal Company—act to incorporate.....	751
Rifle Corps—supplement to act for effectual organization of.....	907
New Providence township volunteer fund—act to authorize.....	749
Newton township volunteer fund—act to authorize.....	116
New York and Fort Lee Railroad Company—supplement to incorporation.....	710
Norfolk and Model School buildings—act authorizing purchase of by the State.....	3
North Brunswick township volunteer fund—act to authorize.....	224
Northampton township, to perform certain duties—act authorizing.....	303
North American Transit Insurance Company—act authorizing sale of tickets in this State.....	392
Northern Railroad of New Jersey—supplement to incorporation.....	397

	Page
Normal School Boarding House Association—to incorporate..	457
North Bergen—supplement to act to divide.....	454
North Hudson County Railway Company—act enabling Hoboken and Weehawken Horse Railroad, to change name to	606

O.

Ocean township volunteer fund—act to authorize.....	359
volunteer fund—act to authorize.....	368
county volunteer fund—act to authorize.....	557
Odd Fellows, Independent Order, act to incorporate Borden-town Lodge of.....	138
Mystic Lodge, of Borden-town—to incorporate.....	312
Vincentown Lodge, to incorporate.....	416
Pocahontas Lodge of Moorestown—to incorporate.....	675
Ogden Iron Company—act to incorporate.....	238
Mine Railroad Company—supplement to incorporation.....	736
Oil Company, New Jersey—act to incorporate.....	276
and Mining Company, South Jersey—to incorporate.....	290
Company, West Jersey—to incorporate.....	360
Orange, to incorporate.....	622
and Mining Company, Lawrence—to incorporate.....	626
and Coal Company, New Jersey Central—to incorporate..	751
and Mining Company, Bordentown and Buffalo Creek—to incorporate.....	792
and Lumber Company, Forest county—act to incorporate.....	852
Orange, town of—supplement to incorporation.....	51
Oil Company—act to incorporate.....	622
Water Company—act to incorporate.....	936
Orphans' Home, United States Soldiers' and Patriots'—act to incorporate.....	829
Asylum, Paterson—supplement to incorporation....	498
Orphanage resulting from deaths of soldiers and sailors—act to secure statistics.....	833
Overseers of roads in township of New Hanover—act relative to election of.....	254
in Piscataway township—act authorizing inhabitants to elect.....	760
Oxford township volunteer fund—act to authorize.....	109
Iron Company—supplement to incorporation.....	401

P.

Pahaquarry township volunteer fund—act to authorize.....	128
Paper and Manufacturing Company—act to incorporate.....	718
Passaic Thread Company—act to incorporate.....	283
Valley and Peapack Railroad Company—act to charter.....	610

INDEX.

1039

	Page
Passenger and Freight Company of North America, Home and Foreign—act to incorporate.....	800
Passengers on Railroads of this State—act for better security of.....	818
of this State—act for better security of.....	856
Paterson city—supplement to incorporation.....	4
volunteer fund—act to authorize.....	50
volunteer fund—act to authorize.....	339
supplement to incorporation.....	456
Land and Improvement Company—act to incorporate.....	464
Orphan Asylum—supplement to incorporation.....	498
Citizens' Gas Light Company of—act to incorporate.....	650
city—to prevent carrying on of offensive trades within limits of.....	917
Petroleum Company—to incorporate.....	718
Lyceum Association—to incorporate.....	884
Trustees of Second Reformed Dutch Church in—act authorizing to assess pews in.....	944
Patent Machine Company—act to incorporate.....	636
Peapack Railroad Company—supplement to incorporation....	481
Pemberton and Hanover Furnace Railroad Company—to incorporate.....	876
Pennsylvania Institute for deaf and dumb—act to reimburse..	693
Pequannock township volunteer fund—act to authorize.....	292
Perth Amboy city volunteer fund—act to authorize.....	203
—supplement to act to revise and amend charter of.....	474
Petroleum and Mining Company, East Jersey—act to incorporate.....	619
Company, Paterson—act to incorporate.....	718
Newark and Centerville—act to incorporate.....	723
Refining and Storage Company.....	814
act regulating storage of.....	908
Phillipsburg township volunteer fund—act to authorize.....	210
Pilesgrove township volunteer fund—act to authorize.....	124
volunteer fund—act to authorize.....	189
Piscataway township volunteer fund—act to authorize.....	221
act authorizing road districts of to elect overseers.....	769
Pittsgrove township volunteer fund—act to authorize.....	252
Plainfield township volunteer fund—act to authorize.....	459
Plank Road Company, Monmouth County—supplement to incorporation of.....	741
Plumsted township, to prevent horses. &c., from running at large.....	661
volunteer fund, act to authorize.....	690
Pocahontas Lodge of Odd Fellows, Moorestown—act to incorporate.....	675
Police force—act empowering railroad companies to employ..	466
Pompton township volunteer fund—act to authorize.....	218

	Page
Pompton and other townships—supplement to act fencing improved lands in.....	789
Pottery Company, Trenton, act to incorporate.....	17
Practice in Courts of law—supplement to act regulating.....	776
Princeton township volunteer fund—act to authorize.....	471
Printing, public—act relative to.....	773
Produce Company, New Jersey—act to incorporate.....	451
Protective Association, Longshoremen's of Jersey City—to incorporate.....	691
Private Laws—to incorporate West Jersey Canning and Pickling Company.....	5
✓ Red Bank and Eatontown Turnpike Company.....	7
supplement to incorporation of Elizabeth Steam Manufacturing Company.....	15
to incorporate the Aquetong Fire Company.....	16
✓ Trenton Pottery Company.....	17
✓ American Velvet Company.....	19
✓ relative to Farmers' and Mechanics' Bank of Rahway.....	20
✓ to incorporate Eatontown and Sea Shore Turnpike Company.....	22
✓ Musconetcong Iron Works of Sussex county.....	40
✓ to extend charter of Hudson River Steamboat Company.....	42
✓ supplement to incorporation of Washington Manufacturing Company.....	62
✓ to renew charter and reduce stock of Gloucester Manufacturing Company.....	63
✓ of Gloucester Land Company.....	72
✓ supplement to incorporation of Central American Transit Company.....	86
✓ to incorporate Watson Manufacturing Company.....	132
✓ for relief of Washington P. Taylor.....	135
to incorporate Bordentown Lodge of Odd Fellows.....	138
✓ New Brunswick and Cranberry Turnpike Company.....	151
✓ Ogden Iron Company.....	238
✓ authorizing contract between James T. Vandoren and Morris Canal and Banking Company.....	264
✓ to incorporate Gould Machine Company.....	271
✓ New Jersey Oil Company.....	276
✓ Passaic Thread Company.....	283
✓ Gloucester Ferry Company.....	284
✓ to renew charter of Camden and Philadelphia Steamboat Ferry Company.....	287
✓ to incorporate the South Jersey Oil and Mining Company.....	290
✓ Newark Watch Manufacturing Company.....	295
Act for relief of Hunterdon County Mutual Fire Insurance Company.....	297

INDEX.

1041

	Page
✓ Private laws—to incorporate South Amboy Clay Dock Com- pany.....	308
✓ to incorporate Millville Manufacturing Company...	310
Mystic Lodge, Order of Odd Fellows, of Bordentown.....	312
Hoboken Ferryment's Association...	317
South Jersey Cranberry Company...	321
✓ supplement to incorporation of Warren Foundry and Machine Company.....	326
to amend act incorporating companies for inland navigation.....	350
to incorporate New Jersey Classical and Scientific Institute at Hightstown.....	355
supplement to incorporation of Franklin Agricultura- l Society.....	357
to extend charter of New Brunswick Mutual Fire Insurance Company.....	358
✓ to incorporate West Jersey Oil Company.....	360
supplement to act enabling owners to erect a sluice or dam across Moonachie creek.....	365
✓ to incorporate Elizabeth Horse Railroad Company	370
✓ supplement to incorporation of West Jersey Marl and Transportation Company.....	391
✓ supplement to incorporation of Elizabeth and New- ark Horse Railroad Company.....	392
authorizing sale of tickets of the North American Transit Insurance Company.....	ib.
to incorporate Mariners' Mutual Insurance Company	393
✓ supplement to incorporation of the New Jersey Railroad and Transportation Company.....	397
✓ supplement to incorporation of the Northern Rail- road of New Jersey.....	ib.
✓ supplement to incorporation of the Hightstown and Perrineville Turnpike Company.....	399
✓ supplement to incorporation of the Oxford Iron Company.....	401
✓ to incorporate Union Car Spring Company.....	403
✓ supplement to incorporation of Newark and Eliza- beth Horse Railroad Company.....	410
to incorporate Vincentown Lodge of Odd Fellows..	416
Schooley's Mountain Turnpike Com- pany.....	423
✓ Trenton Chain Manufacturing Com- pany.....	447
✓ New Jersey Produce Company.....	451
✓ Normal School Boarding House As- sociation.....	457
✓ Franklin Mining Company, of New Jersey.....	460
✓ Paterson Land Improvement Com- pany.....	464
Varick Lodge of Free and Accepted Masons.....	468

	Page
✓ Private laws—to authorize the Thomas Iron Company to hold land in this State.....	473
✓ supplement to incorporation of Cooper's Point and Philadelphia Ferry Company.....	481
✓ supplement to incorporation of Peapack Railroad Company.....	ib.
✓ authorizing the Weldon Iron Mining Company to hold lands in this state.....	483
✓ to incorporate Travers Land and Mining Company to enable owners of Birch creek to dam the same..	484
✓ supplement to incorporation of Lodi Manufacturing Company.....	490
to authorize the Glassboro' and Carpenter's Landing Turnpike Company to surrender part of their road.....	495
✓ to incorporate Union Car Manufacturing and Transportation Company.....	496
supplement to incorporation of Paterson Orphans' Asylum.....	498
to incorporate the Red Bank and Rumson Neck Railroad Company.....	541
supplement to incorporation of West Jersey Canning and Pickling Company.....	550
✓ supplement to incorporation of Morris and Essex Railroad Company.....	555
to incorporate the Jersey City Library Association	563
✓ Gloucester Iron Foundry and Machine Company.....	566
to change name of Broad Street Methodist Episcopal Church of Newark.....	571
to incorporate the Associate Mining Company....	579
Cedar Cliff Cemetery Company.....	587
✓ Jersey City Warehouse Company..	592
authorizing the West Hoboken and Hoboken Passenger Railway Company and the Hoboken and Hudson City Horse Railroad Company to sell property to the Hoboken and Weehawken Horse Railroad Company.....	606
✓ to charter Passaic Valley and Peapack Railroad Company.....	610
to authorize John H. Thompson and others to erect a wharf.....	618
✓ to incorporate the East Jersey Petroleum and Mining Company.....	619
Orange Oil Company.....	622
✓ Lawrence Oil and Mining Company.....	626
Mercer County Agricultural Society.....	631
✓ to renew charter of New Brunswick Manufacturing Company.....	633
supplement to incorporation of Rahway Savings Institute.....	634
✓ to incorporate the Patent Machine Company.....	636
school district of East Brunswick to raise school money.....	639

INDEX.

1043

	Page
✓ Private laws—to incorporate the East Trenton Crockery and Kaoline Company.....	648
✓ for relief of Philip McEntee.....	649
✓ to incorporate the Citizens' Gas Light Company... a company to improve agricultural and other arts.....	654
Travellers' Insurance Company of New Jersey.....	656
Harrisville Manufacturing Com- pany.....	661
✓ supplement to incorporation of Hibernia Mine Rail- road Company.....	664
supplement to incorporation of Cortlandt Van Rens- salaer Memorial Institute.....	665
✓ to incorporate Ewing and Hopewell Turnpike Com- pany.....	ib.
Educational Association of Stockton. Pocahontas Lodge of Odd Fellows of Moorestown.....	672
✓ Monmouth and Middlesex Railroad Company.....	675
Mount Moriah Lodge of Masons....	ib.
supplement to incorporation of South River Milling and Manufacturing Company.....	687
✓ to incorporate the Mead Rubber Company.....	688
supplement to incorporation of Kingsland and Saw Mill Creek Company.....	689
to incorporate the Longshoremen's Union Protec- tive Association.....	690
✓ supplement to incorporation of Sussex Mine Rail- road Company.....	691
to incorporate Monmouth Petroleum and Mining Company.....	692
✓ supplement to incorporation of Hudson Land and Improvement Company.....	695
to incorporate the New Jersey Paper Manufactur- ing Company.....	700
supplement to incorporation of New York and Fort Lee Railroad Company.....	704
to incorporate Paterson Petroleum Company.....	710
Franklin Lodge of Masons.....	718
to revive an act to incorporate the Middlesex and Union Railroad Company.....	721
to incorporate Newark and Centerville Petroleum Company.....	722
to authorize a bridge over South Shrewsbury River	723
✓ to incorporate the Newark Shooting Society.....	726
✓ supplement to incorporation of Ogden Mine Railroad Company.....	734
to incorporate the American Hotel Company of Rah- way.....	736
✓ supplement to incorporation of Monmouth County Plank Road Company.....	740
	741

	Page
✓ Private laws—to incorporate the New Jersey Central Oil and Coal Company.....	751
to enable Mechanic Street Church, Elizabeth, to convey property.....	754
act for preservation of fish in Union and Essex counties.....	758
supplement to act relative to insurance companies.....	767
act to authorize inhabitants of Piscataway to elect road overseers.....	769
to protect agricultural and horticultural interest in Atlantic county.....	771
act concerning the fencing of improved lands in Passaic county.....	789
✓ supplement to act incorporating Somerville and Easton Railroad Company.....	792
to incorporate the Bordentown and Buffalo Creek Oil Company.....	ib.
✓ supplement to incorporation of Holmdel and Keyport Turnpike Company.....	796
✓ supplement to incorporation of the Middletown and Keyport Turnpike Company.....	797
✓ to incorporate the Home and Foreign Passenger and Freight Company of North America.....	800
to incorporate Arcana Lodge of Masons, of Boonton Savings Bank of South Amboy.....	805
Home for Friendless Children.....	806
✓ Washington Gas Company, of Warren county.....	809
West Jersey Petroleum Refining and Storage Company.....	812
to authorize sale of land claimed by the Hall Association.....	814
to incorporate the Heroes' Monument Association.....	816
United States Soldiers and Patriots' Orphans' Home, at Egg Harbor City.....	818
Hudson County Aqueduct Company.....	829
Millville, Vineland and Carlsburg Turnpike Company.....	837
Forest County Oil and Lumber Company.....	845
✓ to authorize the Morris and Essex Railroad Company to bridge the Delaware.....	852
✓ supplement to incorporation of the Somerville and Easton Railroad Company.....	855
✓ to authorize the Lehigh Navigation Company to bridge the Delaware.....	868
to authorize the Methodist Churches in Wall township to sell lands.....	870
supplement to incorporation of the Camden and Moorestown, Hainesport and Mount Holly Horse Railroad Company.....	871
to incorporate the Star Lodge of Masons in Cape May County.....	872
	875

INDEX.

1045

	Page
Private laws—to incorporate the Pemberton and Hanover Furnace Railroad Company.....	876
supplement to incorporation of the Morristown Savings Institution.....	884
to incorporate the Paterson Lyceum Association... the East Brunswick and New Brunswick Turnpike Company.....	ib. 893
✓ National Fire and Marine Insurance Company.....	910
✓ supplement to incorporation of the Morris State Line Railroad Company.....	916
act to prevent the carrying on of offensive trades in Passaic county.....	917
to incorporate the Cape May Academical Institute.	919
✓ Newark and South Orange Horse Car Railroad Company.....	926
✓ Orange Water Company.....	936
to authorize trustees of Second Reformed Dutch Church of Totowa, at Paterson, to assess pews..	944
✓ supplement to incorporation of New Brunswick Water Company.....	944
act for relief of commissioners to dig drains in Essex county.....	950
Proclamations—relative to call for five hundred thousand volunteers.....	965
for day of fasting and prayer.....	966
for day of thanksgiving.....	ib.
offering reward in matter of Stephen Tice...	967
offering reward for murderer of John Jurgen	968
offering additional reward for do.....	ib.
for a day of humiliation for death of President relative to Fourth of July celebration for peace	969
offering reward for murderer of Joseph Hol-laback.....	970
	ib.
Public Laws—to authorize the purchase of State Normal and Model School buildings by the State.....	3
supplement to incorporation of city of Paterson... to act concerning estates of insolvent persons.....	4 31
creating township of Fairmount.....	32
to authorize extension of Mechanics' street, in East Orange.....	34
supplement to incorporation of city of Paterson... of town of Orange.....	50 51
to legalize certain acts of town officers in Raritan township	83
to create township of Haddon, from township of Newton.....	119
extending act preventing cattle, &c., from ranning at large in townships of Hackensack and Har-rington.....	135
relative to election of overseers of roads in town-ship of New Hampton.....	254

	Page
Public laws—supplement to act amending charter of town of Bergen.....	273
to authorize township of Northampton to perform certain duties.....	303
making appropriation for expenses of commissioners on water rights.....	350
authorizing grading of streets, &c., in township of East Orange.....	353
supplement to act authorizing the establishment of companies for manufacturing.....	354
to incorporation of Egg Harbor City..	363
to create office of Comptroller of the Treasury, and define duties of.....	374
supplement to act concerning taxes.....	377
to incorporation of Jersey City.....	381
to divide school district in township of Lodi.....	410
to vacate an alley in city of Hoboken.....	411
supplement to incorporation of city of Hoboken...	412
to repeal act to facilitate judicial proceedings in Camden county.....	415
to authorize inhabitants of Ewing township to vote by ballot.....	417
to prevent cattle, &c., from running at large in Middle Township.....	419
to incorporate trustees of religious societies.....	422
to prevent cattle, &c., from running at large in Clinton and Rahway.....	433
authorizing inhabitants of Washington township to raise money for school purposes.....	448
to divide town of North Bergen.....	454
supplement to incorporation of city of Paterson....	456
to act authorizing Bloomfield to raise school money.....	458
to act concerning executors and intestates estates.....	463
empowering railroad companies to employ a police force.....	466
supplement to act for relief of creditors against corporations.....	467
relative to the supreme and circuit courts.....	469
to revise and amend charter of city of Perth Amboy.....	474
to protect butter and cheese manufacturers.....	478
to revise and amend charter of town of Bergen....	479
to prevent horses, &c., from running at large in township of Lumberton.....	480
relative to compensation and duties of law and chancery reporters.....	482
supplement to act concerning roads.....	483
to revise and amend charter of city of Rahway....	499
to incorporate Soldiers' Children's Home.....	551
to establish a home for disabled soldiers.....	553

INDEX.

1047

	Page
Public laws—to establish a salary for criers of Middlesex county Courts	562
act for the preservation of sheep	636
supplement to act authorizing construction of Jersey City Water Works	641
to incorporation of city of Bridgeton ..	644
to incorporation of city of Hoboken ..	646
to act concerning inns and taverns ..	647
to prevent horses, &c.. from running at large in township of Plumstead	661
to prevent fraud in payment of bounties to volunteers	674
supplement to act establishing Bass River township ..	692
to reimburse Pennsylvania Institute for Deaf and Dumb	693
supplement to act for government and regulation of State Prison	694
relative to teacher and moral instructor of State Prison	702
to encourage and facilitate the improvement of lands in this state	707
supplement to act for the preservation of public peace in Millville	710
relative to public streets in Millville ..	711
enabling inhabitants of Millville to raise money for school purposes	712
to act relative to Jersey City Water Works	726
for relief of State Militia	729
to act regarding dogs as personal property	731
to prevent animals from running at large in borough of Bordentown and city of Newark	732
to authorize executors and others to invest in state bonds	737
supplement to act against usury	746
to act to reorganize courts of law	750
relative to act to establish public schools	756
supplement to act to amend charter of city of Newark	757
act to appoint street commissioners in Rahway	759
supplement to incorporation of city of Hudson	766
to act to authorize business of banking ..	768
to act incorporating the inhabitants of townships	770
to act concerning taxes	772
relative to public printing	773
supplement to act regulating practice in courts of law	776
to act to provide for publication of public laws	ib.
to authorize the erection of a monument to the memory of John Hart	777

	Page
Public laws—to incorporate town of Clinton.....	778
supplement to an act constituting courts for trial of small causes.....	789
to re-organize courts of law.....	790
relative to sale of real estate of infants.....	ib.
making appropriation for the support of State Lunatic Asylum.....	795
supplement to act to provide for instruction of in- digent blind persons.....	796
act to revise and amend charter of city of Elizabeth.....	797
supplement to act creating office of Comptroller of the Treasury.....	798
respecting writs of error, &c.....	799
supplement to incorporation of societies for promo- tion of learning.....	800
act for better security of passengers on railroads of this state.....	818
to incorporate Morristown.....	819
to regulate practice in courts of law.....	832
to secure statistics of orphanage in New Jersey....	833
supplement to act authorizing addition to State Capitol.....	834
concerning taxes.....	835
authorizing extension of State Lunatic Asylum....	837
for more effectual organization of the militia.....	856
to secure the safety of railroad passengers.....	867
to enable the banks of this state to become asso- ciated under the laws of the United States.....	873
making appropriations for the relief of the keeper of the New Jersey State Prison.....	886
to establish and organize the State Reform School for Juvenile Offenders.....	ib.
to prevent injuries by fire from locomotive engines.....	901
act for better protection of hotel and boarding house keepers.....	902
supplement to act for preservation of deer and other game.....	903
to act concerning banks.....	904
to organization of New Jersey Rifle Corps.....	907
to act to fix salaries for public officers.....	908
to regulate storing of petroleum.....	ib.
to amend act to authorize distribution of proceeds of land belonging to absent persons.....	909
supplement to act prescribing the duties of com- panies for manufacturing and other purposes....	913
creating township of Manchester.....	ib.
relative to court of errors and appeals.....	918
for better security of titles of lands sold by sheriffs.....	919
supplement to act against usury.....	924
to act to fix salaries of officers of senate and general assembly.....	935
to act to facilitate judicial proceedings of county of Hudson.....	943

	Page
Public laws—making appropriation in aid of the Soldiers' Children's Home.....	949
supplement to act to provide for publication of laws of this state.....	953
to incorporate the chosen freeholders in the several counties of this state.....	955
authorizing Bounty for Volunteers—	
in city of Atlantic.....	220
Camden.....	68
Cape Island.....	341
Elizabeth.....	66
Elizabeth.....	643
Hoboken.....	161
Hudson.....	577
Jersey City.....	43
Newark.....	590
Newark.....	742
New Brunswick.....	106
Paterson.....	339
Perth Amboy.....	203
Rahway.....	831
Trenton.....	112
Trenton.....	923
in county of Burlington.....	233
Burlington.....	268
Burlington.....	597
Camden.....	88
Camden.....	143
Essex.....	192
Hudson.....	163
Mercer.....	95
Middlesex.....	269
Monmouth.....	245
Ocean.....	560
Salem.....	37
Union.....	925
in township of Acquackanonk.....	39
Raritan.....	44
Kingwood.....	45
Bethlehem.....	47
East Amwell.....	53
Ewing.....	54
Evesham.....	56
Linden.....	57
Clinton.....	58
Harrison.....	60
Mantua.....	64
Lebanon.....	67
Warren.....	70
Deerfield.....	73
Hopewell.....	75
Wayne.....	76
Hardwick.....	77

Public laws—authorizing	Bounty for Volunteers—	Page
	in township of	
	Millstone.....	79
	Millville.....	80
	Lawrence.....	82
	Raritan.....	83
	Independence.....	90
	Union.....	92
	Hampton.....	94
	Clinton.....	ib.
	Hamilton.....	96
	Franklin.....	98
	Ewing.....	100
	Howell.....	101
	Morris.....	103
	Tewksbury.....	107
	Oxford.....	109
	Millburn.....	111
	Bordentown.....	114
	Hopewell.....	ib.
	Newton.....	116
	Franklin.....	121
	Delaware.....	123
	Pilesgrove.....	124
	Washington.....	125
	Blairstown.....	126
	Pahaquarry.....	128
	Maurice River.....	131
	West Hoboken.....	136
	Hanover.....	139
	Freehold.....	145
	Lambertville.....	147
	Upper Township, ..	149
	Bayonne.....	160
	Fairfield.....	166
	Branchburg.....	167
	West Orange.....	169
	East Amwell.....	170
	Hillsborough.....	173
	Union.....	175
	Mansfield.....	177
	Readington.....	179
	Bergen.....	184
	West Amwell.....	185
	Woolwich.....	187
	Pilesgrove.....	189
	Hope.....	190
	Shrewsbury.....	193
	Chester.....	195
	Washington.....	198
	East Brunswick.....	200
	Byram.....	202
	Mendham.....	206
	East Windsor.....	207

	Page
Public laws—authorizing Bounty for Volunteers—	
in township of Montgomery.....	209
Phillipsburg.....	210
Springfield.....	211
Atlantic.....	213
West Milford.....	214
Franklin.....	216
Pompton.....	218
Hamilton.....	220
Piscataway.....	221
Landis.....	223
North Brunswick... ..	224
Knowlton.....	226
Frelinghuysen.....	227
Greene.....	229
Lafayette.....	230
Andover.....	231
Stafford.....	232
Chatham.....	234
Vernon.....	241
Freehold.....	242
Weymouth.....	244
Bedminster.....	246
Wall.....	249
West Windsor.....	250
Pittsgrove.....	252
Greenwich.....	253
Upper Pittsgrove... ..	254
Matavan.....	256
Mansfield.....	258
Manchester.....	259
Sparta.....	260
Franklin.....	261
Morris.....	265
Union.....	266
Rockaway.....	278
Deptford.....	288
Pequanoc.....	292
Manalapan.....	298
Middle Township... ..	299
Middle Township... ..	301
Shrewsbury.....	302
Northampton.....	303
South Brunswick... ..	304
Atlantic.....	305
Upper Freehold... ..	306
Egg Harbor.....	313
Sandyston.....	314
Marlboro.....	318
Union.....	319
Woodbridge.....	323
Monroe.....	324
Downe.....	326

	Page
Public laws—authorizing Bounty for volunteers—	
in township of Bernards	327
Stillwater	328
Lower Township	331
Frankford	333
Alexandria	335
Raritan	336
Montague	ib.
Bridgeton	337
Randolph	342
Lower Penns Neck	349
Jefferson	351
Ocean	359
Stoe Creek	364
Ocean	368
Raritan	378
Newton	379
Clayton	388
Franklin	ib.
Washington	389
Greenwich	390
Roxbury	400
Howell	401
Bridgewater	406
Harrison	408
Hamilton	416
South Amboy	421
Dennis	431
South Orange	434
Jefferson	435
Walpack	439
Stoekton	441
Harmony	442
Lopatecong	444
Holmdel	445
Dennis	449
Caldwell	454
Plainfield	459
Clark	470
Princeton	471
Galloway	494
Middletown	552
Dover	557
Freehold	558
Millstone	559
Lebanon	ib.
Livingston	569
Wantage	571
Upper Penns Neck	582
Greenwich	585
Wall	596
Acquackanonk	598
Byram	599

INDEX.

1053

	Page
Public laws—authorizing Bounty for Volunteers— in township of Belleville.....	600
Wayne.....	603
Bloomfield.....	604
Chesterfield.....	605
Union.....	629
Ewing.....	630
Kingwood.....	631
Delaware.....	635
Kingwood.....	685
Plumsted.....	690
West Orange.....	698
Brick.....	699
Upper Freehold....	701
Caldwell.....	703
Westfield.....	712
Rockaway.....	715
Clinton.....	718
Marlboro.....	731
Chatham.....	738
West Hoboken.....	743
Hardiston.....	745
Raritan.....	747
New Providence....	749
Clayton and Franklin	755
Downe.....	762
Roxbury.....	763
Southampton.....	769
Frankford.....	904
Linden.....	918
Sandyston.....	922
Washington.....	952
Sparta.....	954
Public printing—act relative to.....	773
laws—supplement to act providing for publication of...	776
—supplement to act providing for publication of...	953
schools—act respecting an act to establish.....	756

R.

Rahway Farmers' and Mechanics' Bank of—act relative to re- ducing the capital stock.....	20
and Clinton, townships of—supplement to act to pre- vent cattle, &c., from running at large.....	453
city of—act to revise and amend charter of.....	499
Savings Institute—supplement to incorporation.....	634
township of—act authorizing appointment of street commissioners.....	759
city of. volunteer fund—act to authorize.....	831
Railroad Company, Elizabeth Horse—act to incorporate.....	370
Newark and Elizabeth Horse—supplement to incorporation.....	392

	Page
Railroad Company, New Jersey and Transportation—supplement to incorporation.....	397
Northern of New Jersey—supplement to incorporation.....	ib.
Elizabeth and Newark Horse—supplement to incorporation.....	410
Companies to employ a police force—act empowering.....	466
Company, Peapack—supplement to incorporation.....	481
Red Bank and Rumson Neck—act to incorporate.....	541
Morris and Essex—supplement to incorporation.....	555
Passaic Valley and Peapack—act to charter.....	610
Hibernia—supplement to incorporation.....	664
Monmouth and Middlesex—to incorporate.....	675
Sussex Mine—supplement to incorporation.....	692
New York and Fort Lee—supplement to incorporation.....	710
Middlesex and Union—act reviving act to incorporate.....	722
Ogden Mine—supplement to incorporation.....	736
Somerville and Easton—supplement to incorporation.....	792
in this state—act for better security of passengers on.....	818
in this state—act for better security of passengers on.....	867
Company, Somerville and Easton—supplement to incorporation.....	868
Horse Car, Camden Moorestown, Hainesport and Mount Holly—supplement to incorporation.....	872
Pemberton and Hanover Furnace—act to incorporate.....	876
Morris and State Line—supplement to incorporation.....	916
Newark and South Orange Horse Car—act to incorporate.....	926
Randolph township volunteer fund—act to authorize.....	343
Raritan township volunteer fund—act to authorize.....	44
to legalize certain acts of town officers of.....	83
volunteer fund—act to authorize.....	336
volunteer fund—act to authorize.....	378
volunteer fund—act to authorize.....	747
Readington township volunteer fund—act to authorize.....	179
Real estate of infants—supplement to act relative to sale of..	790
Red Bank and Eatontown Turnpike Company—act to incorporate.....	7
and Rumson Neck Railroad Company—act to incorporate.....	541
Relief of Washington P. Taylor—an act for.....	135
Relief of Hunterdon County Mutual Fire Insurance Company—act for.....	297

INDEX.

1055

	Page
Religious Societies—supplement to act incorporating trustees of.....	422
Reform School for Juvenile Offenders—act to establish.....	886
Reporters Law and Chancery—act relative to duties and compensation of.....	482
Rifle Corps of New Jersey—act supplementary to act for better organization of.....	907
Road overseers in township of New Hampton—act relative to. —supplement to act concerning.....	140 483
overseers—act authorizing township of Piscataway to elect.....	769
Rockaway township volunteer fund—act to authorize.....	278
volunteer fund—act to authorize.....	715
Roxbury township volunteer fund—act to authorize.....	400
volunteer fund—act to authorize.....	763
Rubber Works, Mead, of New Jersey—act to incorporate....	689

S.

Salem county, bounty for volunteers—act to authorize.....	37
Salaries for state officers—supplement to act to fix.....	908
for officers of senate and general assembly—act to fix.....	935
Sandyston township, volunteer fund—act to authorize.....	314
volunteer fund—act to authorize.....	922
Savings Institute, Rahway—supplement to incorporation.....	634
Bank of South Amboy—act to incorporate.....	806
Institution, Morristown—supplement to incorporation.....	884
Sawmill Creek Company and Kingsland—supplement to incorporation.....	690
School district in township of Lodi—act to divide.....	410
Schools in township of Bloomfield—supplement to act authorizing to raise money for.....	458
School district in Washington township to raise money—supplement to act authorizing.....	448
purposes—act authorizing trustees of West Hoboken to borrow money for.....	625
district, Summer Hill—act authorizing to raise money for Juvenile Offenders—act to establish.....	639 886
Schooley's Mountain Turnpike Company—act to incorporate..	423
Senate and General Assembly—act to fix salaries of officers of Sheep—supplement to act for better preservation of.....	935 636
Shooting Society, Newark—act to incorporate.....	734
Shrewsbury township volunteer fund—act to authorize.....	193
volunteer fund—act to authorize.....	302
Society, Mercer County Agricultural—act to incorporate.....	631
Societies for the promotion of learning—supplement to incorporation of.....	800
Soldiers' Children's Home—act to incorporate.....	551
making appropriation for.....	949
Soldiers, Disabled—act authorizing establishment of Home for	553

	Page
Somerville and Easton Railroad Company—supplement to incorporation	792
supplement to incorporation	863
South Brunswick township volunteer fund—act to authorize..	304
Jersey Oil and Mining Company—act to incorporate...	290
Amboy Clay Dock Company—act to incorporate.....	308
Jersey Cranberry Company—act to incorporate.....	321
Amboy township volunteer fund—act to authorize.....	421
act to incorporate Savings Bank of.....	806
Orange volunteer fund—act to authorize.....	434
Shrewsbury river—act to authorize the bridging of.....	726
River Milling and Manufacturing Company—supplement to incorporation.....	688
Southampton township volunteer fund—act to authorize.....	769
Sparta township volunteer fund—act to authorize.....	260
volunteer fund—act to authorize.....	954
Springfield township volunteer fund—act to authorize.....	211
Stafford township volunteer fund—act to authorize.....	232
Star Lodge of Masons—act to incorporate.....	875
State Normal and Model School buildings—act to authorize purchase of by the State.....	3
Lunatic Asylum—act authorizing extension of.....	837
Prison—supplement to act for government and regulation of.....	694
Prison—relative to teachers and moral instructor of....	702
Lunatic Asylum—act making appropriation for.....	795
indigent blind persons residents of this—supplement to act to provide for instruction of.....	796
Capitol—supplement to act authorizing addition to.....	384
Prison, New Jersey—act for relief of keepers of.....	886
Reform School for juvenile offenders—act to establish... government—supplement to act to provide for.....	886
government—supplement to act to provide for.....	908
Statistics of orphanage resulting from deaths of soldiers and sailors—act to secure.....	838
Steamboat Manufacturing Company of Elizabeth—supplement to act incorporating.....	15
Steamboat Company, Hudson River—act to extend charter of. Ferry Company, Camden and Philadelphia—act to renew charter of.....	42
renew charter of.....	287
Stillwater township volunteer fund—act to authorize.....	328
Stock of Gloucester Manufacturing Company—act to reduce..	63
Stockton township volunteer fund—act to authorize.....	441
Educational Association—to incorporate.....	672
Stoe Creek volunteer fund—act to authorize.....	364
Streets, &c., in township of East Orange—act authorizing grading of.....	353
Street commissioners in city of Rahway—act authorizing appointment of.....	759
Summer Hill School District to raise money—act authorizing..	639
Supreme and Circuit Court—supplement to act relative to....	469
Sussex Mine Railroad Company—supplement to incorporation..	692
Supplements—to incorporation of city of Paterson.....	4

Supplements—to incorporation of the Elizabeth Steam Manufacturing Company.....	15
concerning estates of insolvent persons.....	31
creating township of Fairmount.....	32
incorporating city of Paterson.....	50
town of Orange.....	51
Washington Manufacturing Company.....	62
Central American Transit Company.....	86
revising and amending charter of town of Bergen..	273
incorporating Warren Foundry and Machine Company.....	326
authorizing establishment of companies for manufacturing and other purposes.....	354
incorporating Franklin Agricultural Society.....	357
Egg Harbor City.....	363
authorizing construction of a sluice across Moonachie Creek.....	365
concerning taxes.....	377
incorporating Jersey City.....	381
West Jersey Marl and Transportation Company.....	391
Elizabeth and Newark Horse Railroad Company.....	392
New Jersey Railroad and Transportation Company.....	397
Northern Railroad of New Jersey.....	397
Hightstown and Perrineville Turnpike Company.....	399
Oxford Iron Company.....	401
Elizabeth and Newark Horse Railroad Company.....	410
city of Hoboken.....	412
trustees of religious societies.....	422
to prevent horses, &c., from running at large in townships of Clinton and Rahway.....	433
authorizing inhabitants of Washington school district to raise money.....	448
to divide town of North Bergen.....	454
incorporating city of Paterson.....	456
authorizing town of Bloomfield to raise money....	458
concerning executors and intestate estates.....	463
for relief of creditors against corporations.....	467
relative to supreme and circuit courts.....	469
to revise and amend charter of city of Perth Amboy	474
to revise and amend charter of town of Bergen....	479
incorporating Cooper's Point and Philadelphia Ferry Company.....	481
Peapack Railroad Company.....	481
concerning roads.....	483
incorporating Lodi Manufacturing Company.....	490
Paterson Orphan Asylum.....	498
West Jersey Canning and Pickling Company.....	550

	Page
Supplements—incorporating Morris and Essex Railroad Company.....	555
Rahway Savings Institute.....	634
for preservation of sheep.....	636
relative to Jersey City Water Works.....	641
incorporating city of Bridgeton.....	644
city of Hoboken.....	646
concerning inns and taverns.....	647
incorporating Hibernia Mine Railroad Company.....	665
South River Milling and Manufacturing Company.....	688
Kingsland and Saw Mill Creek Company.....	690
Sussex Mine Railroad Company.....	692
establishing Bass river township.....	ib.
for government and regulation of State Prison.....	694
incorporating Hudson Land Improvement Company.....	700
New York and Fort Lee Railroad Company.....	710
to preserve public peace in Millville.....	ib.
relative to public streets in Millville.....	711
relative to public schools in Millville.....	712
relative to Jersey City Water Works.....	726
for relief of the militia.....	729
relative to executions. (dogs personal property).....	731
incorporating Ogden Mine Railroad Company.....	736
Monmouth County Plank Road Company.....	741
to act against usury.....	746
to reorganize courts of law.....	750
to revise charter of city of Newark.....	757
incorporating Hudson City.....	766
relative to insurance companies.....	767
authorizing business of banking.....	768
incorporating inhabitants of townships.....	770
concerning taxes.....	772
regulating practice of courts of law.....	776
providing for publication of public laws.....	ib.
concerning the fencing of improved lands.....	789
constituting courts for the trial of small causes.....	ib.
re-organizing the courts of law.....	790
relative to the sale of real estate of infants.....	ib.
incorporating the Somerville and Easton Railroad Company.....	792
providing for the instruction of indigent blind persons.....	796
incorporating Holmdel and Keyport Turnpike Company.....	ib.
Middletown and Keyport Turnpike Company.....	797
to revise and amend charter of city of Elizabeth....	ib.
creating office of Comptroller of the Treasury.....	798
incorporating societies for the diffusion of learning.....	800

INDEX.

1059

	Page
Supplements—regulating the practice of courts of law.....	832
authorizing an addition to the State capitol.....	834
concerning taxes.....	835
incorporating Somerville and Easton Railroad Com- pany.....	868
Camden, Moorestown, Hainesport and Mount Holly Horse Car Railroad Company.....	872
Morristown Savings Institution.....	884
for preservation of deer and other game.....	903
for more effectual organization of State Rifle Corps	907
to fix salaries of public officers of this State.....	908
authorizing the investment of proceeds of lands of absent persons.....	909
authorizing the establishment. &c., of companies for manufacturing. &c.....	913
incorporating the Morris and State Line Railroad Company.....	916
relative to the court of errors and appeals.....	918
for the better security of titles of lands sold by officers.....	919
to fix salaries of the officers of the Senate and Gen- eral Assembly.....	935
to facilitate judicial proceedings in the county of Hudson.....	943
incorporate New Brunswick Water Company.....	944
to provide for the publication of the laws of this state.....	953
incorporating the chosen freeholders of the several counties of this state.....	955

T.

Taxes—supplement to act concerning.....	377
supplement to act concerning.....	772
supplement to act concerning.....	835
Taylor, Washington P.—an act for relief of.....	135
Teacher and Moral Instructor of State Prison—act relative to,	702
Tewksbury township volunteer fund—act to authorize.....	107
Thread Company, Passaic—act to incorporate.....	283
Thomas Iron Company, to hold land in this state—act author- izing.....	473
Thompson, John H., and others—act enabling to extend wharf	618
Titles of lands sold by sheriffs and others—act for better se- curity of.....	919
Town of Orange—supplement to incorporation.....	51
Bergen—supplement to act to revise and amend char- ter of.....	479
Clinton—act to incorporate.....	778
Township of Fairmount—supplement to act creating.....	32
Haddon—act to create.....	119

	Page
Township of Northampton—act authorizing to perform certain duties.....	303
East Orange—act authorizing grading of streets, &c.....	353
Stoe Creek—act legalizing certain acts of inhabitants of.....	364
Lodi—act to divide school district in.....	410
Ewing to vote by ballot—act authorizing.....	417
Bloomfield, supplement to act to raise money for school purposes.....	458
Rahway and Clinton—supplement to act to prevent cattle running at large in.....	433
North Bergen—supplement to act dividing.....	454
Lumberton—act to prevent horses, &c., from running at large in.....	480
Chester—to prevent horses, &c., from running at large in.....	645
Plumsted—to prevent horses, &c., from running at large.....	661
Bass River—supplement to act creating.....	692
Millville—supplement to act to preserve peace in supplement to act relative to public peace.....	711
supplement to act to raise money for school purposes.....	712
Townships—supplement to act incorporating inhabitants of... of West Milford, Pompton and Wayne—act concerning fencing of lands in.....	770
Township of Manchester—act creating in county of Ocean... authorizing Bounty for Volunteers in	789
Alexandria.....	913
Andover.....	335
Acquaackanonk.....	231
Acquaackanonk.....	39
Atlantic.....	598
Atlantic.....	213
Atlantic.....	305
Bayonne.....	160
Bethlehem.....	47
Bergen.....	184
Bedminster.....	246
Bernards.....	327
Belleville.....	600
Blairstown.....	126
Bloomfield.....	604
Bordentown.....	114
Branchburg.....	167
Bridgeton.....	337
Bridgewater.....	406
Brick.....	699
Byram.....	202
Byram.....	599
Caldwell.....	454
Caldwell.....	703

Township of—authorizing Bounty for Volunteers in	Page
Chester	195
Chatham	234
Chatham	738
Chesterfield	605
Clinton	58
Clinton	718
Clinton	94
Clayton	388
Clayton and Franklin	755
Clark	470
Deerfield	73
Delaware	123
Delaware	635
Deptford	288
Dennis	431
Dennis	449
Downe	326
Downe	762
Dover	557
East Amwell	53
East Amwell	170
East Brunswick	200
East Windsor	207
Egg Harbor	313
Ewing	54
Ewing	100
Ewing	630
Evesham	56
Fairfield	166
Franklin	98
Franklin	121
Franklin	216
Franklin	261
Franklin	388
Freehold	145
Freehold	242
Freehold	558
Frelinghuysen	227
Frankford	333
Frankford	904
Galloway	494
Greene	229
Greenwich	253
Greenwich	390
Greenwich	585
Hampton	94
Harrison	60
Harrison	408
Hardwick	77
Hamilton	96
Hamilton	220
Hamilton	416

Township of—authorizing Bounty for Volunteers in	Page
Hanover.....	139
Harmony.....	442
Hardiston.....	745
Hillsborough.....	173
Hopewell.....	75
Hopewell.....	114
Howell.....	101
Howell.....	401
Hope.....	190
Holmdel.....	445
Independence.....	90
Jefferson.....	351
Jefferson.....	435
Kingwood.....	45
Kingwood.....	631
Kingwood.....	685
Knowlton.....	226
Lawrence.....	82
Lambertville.....	147
Landis.....	223
Lafayette.....	230
Lebanon.....	67
Lebanon.....	559
Livingston.....	569
Linden.....	57
Linden.....	918
Lopatecong.....	444
Lower Penns Neck.....	349
Lower Township... ..	331
Mantua.....	64
Maurice River.....	131
Mansfield.....	177
Mansfield.....	258
Marlboro.....	318
Marlboro.....	731
Matawan.....	256
Manchester.....	259
Manalapan.....	298
Mendham.....	206
Millville.....	80
Millstone.....	79
Millstone.....	559
Millburn.....	111
Middle Township... ..	299
Middle Township... ..	301
Middletown.....	552
Morris.....	265
Morris.....	103
Montgomery.....	209
Monroe.....	324
Montague.....	336
New Providence.....	749

INDEX.

1063

Township of—authorizing Bounty for Volunteers in	Page
Newton	116
Newton	379
North Brunswick...	224
Oxford	109
Ocean	359
Ocean	368
Pahaquarry	128
Pequannoc	292
Phillipsburg	210
Pilesgrove	124
Pilesgrove	189
Piscataway	221
Pittsgrove	252
Plainfield	459
Plumsted	690
Pompton	218
Princeton	471
Raritan	44
Raritan	83
Raritan	336
Raritan	378
Raritan	747
Randolph	342
Readington	179
Rockaway	278
Rockaway	715
Roxbury	400
Roxbury	763
Sandyston	314
Sandyston	922
Shrewsbury	193
Shrewsbury	302
Southampton	769
South Orange	434
South Amboy	421
South Brunswick...	304
Sparta	260
Sparta	954
Springfield	211
Stockton	441
Stoe Creek	364
Stillwater	328
Stafford	232
Tewksbury	107
Union	92
Union	175
Union	266
Union	319
Union	629
Upper Township, ..	149
Upper Pittsgrove...	254
Upper Freehold....	306

	Page
Township of—authorizing Bounty for Volunteers in	
Upper Freehold.....	701
Upper Penns Neck.....	582
Vernon.....	241
Washington.....	952
Washington.....	389
Washington.....	125
Washington.....	198
Wayne.....	76
Wayne.....	603
Warren.....	70
Wall.....	249
Wall.....	596
Walpack.....	439
Wantage.....	571
West Hoboken.....	136
West Hoboken.....	743
West Orange.....	169
West Orange.....	698
West Amwell.....	185
West Milford.....	214
West Windsor.....	250
Westfield.....	712
Weymouth.....	244
Woodbridge.....	323
Woolwich.....	187
Transit Company, Central American—supplement to incorporation of.....	86
Travers Land and Mining Company—act to incorporate.....	484
Travellers' Insurance Company of New Jersey—to incorporate.....	656
Treasury, Comptroller of—act creating office and defining duties.....	374
Trenton Pottery Company—act to incorporate.....	17
city volunteer fund—act to authorize.....	112
Chain Manufacturing Company—act to incorporate..	447
city volunteer fund—act to authorize.....	923
Trustees of religious societies—supplement to act incorporating.....	422
of Reformed Dutch Church at Paterson—act authorizing to assess pews in.....	944
Turnpike Company, Red Bank and Eatontown—act to incorporate.....	7
Eatontown and Sea Shore—act to incorporate.....	22
New Brunswick and Cranberry—act to incorporate.....	151
Hightstown and Perrineville—supplement to incorporation of.....	399
Schooley's Mountain—act to incorporate..	423
Glassborough and Carpenter's Landing—to authorize to surrender part of their road.....	495
Ewing and Hopewell—act to incorporate..	665

	Page
Turnpike Company, Holmdel and Keyport—supplement to incorporation	796
Middletown and Keyport—supplement to incorporation	797
Millville, Vineland and Carlesburg—to incorporate	845
East Brunswick and New Brunswick—to incorporate	893

U.

Union township, Hudson county, bounty for volunteers—act to authorize	92
Union county, bounty for volunteers—act to authorize	175
Ocean county, bounty for volunteers—act to authorize	266
Camden county, bounty for volunteers—act to authorize	319
Hudson county, bounty for volunteers—act to authorize	629
county of, bounty for volunteers—act to authorize	925
Car Spring Company—act to incorporate	403
Car Manufacturing and Transportation Company—act to incorporate	496
and Essex counties—act for the preservation of fish in ..	758
United States—act enabling banks of this state to do business under laws of the	873
Upper Township. Cape May county, bounty for volunteers—act to authorize	149
Pittsgrove, township of, bounty for volunteers—act to authorize	254
Freehold, township of, bounty for volunteers—act to authorize	306
Penn's Neck, township of, bounty for volunteers—act to authorize	582
Freehold, township of, bounty for volunteers—act to authorize	701
Usury—supplement to act against	746
supplement to act against	924

V.

Vandoren James F., to contract with Morris and Essex Railroad—act authorizing	264
Van Rennselaer, Cortlandt, Memorial Institute—supplement to incorporation of	665
Varick Lodge, Free and Accepted Masons—act to incorporate ..	468
Velvet Company, American—act to incorporate	19
Vernon township volunteer fund—act to authorize	241

	Page
Vincetown Lodge, Independent Order of Odd Fellows—to incorporate	416
Volunteers—act to prevent fraud in payment of bounties to ..	674
W.	
Wall, Methodist Church in township of, to sell land—act authorizing.....	871
township volunteer fund—act to authorize.....	249
township volunteer fund—act to authorize.....	596
Walpack township volunteer fund—act to authorize.....	439
Wantage township volunteer fund—act to authorize.....	571
Warehouse Company, Jersey City—act to incorporate.....	592
Warren township volunteer fund—act to authorize.....	70
Warren Foundry and Machine Company—supplement to incorporation.....	326
Washington Manufacturing Company—supplement to incorporation.....	62
Washington township, Camden county, volunteer fund—act to authorize.....	88
Morris county, volunteer fund—act to authorize	125
Mercer county, volunteer fund—act to authorize	198
Mercer county, volunteer fund—act to authorize	389
supplement to act authorizing to raise school money.....	448
Gas Company of Warren County—act to incorporate.....	812
township volunteer fund—act to authorize.....	952
Waterford township volunteer fund—act to authorize.....	88
Watson Manufacturing Company—act to incorporate.....	132
Watch Manufacturing Company, Newark—act to incorporate.....	295
Water Works, Jersey City—supplement to act authorizing construction of.....	641
Jersey City—supplement to act authorizing construction of.....	726
Company, Orange—act to incorporate.....	936
Company, New Brunswick—supplement to incorporation	944
Wayne township volunteer fund—act to authorize.....	76
volunteer fund—act to authorize.....	603
—act concerning fencing of improved lands in.....	789
Weldon Iron Mining Company—act authorizing to hold land in this state.....	483
West Jersey Canning and Pickling Company—act to incorporate.....	5
Hoboken township volunteer fund—act to authorize.....	136
Orange township volunteer fund—act to authorize.....	169
Amwell township volunteer fund—act to authorize.....	185

INDEX.

1067

	Page
West Milford township volunteer fund—act to authorize.....	214
Windsor township volunteer fund—act to authorize.....	250
Jersey Oil Company—act to incorporate.....	360
Marl and Transportation Company—act to in- corporate.....	391
Canning and Pickling Company—supplement to incorporation of.....	550
Hoboken and Hoboken Passenger Railway Company, and the Hoboken and Hudson City Horse Car Railroad Company, to sell their property—act enabling.....	606
Hoboken township—act enabling trustees of to borrow money for school purposes.....	625
Orange township volunteer fund—act to authorize.....	698
Hoboken township volunteer fund—act to authorize.....	743
Milford and other townships—act concerning fencing of improved lands in.....	789
Jersey Petroleum, Refining and Storage Company—act to incorporate.....	814
Westfield township volunteer fund—act to authorize.....	712
Weymouth township volunteer fund—act to authorize.....	244
Wharf on Delaware—act enabling John H. Thompson and others to erect.....	618
Winslow township volunteer fund—act to authorize.....	88
Woolwich township volunteer fund—act to authorize.....	187
Woodbridge township volunteer fund—act to authorize.....	323
Writs of error, &c.—act respecting.....	799

