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ACTS

OF THE

Ninety-Seventh Legislature

OF THE

STATE OF NEW JERSEY,

AND

TWENTY-NINTH UNDER THE NEW CONSTITUTION.

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New Jersey State Library

PRIVATE LAWS.

PRIVATE ACTS

PASSED BY THE

NINETY-SEVENTH LEGISLATURE.

CHAPTER I.

A Supplement to an act entitled "An Act to incorporate the Burlington or Matiniconk Island Land Association," approved January twenty-seventh, one thousand eight hundred and fifty-three.

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 Burlington or Matiniconk Island Land Association," approved January, twenty-seventh, one thousand eight hundred and fifty-three, be and the same is hereby continued in force for the term of thirty years from the passage of this act. Act to be continued in force.

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

Approved January 23, 1873.

CHAPTER II.

An Act to change the name of Phibbs White Cullen to Walter Henry Cullen.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the name of Phibbs White Cullen, of the county of Camden, be and the same is hereby Name changed.

changed to Walter Henry Cullen, and by that name he shall possess and enjoy all the rights, powers and privileges which he would have possessed and enjoyed had he retained his original name of Phibbs White Cullen.

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

Approved January 23, 1873.

CHAPTER X.

An Act to change the name of Thomas Frost Haskell.

Name changed,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the name of Thomas Frost Haskell, of the township of West Orange, in the county of Essex, be and the same is hereby changed to Llewellyn Frost Haskell, and that by that name he shall be known in all courts, places, and proceedings, and shall possess all the rights, powers, and privileges which he would have possessed under and by his original name; and that all gifts, grants, bequests, devises, contracts, agreements, and conveyances of every kind and description whatsoever, heretofore made by or to him under and by the name of Llewellyn Frost Haskell, shall be, and the same are hereby declared to be as valid and effectual in law, to and for all intents and purposes whatsoever, as though the same had been made by or to him under and by his said original name.

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

Approved January 29, 1873.

CHAPTER XII.

An Act to incorporate the Malaga Glass and Manufacturing Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Edward R. Wood, William B. Rosenbaum, Jerome E. Sharp, Randolph Wood, Walter Wood, David McClure, R. C. Souders and Henry Seddon, or any four of them and other persons as may be hereafter associated with them, shall be, and are hereby constituted and ordained, a body politic and corporate, in fact and in law, under the name of "The Malaga Glass and Manufacturing Company," and by that name shall have continued succession, and be capable of buying and selling real estate, and of sueing and being sued in all courts whatsoever or wheresoever, and shall make a common seal, and have power to alter it at pleasure. Names of corporators. Corporate name.

2. *And be it enacted*, That the capital stock of said company shall be fifty thousand dollars, with power to increase to not more than three hundred thousand dollars, if at any time the stockholders shall desire so to increase the capital stock, which stock shall be divided into shares of fifty dollars each, and shall be deemed personal property, and be transferable only upon the books of said corporation, unless otherwise directed by the by-laws thereof. 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 stock of said corporation, and that, whenever there shall have been fifty thousand dollars subscribed, and twenty per cent. of said amount actually paid in, the subscribers thereto shall notify the secretary of state of their acceptance of this charter, and shall proceed to the election of a board of not less than five nor more than eleven directors, one of whom shall be president. Commissioners to receive subscriptions to capital stock

4. *And be it enacted*, That the board of directors, chosen as aforesaid, shall fix a time and place for an annual meeting of the stockholders, and shall have power to alter the Annual meetings shall be held

same from year to year, according to their discretion, but subject to direction from the stockholders, and at each annual meeting a new board of directors as aforesaid shall be

Proviso. elected for the year then ensuing; *provided*, that a number of stockholders owning a majority of the stock of this corporation shall be present at such meeting, either in person or by proxy, and in case there shall be, from any cause, a failure to hold the annual meeting at the time fixed, or a failure to elect a new board of directors, the franchises of this corporation shall not be forfeited on these accounts, but the old board of directors shall continue in office for the ensuing year, unless otherwise thereafter determined at any meeting of the stockholders that may be called for the purpose of choosing a new board for the remainder of the year, by persons owning a majority of the stock of the corporation.

Objects of the corporation. 5. *And be it enacted*, That the said corporation shall have power to purchase and sell and hold lands and tenements at or near the village of Malaga, and in the adjoining counties of Gloucester, Cumberland and Salem, and to improve said real estate in any manner advantageous to the business of the corporation, and to devote the same to the purpose of manufacturing glass, or such other manufactures as may be

Proviso. suitable to these localities; *provided always*, that the price to be paid for such lands shall be determined by mutual agreement between the corporation and the owners thereof, except any of the said lands be purchased at public sale:

Proviso. *and provided further*, that in case the corporation shall at any time see fit to engage in any department of manufacture other than that of glass, it shall be competent for the directors, by and with the consent of the stockholders, to make, by suitable apportionment of stock, or otherwise, as may be deemed expedient, such arrangements as may be necessary to preserve the profit and loss of each department of manufacture separate and distinct from that of every other department as aforesaid, in which the corporation may be engaged.

May issue bonds. 6. *And be it enacted*, That the corporation shall have power to mortgage its real estate to any amount not greater than one-half the full paid up cost thereof, with the improvements made thereon, and, if so desired, to issue coupon or registered bonds, secured by such mortgage to any amount, in all not greater than the amount of the mortgage,

and divided into sums not less than five hundred dollars for each bond.

7. *And be it enacted*, That the corporation shall have power to adopt all such rules and by-laws as it may deem necessary for the regulation and proper conduct of its business; *provided*, that no rule or by-law shall limit the right of each stockholder, at any meeting of stockholders, to one vote for every share of stock held by him, nor shall any rule or by-law contain anything inconsistent with the terms of this charter, or the laws of the state of New Jersey. May make rules and by-laws. Proviso.

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

Approved February 4, 1873.

CHAPTER XIII.

An Act to amend an act entitled "An Act to incorporate the Englewood Horse Railway Company," approved April sixth, one thousand eight hundred and sixty-six, and to change the name of said road.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the seventh section of the "Act to incorporate the Englewood Horse Railway Company," approved April sixth, one thousand eight hundred and sixty-six, be and the same is hereby amended so as to read as follows: "*And be it enacted*, That said company be and hereby is authorized to enter on, survey, lay out, construct and operate a railroad to commence at some point in Bergen county, at the northerly boundary line of this state, east of the Northern Railroad of New Jersey, and running thence southerly and crossing Palisades avenue in Englewood, by any practicable route through Bergen and Hudson counties to the Hudson river, with the right to connect with or become consolidated in fact and in law, with any other railroad or railroad company in said counties of Bergen and Hudson, or either of them, in the manner provided by the eighteenth section of said act, or with any Act amended. Amendment

railroad or railroad company now organized or constructed, or which shall be organized or constructed in the state of New York, for the extension of this road north of the state line."

Amendment

2. *And be it enacted*, That the words "fourth day of July, one thousand eight hundred and seventy-three," at the beginning of the twenty-fourth section of said act, be altered and amended so as to read as follows: "fourth day of July, one thousand eight hundred and seventy-eight."

Name changed.

3. *And be it enacted*, That the name and title of the said Englewood Horse Railway Company, be and the same is hereby changed to the "Palisades Railroad Company," and that this act shall take effect immediately.

Approved February 4, 1873.

CHAPTER XV.

A Supplement to an act entitled, "An Act to incorporate the Bergen County Gas Light Company," approved March fourteenth, one thousand eight hundred and sixty-four.

Earnings and profits of the company may be converted into capital stock.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the directors of the said corporation may from time to time convert so much of its earnings and profits as they shall deem advisable into capital, and may employ the same in extending and constructing its works, and in the purchase of necessary property for its use and for other objects of the said corporation, issuing to the stockholders as dividends the capital stock of the corporation to the amount so converted, which stock shall not be subject to any calls or assessments.

Limitation.

2. *And be it enacted*, That the time limited in the ninth section of the act to which this act is a supplement, be extended twenty years.

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

Approved February 4, 1873.

CHAPTER XVII.

An Act to incorporate the Saint Patrick's Hall and Library Association of Jersey city.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That John Hogan, Patrick Kiernan, John Wheelihan, Dennis Burns, John Rieley, James Baker, Michael G. Lennon, Patrick Lillis, Patrick Kinlan, Michael Shannon, Thomas Waldron, Martin Logan, Reverend A. Venuta, Arthur B. Cosgrove, Thomas F. Stack, Thomas M. Norton, Thomas Noonan, Alexander McDonnell, Michael McDonnough, Cornelius J. Rooney, John J. Gaffney, Francis McDonald, James O'Brien, Andrew Scanlan, James R. Tate, James Coyle, Hugh McFadden, Henry J. Powell, James Matthews, Eugene Murphy, William B. Wallace, Edward O'Conner, John Bourk, John O'Rourk, Patrick McGue, Martin Fury, Jeremiah Downey, Michael Mara, Charles McDonnell, George J. Bourk, Martin Hanly, Felix McKiernan, Peter F. Smith, Edward O'Donnell, John Heslin and Patrick Long, 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, the object whereof shall be to forward the moral, intellectual and physical advancement of its members and to disseminate useful knowledge. Names of corporators.

2. *And be it enacted*, That the location of said body corporate shall be in Jersey City, in the county of Hudson, in this state, and that the corporate name of said corporation shall be "The Saint Patrick's Hall and Library Association of Jersey City," and by that name they, their successors and assigns shall and may have continual succession, and shall and may sue and be sued, implead and be impleaded in all courts of justice, and shall have power to make and use a common seal, and they and their successors shall have power and authority to purchase or receive by gift, and to hold, enjoy or convey all such house, lands, tenements, hereditaments and goods and chattels in the county of Hud- Corporate name and powers.

son in this state, as they or their successors may deem expedient or necessary for the purposes contemplated by this act, and the same to demise, lease, grant, sell or convey under such rules and regulations as the said association may ordain and establish from time to time.

Capital stock.

3. *And be it enacted*, That the capital stock of said association shall be fifty thousand dollars, with power to increase the same to sixty thousand dollars, to be divided into shares of ten dollars each, which shall be deemed personal property and transferable in such manner as the said association shall by their by-laws direct.

To be managed by a board of directors.

4. *And be it enacted*, That the offices of the said association shall be managed and conducted by a board of eleven directors, seven of whom shall form a quorum and shall have power to transact business, and shall constitute a legal meeting of said board of directors.

Election of directors.

5. *And be it enacted*, That the first board of directors as provided for in the preceding section of this act, shall be elected by the persons named as incorporators in the first section of this act, from their own number, and for that purpose the first five of said persons named in the first section of this act shall, so soon as is deemed expedient after the passage of this act, give to each one of said persons named in the first section of this act at least five days' written notice of the time and place of meeting for the election of said first board of directors, which place shall be in Jersey City, and also publish the said notice for at least five days in one of the daily newspapers printed, published and circulated in Jersey City, and such election shall be held at the time and place so appointed by such of the persons mentioned in the first section of this act as may attend in person, and each person declared elected as such director shall receive a majority of the votes of the persons so attending as aforesaid.

Not to be dissolved by reason of failure to elect.

6. *And be it enacted*, That in case it shall happen that an election of directors shall not take place at the time so appointed, or all of said directors shall not be elected at such time, the said association shall not for that cause be deemed to be dissolved, but such election shall be held at such other time or times as shall be appointed in like manner and upon like notice as aforesaid.

7. *And be it enacted*, That the directors chosen at such meeting as aforesaid and at the annual election of said di-

rectors of said association, shall as soon as may be after every such election, choose out of their own number, a president, who shall hold his office for one year, or for the unexpired term of one year, in case of vacancy in said office of president caused by death, removal, resignation or disqualification, or disability to act therein; and that the said board of directors shall also have power to appoint a vice president, a treasurer and secretary from their own number, and such other officers, either from the persons named in this act, or from the persons who may become stockholders in said corporation, as said board of directors may from time to time deem necessary to create and establish by their by-laws and regulations.

Election of president and vacancies how filled.

8. *And be it enacted*, That the said board of directors shall be and are hereby authorized to receive subscriptions to the capital stock of said association, and that as soon as fifteen thousand dollars of the capital stock shall be subscribed in good faith, then the said board of directors may issue certificates of stock to the persons entitled to them, which certificate of stock shall be in due form of law under the hand of the president and secretary and the common seal of the association, and the said board of directors shall have power to call in the capital stock of said association by such installments, and at such times as they may direct, and in case of non-payment of said installments or any of them, to forfeit the share or shares on which such default shall arise, to and for the use of the corporation, and also to make and prescribe such by-laws, rules and regulations as to them shall be needful and proper relating to the management of the stocks, property, estate and effects of said corporation.

Directors to receive subscriptions to and issue certificates for capital stock.

9. *And be it enacted*, That the said directors shall hold office for the term of one year and until their successors shall be elected in their place, and that the annual election for directors after the first election as provided for in this act, shall be held annually on the first Monday in April in each year, of which election public notice shall be given for at least five days in one of the daily newspapers printed, published and circulated in said Jersey City, in which said election shall be held at the time so appointed, by such of the stockholders of the said capital stock as may attend in person or by proxy, each share of said stock owned entitling the owner thereof to one vote; at such election the

Annual election of directors.

board of directors for the preceding year or such of them as may attend, shall act as the inspectors thereof, and shall certify under their hands the names of the persons who may be elected, who shall thereupon be declared to be the board of directors for the ensuing year.

Vacancies how filled.

10. *And be it enacted*, That in case of the death, removal, resignation or disqualification of any director, the vacancy may be filled for the remainder of the year by the said board of directors.

Office may be declared vacant by reason of absence.

11. *And be it enacted*, That if any one or more of the directors shall absent himself from three consecutive stated meetings of the board of directors, then in that case the said board of directors at a stated meeting of said board, held for that purpose, of which at least five days' notice shall be given to each director and to the defaulting director as aforesaid, may declare the office of said director vacant, and proceed to fill the vacancy for the remainder of the year.

May adopt a constitution and by-laws.

12. *And be it enacted*, That the said board of directors shall have the power to adopt a constitution and by-laws for the government of the association, and to define the duties of its officers, and for such other purposes as to them may deem necessary and advantageous to said association.

Term of office.

13. *And be it enacted*, That all officers of said association shall hold their office for the term of one year, and until their successors are elected as provided for in this act, and no longer.

Duties of the treasurer.

14. *And be it enacted*, That the treasurer of said association elected as hereinafter provided, shall take and receive all moneys belonging to said association; shall safely keep such moneys and render a just and true account thereof to said association; shall deposit the same in such bank or other moneyed institution as the said board of directors shall designate and in no other; he shall deposit the same in the corporate name of said association, and in no other name; he shall not draw therefrom any sum of money or sums of money unless by order of the board of directors; he shall not deliver any check, draft, order or other instrument on the same to any person or for any sum or sums of money, unless the same shall be first ordered delivered by a resolution of the board of directors, and then only after the same is countersigned by the president of said board of directors; he shall not use the same nor any part thereof for his own

private purposes, but shall deposit the same as aforesaid so soon as conveniently can be after it is received; he shall keep a just and true account of all moneys received by him, and disburse as aforesaid and render a monthly account to the said board of directors, and shall faithfully perform such other duties as may be imposed upon him from time to time by the by-laws, rules and regulations of said association.

Treasurer shall give bond.

15. *And be it enacted*, That the treasurer before he enters upon the duties of his office shall sign and execute and enter into bond to the said association by its corporate name in the penal sum of twenty thousand dollars, conditioned for the faithful performance of all the duties of his office, and the said bond shall be deposited in the hands of the president for safe keeping.

Bond may be prosecuted.

16. *And be it enacted*, That the said board of directors may upon the breach of the said conditions of said bond, order the same prosecuted in the corporate name of said association in any court having jurisdiction.

Bonds not to be issued for less than par value of stock.

17. *And be it enacted*, That no bond or bonds of the capital stock of this association shall be issued by the management of said association to any person or persons for less than the par value of the same.

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

Approved February 4, 1873.

CHAPTER XXI.

An Act to change the name of the National Life Insurance Company of Elizabeth, New Jersey.

Name changed.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the name of the National Life Insurance Company of Elizabeth, New Jersey, be and the same is hereby changed to that of the National Life Insurance Company of New Jersey.

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

Approved February 5, 1873.

CHAPTER XXII.

An Act to incorporate the Central Stock Yard and Transit Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Samuel W. Allerton, David H. Sherman, George W. Gregory, Ephraim Lambert, John R. McPherson and their associates, and all persons who are or may be holders of the stock hereafter mentioned, are constituted a body corporate by the name and style of "The Central Stock Yard and Transit Company," and by that name and style may contract and be contracted with, sue and be sued, have a common seal, and may have and exercise all the rights, privileges and immunities which are or may be necessary to carry into effect the purposes of this act.

Corporate name.

Power to locate construct and build works &c.

2. *And be it enacted*, That said company shall have power to locate, construct and maintain, upon any land which they may purchase or lease for such purposes within the limits of the county of Hudson; *provided* said location be upon the tide waters of the Hudson or Hackensack rivers; and if said location be upon the Hudson river, it shall adjoin the pier line as established by the riparian commissioners, and if upon the Hackensack river, it shall be upon the westerly shore of said river, and shall not be distant from said westerly shore more than three thousand feet; all the necessary yards, enclosures, buildings, structures, aqueducts and railway tracks, switches and turnouts, for the reception, safe keeping, feeding, watering, marketing, killing, packing and rendering, and for the weighing, delivery and transport of cattle and live stock of every description, and also dead and undressed animals that may be at or passing through the county of Hudson, and for the accommodation and transaction of the business of a general stock yard and market establishment for cattle and live stock, including the erection and establishment of one or more hotel buildings, and the right to use, keep, manage or

Proviso.

lease the same for the accommodation of the public doing business at the said yards and otherwise, and shall have power to relocate within the limits aforesaid, enlarge, sell or lease the said yards, structures and buildings, or any of them as shall become necessary or expedient from time to time, and shall have the right and power to purchase and sell, and make advances of money upon such cattle and live stock for freight and other purposes, and for the care, subsistence and handling, and for advances made upon stock: and for killing, packing and rendering the same the said company may require to be paid compensation therefor, and the said company shall have power to manipulate and dispose of the blood or offal or manufacture products therefrom.

May purchase real estate, build docks and wharves &c.

3. *And be it enacted*, That it shall and may be lawful for the said corporation to purchase or lease such real estate, and make thereon wharves, docks and slips, as provided by the laws of this state, and to build, charter, or purchase and equip such boats and vessels as may be necessary and proper for the transaction of their said business, in transporting live stock and dressed animals from place to place, in and about the harbor of New York and the Hudson river; *provided*, that nothing in this act shall interfere with the rights of the state to lands under water.

Proviso.

May make contracts for transportation &c.

4. *And be it enacted*, That it shall and may be lawful for the said corporation to make contracts with the several railroad companies in, or lines running through the county of Hudson, for the transportation and delivery of live stock of every description at the yards of the said corporation, and shall have power to lay tracks and turnouts, to connect with the said lines or tracks of each or all of the different railroad companies, said tracks to be used in the delivery of live stock to and from the yards of said company, and shall cross all streets within the territorial limits of Jersey City in such manner as to grade as the common council of said city may direct, and shall in no case run parallel with and upon the line of said street or streets; *provided, also*, said tracks, switches and turnouts shall not extend beyond the limits of the county of Hudson; and if to carry into effect the purposes of this act it shall be deemed necessary to cross the track or tracks of any railroad corporation runing in or through the county of Hudson, the written consent to

Proviso.

said crossing, by said railroad so crossed, shall first be obtained.

Power to hold and use property for use of the corporation.

5. *And be it enacted*, That the said company shall have power and authority for carrying out the purposes of said incorporation; to procure, hold and use such personal property; and also to purchase, lease, hold, sell and convey so much real estate as may be necessary for the proper transactions of their business.

Capital stock.

6. *And be it enacted*, That the capital stock of said company shall be three hundred thousand dollars, with the privilege of increasing the same to five hundred thousand dollars, which stock shall be divided in shares of one hundred dollars each, which shall be deemed personal property, and transferable on the books of the said corporation; and the said company may commence operations when fifty thousand dollars shall have been paid in in cash; the board of directors shall have power to require the payment for the stock subscribed in the manner, at the time, and in such sums as they may direct, and to declare dividends upon profits earned by the said company; on the refusal or neglect of any stockholder to make payment of installment, on the requisition of the board of directors, the share or shares of such delinquent, with all installments paid, may be forfeited, or may, after thirty days' public notice in the newspapers of Hudson county, be sold at public auction, under such rules as the directors may adopt; or the said company may issue and use their stock as full paid, in the purchase of real estate or other property, or for other purposes, on such terms as the respective parties may agree upon.

Board of directors shall be elected.

7. *And be it enacted*, That the corporate powers of said company shall be vested in and exercised by a board of directors to consist of seven in number, who shall be stockholders holding not less than fifty shares of stock, and such other officers, agents and servants as they shall appoint; the

Names of first directors.

first board of directors shall consist of Samuel W. Allerton, David H. Sherman, E. N. Tabor, John R. McPherson, George W. Gregory, Charles J. Baker and James E. Bathgate, who shall hold their office until the first Tuesday of January, anno domini one thousand eight hundred and seventy-four, and until their successors are elected and qualified; vacancies in said board may be filled by a vote of two-thirds of the directors remaining; an annual election for directors shall be

held on the first Tuesday in January of each year, at such place and in such manner as may be provided by the by-laws of said company.

Organization of the board of directors.

8. *And be it enacted*, That the directors herein named shall organize by electing one of their number president and by appointing a secretary and treasurer; the said company shall have power to make, ordain and establish by-laws, rules and regulations necessary to fulfill the purposes and carry into effect the provisions of this act, and for the well ordering and securing the affairs, business and interest of the company.

Company not to be dissolved by reason of failure to elect.

9. *And be it enacted*, That at any election of directors each share of stock shall be entitled to one vote, to be given either in person or by proxy, and the five persons receiving the largest number of votes shall be elected and hold their office until the next annual election and until their successors shall be duly qualified; and if for any cause the annual election shall fail, the company shall not be dissolved, but the directors in office shall continue to hold their places as directors until an election shall be had and their successors duly elected and qualified.

May borrow money and issue bonds.

10. *And be it enacted*, That the said company is hereby authorized from time to time to borrow such sums of money as may be necessary, and to issue and dispose of their bonds therefor in denominations of not less than five hundred dollars each, and to an amount which in the aggregate shall not exceed three hundred thousand dollars, bearing interest at the rate of seven per centum, and to secure the payment of the same may execute a mortgage or mortgages, or deed of trust of all or any part of its property real and personal.

Limitation.

11. *And be it enacted*, That the said corporation shall continue in existence for thirty years and that this act shall take effect immediately.

Approved February 11, 1873.

CHAPTER XXIII.

An Act relative to the Hackensack and New York Railroad Company and the Hackensack and New York Extension Railroad Company.

Authority to merge and consolidate capital stock &c.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the Hackensack and New York Railroad Company and the Hackensack and New York Extension Railroad Company may merge and consolidate the capital stock, property, powers, privileges and franchises of the said companies upon filing in the office of the secretary of state of this state, an assent in writing of stockholders holding three-fifths of the stock of the said companies respectively; *provided*, that if any stockholder shall refuse his or her assent, or if by reasons of absence or legal disability such assent cannot be obtained, the stock of such stockholder may be taken by the consolidated railway company in the following manner: the said company shall apply to one of justices of the supreme court to appoint three disinterested commissioners to appraise the value of a share of stock in each of the said companies having stockholders so dissenting, and the said justice shall appoint such commissioners, and such commissioners shall meet together and appraise the value of a share of stock of each of said companies in which stockholders do not assent, and the said company consolidated as aforesaid shall pay to such non-assenting stockholders in either of said companies the valuation so fixed on a share of such companies' stock in which said stockholder holds stock for every share of stock so held by such stockholder, and upon such payment or tender thereof the said stock so taken or valued shall be thereby surrendered and assigned to the said railway company; such notice shall be given by said company of such proceedings as the said justice shall direct.

Proviso.

2. *And be it enacted*, That the said new corporation so

formed and consolidated may adopt the name of "The New Jersey and New York Railway Company," and shall succeed to the property, rights, powers, privileges and franchises of the companies so consolidated, and shall have power to finish, complete, operate and maintain any of the railroads, extensions or branches of either of the said railway companies authorized by the legislature of the state of New York, or by the act incorporating such companies or either of them and the supplements thereto; the consolidated company shall have full power to borrow from time to time such sums of money as the said company shall deem necessary, and to issue bonds at a rate of interest not greater than seven per centum per annum, and to secure the same by mortgage or mortgages on the railroads and all other corporate property and franchises of the said companies so consolidated, and that 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 that may be instituted to enforce the payment of any bond or mortgage to be executed by said company. Corporate name and powers.

3. *And be it enacted*, That immediately upon the filing of the said certificate of consolidation in the office of the secretary of state as hereinbefore provided, the members of the board of directors of the said Hackensack and New York Railroad Company and the Hackensack and New York Extension Railroad Company shall meet together, and shall thereafter constitute a board of directors of the said consolidated company, and shall choose a president and other officers of said consolidated company, and shall call a meeting of the stockholders of said consolidated company for the purpose of electing a board of directors for the ensuing year, upon giving two weeks' notice, to be published in one or more newspapers printed and published in the county of Bergen; after such election the annual election for directors of said consolidated company shall be held in the county of Bergen, on the tenth day of April, in each and every year, notice of which election shall be given in a manner prescribed in this section. Certificate of consolidation to be filed with secretary of state.

4. *And be it enacted*, That in all sales and transfer of stock in either of the consolidated companies or in the issue of new stock, the same shall be transferred by and issued in the name of the consolidated company; that all stock, whether of the companies so consolidated or issued by the Transfer of stock.

Dividends.

company created by this act, shall be entitled to the same dividends and profits and be entitled to vote at any election held for choice of directors.

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

Approved February 11, 1873.

CHAPTER XXIV.

An Act to incorporate "The Haddon Blue Stone Company."

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Frederick G. VanVliet, Isaac N. VanVliet, Thomas F. Ray, DeWitt C. Ward, and Daniel M. Lyon, and such other persons as may hereafter be associated with them, be and they are hereby created a body politic and corporate, in fact and in law, by the name

Corporate name and object of corporation.

of "The Haddon Blue Stone Company," for the purpose of excavating, quarrying, and carrying on the flagging and blue stone business, and doing and performing all such other things as may be incident thereto; and for such purpose the said company shall or may raise by subscription,

Capital stock.

by opening the books therefor or otherwise, a capital stock of two hundred thousand dollars, to be divided into shares of one hundred dollars each, with the privilege of increasing the same from time to time to an amount not exceeding five hundred thousand dollars, and it shall be lawful for said company to issue certificates of stock, in whole or in part, in payment for any real or personal property purchased or leased by said company for the purposes of their business aforesaid; and may commence business when twenty-five per centum of the capital stock is subscribed, and paid in.

May hold real estate in New Jersey and Pennsylvania.

2. *And be it enacted*, That the said corporation may purchase, use, hold, possess and enjoy, such real estate in the city of Newark, Essex county, New Jersey, and in the county of Pike, in the state of Pennsylvania, as may be necessary or expedient for the purposes of said corporation and may sell, mortgage, lease, or otherwise dispose of the

same at pleasure, and may sue and be sued in all courts of law and equity and may have and use a common seal, and may change and alter the same at pleasure, and may make such by-laws for their regulation and government as they may deem proper, provided the same are not inconsistent with the constitution and laws of the United States or of this state.

Election of directors.

3. *And be it enacted*, That the affairs of the said corporation shall be managed by not less than five or more than seven directors, who shall elect one of their number 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 such day, at such hour of the day, and at such place as the by-laws of said corporation shall direct; and until such election shall take place, the corporators named in the first section of this act, shall manage the affairs of said company, and a majority of the directors shall, on all occasions, when assembled at such time and place as the by-laws shall prescribe, constitute a body competent to transact business, and all business matters before them shall be decided by a majority of votes; and in case a 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 stockholders.

Board of directors shall manage affairs of corporation.

Not to be dissolved by failure to elect.

4. *And be it enacted*, That in case it shall happen that an election of directors shall not be made upon the day designated 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, such notice having been given of the time and place of such election as the by-laws shall prescribe.

May purchase, lease and hold real estate.

5. *And be it enacted*, That the said corporation shall be and is hereby empowered to purchase, use, possess and enjoy and hold in fee simple, or any less estate any lands or real estate, or to mortgage, sell, lease, convey or dispose of the same or any parts thereof, also to purchase or lease any machinery necessary to their business, and to do such other acts and things, and make and construct such buildings,

erections and improvements as a successful prosecution of the business of the company may require.

Annual statement shall 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 the said corporation, setting forth the amount of the capital stock paid in, the amount of the money due to and from the said corporation, and the amounts of all assets and property belonging to said corporation, as nearly as the same can be ascertained.

Principal office where located.

7. *And be it enacted*, That the principal office of the said company shall be in the city of Newark, and the regular books of accounts shall be kept in said office, to which books of accounts any stockholder may have free access at all reasonable times for the purpose of inspection.

How dissolved.

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

Proviso.

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

Approved February 11, 1873.

CHAPTER XXV.

An Act to incorporate the Sisters of St. Francis, of Trenton, New Jersey.

Names of incorporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Mary Burger, Margaretha Bachman, Louise Schmelzer, M. Regina Miller, Mary Hofer, Mary Stahl, Frances Zimmerman, Louise Weis, Catharine Holtman, and Clara Gesslein, and such other sisters of the

religious society called The Sisters of St. Francis, as shall hereafter become sisters of said society in Trenton, New Jersey, are hereby constituted a body incorporate, by the name aforesaid, to have perpetual succession, and to have a common seal.

Object. 2. *And be it enacted*, That the essential object of the said corporation shall be the erection and maintenance of a hospital for the care of the sick.

May make rules and regulations. 3. *And be it enacted*, That said corporation shall have power to pass by-laws and regulations for the government of the corporation and for the admission of more members, as may be deemed necessary and proper; *provided*, that such by-laws and regulations shall not be repugnant to the constitution and laws of the United States, or of this state.

Proviso.

May hold real estate. 4. *And be it enacted*, That said corporation may purchase and hold real and personal estate for their use and benefit, the value of which shall not exceed the sum of one hundred thousand dollars.

Restrictions and liabilities. 5. *And be it enacted*, That the said corporation shall possess all the powers and privileges, and be subject to all the restrictions and liabilities contained in the act entitled "An act concerning corporations," passed and approved February fourteenth, one thousand eight hundred and forty-six, and the various supplements thereto.

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

Approved February 12, 1873.

CHAPTER XXVIII.

A Supplement to an act entitled "An Act to incorporate the Paterson Silk Manufacturing Company," approved March seventh, one thousand eight hundred and seventy-two.

Authorized to issue bonds and raise additional capital. 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the Paterson Silk Manufacturing Company, may for the purpose of obtaining additional

capital to be employed in its business, issue bonds in its corporate name of any denominations not less than one hundred, nor greater than ten hundred dollars, to an amount not to exceed sixty thousand dollars in the whole, redeemable within ten years from their issue, and to bear interest at the rate of seven per centum per annum, payable half yearly, to have suitable interest coupons annexed, and to be sealed with the seal, and signed by the secretary and president of the said company; and it shall be lawful for the said company to execute and deliver to any proper person or persons, resident in this state, a mortgage upon all its real and personal property whatsoever, in trust, to secure the payment of the principal and interest of the said bonds as it shall become due and payable, which mortgage shall be executed and proved by the said company according to law, and recorded when so executed and proved in the clerk's office of the proper county; and should default be made in the payment of the principal or interest of the said bonds, or any of them, as it shall become due, it shall be the duty of any trustee or trustees by virtue of said mortgage, to obtain by legal proceedings in the court of chancery of this state, or other competent court therein, a decree for the sale of said mortgaged property, and to apply the proceeds arising from such sale to the payment of the principal and interest of said bonds.

Sale of bonds.

2. *And be it enacted*, That it shall be lawful for said company to sell said bonds, or any of them, at public or private sale or otherwise dispose thereof, for the purpose mentioned in the first section of this act, upon such terms as said company may deem proper.

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

Approved February 12, 1873.

CHAPTER XXX.

An Act to change the name of Charles Ames Spencer, to Charles Ames De Marsan Spencer.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the name of Charles Ames Spencer, of the city of Paterson, in the county of Passaic, be and the same is hereby changed to Charles Ames De Marsan Spencer, and by that name he shall possess and enjoy all the rights, privileges and powers which he might possess and enjoy, if he retained his original name of Charles Ames Spencer. Name changed.

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

Approved February 12, 1873.

CHAPTER XXXI.

An Act to incorporate "The Orange Gesang-Verein."

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Carl Schupp, Louis B. Sommers, Albert Poeller, Richard Lucders, Henry Wulf, Henry Kazenmayer, Fridolin Hohler, Philip Egner, Henry Wagner, Louis Schack and such other persons as now are or hereafter shall become members of "The Orange Gesang-Verein," located at the city of Orange, in the county of Essex, are hereby constituted a body corporate and politic in fact and in name, under and by the name of "The Orange Gesang-Verein." Names of corporators. Corporate name.

2. *And be it enacted*, That the object of the said corporation is hereby declared to be the encouragement and promotion of music, the drama and general literature. Object.

May make rules for its government.

3. *And be it enacted*, That said corporation shall have power to prescribe rules and by-laws for the admission and expulsion of its members and the election of officers, and in general for the regulation and management of its affairs.

Property &c. vested in board of directors.

4. *And be it enacted*, That the control of the property fund and estate of the said corporation shall be vested in a board of not less than ten nor more than twenty directors, who shall, as may be prescribed by the by-laws, elect a president, a secretary and a treasurer from their own number, and who may, in their discretion, appoint subordinate officers or agents.

May hold real estate.

5. *And be it enacted*, That the said corporation may take, purchase, hold, sell, transfer, mortgage and convey all kinds of real and personal estate for their use and benefit; *provided*, that the net annual income of said real estate shall not in any year exceed the sum of ten thousand dollars.

Proviso.

Restrictions and liabilities.

6. *And be it enacted*, That said corporation shall possess all the powers and privileges and be subject to all the restrictions and liabilities contained in the act entitled "An act concerning corporations," approved February fourteenth, one thousand eight hundred and forty-six, and the several supplements thereto.

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

Approved February 12, 1873.

CHAPTER XXXIII.

An Act to incorporate "The New Jersey State Dental Society,"

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That A. W. Kingsley, William H. Dibble, C. S. Stockton, Lewis E. Reading, J. Hayhurst, Leo H. De Lange, J. W. Cosad, E. F. Hanks, T. S. Stevens, W. Pinney, Charles Dippold, Edwin Chew, George C. Brown, F. T. Eggert and their associates, officers and members of said society, be and they are hereby constituted and declared to be a body politic and corporate in law, by the

name, style and title of "The New Jersey State Dental Society," and by that name to have perpetual succession, to have a corporate seal, with power to change the same at pleasure. Corporate name.

2. *And be it enacted*, That the object of this society shall be for the cultivation and advancement of the science of dentistry, and for any other like purpose appertaining to said society. Object.

3. *And be it enacted*, That the said corporation shall have power to make and adopt by-laws and regulations for the admission, suspension and expulsion of its members, the election of its officers and to define their duties, for imposing fines and collecting the same, and contributions from the members and for the general management of its affairs, and from time to time may alter or repeal the same. General powers.

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

Approved February 12, 1873.

CHAPTER XXXIV.

An Act to change the name of Joseph B. Seward to Joseph B. Winters.

WHEREAS, Joseph B. Seward, of the township of High Bridge, in the county of Hunterdon, has been adopted by Joseph B. Winters and Mary A. Winters, of the place aforesaid, who are desirous of having the name of said Joseph B. Seward changed to Joseph B. Winters, and no reason appearing to the contrary; therefore, Preamble.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the name of Joseph B. Seward, of the county of Hunterdon, be and the same is hereby changed to Joseph B. Winters, and by that name he shall possess and enjoy all the rights, powers and privileges which he would have possessed and enjoyed had he retained his original name of Joseph B. Seward. Name changed.

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

Approved February 12, 1873.

CHAPTER XXXV.

An Act to authorize Samuel Hilliard to build wharves, piers, and bulkheads, in front of his lands on Maurice River, Cumberland County, New Jersey.

May build wharves, &c.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Samuel Hilliard be, and he is hereby authorized and empowered to erect and maintain all such wharves, piers, and bulkheads, in front of his lands on the Maurice river, in the county of Cumberland, as he may deem proper and necessary for the improvement of his property, or for the benefit of commerce, and to collect wharfage for the use thereof, and to hold, use, and enjoy the same to himself, his heirs and assigns; *provided, however*, that no such wharf, pier or bulkhead, shall be erected or built by virtue of this act, for a greater distance that thirty feet beyond low water mark, nor in front of the land of any other person; *provided further*, that nothing in this act shall affect the rights of the state to lands lying under water.

Proviso.

Proviso,

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

Approved February 12, 1873.

CHAPTER XXXVI.

An Act to incorporate the German Young Men's Christian Association of the City of Newark and vicinity.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Leopold Aigeltinger, Julius Neuschæfer, Charles Baumann, Charles K. Seibert, Richard Bachmann, Frederick Becht, John Franz, William Feuer-

herm, Frederick Schulz, Charles Kroter, Frederick Haas, George Weidelie, John Wintsch, and their associates and successors, are hereby constituted a body corporate, by the name of "The German Young Men's Christian Association of the city of Newark and vicinity." Corporate name.

2. *And be it enacted*, That the objects of this corporation shall be the improvement of the spiritual, mental, and social condition of young men, and other persons, by the support and maintenance of systems of lectures, sermons, and other services, libraries, reading rooms, and social meetings, and by such other means, not inconsistent with the objects of the association, as the board of managers may devise. Object.

3. *And be it enacted*, That the business affairs and estate of said corporation shall be managed and conducted by a board of managers, to consist of the officers of the association, and at least one person from each evangelical denomination represented in the association, each of whom shall be a member in good standing of some evangelical church; the officers and board of managers of the German Young Men's Christian Association of Newark and vicinity, as hereinbefore named in section one of this act, elected on the first Wednesday of September, one thousand eight hundred and seventy-two, shall constitute the first board of managers, to manage and conduct the affairs and estate of the German Young Men's Christian Association, created by this act, and shall hold their offices until the first Wednesday in September, one thousand eight hundred and seventy-three, or until others are elected to fill their places. Board of management.

4. *And be it enacted*, That the said corporation may adopt such a constitution and by-laws, and the board of managers such by-laws and rules for the regulation of its business, the management of its affairs, the choice, powers, and duties of its officers and agents, as are not inconsistent with its character, and the laws of this state. May adopt by-laws, &c.

5. *And be it enacted*, That the body corporate, created by this act, shall be capable of taking, by purchase, gift, devise or bequest, and holding and conveying any real or personal estate, money, or other articles for the use of said corporation, not exceeding in value twenty-five thousand dollars, and so long as the said real estate, or the income of the same, shall be used exclusively for the purposes of this association, shall be exempted from taxation, to an amount May acquire and hold real and personal property.

not exceeding twenty-five thousand dollars; said real estate shall be vested in and managed by the officers and board of managers of the association.

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

Approved February 12, 1873.

CHAPTER XXXVII.

A Supplement to an act entitled "An Act to incorporate the Gloucester City Savings Institution," approved April second, one thousand eight hundred and seventy-two.

Special deposits may be received.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That special deposits may be received by the Gloucester City Savings Institution, payable on demand by check, draft, or receipt, with or without interest, as the board of investment may direct, and which said special deposits shall form a fund for temporary investment, to be kept separate and apart from the funds to be permanently invested in securities designated in the act of incorporation.

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

Approved February 12, 1873.

CHAPTER XXXVIII.

An Act to incorporate Chester Council, Number Eight, of the Order of United American Mechanics of Moorestown, New Jersey.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Samuel A. Wells, Ezra R. Hullings, John H. Ellis, George W. Flowers, Isaac Hunter,

Thomas S. Engle, Darling Conrow, George Mains, John Hoskins, James Richey, and Doctor Pusey Wilson, and their associates, officers, and members of Chester Council, Number Eight, of the Order of United American Mechanics, 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 "Chester Council, Number Eight, of the Order of United American Mechanics of the State of New Jersey," and by that name they and their successors may at all times hereafter sue and be sued, plead and be impleaded, take, purchase, hold, and receive any lands, tenements, goods, chattels, sum or sums of money by grant, gift, bargain, sale, devise or bequest, and grant, bargain, sell and mortgage the same for the use of the corporation, and by the name aforesaid may make investments, and enter into, execute, and enforce any contracts or engagements relating to, touching or concerning the objects of said corporation, and may also have a common seal, and use, change, alter and renew the same at their pleasure; *provided*, that the said corporation shall not at any time hold or possess property, real, personal, and mixed, exceeding in value the sum of fifteen thousand dollars.

Corporate name and powers.

Provlso.

2. *And be it enacted*, That the objects of this corporation shall be to maintain and promote the interest of the American Mechanics, to assist them in obtaining employment, to encourage them in business, to afford relief to the members thereof and their families in case of sickness, to defray the expense of their funerals, or such other cases of distress as shall be defined by the by-laws.

Object.

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

Approved February 12, 1873.

CHAPTER XXXIX.

An Act to incorporate The German Mutual Benefit Society, known as the Germania Kranken Unterstuetzungs-Verein of Jersey City.

Corporators and corporate name.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That John Beck, John Slipper, John Ullmer, Peter Hermann, William Franz, Julius Bretternitz, Otto Balzer, Christian Fisher, and such other persons as now are or hereafter become members of "The Germania Kranken Unterstuetzungs-Verein of Jersey City," are hereby constituted a body politic and corporate by the name aforesaid.

Object.

2. *And be it enacted*, That the object of this society shall be to provide for sick members or their widows and orphans.

May make by-laws, &c.

3. *And be it enacted*, That the said corporation shall have power to pass by-laws regulating the admission and expulsion of its members, and for the election, time of service, and duties of its officers.

May hold real estate.

4. *And be it enacted*, That said corporation may purchase and hold real and personal estate for its use and benefit, the annual income of which shall not at any time exceed five thousand dollars.

Restrictions and liabilities.

5. *And be it enacted*, That said corporation shall possess all the powers and privileges, and be subject to all the restrictions and liabilities contained in the act entitled "An Act concerning corporations," passed and approved on the fourteenth day of February, one thousand eight hundred and forty-six, and the various supplements thereto.

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

Approved February 12, 1873.

CHAPTER XLI.

A Further Supplement to an act entitled "An Act to incorporate the Rahway Savings Institution," approved February nineteenth, one thousand eight hundred and fifty-one.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the charter of the Rahway Savings Institution is hereby extended for the period of twenty years from the nineteenth day of February, A. D. 1871; and that upon the acceptance of this renewal by a continuance thereunder, said institution shall be entitled to all the privileges and liable for all the acts which it may have exercised or performed since said date to the same extent as if said charter had not expired by limitation. Charter extended and renewed.

2. *And be it enacted*, That the Rahway Savings Institution may make investments, in addition to those which it may now make, in the public stocks or bonds created and issued by the several states of the Union, the city and county of New York, and the several counties, cities, towns and townships of this state, and may make temporary loans upon personal securities, with pledges of collateral securities, at least equal to the amount loaned; but such temporary loans shall at no time exceed twenty per centum of the whole amount of the assets of said corporation. May make loans and investments in public stocks

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

Approved February 13, 1873.

CHAPTER XLIV.

An Act to change the name of Howell M. Meritt to that of Howell Mettler.

WHEREAS, Howell M. Meritt, of Bethlehem township, Hunterdon county, is desirous of having his name changed to Preamble.

Howell Mettler, and no reason appearing to the contrary; therefore,

Name changed.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the name of Howell M. Meritt, of the township of Bethlehem, of the county of Hunterdon, be and the same is hereby changed to Howell Mettler, and by that name he shall possess and enjoy all the rights, powers and privileges which he would have possessed and enjoyed had he retained his original name of Howell M. Meritt.

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

Approved February 13, 1873.

CHAPTER XLVI.

An Act to enable the Methodist Episcopal Church of Rahway, to convey certain real estate.

Preamble.

WHEREAS, it hath been represented to the legislature that the Methodist Episcopal Church, Rahway, hath been purchasing land for church, parsonage and cemetery purposes, from time to time, receiving deeds therefor made out to individuals by name, who were trustees of said church at the time of the execution and delivery of said deeds, and were so designated therein; and who, together with the grantors and said church, believed and intended said deeds to be so drawn as to vest the title to the lands therein mentioned, exclusively and in fee to said church corporation; therefore,

Empowered to sell and convey certain land.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the present trustees of the said church, or their successors in office, be and they are hereby authorized and empowered to sell and convey all those lots of land lying in the city of Rahway, in the county of Union, and described in the deeds above referred to, which deeds are all recorded in the register's office of Essex county, and are four in number; whereof the first was given by Moses Jaques, junior, and is dated April fourth, one thou-

sand eight hundred and eight, and recorded in Book C 2, pages 354, 355 and 356; the second was given by said Moses Jaques, junior, and is dated April ninth, one thousand eight hundred and ten, and recorded in Book R, pages 305, 306 and 307; the third was given by Elias Stansbury, and is dated January thirtieth, one thousand eight hundred and twenty-one, and recorded in Book L 3, pages 16 and 17; and the fourth was given by said Elias Stansbury, and is dated October twenty-seventh, one thousand eight hundred and thirty-two, and recorded in Book L 3, pages 495 and 496; and to execute and deliver to the purchaser and purchasers thereof, under the common seal of said church, good and sufficient deeds therefor, which deeds shall convey to and vest in the said purchaser or purchasers, a good and valid title in fee simple to said premises.

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

Approved February 13, 1873.

CHAPTER XLVII.

An Act to authorize the Trustees of the Methodist Episcopal Church at Barnsboro, in the Township of Mantua, County of Gloucester New Jersey, to sell real estate.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Joseph Sweeten, Henry Savage, Dayton L. Chew, John D. Price and John Crane, trustees of the Methodist Episcopal Church at Barnsboro, in the said township of Mantua, county of Gloucester, New Jersey, and their successors in office, are hereby authorized and empowered to sell at public sale a lot or piece of land containing about one and a half acres, the property of said church, situate in the said village of Barnsboro, township and county aforesaid, and lying between the Glassboro turnpike and Blackwoodtown road and adjoining lands of Isaac Bowers and others.

Names of trustees.

Authorized to sell certain land.

2. *And be it enacted*, That the said trustees or their suc-

Public notice shall be given of the time and place of sale

cessors in office, shall give public notice of the time and place of sale of the same by setting up five hand bills and advertising the same in a public newspaper, printed in said county, and circulating in the neighborhood where the said premises are situate; and when sold to the highest and best bidder they the said trustees or their successors, are authorized and empowered to make and execute to said purchaser a good and sufficient deed for the same; and they are hereby directed to appropriate the consideration money received for the same to and for the use and benefit of the said church.

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

Approved February 13, 1873.

CHAPTER XLIX.

A Further Supplement to an act entitled "An Act to incorporate the Monmouth County Agricultural Railroad Company," approved April fifth, one thousand eight hundred and sixty-seven.

Authority to extend line of road and to consolidate with other railroad company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said company may purchase, have and hold real estate at points along the line of its railroad where stations are or may be located and at the termini, to an extent sufficient to provide accommodations and conveniences for the business and for the purposes of said company as authorized in the act incorporating the same, and shall have the privilege, with full power, to locate, construct and extend its line of railroad from Keyport to deep water, at some suitable point, off and by way of Conasconk Point, and is hereby authorized and shall have power to consolidate with any railroad company whose lines may connect with those of this company under such name as shall be agreed upon whenever two-thirds of the stockholders in interest of each of said companies or their duly authorized agents or proxies shall in writing express their consent and

agreement thereto; *provided*, that the said companies purchase of those who do not agree to consolidate the stock they hold, paying therefor the par value of full paid stock; but such dissent shall not prevent the consolidation herein authorized. Proviso.

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

Approved February 13, 1873.

CHAPTER L.

A Supplement to "An Act to incorporate the Treaty Island Bridge Railroad and Ferry Company."

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the time for organizing, commencing and completing said road and ferry, shall be extended for the period of three years from the times respectively provided in said original act. Time for commencing and completing road extended.

Approved February 17, 1873.

CHAPTER LI.

A Further Supplement to an act to incorporate the Camden and Philadelphia Steamboat Ferry Company, passed March fifth, one thousand eight hundred and thirty-six.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the board of directors of the Camden and Philadelphia Steamboat Ferry Company, be and they are hereby authorized and empowered to increase the capital stock of the company, when and as they deem expedient; *provided*, that such increase may be made and subscribed, and paid for in such manner, and at such times Capital stock may be increased. Proviso.

as the said board of directors may deem expedient, and that the whole amount of the capital stock of the company when so increased shall not exceed five hundred thousand dollars.

Approved February 17, 1873.

CHAPTER LII.

Supplement to an act entitled "An Act to incorporate the Hudson County Fair Ground Association," approved April second, one thousand eight hundred and seventy-two.

Preamble. WHEREAS, through inadvertence, the state assessment on the act to which this is a supplement, was not paid within the time required by the act entitled "An Act to increase the revenues of the state of New Jersey," by which inadvertence and nonpayment of said state assessment, the said act became void; *and whereas*, it is desirable that said act should be revived; therefore

Original 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 Hudson County Fair Ground Association," approved April second, one thousand eight hundred and seventy-two, be and the same is hereby revived, and shall stand in full force and effect, the same as if the state assessment required to be paid by the act entitled "An Act to increase the revenues of the state of New Jersey," had been paid within the time prescribed by law; *provided*, that the state assessment on the said original act of incorporation, and on this supplement, be paid before the first day of July, next ensuing the passage of this supplement.

Proviso.

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

Approved February 17, 1873.

CHAPTER LIII.

A Supplement to the act entitled "An Act to incorporate the Passaic County Savings Bank."

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the said corporation to invest in such an amount of bonds and personal securities, additional to those mentioned in their charter, as shall be approved by a majority of the board of directors; *provided, however*, no investment shall be upon personal security only, but shall be secured by pledges of collateral security worth at least twenty per centum more than the amount loaned. Authorized to invest in bonds, &c. Proviso.

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

Approved February 17, 1873.

CHAPTER LIV.

An Act to incorporate the Atlantic City Gas and Water Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That John Hagan, Levi C. Albertson, Thomas H. Bedloe, John J. Gardner, Edward Wilson, Alois Schaufler and George F. Currey, their associates and successors be and they are hereby created and declared to be a body corporate and politic in law and in fact, by the name of "Atlantic City Gas and Water Company," and as such shall have perpetual succession, and the privileges and franchises belonging or incident to a corporation, and by Names of corporators. Corporate name and powers.

that name shall be capable in law of purchasing, holding, leasing and conveying any lands, water, water rights, tenements, goods and chattels whatsoever, necessary or expedient for the objects of the corporation hereby created.

Capital stock.

2. *And be it enacted*, That the capital stock of said company shall be one hundred thousand dollars, 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, with the privilege to increase the same to any sum not exceeding two hundred thousand dollars.

Affairs shall be managed by board of directors.

3. *And be it enacted*, That the affairs of said company shall be managed and controlled by a board of directors, five in number, to be chosen by the stockholders thereof annually, at such time and in such manner as the by-laws shall provide, and who shall serve for one year, and until others are elected and qualified; said directors shall elect by ballot a president out of their own number, and also elect or appoint such other officers or agents as may be deemed expedient; may fill vacancies in their own board, and may have a common seal, and alter the same at pleasure, and until after the first annual election, after the passage of this act, the five (any three of whom shall constitute a quorum for doing business) persons named above as directors of said company, and have power to make by-laws for the government thereof, not inconsistent with the laws of this state or of the United States.

Commissioners shall open books and receive subscriptions to capital stock.

4. *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 the said corporation at such time and place as they may direct, and at the time for subscribing for said stock such amount on each share subscribed for shall be paid, satisfied or satisfactorily secured to said commissioners as they or a majority of them shall direct, and the residue of the subscription shall be paid, satisfied or secured, as the directors of said corporation, when elected, shall from time to time direct, giving notice of such time and place, in a newspaper printed and published in Atlantic county for two weeks, at least once in each week; and upon failure of any person or persons to pay, satisfy and secure the payment of such installment or installments, or any of them, as aforesaid, the directors shall be empowered to forfeit the share or shares of each

and every person so failing or any of them, to and for the use and benefit of said corporation; and any share or shares forfeited as aforesaid, may be held by the said corporation, or any person or persons for its benefit, and may at any time be sold or disposed of for the benefit of the corporation as said directors may determine, or may be divided proportionally 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.

Atlantic City or any corporate body may subscribe to capital stock

5. *And be it enacted*, That Atlantic City or any body corporate, may and they are hereby authorized to subscribe to the capital stock; and are hereby authorized to issue bonds for the payment of such stock as the council of said city may by ordinance direct.

General powers.

6. *And be it enacted*, That the said corporation shall be and is hereby empowered and authorized to enter upon lands, make any and all necessary and proper excavations for the purpose of laying down, and to lay down all necessary and proper gas pipes and conductors; to construct all necessary buildings, works and offices on property they may own, and to erect proper posts, burners, lights and reflectors in any and all of the streets, lanes, alleys, avenues, roads, highways and public grounds at Atlantic City aforesaid, or in places in said county contiguous thereto, and to do all things necessary and proper to be done for the purposes of lighting the same, and the dwellings, stores and other buildings and places at Atlantic City and the places in said county contiguous thereto; and that also, for the purposes of effectually supplying with water the said Atlantic City, and the inhabitants, and the corporate authorities and manufacturing and other corporations, companies and associations desiring the use of water, it shall and may be lawful for the corporation created by this act, and they are hereby empowered to make contracts with persons, companies, associations and corporations, for the supply, use and preservation of water; to erect, construct or maintain all works and structures necessary or convenient to the purpose of this act, and to lay down pipes and other conducts, and to erect and construct hydrants and fire plugs in the streets, alleys, lanes and other places, and to do all things necessary for supplying water as aforesaid; *provided*, that the public travel upon the streets, lanes and alleys, shall at no

May erect buildings, &c. and supply gas and water.

Proviso.

time be unnecessarily affected or impeded in the laying and repairing of said gas and water pipes, or the erection of said posts, or the erection and construction of said fire plugs or hydrants, or other necessary or proper work; and the streets and crosswalks, public grounds, lanes and avenues shall not be injured, but shall be left in all cases in as good and perfect condition as before the laying of said gas and water pipes, or other necessary or proper work was commenced; and no private lands shall be injured or defaced without the permission first obtained from the owner thereof.

May borrow money and issue bonds.

7. *And be it enacted*, That said corporation shall have power to borrow money, at any time or times, not exceeding two-thirds of their capital stock, and to secure the same by bond or bonds, or other evidences of debt, bearing an interest not exceeding seven per centum per annum, and mortgage upon their property, franchises and privileges, by such other assurance or assurances as they may deem expedient.

Penalty for injury done to property.

8. *And be it enacted*, That if any person or persons shall willfully do, or cause to be done, any act or acts whatever with intent to injure any pipe, conduct, cock, machine, post or structure whatever, 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 on being thereof convicted, shall be punished by fine not exceeding three hundred dollars, or by imprisonment at hard labor not exceeding ten years, or both; *provided*, such criminal prosecution shall not impair the right of the said company to an action for damages by 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 having cognizance of the same.

Proviso.

Survey and map of lands to be taken shall be filed with city clerk.

9. *And be it enacted*, That the said company shall cause a survey and map to be made of the lands intended to be taken or entered upon for any of said purposes, on which the land of each owner shall be designated, which may be signed by the surveyor making the same, and by the president of said company, and be filed in the office of the clerk of Atlantic City; and the said company, by any of its officers, surveyors or agents, may enter upon any lands or

premises for the purpose of making such examination, surveys, levels or maps.

Proceedings if company and owners cannot agree

10. *And be it enacted*, That in case said company cannot agree with the owner or occupants of any lands or water intended to be taken or used as aforesaid for the purpose thereof, the said company may apply to the judge of the circuit court of the county of Atlantic for the appointment of three commissioners, by whom the compensation to be paid for the lands or water required and proposed aforesaid to be used and taken, shall be ascertained and determined; and in case of the refusal, disability or neglect to act of any of the said commissioners, the judge of the court aforesaid shall, on application, appoint others in their places.

Commissioners shall take and subscribe an oath.

11. *And be it enacted*, That the commissioners shall, before entering upon the duties of their office, take and subscribe an oath, before some person duly authorized by the laws of this state to administer oaths and affirmations, that they will faithfully, and without fear or favor, render true and just award on each and every case submitted by the company to them; they shall also give at least ten days' notice, in one of the newspapers published in Atlantic county, of their meeting, and cause a notice of the same to be posted on each and every of the premises in question, and so far as with ordinary diligence they may ascertain the residence or place of business of the parties interested therein, they shall notify them of said meeting through the post office or by personal service; in case any such owners shall be married women, insane, infants, or otherwise incapacited to act for themselves, the judge aforesaid may appoint some suitable person to act in their behalf before the said commissioners; the commissioners may issue subpœnas to compel the attendance of witnesses before them, and they or any of them may administer the usual oath to such witness; the commissioners shall keep a true record of their proceedings containing the testimony taken, and showing the sum awarded to each owner or other person, and return the same to the clerk of said court to be filed as aforesaid; the company shall pay each commissioner the sum of five dollars per day for every day necessarily spent by him in the performance of his duties under this act.

Compensation.

12. *And be it enacted*, That the said company, or any party to the proceedings of the commissioners may, within ten days after any award or determination is filed as afore-

Proceedings in case of appeal from award of commissioners.

said, appeal therefrom, upon ten days' notice to the other party or parties interested in the same, and the said court shall, upon the report of the commissoiners, proceed to hear the said appeals, and may confirm the proceedings of the commissioners, set the same aside for irregularity, or order new proceedings and appraisements; or the said court may order and frame an issue for the trial of the matter in controversy before a jury, and proceed to try the said issue as in other cases of trial by jury, making such orders in the premises in relation to the trial and the payment of the costs and expenses thereof as may be deemed just and proper.

May enter upon lands upon payment or tender of payment of award.

13. *And be it enacted*, That upon the payment or legal tender of any compensation awarded by the said commissioners, or in case of appeal by the jury, the said company shall be entitled to enter upon, for the purpose contemplated by this act, all the lands, waters and real estate for which said compensation shall be paid or tendered as aforesaid, and to hold and use the same to themselves and their successors forever; if any person to whom any compensation shall be awarded as aforesaid cannot be found, then the said payment may be made by depositing the same with the clerk of said court.

Restrictions and liabilities.

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

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

Approved February 17, 1873.

CHAPTER LV.

A Supplement to an act entitled "An Act to incorporate the Ironia Iron Company," approved March fifteenth, one thousand eight hundred and seventy-one.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the corporate name of the Ironia Iron Company be, and the same is hereby changed to the Secaucus Iron Company, under which latter name the said corporation shall and may have and exercise all the powers and privileges conferred upon the Ironia Iron Company by their act of incorporation. Corporate name changed.

2. *And be it enacted*, That it shall be lawful for said company to increase their capital stock to any amount not exceeding two million dollars. Capital stock may be increased.

3. *And be it enacted*, That it shall be lawful for said company to locate their principal office at such point in the cities of New York, Philadelphia, or in the state of New Jersey, as they shall deem suitable or convenient, and so much of the act as requires said company to have an office in the county of Morris, be and the same is hereby repealed. Principal offices.

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

Approved February 17, 1873.

CHAPTER LVI.

A Supplement to an act entitled "An Act to incorporate the Freehold Cranberry and Land Improvement Company," approved February twenty-ninth, one thousand eight hundred and seventy-two.

WHEREAS, the "Freehold Cranberry and Land improvement Company," by an act of the legislature of this state Preamble.

entitled "An Act to incorporate the Freehold Cranberry and Land Improvement Company," approved February twenty-ninth, one thousand eight hundred and seventy-two, was ordained, constituted, and declared to be a body politic and corporate, in fact and in law, with certain rights, privileges, and franchises, and subject to certain duties and liabilities; *and whereas*, the said company, through inadvertence, have omitted to pay the state 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, one thousand eight 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 Freehold Cranberry and Land Improvement Company," approved February twenty-ninth, one thousand eight hundred and seventy-two, shall stand revived, and shall have the same force and effect as if the said state assessment in said act had been paid within the time prescribed by the act entitled "An Act to increase the revenues of the state of New Jersey," approved March sixth, one thousand eight hundred and fifty-eight; *provided*, that said state assessment on the act to which this is a supplement, and also the state assessment on this supplement, shall be duly paid before the first day of July next after the passage of this act.

Authorized to purchase and hold land, lay out streets, parks, &c. and erect buildings.

2. *And be it enacted*, That the said the Freehold Cranberry and Land Improvement Company shall, in addition to the powers enumerated in said act, be and they are hereby authorized to let, purchase, mortgage, sell, and convey, all lands and real estate said company may have and hold in the county of Monmouth, and to improve such parts of the same as they may deem expedient, by laying out streets, lots, parks, and plats of ground, by grading, paving, curbing, guttering or flagging, or by constructing sewers or drains, or by erecting or causing to be erected, buildings of every name, kind and description; and the said company

May issue bonds.

are hereby authorized to issue their bonds, bearing not more than seven per centum interest per annum, and to sell and dispose of the same at market value; to secure the payment of such bonds the company shall have power to convey or pledge by way of mortgage, trust or otherwise, such portion of the property of said company as the directors, or a ma-

jority of them, may deem necessary; *provided*, that the amount of bonds shall not exceed two-thirds of the value of the real estate held by said company. Proviso.

3. *And be it enacted*, That the capital stock of said company may be increased to a sum not exceeding two hundred thousand dollars. Capital stock may be increased.

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

Approved February 17, 1873.

CHAPTER LVII.

An Act to incorporate "The Bannaker Hotel Company."

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Thomas Marsh, William De Kalb, James M. Baxter, Charles N. Robinson, William Whipper, James W. Parnell and Alexander T. Augusta, and all such persons as may be hereafter associated with them, their successors and assigns, shall be and they are hereby constituted a body corporate and politic, in fact and in law, by the name of "The Bannaker Hotel Company," and by that name shall have perpetual succession and shall have power to hold, lease, purchase, sell, let, convey and dispose of as they may see fit any real estate in the county of Cape May, and to erect thereon or on any part thereof hotels and other buildings and improvements, and to mortgage said real estate with the appurtenances or any part thereof, and upon selling the same to take mortgages upon all or any part of said real estate, to secure part of the purchase money therefor and to transact all such business as may be incident or appertaining to the managing, erecting, furnishing, conducting, leasing, acquiring, holding, selling or mortgaging of said premises, real estate, hotels, buildings and improvements, or any part thereof or otherwise controlling or disposing of the same. Names of corporators. Corporate name and powers.

2. *And be it enacted*, That the capital stock of said corporation shall be fifteen thousand dollars with the privilege of increasing the same at any time by a vote of a majority Amount of capital stock authorized.

of the board of directors, to any sum not exceeding the sum of thirty thousand dollars, and said stock shall be deemed personal property and shall be divided into shares of one hundred dollars each, to be transferable only on the books of the company in such manner as shall be prescribed by the by-laws of said corporation, and each stockholder shall be entitled to one vote for each share of stock to be given either in person or by proxy, at any regular meeting of the stockholders.

Commissioners to open books and receive subscriptions to capital stock.

3. *And be it enacted*, That the said Thomas Marsh, William De Kalb, James M. Baxter, Charles N. Robinson, William Whipper, James W. Parnell and Alexander T. Augusta or a majority of them, are hereby appointed commissioners to receive subscriptions to said capital stock, at such places and time in the city of Philadelphia or in the state of New Jersey as a majority of them may appoint, giving previous notice thereof in a newspaper published in said county of Cape May for at least two weeks; and as soon as five thousand dollars of said capital stock shall have been subscribed and paid, the said commissioners or a majority of them shall call a meeting of the stockholders for the purpose of organizing said corporation and electing from their own number nine directors, giving notice thereof in such newspaper of said county of Cape May and in the city of Philadelphia as said commissioners or a majority of them shall direct, said directors to continue in office until others are duly elected and qualified in their stead; and in case of a vacancy from death or otherwise in the board of directors a majority of the remaining directors shall have the power to fill such vacancy, and any election or elections of directors after the first election aforesaid shall be held at such time and manner as the by-laws of said corporation shall provide; the president of said corporation shall be elected by the directors of said corporation and shall hold his office for such time as the by-laws prescribe and until a successor is appointed in his place.

Affairs to be managed by board of directors.

4. *And be it enacted*, That the property and affairs of said corporation shall be managed by its board of directors, a majority of whom shall be a quorum for the transaction of business; in addition to the powers conferred upon corporations said board shall 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 pay-

ment in the mode prescribed; to remove any of their officers or agents at pleasure; said board of directors to exercise all the powers conferred upon said corporation by this act.

May borrow money and issue bonds.

5. *And be it enacted*, That the said corporation by the action of its board of directors, when they deem it necessary for the purposes of the company, shall have power to borrow money from time to time and to make and deliver the bonds of the company executed as the directors may direct, bearing interest as therein or in coupons 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 bonds not to exceed ten thousand dollars, and they may secure the same by a mortgage or mortgages of the company, which shall be and remain a lien for the amount secured thereby on any property real or personal and upon the chartered or other rights of the company therein and thereby mortgaged until the same be paid; and the registry thereof in the county of Cape May shall be notice to all parties interested, and the same shall be recorded by the clerk of said county in the record of mortgages in his office; and it shall be lawful for said directors 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, at a rate to be fixed by the said board of directors at a meeting called for that purpose.

Notice to be given of time and place of meeting of stockholders &c.

6. *And be it enacted*, That meetings of the stockholders and of the board of directors shall be held at such time and places in the state of New Jersey or in the city of Philadelphia as the board of directors may designate, notices of such meetings to be published in a newspaper published in the city of Philadelphia and in the said county of Cape May.

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

Approved February 17, 1873.

CHAPTER LIX.

A Supplement to the act entitled "An Act to incorporate the Trenton Agricultural Works," approved March ninth, anno domini, one thousand eight hundred and sixty-nine.

Preamble. WHEREAS, the property of said company has greatly depreciated in value; therefore,

Power to reduce capital stock. 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the Trenton Agricultural Works be and they are hereby authorized to reduce their capital stock from sixty thousand dollars to thirty thousand dollars, by making the par value of the shares fifty dollars each, instead of one hundred dollars, as now provided by the act to which this is a supplement.

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

Approved February 17, 1873.

CHAPTER LX.

An Act to incorporate "The Carteret Club of Elizabeth, New Jersey."

Names of corporators. 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Robert T. Hoy, Frank B. Spencer, George E. Sibley, Walter Chandler, William E. Hoy, Frank A. Rhodes, Charles C. Suydam, Benjamin H. Campbell, Louis T. Foote, George de P. Arden, Edward F. Pinneo, Abraham Mills, Edward C. Woodruff, George B. Edwards, James Buckmaster, John E. Woodruff, Shepherd T. Lippincott, John Whittaker, William C. Spencer, John Sawyer, and Edward J. N. Stent, and such other persons as now are or hereafter may be associated with them, and their

successors, shall be and are hereby constituted a body corporate by the name of "The Carteret Club of Elizabeth, New Jersey," for social and esthetic purposes, and that the office and legal residence of said corporation shall be in the city of Elizabeth, in the county of Union, and state of New Jersey. Corporate name.

2. *And be it enacted*, That the said corporation is hereby authorized and empowered to receive by donation, purchase, or otherwise, and to hold and possess such real and personal estate as it shall deem necessary for the purposes of said corporation, and the same or any part thereof to sell, mortgage, lease, or otherwise dispose of at pleasure. May purchase and hold real estate.

3. *And be it enacted*, That the capital stock of the said corporation shall not exceed the sum of fifty thousand dollars, which may be divided into shares of such amounts, and transferable in such manner, and upon such conditions, as such corporation by its by-laws shall prescribe. Capital stock

4. *And be it enacted*, That the said corporation shall have power to make and adopt by-laws and regulations for the admission, suspension and expulsion of its members, the election of its officers, and to define their duties, and for the general management of its affairs, and from time to time may alter or repeal the same; to adopt a corporate seal, and to change the same at pleasure; and in its corporate name may be sued and may institute suits, both in law and equity, for the recovery of all fines, debts, dues, fees and arrearages due to the said corporation, and for all other causes of action. May make rules and regulations for its government.

5. *And be it enacted*, That until the by-laws and regulations in section four of this act provided for shall have been adopted, and an election in pursuance thereof shall have been held, the officers of the Carteret Club of the city of Elizabeth, New Jersey, as such association is now constituted, shall be and remain the officers of this corporation. Election of officers.

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

Approved February 17, 1873.

CHAPTER LXI.

An Act to incorporate the Cataract Club of Paterson.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Henry Smith, Charles A. Gurnee, Albert A. Van Voorhies, James Peacock, John Shaw, and such other persons as may hereafter be associated with them, shall be and are hereby constituted, ordained, and declared to be a body politic and corporate, in fact and in law, by the name and style of the Cataract Club of Paterson, for the purpose of recreation, social intercourse, and mutual improvement.

Corporate name.

May make rules &c. for its government.

2. *And be it enacted*, That the said corporation may make such by-laws, rules, and regulations, in reference to the admission, conduct, and expulsion of members, its management and governance, as they may deem necessary and expedient; that all the rights, interest, and privileges of a member of this club shall cease with the termination of his membership.

May purchase and hold real estate.

3. *And be it enacted*, That the said corporation, by its corporate title of the Cataract Club, may purchase, hold, possess and enjoy such real and personal estate as may be necessary and expedient for the purposes and requirements of said corporation, and may sell, lease, mortgage, or otherwise dispose of the same at pleasure; *and be it provided*, that no gambling be allowed, nor shall any intoxicating liquors be allowed to be sold on the premises of this corporation.

Proviso.

Management of the corporation.

4. *And be it enacted*, That the affairs and business of said corporation shall be managed by a president, treasurer, and secretary, and such other officers as may be deemed requisite for the management of the same, such officers to be elected annually, and to serve until their successors shall be appointed.

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

Approved February 17, 1873.

CHAPTER LXII.

An Act to incorporate the Milton Lake Ice Company.

Corporators and corporate name.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Almeth White, Lewis Hoff, and Joseph T. Crowell, and such other persons as may associate with them, and their successors, be and they are hereby declared to be a body politic and corporate, in fact and in law, by the name, style and title of "The Milton Lake Ice Company," and that the office of said company shall be in the city of Rahway.

Object.

2. *And be it enacted*, That the said company shall have power and authority to gather, cut, store, purchase and sell ice as an article of merchandise, and for that purpose are hereby invested with power and authority to purchase, hire, lease, and hold all such property, real and personal, which may be deemed necessary or expedient to carry out the objects herein specified, and at their pleasure dispose of the same.

Capital stock

3. *And be it enacted*, That the capital stock of said corporation shall not exceed the sum of fifty thousand dollars, and shall be divided into shares of twenty dollars each, which shall be deemed personal property, and transferable in such manner as the said corporation shall by their by-laws direct.

Commissioners shall open books and receive subscriptions to capital stock.

4. *And be it enacted*, That the persons above named, or a majority of them, shall be commissioners to receive subscriptions to the capital stock of said corporation, at such times and places as they shall appoint, and when one hundred shares of said stock shall have been subscribed for, and five dollars on each share so subscribed for, paid to said commissioners, they shall call a meeting of the subscribers to such stock, for the purpose of organizing the company by the election of directors; and when the board of directors is organized by the appointment of a president and other proper officers, the said commissioners shall deliver to the president all moneys, papers, and property in their posses-

sion and relating to said company, and thereupon the said company may begin their operations under this act.

Business shall be managed by a board of directors.

5. *And be it enacted*, That the business of said company shall be managed by a board of three directors, each of whom shall be a stockholder in said company; that the said company may elect such officers as they may deem necessary, and may appoint such agents and subordinates as in their judgment are required in their said business; that the directors and president shall hold office for one year, and until successors are legally chosen in their stead; that elections for directors shall be held at such time and place, and upon such notice, as shall be prescribed by the by-laws of said corporation.

Stock may be forfeited for non-payment of installments.

6. *And be it enacted*, That a majority of the board of directors shall have power to transact all the business of the company, to call in all installments on the stock subscribed, in such amounts, and at such times as they may direct, giving to each subscriber at least ten days' notice, either personally or by publication in one or more newspapers published in the city of Rahway; and they may declare forfeited to said company all shares upon which default in paying installments shall arise, and all previous payments thereon.

Stock may issued in exchange for property real or personal.

7. *And be it enacted*, That the said company shall have power to issue stock to subscribers and others, in payment or in exchange for any property, real or personal, or for any estate thereon, when the same shall be required or deemed necessary to be used in the establishment for conducting the business of the said company, and to receive the same in payment of subscriptions to the stock; and any property thus acquired may be sold or leased by said corporation.

May borrow money.

8. *And be it enacted*, That the said company shall have power to borrow money to an amount not exceeding one-half of its capital stock paid in, and to mortgage their property and franchises to secure the payment thereof.

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

Approved February 17, 1873.

CHAPTER LXIII.

A Supplement to an act entitled "An Act to incorporate the Perry Packard Lumber Company," approved March twentieth, anno domini one thousand eight hundred and seventy-two.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said corporation have power to reduce their capital stock to such amount as the said corporation by a two-third vote of their board of directors shall agree upon. Capital stock may be reduced.

2. *And be it enacted*, That this supplement shall go into effect immediately.

Approved February 17, 1873.

CHAPTER LXIV.

An Act to incorporate the New Jersey State Poultry Society.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Jacob Pentz, Henry K. Howe and Charles Ayres, their associates and successors, shall be and are hereby constituted a body corporate and politic by the name and style of the New Jersey State Poultry Society, with all the powers incident and necessary to such corporations, and whose principal place of business shall be in the city of New Brunswick, Middlesex county, state of New Jersey. Corporators and corporate name.

2. *And be it enacted*, That it shall be the duty of the members of the said society, within a reasonable time after the passage of this act and from time to time thereafter on Object and duty of the members of the society.

such days and at such places in the state of New Jersey as they may designate, to meet for the purpose of improving the different breeds of poultry, birds and pet animals, and with authority and power to establish and maintain a free intercourse between and among the poultry fanciers of this state or elsewhere, and for the better effecting this object to hold fairs and exhibitions, distribute awards and prizes and publish the transactions of the society as they may deem necessary.

May purchase and hold real estate.

3. *And be it enacted*, That the said society is hereby authorized and empowered to hold and convey real, mixed or personal estate, such as may be necessary and requisite for carrying out the objects of the said society; such amounts not to exceed in the aggregate the sum of fifteen thousand dollars.

Officers.

4. *And be it enacted*, That the said Jacob Pentz shall be the first president, the said Charles Ayres the first secretary, and the said Henry K. Howe the first treasurer of the said society, with power to name such other parties, not exceeding nine, as the first trustees of the said society.

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

Approved February 17, 1873.

CHAPTER LXVII.

A Further Supplement to an act entitled "An Act to incorporate the Manchester and Camden Railway Company," approved March eighteenth, one thousand eight hundred and sixty-eight.

Preamble.

WHEREAS, by a supplement to the act incorporating "The Manchester and Camden Railway Company," approved February twenty-eighth, one thousand eight hundred and seventy-two, the said company is authorized to consolidate with the Medford and Camden Railroad Company, when its road is built; therefore,

Authorized to consolidate and merge stock, &c.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the said company to consolidate with the Medford and Camden Rail-

road Company, and merge their stock, bonds, franchises, powers, &c., into one corporation under such corporate name as the stockholders of the said companies, at their meeting to vote on consolidation, shall agree upon when the lines of the two companies shall have been located so as to connect at Medford, and maps thereof filed in the secretary of state's office; *provided*, that not less than three-fourths of the capital stock of each of the said companies subscribed for or issued, is voted in favor of such consolidation; *and provided further*, that the said companies purchase and pay in cash to those who do not vote for consolidation the par value of full paid stock held by each, and in the same manner, and on same conditions, the said consolidated company may consolidate with any other railroad companies with which its lines may connect, and may purchase, have and hold real estate at points along its line, where stations are or may be located, and at the termini, to a sufficient extent to provide accommodations and conveniences for the business, and for the purposes of said company as authorized in the acts incorporating the same. Proviso. Proviso.

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

Approved February 17, 1873.

CHAPTER LXX.

A Further Supplement to an act entitled "An Act to incorporate the Trenton Gas Light Company," approved February nineteenth, one thousand eight hundred and forty-seven.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the Trenton Gas Light Company, be and they are hereby authorized to increase their capital stock from time to time as the board of directors may determine, to an amount not exceeding forty thousand shares. Capital may be increased.

2. *And be it enacted*, That the provision in section ten of

Repealer. the act to which this is a supplement, limiting said charter to thirty years, be and the same is hereby repealed.

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

Approved February 18, 1873.

CHAPTER LXXI.

A Further Supplement to an act entitled "An Act to incorporate the Standard Fire Insurance Company of New Jersey," approved February twenty-seventh, one thousand eight hundred and sixty-eight.

May increase capital stock. 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the Standard Fire Insurance Company of New Jersey is hereby authorized and empowered to increase its capital stock to such extent as the board of directors of the said company may from time to time by resolution determine: *provided*, that the capital stock of said company shall not at any time exceed the sum of five hundred thousand dollars.

Proviso.

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

Approved February 18, 1873.

CHAPTER LXXV.

A Supplement to the act entitled "An Act to incorporate the Montclair Gas and Water Company," approved March twenty-eighth, one thousand eight hundred and seventy-one.

Capital stock 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the capital stock of said company shall consist of twenty-five thousand dollars, divided into five hundred shares of fifty dollars each, with the privilege of increasing the same to five hundred thousand dollars divided into ten thousand shares of fifty dollars each;

that the number of directors of said corporation shall be not less than five nor more than thirteen, to be determined from time to time by the by-laws of said corporation; that the annual meeting may be held in any town or township in said county in which their pipes may be laid; the payment of installments upon subscriptions to the capital stock to be called in by said directors shall be at least ten days apart, and shall not be for more than ten dollars, upon each share at a time, and ten days' notice of each installment required shall be given in one or more newspapers published in said county. Number of directors. Payment of installments on subscriptions to stock.

2. *And be it enacted*, That the said corporation shall have the same power and authority, under the same restrictions and upon the same conditions, to manufacture and furnish gas within the township of Belleville as are provided by said act with regard to the township of Montclair, and the places in Essex county contiguous thereto. Powers and restrictions.

3. *And be it enacted*, That in case, in the opinion of said corporation, it shall become necessary, in order to enable them to supply water within the towns and places mentioned in the fourth section of the act to which this is a supplement, to erect the whole or any portion of said water works outside the bounds of Essex county, the said corporation shall have the same powers and privileges, and under the same restrictions and conditions within the bounds of any other county of this state, as is by said act conferred upon them within the limits of Essex county; in such case the survey and map of lands mentioned in the seventh section of said act shall be filed in the office of the clerk of the township or municipality in which the real estate so surveyed and mapped may be situated; all the legal proceedings contemplated and provided for in the eighth, ninth, tenth and eleventh sections of said act, in the case of disagreement with land owners, shall be had and taken in the county in which such real estate may be situated. May establish works outside the bounds of Essex county.

4. *And be it enacted*, That the bonds authorized to be issued by the fifth section of said act may be made convertible, with the consent of the owners thereof, into shares of capital stock, in such manner and upon such terms as may be deemed advisable by said directors. Bonds may be convertible.

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

Approved February 18, 1873.

CHAPTER LXXVI.

An Act to validate a certain agreement between the Central Railroad Company of New Jersey and the Delaware, Lackawanna and Western Railroad Company.

Agreement ratified and confirmed.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the agreement made and executed by and between the Central Railroad Company of New Jersey and the Delaware, Lackawanna and Western Railroad Company, dated the sixteenth day of March, one thousand eight hundred and seventy-two, and which on the eleventh day of October, one thousand eight hundred and seventy-two, was recorded in the office of the secretary of state, be and the same is hereby confirmed and declared to be a valid agreement, any law to the contrary notwithstanding, and the said parties to said agreement may exercise all the powers necessary to give effect to the purposes, objects and intention thereof.

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

Approved February 19, 1873.

CHAPTER LXXVII.

An Act to authorize Reimer Henry Schacht to build a bridge from Monas's Island, in Delaware river, to the bank along the Repaupo Meadows, and to stake off the channel between said Island and the bank of said Repaupo Meadows, in the township of Greenwich, Gloucester county, New Jersey.

Authorized to build bridge.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Reimer Henry Schacht be, and he is hereby authorized and empowered to erect and

maintain [a bridge] from Monas's Island, in the Delaware river, to the bank of the Repaupo Meadows, in the township of Greenwich, Gloucester county, New Jersey, for the convenience of crossing to and from said island, and also that he, the said Reimer Henry Schacht be, and he is hereby authorized and empowered to stake off the channel between said island and the bank of the Repaupo Meadows aforesaid, for the purpose of making a pen or enclosure in which to confine and keep live sturgeon, the upper part of said enclosure to be below the white sluice and the lower part thereof not to be below the dwelling house owned by Thomas Gaskill, on the Repaupo Meadows opposite to said island, the bridge aforesaid to be erected at the lower end of said pen or enclosure; *provided, however*, that after the first day of October in each and every year, a sufficient number of stakes shall be removed from each end of said enclosure as will allow the passage of skiffs and other small boats under said bridge and through said channel, and the passage thus made shall not be closed until the first day of May next ensuing, when the stakes may be again replaced; *provided further*, that nothing in this act shall affect the rights of the state to lands lying under water. Proviso. Proviso.

2. *And be it enacted*, That if any person or persons shall willfully and unlawfully injure, impair or destroy said bridge or any part of said enclosure, or pull up any of the stakes pertaining thereto, the person or persons so offending shall forfeit a sum not exceeding one hundred dollars, at the discretion of any justice of the peace in this state or any court of competent jurisdiction, and shall also be liable to pay double the amount of damages sustained thereby, to be recovered by an action of trespass or any other proper form of action, in any court of competent jurisdiction. Penalty for injury to bridge.

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

Approved February 19, 1873.

CHAPTER LXXIX.

A Supplement to an act entitled "An Act to incorporate the Long Branch and Sea Shore Railroad Company," approved March twentieth, one thousand eight hundred and sixty-three.

Time for completion of road extended.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the time limited by the nineteenth section of said act for the completion of said road is hereby extended three years from the passage of this act.

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

Approved February 19, 1873.

CHAPTER LXXX.

A Supplement to the act entitled "An Act to incorporate the Camden and Atlantic Railroad Company," approved March nineteenth, one thousand eight hundred and fifty-two.

Repealer.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That so much of the thirteenth section of the act to which this is a supplement, as limits the right of "The Camden and Atlantic Railroad Company" to purchase have, and hold real estate at the termini of their railroad, and at intermediate depots upon the line of the same, to five acres at each place, be and the same is hereby repealed.

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

Approved February 19, 1873.

CHAPTER LXXXI.

A Supplement to an act entitled "An Act to incorporate the Navesink Turnpike Company."

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the Navesink Turnpike Company have power to increase the capital stock of the said company to a sum not exceeding thirty thousand dollars, and that they may extend their road from Jenkinson's hotel at the Highlands of Navesink, southerly on the top of the bank until it strikes the Navesink river, at a point not exceeding one-eighth of a mile westerly from Lower Rocky Point on said river, according to the provisions of the original act to which this is a supplement. Capital stock may be increased, and road extended.

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

Approved February 19, 1873.

CHAPTER LXXXIV.

A Further Supplement to the act entitled "An Act to incorporate the New Jersey Midland Railway Company," approved March seventeenth, eighteen hundred and seventy.

WHEREAS, the New Jersey Midland Railway Company have provided for the issue of their second mortgage bonds in the several denominations of one hundred dollars, and five hundred dollars, to the amount in the aggregate of one million five hundred thousand dollars; and whereas, it is desirable to issue a larger proportion of said bonds of the denomination of five hundred dollars, and a smaller proportion of said bonds of the denomination of one hundred dollars than is provided in said mortgage; therefore, Preamble.

Proceedings for canceling and destroying bonds, and providing for issuing other bonds.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the trustee under said second mortgage of said New Jersey Midland Railway Company, is hereby authorized and empowered to cancel and destroy one thousand of said bonds of the said denomination of one hundred dollars, and thereupon it shall be lawful for said company to issue, under said mortgage, in the place and stead of the bonds so cancelled by said trustee, an additional series of said second mortgage bonds of the denomination of five hundred dollars; said additional series shall consist of two hundred of said bonds, which shall be countersigned by said trustee or his successor, and thereupon, shall be held and deemed in all courts and places whatsoever, to be secured by said mortgage the same as if said two hundred bonds had originally been subject to the lien of said mortgage; but nothing in this act shall be construed to allow of the issue by said corporation or said trustee, of a larger amount of said bonds than the said aggregate sum of one million five hundred thousand dollars.

Bonds how numbered.

2. *And be it enacted*, That said new series of bonds hereby authorized to be issued of the denomination of five hundred dollars in place of bonds of the denomination of one hundred dollars hereby authorized to be destroyed, shall be numbered from A1 to A200 inclusive.

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

Approved February 19, 1873.

CHAPTER LXXXV.

A Supplement to the act entitled "An Act to incorporate the Star Landing and Rossville Ferry and Transportation Company," chartered March twenty-seventh, one thousand eight hundred and sixty-eight.

Charter renewed and time for commencement and completion of road extended.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the charter of the act to which this is a supplement, be renewed and that the time for the commencement of said railroad be extended to the fourth

day of July, one thousand eight hundred and seventy-four, and that the time for the completion of said railroad be extended to the fourth day of July, one thousand eight hundred and seventy-nine.

2. *And be it enacted*, That the names of Frederick A. Sawyer, Henry Simmons and Thomas Black be added as incorporators. Additional incorporators.

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

Approved February 19, 1873.

CHAPTER LXXXVI.

An Act to incorporate the Singer Manufacturing Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Isaac M. Singer, Edward Clark, Inslee A. Hopper, George R. McKenzie, William F. Proctor, Alexander F. Sterling, and their associates, successors and assigns, shall be and they are hereby constituted a body corporate and politic, in fact and in law, by the name of "The Singer Manufacturing Company," for the purpose of manufacturing and selling sewing machines and articles used therewith, and of carrying on any business incident thereto, in this state or elsewhere. Corporators and corporate name.

2. *And be it enacted*, That the business of the said corporation shall be managed by six directors, all of whom shall be stockholders, and one of whom shall be president; and said directors shall hold office for one year, and until others are chosen in their stead, and shall have power to fill all vacancies occasioned by death or resignation; and an election of directors shall be held yearly at such time and place, within or without this state, 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 him or her respectively owned; and the first directors shall be Edward Clark, William F. Proctor, Isaac M. Singer, George R. McKenzie, Inslee A. Hopper, and Alexander F. Sterling, who shall hold their offices until others are legally chosen. Election of directors. Names of first directors.

Directors may establish rules for government, &c.

3. *And be it enacted*, That the directors of the said corporation shall have power to make by-laws for the management and government, within and without this state, of the said corporation, and may appoint such subordinate officers as the business of the said corporation may require.

May purchase and hold real estate &c.

4. *And be it enacted*, That the said corporation may purchase, use, hold, develop, mortgage and convey such real and personal property, in this state or elsewhere, as may be necessary or expedient, and may receive and make all deeds, transfers, contracts and agreements whatsoever necessary or useful for the purposes aforesaid.

Amount of capital stock

5. *And be it enacted*, That the capital stock of the said corporation shall be one million dollars, with power to increase or decrease the same, at any time, to such an amount as two-thirds of the stockholders may deem advisable, and a certificate of such increase or decrease shall, within thirty days thereafter be filed in the office of the secretary of state of this state; the capital stock 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 by-laws shall direct, and that the stockholders of the said corporation shall be exempt from individual liability.

Certificate of organization shall be filed with secretary of state before act shall take effect.

6. *And be it enacted*, That whenever five hundred thousand dollars shall have been paid in, the said corporation may organize and proceed to business under this act, and shall immediately thereafter file with the secretary of state of this state a certificate of such payment and organization, whereupon, and not until then, this act shall take effect; and if, and so long as the said corporation shall invest, and keep invested in real estate within this state, the sum of five hundred thousand dollars, the real and personal property of the said corporation, not actually and in fact within the state of New Jersey, and the stock of the said corporation, held or owned by any of its stockholders, shall not be liable to any tax or impost whatsoever.

Dividends.

7. *And be it enacted*, That the said corporation shall make such dividends to the stockholders out of the net profits of the said business as to the directors may seem expedient; and that the said corporation may be dissolved by a general meeting of the stockholders thereof, specially called for that purpose; *provided*, that at least three-fourths in interest of the stockholders shall concur in such dissolution; and

How dissolved.

Proviso.

thereupon the directors for the time being, and the survivors of them, or such persons as the stockholders shall appoint, shall be trustees for settling all the affairs of the said corporation, and dividing the surplus among the stockholders, in proportion to their respective interest in the stock thereof.

General powers.

8. *And be it enacted*, That the corporation hereby created shall possess the general powers set forth in "An act concerning corporations," approved February fourteenth, one thousand eight hundred and forty-six, so far as the same are applicable and not inconsistent with the provisions of this act.

Approved February 20, 1873.

CHAPTER LXXXVII.

An Act to incorporate the Delaware Shore Railroad Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Benjamin P. Howell, M. D., Furman Lawrence, Benjamin T. Gibbs, Edward J. Lodge, Benjamin Schroyer, William Myers, Samuel Hopkins, Clayton N. Shuster, Charles Parker, Matthew Gill, Charles E. Gibbs, Frederick Dick, Benjamin A. Lodge, John Rambo, Henry Allen, John S. Mullen, Elmer Cooper, Thomas J. Gaskill, Peter F. Lock, James Helms, John P. Sheets, David B. Gill, William Justice, Henry Hurff, Benjamin Brammel, Edward G. Green, Benjamin Green, William Summerill, Edward Vanneman, Benjamin F. McCollister, and such other persons as may hereafter be associated with them, shall be and are hereby constituted, ordained, and declared to be a body politic and corporate, in fact and in law, by the name of the Delaware Shore Railroad Company, and shall be capable of holding, purchasing, and conveying any lands, tenements, goods and chattels whatsoever, necessary or expedient for the object of this corporation.

Corporate name.

Capital stock.

2. *And be it enacted*, That the amount of capital stock of said company shall be four hundred thousand dollars, with

power to increase the same to eight hundred thousand dollars, and shall be divided into shares of fifty dollars each, which shall be deemed personal property, and transferable in such manner as the said corporation shall by their by-laws direct.

Commissioners shall open books and receive subscriptions to capital stock.

3. *And be it enacted*, That the above named persons, or any nine 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 any nine of them, may think proper, giving at least twenty days' notice of the same, in a newspaper published in the counties of Gloucester and Salem, and that at the time of subscribing five per centum shall be paid for each share subscribed for, to the commissioners, or some one of them, and as soon as fifty thousand dollars of the capital stock shall be subscribed, such commissioners shall give like notice for a meeting of the stockholders, to choose eleven directors, a majority of whom shall be residents of this state, and such

Election of directors.

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 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 any nine 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

Vacancies how filled.

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 have been chosen in their places. Not to be dissolved by reason of failure to elect.

5. *And be it enacted*, That five directors of the 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 said installments or any of them, to forfeit the share or shares upon which 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 such salaries to them, and also to the president, as to the said board shall appear proper, Capital stock may be called in by installments

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 some suitable point at or within four miles of the village of Westville, in the county of Gloucester, to a suitable point on the river Delaware, either above or below the village of Pennsgrove, in the county of Salem, with the power to connect with the West Jersey railroad at or within four miles of the village of Westville, in the county of Gloucester, not exceeding one hundred feet wide, with as many sets of tracks and rails as they may deem necessary; and it shall be lawful for the said president and directors, their agents, superintendents, engineers or others in their employ, to enter at all times upon all lands or water, for the purpose of exploring, surveying, leveling or laying out the route of such railroad, and 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 of such road shall have been determined upon, and a survey of such route deposited in the office of the secretary of state, then it shall be lawful for the said company, by its May lay out and construct railroad, route of road.

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 hereafter provided; *provided always*, that the payment or tender of payment of all damages for the occupancy of lands through which the said railroad 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 the said road, unless the consent of the owner or owners of such land be first had and obtained.

Proviso.

Proceedings when company and owners cannot agree as to lands required.

7. *And be it enacted*, That when the said company, or its agents cannot agree with the owner or owners of such required lands or materials, for the use or purchase thereof, or when by the legal incapacity 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 person 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 in writing thereof, to the person 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, resident in the counties 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 damage, 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 or subscribed an oath or affirmation before some person authorized to administer an oath or affirmation, 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, and to proceed to view and examine the said land or materials, and make a just and equitable estimate or appraisement of the value of the same and assessment of damages, as shall be paid by the company for such land and materials and damages as aforesaid, which report shall be made in writing under the hands and seals of said commissioners, or any two of them, and filed within ten days thereafter, together with the aforesaid description of the land or materials, in the clerk's office of the county in which the land or materials are situated, to remain of record therein, 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, possess and enjoy the said land or materials, or of the said owner or owners to receive the amount of the 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 upon reasonable notice to the other, tax and allow such cost, 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 just, 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. Proviso.

8. *And be it enacted*, That every appeal from the decision of 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 said circuit court of the Proceedings in case of appeal.

county wherein the land or materials appraised by the said commissioners 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 same issue to be tried at the next term of 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 land or materials, and the 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 therein with cost 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 offered or the said commissioners shall have awarded, then said cost 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 may 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 making any erection or improvement whatever or otherwise appropriating said lands to the use of the 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 where the said lands lie shall be a valid and legal payment, and further that the party or parties entitled to receive the

Proviso.

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.

Shall build and keep in repair sufficient bridges

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 road shall intersect or cross the same so that the passage of carriages, horses and cattle along the said road shall not be obstructed, and likewise when the said railroad shall intersect any farm or lands of any individuals to provide and keep in repair suitable and convenient wagon ways over or under said road.

May purchase and hold lands for depots, &c., and may erect machine shops and other necessary works.

10. *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 intermediate depot upon the line of the same, at each place as much as may be necessary for switching off at any village or town on the line of said railroad as the president and directors or a majority of them may think proper for their convenience and use, and may erect and build thereon houses, stables, machine shops and such other buildings and improvements as they may deem expedient for the safety of property, and the construction of carriages and other necessary appendages and take and receive the rents, profits and emoluments thereof and shall have the privilege and authority to erect, build and maintain over such rivers, creeks and streams as the road may cross such piers, bridges and other facilities as they may think expedient and necessary for the full enjoyment of all the benefits conferred by this act; *provided*, the said company, whenever it may become necessary to cross any navigable river or creek with their road, shall construct a bridge or bridges with suitable and sufficient draws so as not to obstruct the navigation thereof.

Proviso.

Dividends.

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.

May equip road and charge for transportation.

12. *And be it enacted*, That the president and directors of the company shall have power to have constructed or to purchase with the funds of the company, all machines, engines, wagons, carriages or other vehicles for the transportation of persons or any species of property on the

railroad as they may think fit, reasonable, expedient or right; *provided*, they shall not charge more than at the rate of four cents per mile for carrying each passenger on the said railroad, or at the rate of six cents per ton per mile for the transportation of every species of merchandize, produce, property and freight, excepting freight of less weight than one ton.

Proviso.

May make contracts with other corporations

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 carrying any kinds of goods, produce, merchandize, freight or passengers and enforce the fulfillment of such contracts.

Penalty for injury done to property.

14. *And be it enacted*, That if any person shall willfully impair, injure, destroy or obstruct the use of said railroad enjoined under the provisions of this act, or any of its necessary works, wharves, bridges, carriages or machines, such person or persons so offending shall forfeit and pay the said company two hundred 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.

Amount of cost of road and expenses 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 the cost 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 state, and annually thereafter the president and treasurer of said company shall under oath or affirmation make a statement to the legislature of this state of the proceeds of said road.

May borrow money and issue bonds.

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 said corporation 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 road, lands, privileges, franchises and appurtenances of or belonging to said corporation, at a rate of interest not exceeding seven per centum per annum; *provided*, that it shall not be lawful for the said company to plead any statute or statutes of this state against usury in any suit in law or equity instituted to

Proviso.

enforce the payment of any bond or mortgage executed under this section.

Endorsement of bonds and subscription to stock.

17. *And be it enacted*, That the West Jersey Railroad Company or any other corporation owning or controling stock in the said West Jersey Railroad, be, and they are hereby authorized to endorse the bonds of the Delaware Shore Railroad Company, and to subscribe for and take stock to be issued by said company, and be entitled to all the powers and privileges of stockholders of said company.

Time for commencement and completion of road.

18. *And be it enacted*, That if the said railroad shall not be commenced within three years and be completed at the expiration of ten years from the passage of this act, that then and in that case this act shall be void.

Who may ride free.

19. *And be it enacted*, That the governor, the chancellor and vice chancellor, the justices of the supreme court and the judges of the court of errors whilst traveling 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 the term for which they are elected or appointed, also, the attorney general of the state, secretary of state, state treasurer, comptroller of the treasury, adjutant general, quartermaster general, clerk in chancery, clerk of the supreme court, state librarian and superintendent of the public schools of New Jersey shall pass and repass on the railroad of said company in their cars free of charge.

Annual statement shall be made.

20. *And be it enacted*, That as soon as said railroad or any part of it is in operation the president of the said company shall file under oath or affirmation a statement of the amount of the cost of said railroad, including equipments, appendages and all expenses in the office of the secretary of state, and annually thereafter on the first Monday in January of each year he shall under oath or affirmation make a statement to the secretary of state of the cost, equipments, appendages, expenses of said road, 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 cost, equipments and appendages of said road, to be paid annually thereafter on the first Monday in January of each year, and such other taxes 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; and until the said railroad or any part thereof

Payment of tax to state treasurer.

shall be in operation the corporation shall be regularly assessed and pay tax for the value of its real estate including improvements thereon, and personal property in the city or cities township or townships wherein it lies, at the same time and rate and in the same manner, for the same purpose and by the same person or persons as other taxes are assessed in said city or cities, township or townships; *provided*, that no other tax or impost shall be levied or assessed upon said company.

Proviso.

May build wharves, &c.

21. *And be it enacted*, That the said corporation shall have power to erect and maintain all such wharves, piers and bulkheads and docks on the Delaware river, at or above or below the village of Pennsgrove, in the county of Salem, if deemed necessary; *provided*, that nothing in this act shall affect the rights of the state to lands lying under water.

Proviso.

Act to have immediate effect.

22. *And be it enacted*, That this act shall at all times be recognized in all courts and places whatsoever, and shall take effect immediately.

Approved February 20, 1873.

CHAPTER LXXXIX.

Supplement to an act entitled "An Act to incorporate the Bergen County Savings Bank," approved March seventeenth, one thousand eight hundred and seventy.

May make agreement with borrower for payment of taxes.

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 Bergen County Savings Bank," to enter into a contract or agreement with any one to whom they have lent or may lend money secured or to be secured by mortgage upon personal or real estate, whereby the borrower shall pay any part of or all national, state, county, township, city, village, or other local taxes which may be assessed upon the money so lent or to be loaned, and the securities for the payment thereof in the possession of the said savings bank; and all such contracts and agreements are hereby declared to be valid and binding in law, and no such mortgage or other

security shall be held, deemed or taken in any court of this state to be usurious or in any degree invalidated by reason of any such contract or agreement; any thing in any existing law of this state to the contrary notwithstanding.

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

Approved February 20, 1873.

CHAPTER XCV.

An Act to change the name of Henry Wilshusen.

Name changed.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the name of Henry Wilshusen, of the city of Jersey City, in the county of Hudson, be and the same is hereby changed to Henry Watjen, and by that name he shall be known in all courts, places and proceedings, and shall possess all the rights, powers and privileges which he would have possessed under and by his original name; and that all gifts, grants, bequests, devises, contracts, agreements and conveyances of every kind and description whatsoever, heretofore made by or to him under and by the name of Henry Watjen, shall be and the same are hereby declared to be as valid and effectual in law, to and for all intents and purposes whatsoever, as though the same had been made by or to him under and by his said original name.

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

Approved February 24, 1873.

CHAPTER XCVI.

An Act to incorporate "The Children's Seashore House at Atlantic City for Invalid Children."

Corporators and corporate name.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That James L. Whitney, J. Shipley Newlin, William L. Rehn, Rene Guillou, Samuel Middleton, Francis W. Lewis, M. D., Mrs. Elizabeth F. Whitney, Mrs. Mary Guillou, Mrs. Annie W. Middleton and Miss Catherine C. Biddle, and their successors, shall be and they are hereby constituted a body corporate and politic by the name of "The Children's Seashore House at Atlantic City for Invalid Children."

Board of managers.

2. *And be it enacted*, That the business of said coporation shall be directed by a board of managers not exceeding ten in number, who shall elect from their own body their presiding officer and such other officers of the board as they may by their by-laws prescribe; the whole number of managers, and the number necessary to a quorum for the transaction of business other than the filling of vacancies in the board, shall also be prescribed by their by-laws.

First managers.

3. *And be it enacted*, That the persons named in the foregoing first section shall be the first managers, and all vacancies in said board shall be filled by a vote of the majority of the remaining members thereof.

May take and hold property by gift or otherwise.

4. *And be it enacted*, That the said corporation is hereby authorized to take and hold, by gift, purchase, devise or otherwise, real and personal property for the purposes of said house, but not to exceed thirty thousand dollars, and may sell, transfer and convey the same.

Object.

5. *And be it enacted*, That the general purposes of said corporation shall be to provide at Atlantic City a house and medical treatment during the summer season for invalid children, and those needing the benefit of sea air.

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

Approved February 25, 1873.

CHAPTER XCVII.

A Supplement to the act entitled "An Act to incorporate The Newark Printing Company," approved April third, one thousand eight hundred and seventy-two.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall and may be lawful for the Newark Printing Company to increase its capital stock to a sum not to exceed fifty thousand dollars. May increase capital stock.

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

Approved February 25, 1873.

CHAPTER XCIX.

A Supplement to an act entitled "An Act to incorporate the Metropolitan Gas Light Company of Elizabeth," approved February twenty-second, one thousand eight hundred and seventy.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in the case of any failure to elect directors of the corporation created by the act to which this act is a supplement, that has heretofore occurred, such directors may be elected at any time prior to the first day of September, in the year one thousand eight hundred and seventy-three, in the manner and upon the notice prescribed by the said act to which this act is a supplement, for the election of the first board of directors of said corporation. Proceedings in case of failure to elect directors.

Increase of capital stock how issued.

2. *And be it enacted*, That the capital stock of the said corporation shall be three hundred and fifty thousand dollars, the increase thereof authorized by this act to be subscribed for and issued as the board of directors shall deem the necessities of the corporation shall require, and under such regulations as shall be from time to time prescribed by the said board of directors.

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

Approved February 26, 1873.

CHAPTER CI.

An Act to exempt from taxation the parsonage lot belonging to the Presbyterian Congregation of Reaville, in the Township of Raritan, in the County of Hunterdon; and the parsonage lot belonging to the Reform Church, in the village of Middletown, County of Monmouth.

Exemption from tax.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all that lot and buildings thereon, belonging to the Presbyterian congregation of Reaville, and used as a parsonage for said church, is hereby exempt from taxation; and all that lot and buildings thereon, belonging to the Reform Church in the village of Middletown, county of Monmouth, and used as a parsonage for said church, is hereby exempt from taxation.

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

Approved February 26, 1873.

CHAPTER CV.

An Act amendatory of an act entitled "An Act to amend the Charter of the Woodbury Fire Association in the County of Gloucester," approved February eighteenth, one thousand eight hundred and sixty-three.

Corporate name.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the legal voters, liable to taxation residing within the limits of the city of Woodbury, in the county of Gloucester, be and hereby are created and declared to be a body politic and corporate under the name and style of "The Woodbury Fire Association."

Capital stock and how to be used and applied.

2. *And be it enacted*, That the capital stock of said association, vested in real and personal estate, shall not exceed the sum of fifteen thousand dollars, and shall be used and applied only for purchasing, maintaining and keeping in repair such and so many engines, engine-houses, hose, ladders, fire-hooks, wells, pumps, reservoirs of water, and all such other implements and machines, together with necessary houses for the protection and preservation of such fire apparatus, and for such incidental expenses as shall, in the judgment and discretion of the board of wardens, hereinafter named, be proper and necessary for the protection of said city from fire.

Amount of stock to be determined by inventory

3. *And be it enacted*, That the amount of capital stock, at any time held by said association, shall be determined by said board of wardens, by an inventory of its property at its actual cash value.

Annual meetings for election of officers.

4. *And be it enacted*, That the annual meetings of said association shall be held on the first Monday in January in each year hereafter, at such hour and place in said city, as the said board of wardens shall appoint, notice of the time and place of said meetings being previously published in a newspaper printed in said city of Woodbury, or by advertisements set up in three of the most public places in said city, signed by the clerk of said board of wardens, at least

five days next before the day of such meeting; and the members of said association, when so assembled, shall elect, by a plurality of votes, a president, clerk, treasurer and five fire wardens, who together shall constitute a board of wardens, who shall hold their respective offices for one year and until others are duly chosen and elected in their stead; *provided*, that the officers duly elected and chosen at the last annual meeting of said association, except the assessor and commissioner of appeals, shall continue in and hold their respective offices and perform all the duties incident thereto under this act, until the next annual meeting of said association and until others are duly chosen and elected in their stead.

Proviso.

Shall determine by vote amount of money to be raised.

5. *And be it enacted*, That the members of said association when so met in annual meeting as aforesaid, shall order and determine, by a majority of votes, what amount of money shall be raised by assessment, for the use of the said association, for the ensuing year; *provided*, that the sum so ordered to be raised, shall not exceed in any one year, the sum of one thousand five hundred dollars; *provided further*, that said sum of one thousand five hundred dollars may be exclusive of any sum that may be ordered to be raised to pay the whole or any part of the present indebtedness of said association.

Proviso.

Proviso.

Clerk to deliver certificate of amount to assessors.

6. *And be it enacted*, That when any amount of money shall be ordered to be raised for the use of said association, by a majority of the members thereof so met as aforesaid, it shall be the duty of the clerk of said association to make out and sign a certificate thereof under oath or affirmation, that the same is correct and true, and deliver said certificate to the assessor or assessors of said city of Woodbury, at least ten days before the time required by law for commencing the assessment of taxes in said city, which said assessor or assessors shall, without additional fee or costs, assess on the taxable property in said city, such sum of money as shall have been ordered to be raised, as aforesaid, and set forth in said certificate, and said money shall be assessed, levied and collected at the same time and in the same manner as other taxes in said city are assessed, levied and collected, and it shall be the duty of the collector or collectors of said city, without additional fee or costs, to collect all money so assessed as aforesaid, and pay over all moneys by him or them received so as aforesaid assessed, as he or they

Duty of the assessor.

Duty of the collector.

shall from time to time collect the same, to the treasurer of said association, who shall give to said collector or collectors a receipt therefor, which receipt shall be a full release and discharge to said collector or collectors for the moneys so paid by him or them to said treasurer as aforesaid, and in case the said collector or collectors of said city shall fail or neglect to pay over to the treasurer of said association any money collected by him or them, for the use of said association, by virtue of this act, the said association shall and may recover such sum or sums so collected and not paid over, in an action of debt or other proper action, against said collector or collectors, and his or their sureties in his or their official bond given to said city by him or them, together with costs of suit.

Clerk shall make certificate under oath or affirmation and deliver the certificate to the assessor.

7. *And be it enacted*, That it shall be the duty of the clerk of said association to make out and sign a certificate, under oath or affirmation, that the same is correct and true of the amount of money ordered to be raised at the last annual meeting of said association, and deliver said certificate to the assessor of said city at least ten days before the time required by law for commencing the assessment of taxes in said city, and it shall thereupon be the duty of the said assessor to assess the sum so ordered to be raised, and set forth in said certificate in the same manner as sums which hereafter may be ordered to be raised are directed to be assessed in the next preceding section of this act, and the collector of said city shall collect said sum so ordered to be raised and assessed as aforesaid, in the same manner and under the same liability as sums which hereafter may be ordered to be raised are directed to be collected in the next preceding section of this act.

May borrow money.

8. *And be it enacted*, That the said board of wardens, when so authorized by resolution, adopted by a majority of the members present at an annual or special meeting of said association, and entered upon its minutes, shall have power to borrow, for the use of said association, any sum not exceeding one thousand dollars in any one year; *provided*, that the indebtedness of said association shall at no time exceed the sum of one thousand dollars; and any promissory note or notes, bond or bonds, or other instruments of writing for the payment of money, under the common seal of said association, and signed by the president, and attested by

Proviso.

the clerk of the said board, shall be valid, and bind the said association and its property for the payment of the same.

Active powers to be vested in a board of wardens.

9. *And be it enacted*, That the active powers of this association shall be vested in the said board of wardens, and they shall have charge of and keep in repair the property of said association, and the said board of wardens shall have power to fill all vacancies in their own body, or in any office under this act, until the next annual meeting; and shall have power to call special meetings of the members of said association, whenever they may deem necessary.

Treasurer shall give bond.

10. *And be it enacted*, That it shall be the duty of the said board of wardens to require and take from the treasurer, before he enters upon the duties of his office, bond with good and sufficient security, to be approved by at least two-thirds of said board, for the faithful performance of his duties as such treasurer, in an amount at least double the sum ordered to be raised or borrowed by said association.

May organize engine, hose and hook and ladder companies.

11. *And be it enacted*, That the said association shall have power to raise and organize from among its members, and other persons residing within said city, such engine, hose and hook and ladder companies as the public good may from time to time require.

Companies may make rules and regulations, &c.

12. *And be it enacted*, That said company or companies, so raised and organized as aforesaid, shall have power to make such rules and by-laws for their regulation and government, not inconsistent with the constitution of this state, as they may deem proper, and enforce the same by fines collectable by law in an action of debt with costs, before the mayor of said city of Woodbury, or any justice of the peace of the county of Gloucester, in the name of said association, to and for the use of said company or companies respectively; *provided*, that such by-laws shall not be in force until approved by the said board of wardens.

Proviso.

Penalty for creating false alarm of fire or for injury done to any property of the association.

13. *And be it enacted*, That any person who shall maliciously create or knowingly continue any false alarm of fire within the limits of said city of Woodbury, shall, on due proof thereof before the mayor of said city or any justice of the peace of said county of Gloucester, be punished by fine in any sum not exceeding ten dollars or by imprisonment in the county jail not exceeding ten days; and that any person or persons who shall in any manner wilfully injure, deface or destroy any building, engine, pump, ladder or other property of said association, on due proof thereof in manner afore-

said, shall be punished by fine not exceeding twenty dollars, and shall in addition to said fine pay double the costs of repairing said damage or injury so done or committed; which said fines and damages may be recovered in an action of debt in the name of said association by any person who will sue for the same, the one-half thereof to the person suing and the other half to the treasurer of said association for the use of said association.

Restrictions and liabilities.

14. *And be it enacted*, That this association 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, one thousand eight hundred and forty-six, as far as the same are applicable.

Repealer.

15. *And be it enacted*, That so much of the act to which this act is amendatory and all other acts and parts of acts as are inconsistent with this act, be and the same are hereby repealed.

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

Approved February 27, 1873.

CHAPTER CVI.

A Supplement to the act to incorporate the Sea Island Railroad and Improvement Company, approved April third, one thousand eight hundred and seventy-two.

Power to construct railroad to Five Mile Beach.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the Sea Island Railroad and Improvement Company be and are hereby authorized, in addition to the other powers and privileges contained in said act, to construct a railroad from the Cape May and Millville Railroad to the Five Mile Beach, in the county of Cape May, under the same restrictions, limitations and powers as contained in the act to which this is a supplement.

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

Approved February 27, 1873.

CHAPTER CXI.

An Act to incorporate the Pardee Manufacturing and Water Power Company.

Corporators and corporate name and powers.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That George W. Kendall, George F. Phelps, John Webb, Jr., Nelson Crawford and George Brickett, and all such persons as may be hereafter associated with them, their successors and assigns be and hereby are constituted a body politic and corporate in fact and in law, by the name and style of "The Pardee Manufacturing and Water Power Company," and by that name and style shall and may have continual succession, and sue and be sued, implead and be impleaded in all courts of justice, and they and their successors shall have power and authority to make and use a common seal and to purchase and receive by gift or devise all such real or personal property as they may deem necessary or expedient for carrying out the purposes of this incorporation and shall have power to demise, lease, grant or sell said property under such rules and regulations as the said company may ordain.

Capital stock

2. *And be it enacted*, That the capital stock of said company shall be one hundred thousand dollars, to be divided into shares of one hundred dollars each, which shares shall be considered personal property, and shall be transferable according to the regulations of said company; and the said company shall have power to increase said capital stock to five hundred thousand dollars in such manner as they may deem proper.

Commissioners shall open books and receive subscriptions to stock.

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, and as soon as fifty thousand dollars of said stock shall be subscribed, such commissioners or a majority of them shall give notice for at least ten days in two newspapers printed in Paterson, of the time and place of a meeting to choose five persons who shall be a board of directors of said com-

pany, and such election shall be held at the time and place so appointed by such of the subscribers to said capital stock as may attend in person or by proxy, each share of said stock subscribed for entitling the subscriber thereof, his representatives or assigns to one vote; but instead of the public notice in the two newspapers hereinbefore mentioned, a written notice of said meeting signed by said commissioners, or a majority of them may be served on each of the subscribers to said capital stock at least ten days prior to said meeting; and at said meeting the above named commissioners or a majority of them shall act as inspectors thereof, and shall certify under their hands and seals the names of the persons who may be elected as said board of directors, and shall thereupon deliver over to the said board the subscription books and such moneys as may have been received by them in trust for said corporation. Election of directors.

4. *And be it enacted*, That the board of directors elected as aforesaid shall, as soon as it may be expedient after their election, choose out of their own number a president, who shall hold his office until a successor shall be elected, and in case of the death, resignation or disqualification of any director, the vacancy may be filled by said board of directors for the remainder of the term of office of said director, and said board shall have power to appoint a treasurer, secretary and such other officers as they may deem necessary. Vacancies how filled.

5. *And be it enacted*, That elections for directors, and for president and other officers of said board of directors, shall be held annually in such manner as the board of directors shall from time to time by their by-laws direct; and public notice of said elections of directors shall be given in one newspaper printed in Paterson, for at least ten days prior to said election; or instead of such public notice a written notice signed by the president of the board of directors may be served at least ten days prior to said elections on each one of the stockholders of said company, whose names shall appear as such on the books of said company, or who shall be known as such to the president and board of directors, three of said directors shall be a quorum to transact all the business of said company, 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 said installments or of any of them, to forfeit the Elections for directors to be held annually.

share or shares upon which such default may arise, to and for the use of the corporation; and to make and prescribe such by-laws, rules and regulations as to them shall seem proper, touching the transfer of the shares of the capital stock and the management of the property of said corporation.

General powers of the company

6. *And be it enacted*, That it shall be lawful for said company when fully organized, to construct and operate mills and manufactories, and to build dams, and construct raceways and water courses, and to make all such contracts and conveyances as said board of directors shall deem expedient for utilizing water privileges and mill sites, and making the same applicable to mills, factories and manufacturing purposes; and said company shall have power to construct aqueducts or viaducts either over or under any public roads or highways; *provided*, that no aqueduct or viaduct shall be constructed which shall, when completed, prevent or obstruct the public use of said roads or highways; *and provided*, that nothing contained in this act shall be construed to authorize said company to take private property except by consent of the owner or owners thereof.

Proviso.

Proviso.

7. *And be it enacted*, That this act shall be a public act and shall go into effect immediately.

Approved February 27, 1873.

CHAPTER CXIV.

A Further Supplement to the act entitled "An Act to incorporate the Newark City Ice Company," approved March thirteenth, one thousand eight hundred and sixty-six.

May increase capital stock.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the "Newark City Ice Company" shall have power to increase the capital stock of the said company to a sum not exceeding five hundred thousand dollars; said increase to be made in accordance with section second of the act to which this is a further supplement.

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

Approved February 27, 1873.

CHAPTER CXV.

An Act to incorporate the New Jersey Number One, Independent Order Knights of Wycliffe.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That William Bartram, Thomas W. Pepper, Edward W. Deets, Joel M. Core, Jackson Cline, Samuel Fifer, Walter J. Middleton, Alva Coate, William Edmond, Walter Carter, George Murray, Peter Walthers, Benjamin Anderson, their successors and associates, be and they are hereby constituted and declared a body corporate and politic, in fact and in law, by the name of New Jersey Number One, Independent Order Knights of Wycliffe, of Hainesport, county of Burlington, and also to have a common seal, and use and change the same at pleasure. Corporators and corporate name.

2. *And be it enacted*, That the objects and purposes of this association shall be to create and establish a fund to be used for the benefit, relief and assistance of such of its members as shall by sickness, casualty, or other cause, be rendered incapable of attending to their usual occupation or calling, by furnishing for them either partial or entire support, according to their necessities, and for the purpose of mutual protection, benefit and advantage. Objects.

3. *And be it enacted*, That this association shall have authority to hold real and personal estate to an amount not exceeding ten thousand dollars. May hold real estate.

4. *And be it enacted*, That the management and disposition of the affairs and property of said association shall be vested in such officers to be elected at such time and such manner as the said association shall by its laws provide; *provided*, such by-laws shall not conflict with the constitution and laws of this state or of the United States. Management of affairs how vested. Proviso.

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

Approved February 27, 1873.

CHAPTER CXXI.

An Act to incorporate The Samson Mining Company.

Corporators, corporate name and object,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Edmund H. Miller, Philip R. George, Samson W. George and George M. Miller, be and they hereby are created a body politic and corporate, in fact and in law, under the name of "The Samson Mining Company," for the purpose of mining iron and other ores and minerals, and manufacturing and working the same, and carrying on the business incident thereto; that for such purpose the said company shall or may raise by subscription, by opening books therefor, or otherwise, a capital stock of fifty thousand dollars, to be divided into shares of one hundred dollars each, with the privilege to the directors for the time being, of increasing the same from time to time to any amount, not exceeding the sum of five hundred thousand dollars, if such increase shall be deemed necessary; that it shall be lawful for the said company to issue certificates of stock in whole or in part payment for any real or personal property purchased or leased by the said company for the purposes of their business aforesaid.

May purchase and hold real estate.

2. *And be it enacted*, That the said company may purchase, hold, use, sell, convey, mortgage, lease and dispose of such real and personal property as may be needful and proper for the purposes of said company and its business or which may accrue to it in the course thereof, and that said company may borrow money and issue the bonds of said company therefor, to an amount not exceeding three-fourths of the paid in capital of said company.

Election of directors.

3. *And be it enacted*, That the affairs of said company shall be managed and conducted by a board of directors to be composed of not less than three nor more than five directors, being stockholders; one of which directors shall be president of said company; and that the persons named in the first section of this act shall be the first directors to organize said company; to open subscription books for the

stock thereof, and when twenty per centum thereof is paid in cash, then to manage the affairs of said company until the first day of July, one thousand eight hundred and seventy-three, or until others are regularly elected in their stead at an election in pursuance of the by-laws of said company; that the by-laws of said company shall provide for the annual election of the directors thereof, who shall hold office for one year next ensuing their election, or until their successors are chosen.

Vacancies how filled.

4. *And be it enacted*, That a majority of the directors shall on all occasions when assembled at such time and place as the by-laws shall prescribe, constitute a body competent to transact business, and all business matters before them shall be decided by a majority of votes, and in case a vacancy shall occur in said board by death, resignation or a failure of the stockholders to elect the full number authorized by the by-laws, the remaining directors for the time being, or a majority of them, shall have power to fill such vacancy by the selection, as such director, of any stockholder.

Not to be dissolved by failure to elect.

5. *And be it enacted*, That in case it shall happen that an election of directors shall not be had upon the day designated 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.

May have seal, &c.

6. *And be it enacted*, That said company may have and use a common seal, and may change and alter the same at pleasure, and may make such by-laws for the regulation and government of said company as may be deemed proper; *provided*, the same are not inconsistent with the constitution and laws of the United States or of this state; and that said company may sue or be sued in all courts of law or equity in this state.

Proviso.

Annual statement of affairs shall be made.

7. *And be it enacted*, That the directors of said company shall prepare and submit to the stockholders at their annual meetings a written statement of the affairs of the said corporation, setting forth the amount of capital paid in, the amount of money due to and from said corporation, and the amount of all assets and property belonging to said company, as nearly as the same can be ascertained.

Location of principal office.

8. *And be it enacted*, That the by-laws of said company shall prescribe the location of the principal office of said company, at which regular books of account shall be kept,

New Jersey State Library

to which any stockholder shall have free access at all reasonable times, for the purposes of inspection; and that books of transfer of the stock shall also be kept, which shall be evidence of the ownership of said stock in elections and other matters submitted to the decision of the stockholders of said corporation.

How dissolved.

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

Proviso.

Restrictions and liabilities.

10. *And be it enacted*, That the said corporation hereby created shall possess the general powers and be subject to the restrictions contained in the act entitled "An Act concerning corporations," approved on the fourteenth day of February, one thousand eight hundred and forty-six, and the several acts amendatory thereof or supplemental thereto, in so far as the same may be applicable.

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

Approved March 5, 1873.

CHAPTER CXXII.

An Act to incorporate "The River Iron Company."

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Randolph Wood, Charles Stockham, Daniel J. Morrell, George R. Wood, William J. Sewell, George M. Wright, Alden C. Scovel, John B. Wood and John H. Dialogue, their associates and successors, be and they are hereby created and declared to be a body politic and corporate, in law, by the name of "The River Iron Company," and as such shall have perpetual succession, and

Corporate name.

all the privileges and franchises belonging or incident to a corporation.

Amount of capital stock

2. *And be it enacted*, That the capital stock of said company shall be fifty thousand dollars, divided into shares of one hundred dollars each, with the privilege of increasing said capital stock as hereinafter provided, which capital stock shall be personal property and be transferable on the books of the company.

Commissioners shall receive subscriptions to capital stock &c.

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 and upon such notice as they may direct, and at the time of subscribing for said stock such amount on each share subscribed for shall be paid, satisfied or satisfactorily secured to said commissioners as they or a majority of them shall direct, and the residue of the subscription shall be paid, satisfied or secured as the directors of said company, when elected, may determine, in such installments, at such times and places, and in such manner as said directors shall from time to time direct, giving notice of such time and place in a newspaper printed and published in the city of Camden, for two weeks at least once in each week; and upon the failure of any person or persons to pay, satisfy or secure the payment of such installment or installments, or any of them as aforesaid, the directors shall be empowered to forfeit the share or shares of each and every person so failing, or any of them, to and for the use and benefit of said company, and any share or shares of stock 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 determine, or may be 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.

Shares may be forfeited for non-payment of installments.

Election of directors and organization of the board.

4. *And be it enacted*, That whenever the capital stock aforesaid shall have been subscribed, said 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, in the city of Camden, New Jersey, at such time as said commissioners may designate, to choose a president, and not less than six nor more than

twelve directors, who shall hold their office for one year, and until others are duly elected; and at such meeting of stockholders convened as aforesaid, said stockholders shall prescribe the time and the place for holding the annual election and the number of directors of said company, which time, place, and number of directors of said company shall not be changed except at an annual election of said company.

Each share of stock to have one vote.

5. *And be it enacted*, That at all elections by stockholders for officers of said company, and at all meetings of stockholders and upon all questions submitted to them, each stockholder shall cast one vote for each and every share of stock standing on the books of said company in his or her name, which vote may be cast either by said stockholder in person or by proxy.

General powers of the directors

6. *And be it enacted*, That the board of directors of said company shall have the power to make and adopt a common seal, for said corporation, to appoint a treasurer, secretary and such other officers, agents, clerks, servants employees of said company as they may deem necessary, and to prescribe and regulate their duties, salaries and compensation, to prescribe the form of and to issue or authorize to be issued such promissory notes, bills of exchange and business paper of said company as they may determine, to borrow such sum or sums of money as they may deem advisable from time to time for the purpose of said company, and to pledge the property and credit of said company for the payment thereof, or to issue the promissory notes or bonds of said company therefor, and to secure the payment of said promissory notes or bonds either by mortgage, or mortgages, on the real or personal property of said company, wheresoever situate, or in such other way as said directors may see fit; to make such by-laws, rules and regulations for the issuing and transfer of the stock, and for government of said company, its officers, clerks, agents, servants and employees, as said directors may determine and generally to direct, conduct, control and manage the business and affairs of said company in such manner, consistently with the provisions of this act as they may think proper; and the meetings of said directors may be held either in this state or in any other state as said directors may direct or order.

7. *And be it enacted*, That the manufacturing establish-

ment of said company shall be located in the city or county of Camden, and that said company shall be and they are hereby authorized to engage in the manufacture and sale of steel or iron, and of all articles, goods, wares and merchandise of which wood, iron or steel form a component or constituent part, and to purchase, sell, mortgage, hold, use, lease, occupy, possess and enjoy, with the privileges before granted them, all such real or personal property, tools, engines, machinery, fixtures and materials in this or any other state or territory, as may be necessary or needful for the proper management and conduct of said business; and the said company are hereby empowered whenever, in the opinion of the directors thereof, it may be for the interest of the said company to do so, to subscribe or to accept and receive, as part payment for any work done on any goods, wares, or merchandise, or lands sold or furnished by said company, the whole or any part of the capital stock of any incorporated company, in this or any other state, and to erect and build such houses, buildings, structures, wharves, docks, workshops, foundries, engines and machinery as said company may require for the transaction of its business; and said company shall be assessed and taxed upon the actual value of all their real and personal property only, and not upon the amount of the capital stock paid in; and said corporation shall be entitled to all reductions for and in respect to debts owing by them in the same way and to the same extent as natural persons now are, or hereafter may be under the laws of this state, *provided*, that said company shall not be assessed and taxed in this state for or by reason of or of any interest in any real or personal estate, situate in any other state or territory and taxed therein.

Location and object of the corporation.

Proviso.

8. *And be it enacted*, That said corporation may, by vote of the stockholders holding a majority of all the shares of stock, from time to time, increase its capital stock to any sum not exceeding six hundred thousand dollars, and it shall be lawful for the directors of said corporation to issue certificates for such increased capital stock to each of the original stockholders in proportion to the amount of the original stock held by them respectively or at their option to receive subscriptions for such increased capital stock in the same manner as said commissioners are hereinbefore authorized to receive subscriptions for original stock, and to require payments of such subscriptions therefor, in such installments,

Capital stock may be increased.

and at such times and places, and in such manner as they may elect, and in the event of the non-payment of such installment or any of them at the time or place or in the manner prescribed by said directors, the said stock may be forfeited and disposed of in the same manner provided by the third section of this act, in reference to the original capital stock of said company.

Annual statement to be submitted to the stockholders.

9. *And be it enacted*, That the directors of said company shall submit to the stockholders thereof, at their annual meeting, a statement in writing, of the condition and affairs of said company, and said directors shall divide the net profits of the business of said company, or so much thereof as said directors may see fit, among the stockholders in proportion to the amount of stock held by them respectively, at such times and in such manner as said directors shall determine.

Property received in payment for subscriptions to be taken at an approved valuation.

10. *And be it enacted*, That any real or personal property or materials, engines or machinery, which may be received in payment for subscriptions for stock of said company shall be taken at a valuation approved by the persons holding a majority of all the shares of the stock of said company.

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

Approved March 5, 1873.

CHAPTER CXXIII.

A Further Supplement to an act entitled "An Act to incorporate the Rahway Gas Light Company," approved February eighteenth, one thousand eight hundred and fifty-three.

Capital stock may be increased.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the Rahway Gas Light Company are hereby authorized to increase their capital stock to an amount not exceeding two hundred thousand dollars, which shall be subscribed and paid for at such times and in such manner as the directors of said company may deem expedient, and said directors are authorized to enforce the

payment of such additional stock as is provided in the act to which this is a supplement, for enforcing the payment of the original stock.

2. *And be it enacted*, That whenever any earnings of said company may be or may have been expended in re-constructing or enlarging their works, or extending their mains, they may apportion said earnings in stock pro rata among the stockholders, which stock so apportioned shall form a part of said increased stock. Earnings may be apportioned pro rata.

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

Approved March 5, 1873.

CHAPTER CXXXI.

An Act to incorporate the High Bridge Co-Operative Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Andrew Cregar, Edward J. Cregar, James Plum, John T. Lance, Edgar Lance, Peter Cregar, Richard M. Beekman, John Beekman, William Lance, Thomas Richards, M. Agens, M. L. Apgar, E. C. Latimer, Henry Fritts, and others, their associates, successors and assigns, shall be and they are hereby ordained, constituted and declared to be a body politic and corporate, for the purpose of carrying on a trade of retail dealers, producers and manufacturers, in order to enable its members to purchase food, fuel and clothing, and other necessaries and conveniences of life on the most favorable terms, and for that purpose may hold such real estate as may be necessary to carry on said business, or may accrue to them in the course thereof; and may sell, mortgage, lease, or otherwise dispose of the same, under the name of High Bridge Co-operative Company, to be located in the town of High Bridge, in the county of Hunterdon, in this state, with power to establish branches at such places within said county, and for such periods of time as may seem advantageous or convenient to said corporation; and by that name

Names of corporators.

Object and powers.

Corporate name.

to sue and be sued, plead and be impleaded in all courts of justice; and to have and to use a common seal, and to alter and change the same at pleasure.

Amount of capital stock

2. *And be it enacted*, That the amount of stock of this company shall be fifty thousand dollars, divided into shares of ten dollars each, and when three thousand dollars worth of stock shall have been taken and paid in the company shall commence business.

Board of control.

3. *And be it enacted*, That the general management of this company shall be vested in a board of control, consisting of not less than five nor more than thirteen controllers, all of whom shall be stockholders, and shall be elected for one year at the organization of the company.

Not to be dissolved by reason of failure to elect.

4. *And be it enacted*, That if it shall at any time happen that an election for controllers or directors shall not be made on 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 it shall and may be lawful to hold such an election on such other day as the stockholders or controllers of the said corporation shall direct.

May make rules and regulations.

5. *And be it enacted*, That the board of control for the time being, or a majority of them, shall have power to make and prescribe such by-laws, rules and regulations as to them shall appear needful and proper for the management of the company, managers and employees; *provided*, that such by-laws, rules and regulations shall not be repugnant to the constitution or laws of the United States, or of the state of New Jersey, and shall elect from their own number a president; may also employ a secretary and treasurer; they shall elect a board of managers, and determine the salaries of officers and employees, and the amount of bonds to be given, and shall have power to suspend any officer or employee for incompetence or malfeasance in office, and shall control all business management for the interest of the company according to the laws of the state, and to report quarterly.

Proviso.

Dividends.

6. *And be it enacted*, That before any dividend is declared according to the laws of the state, five per centum of the net profits shall be appropriated to a contingent fund, which shall be allowed to accumulate until it shall amount to a sum equal to one-third the cash capital paid in; any surplus shall be disposed of for the interest of the company, by the board of control.

7. *And be it enacted*, That the stock of said corporation

shall be deemed personal property, and shall be transferred in such manner as the by-laws shall prescribe, but no dividends shall at any time be made to the stockholders except from the net profits of the company. Stock transferable.

8. *And be it enacted*, That all officers of the company shall be elected by ballot, by the members in person or by proxy, duly witnessed and stamped; a plurality of ballots shall decide an election. Election shall be by ballot.

9. *And be it enacted*, That all accounts shall be balanced quarterly, and dividends declared according to the constitution and by-laws of the company. Accounts to be balanced quarterly.

10. *And be it enacted*, That the regular stated meetings of this company shall be held on the second day of January, April, July and October; *provided*, that in the event of said days being Sunday or a holiday, said meetings to be held on the following day, at which meetings the board of control shall make their quarterly reports; the meeting in January shall be the annual meeting. Time of stated meetings. Proviso.

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

Approved March 5, 1873.

CHAPTER CXXXIV.

A Supplement to "An Act to incorporate the Allentown Railroad Company."

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the time for organizing, commencing, and completing said road, shall be extended for the period of three years from the time respectively provided in said original act; and the said company is hereby authorized to connect at its termini with any railroad or roads that may now or hereafter be built. Time for commencing and completion of road.

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

Approved March 5, 1873.

CHAPTER CXLIV.

An Act to incorporate the Pavonia Yacht Club, of Jersey City.

Corporators and corporate name and powers.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That William S. Kreps, John A. Hilton, August L. Kreymeyer, John L. Cleary, James Dainty, William A. Holly, Christian F. Schmid, Henry Holmes, James Nolan, Theodore Crumenauer, Joseph Humphreys, and such other persons as are now or may hereafter be associated with them, be and they are hereby constituted and declared a body politic, in fact and in law, by the name of the "Pavonia Yacht Club," and by that name they and their successors shall have perpetual succession, and be capable of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended, in all courts and whatsoever places, and may have a common seal, and change and alter the same at pleasure; and that they and their successors by the said name shall be capable in law to hold any estate, real or personal, either by devise, purchase, donation, or otherwise, to the use of them and their successors, and to lease, sell, and convey, or otherwise dispose of the same, as to them shall seem most advantageous for promoting the purposes of their incorporation; but the yearly income of such estate shall not exceed the sum of twenty-five hundred dollars.

Object.

2. *And be it enacted*, That the object of this incorporation shall be the building, purchasing, and sailing of yachts, the encouragement of yacht building, and the cultivation and advancement of naval architecture, construction and science.

Funds how applied.

3. *And be it enacted*, That the estate and funds of said incorporation, after paying all proper charges and expenses, shall be exclusively devoted to the objects aforesaid, except so far as they may deem it necessary to apply their funds to the purpose of holding and purchasing of any real estate, and erecting any buildings thereon for the benefit and accommodation of the members of said corporation, or the

purchase, leasing, or construction of any wharves, docks, or piers as may be deemed necessary to carry out the objects of this incorporation, which said real estate they may again sell and invest as the interests of the corporation may require; *provided*, that nothing in this act contained shall affect the rights of the state to lands under water. Proviso.

4. *And be it enacted*, That the said corporation shall have power from time to time to make and establish such constitution, by-laws, rules, and regulations, as they shall judge proper for the election of officers; for prescribing their respective functions, and the mode of discharging the same; for the admission of members, the suspension and expulsion of the same; for the government of the officers and members thereof; for imposing and collecting admission fees, fines, and contributions from the members; for regulating the time and place of meetings; which constitution and by-laws shall not be repugnant to the constitution and laws of the United States or of this state, and which they may from time to time alter and repeal; and they shall have power in their corporate name to institute suits for the recovery of all fines, debts, dues, and arrearages due the said corporation. General powers to make rules, &c.

5. *And be it enacted*, That the said corporation shall be located in Jersey City, or some convenient point in the county of Hudson, and that the persons named in the first section shall be the first directors of said corporation, and shall continue in office until the second Thursday in April next, and until others are elected in their stead. Location.

6. *And be it enacted*, That the directors of said corporation shall consist of ten in number, who shall be chosen annually on the second Thursday of April, at such time and place, and on such notice as said by-laws may fix; that all elections shall be by ballot, and that each member shall be entitled to one vote, which must be given in person; 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 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. Election of directors.

7. *And be it enacted*, That this act shall be formally con-

Act how construed.

strued in all courts and places for the purposes thereby intended, and no misnomer of the said corporation, in any deed, grant, gift, devise, bequest, or other instrument, contract or conveyance, shall defeat or vitiate the same, if the corporation be sufficiently described to show or ascertain the intention of the parties.

Act repealable.

8. *And be it enacted*, That the legislature reserve the right at any time hereafter to alter, repeal or modify this act.

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

Approved March 6, 1873.

CHAPTER CXLV.

An Act to vest the title of real estate in the City of Newark, in Elizabeth Vaughan.

Preamble.

WHEREAS, Patrick Vaughan, formerly of the city, county and state of New York, departed this life, anno domini one thousand eight hundred and forty-eight, seized of two lots of land, situate in the city of Newark, Essex county, New Jersey, which were conveyed to him by William Harrower and wife, by deed, dated October fourth, one thousand eight hundred and thirty-eight, and recorded in the office of the register of said county of Essex, in book B five, of deeds for said county, on pages five hundred and seventy-five and five hundred and seventy-six; *and whereas*, the said Patrick Vaughan died intestate and without issue, and without lawful heirs, leaving Elizabeth Vaughan his wife, him surviving, by reason whereof the said lots of land and the appurtenances must escheat to the state; therefore,

Title vested in Elizabeth Vaughan.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all the estate, title, interest, and right of the said Patrick Vaughan, deceased, at the time of his death, of, in, and to the lands and premises above described, be vested in the said Elizabeth Vaughan, in fee simple.

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

Approved March 6, 1873.

CHAPTER CXLIX.

Supplement to "An Act to incorporate the Red Bank and Rumson Neck Railroad Company," approved March seventeenth, one thousand eight hundred and seventy.

May lay out and construct railroad.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the said railroad company to lay out and construct their railroad from any point on the New Jersey Southern Railroad between the village of Red Bank and Shrewsburytown, in the county of Monmouth, to any point on the Long Branch and Sea Shore Railroad, between the stations of Monmouth Beach and Highlands, subject to all the privileges and restrictions contained in the act to which this act is a supplement.

Endorsement of bonds and subscriptions to stock.

2. *And be it enacted*, That any railroad company or other corporation is hereby authorized to endorse or guarantee the bonds, or to subscribe to the stock of the Red Bank and Rumson Neck Railroad Company, or to lease the said railroad on such terms as the companies who are parties to such lease may agree upon.

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

Approved March 6, 1873.

CHAPTER CLII.

A Supplement to an act entitled "An Act to incorporate the Weehawken Transportation Company," approved March twenty-seventh, one thousand eight hundred and seventy-one.

Name changed.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the name of the company or corporation incorporated by the act entitled "An act to incorporate The Weehawken Transportation Company," approved March twenty-seventh, one thousand eight hundred and seventy-one, is hereby changed to "The Midland Terminal and Ferry Company," and by that name shall hereafter be known, and shall be entitled to all the rights, powers and privileges of the act to which this is a supplement, and may purchase, hold, lease, use, occupy, mortgage and sell any real and personal estate in the county of Hudson, for any of the purposes mentioned in this act, or the act to which this is a supplement, and may pay therefor as therein provided, and may by resolution of the directors, from time to time, increase its capital stock to an amount not exceeding the value of the property, rights and franchises owned, held or about to be acquired by said company at the time of said increase of its capital stock.

Corporate name and powers.

May improve lands, erect buildings, pave, grade, curb, &c.

2. *And be it enacted*, That said company may improve all lands, and lands under water, now owned or used by it, or that may hereafter be held, owned, used or occupied by it, by erecting buildings thereon, by grading, paving, curbing, guttering, or flagging the same, and by laying out the same in blocks, lots, squares, streets or other divisions; and said company is authorized to fill up, raise, occupy, possess and enjoy as its own property, all lands covered with water, which it may now or hereafter hold, occupy or purchase, or which may be in front of lands, along any shore which said company may now or hereafter hold, occupy or purchase, and may build, enlarge, improve and erect on such lands,

any dock, wharf, pier, bulkhead, slip or other structure which it may deem necessary for commercial or other purposes, said improvements not to extend south of Weehawken township, and not in any way to impair the rights of the state to any lands under water. May build wharves and piers.

3. *And be it enacted*, That said company may improve all or any part of said lands, and lands under water, now or hereafter held, owned, leased, used or purchased by them, by constructing therefrom and thereon, and over the lands of others, a railroad or railroads to intersect with the railroad or railroads now built belonging to the Montclair Railway Company, the Hudson Connecting Railway Company, the New Jersey Midland Railway Company, and the Ridgefield Park Railroad Company, within the limits of the county of Hudson north of the railroads of the New Jersey Railroad and Transportation Company, east of Hackensack river, and west of Bergen Hill, so as to connect with any or all of the railroads above mentioned; and with any other railroad or railroads now built or which may be hereafter built within the limits aforesaid; *provided*, the consent of the said companies be first had and obtained; and that the said company be and it is hereby authorized and invested with all the rights and powers necessary and expedient to survey, lay out and construct a railroad, or railroads, as aforesaid, and to locate and construct said railroad or railroads, not exceeding one hundred feet in width, except in such places where, from the depth of the excavation or the height of the embankment, it may be necessary to take more land for the slope and protection of the side banks of said railroad, in which so much land as may be necessary, and no more, shall be taken, with as many sets of tracks and rails as they may deem necessary; and it shall be lawful for the said president and directors, their agents, engineers, superintendents, or others in their employ, to enter at all times upon lands and waters for the purpose of exploring, leveling, surveying and 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, Improvement of lands under water. Proviso.

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, bridges and all other necessary works thereon, and to lay rails and do all other things which may be suitable and necessary for the completion or repairs of the said railroad, and to carry into full effect the objects of this act, subject to such compensation, and upon such terms as are hereinafter provided for; and this company may also take, by lease, purchase, agreement, or proceedings to condemn, any of the lands, property, rights or franchises of the New Jersey Midland Railway Company, in the county of Hudson, except their railroad tracks, in the same way and manner as it is herein authorized to take, lease, purchase or condemn the land of an individual; this company may make, construct, maintain and use a tunnel under Bergen Hill, for said railroad or railroads, with as many openings of shafts for ventilation as it may deem necessary; this company may charge for transportation of freight and passengers on its roads and through its tunnel, the same tolls and charges as the New Jersey, Hudson and Delaware Railroad Company, one of the railroads forming the consolidated corporation of the New Jersey Midland Railway Company, is authorized by its charter and supplements to charge, except that the charge to be made by this company for freight may be a sum not exceeding twenty-five cents per ton for goods and merchandize passing through said tunnel; this company may construct, maintain and operate a railroad over the Bergen Hill, and may abandon the same after the completion of the said tunnel.

Shall construct and keep in repair sufficient bridges &c.

4. *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 road, or other road or street, or highway, shall cross the same, so that the passage of carriages, horses and cattle on the said road shall not be obstructed thereby; and also to maintain suitable passage ways for the use of individual landowners, when the same shall become necessary; and that this company shall, in crossing another railroad or railroads, except those hereinbefore named, cross the same either above or below the same, so that there shall remain between the road-beds of this or any other such road a space of at least eighteen feet.

5. *And be it enacted*, That if the said company, or its

agent or 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 lands or materials so required for the use of said company in the construction of the said road shall be given in writing, under oath or affirmation, of some engineer or proper agent of 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 supreme court of this state, in which the lands are situate, 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 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 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 or materials, and assess the damages, upon such notice, not less than ten days, to be given to the person 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 duly 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, and to proceed to view and examine the said lands or materials, 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 made in writing, under the hands and seals of said commissioners, or any two of them, and filed 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 said county, to remain of record therein; which report, or in case of an appeal, the verdict of the jury and the judgment of the court thereon, and a copy thereof, cer-

Proceedings where company and owners cannot agree as to property required.

tified by the clerk of said county (the damages and costs assessed and adjudged being 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 land or materials, and the said judge of the said court shall, on application of either party, on reasonable notice to the other, tax and allow such costs, fees and expenses to the judges of the said court, commissioners, clerk and other persons performing any of the duties prescribed in this section as he shall think equitable and just, and to order and direct to whom the same shall be paid.

Proceedings in case of appeal from report of commissioners.

6. *And be it enacted*, That in case the said company, or owner or owners of the said land, shall be dissatisfied with the report made by the commissioners named in the preceding section of this act, the party so aggrieved may appeal to the circuit court of the county in which the lands or materials lie, at the first term after the filing of the said report, by proceeding in the 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 empannelled 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 said court to be holden in said county, upon 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 the said land or materials, 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 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 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 the lands of any person or persons for the purpose of actually constructing said railroad, or of making

Proviso.

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 said 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, or the amount found by jury, in case of 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 supreme court, shall be deemed a valid and legal payment; *and further*, that the party or parties entitled to receive the amount assessed by the commissioners, upon tender thereof being made, receive the same without being barred thereby from his, her or their appeal from the report of the commissioners. Proviso.

7. *And be it enacted*, That for the purpose of improving its property and to enable it to raise money to carry into effect the objects of the act to which this is a supplement, and of this and every other supplement to said act of incorporation the said company is authorized to issue its bonds for any sum not exceeding two and a half million dollars in such form and denominations, and to dispose of the same upon such terms as to the board of directors of said company may seem for the best interests of the said company; and to secure the payment thereof, said company shall have power, from time to time, to convey, or pledge by way of mortgage, trust or otherwise, the property, real and personal, franchises and chartered rights of said company, and such conveyance, pledge, foreclosure or other lawful sale by virtue thereof, shall fully and completely transfer to and vest in the grantee or purchaser all the property, real and personal, franchises and chartered rights of said company free from all encumbrance and debts that were not liens on such property, prior to the recording or registry of said conveyance or mortgage. Authorized to issue bonds and secure the same by mortgage or otherwise.

8. *And be it enacted*, That this company be and hereby is authorized and empowered to demise and lease or make any agreement concerning the use of its railroads, ferries, Empowered to lease its railroad, ferries, &c.

property, chartered rights and franchises or any part or parts thereof, to or with any other corporation or person of this state, or the state of New York, upon such terms as may be agreed upon by the directors of said companies, subject to the approval of a majority in value of the stock of this company, and the said lessee, lessees or corporation with whom any such agreement is made, shall have a right to exercise all the powers, chartered rights and franchises of this company in reference to the railroads, ferries and property described in such lease or agreement; any other company in this state or the state of New York, may take and hold stock in this company upon such terms as may be agreed upon by the directors of this company.

Annual statement shall be made of cost and expenses.

9. *And be it enacted*, That as soon as the said railroad mentioned in section three, or any part of it is in operation, the president of this company shall file, under oath or affirmation, a statement of the amount of the costs of the said railroad, including equipments, appendages and all expenses thereof, in the office of the secretary of state, and annually thereafter on the first Monday in January, of each year, he shall, under oath or affirmation, make a statement to the secretary of state of the cost, equipments, appendages and expenses of said road, and after the said railroad or any part thereof, shall be in operation, this company shall pay

Taxes.

to the treasurer of this state a tax of one-half of one per centum on the costs, equipments and appendages of said road, to be paid annually thereafter on the first Monday of January in each year, and such other taxes 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; and the said corporation shall be regularly assessed and pay tax for the value of its real estate, including improvements thereon, and personal property as now taxed in the city or cities, township or townships, wherein it lies, at the same time and rate and in the same manner, and for the same purpose, and by the same person or persons as other taxes are assessed in said city or cities, township or

Proviso.

townships; *provided*, that no other tax or impost shall be levied or assessed upon said company; and this act shall take effect immediately.

Approved March 7, 1873.

CHAPTER CLIII.

An Act to enable the Watchung Railway Company, the Montclair Railway Company, the Hudson Connecting Railway Company, and the New Jersey Midland Railway Company to consolidate their stock or connect with other companies.

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 Watchung Railway Company, the Montclair Railway Company, the Hudson Connecting Railway Company, and the New Jersey Midland Railway Company, by and with the consent of a majority in interest of the stockholders of each company expressed in writing and filed in the office of the secretary of state, to consolidate their respective capital stocks, and for this consolidated corporation to consolidate with any other railroads or companies in this state or in the state of New York, with which said consolidated corporation it may be identified in interest, or whose works shall form with their own, continuous or connected lines, or to make such other arrangements for connection or consolidation of business with any such company or companies by agreement, contract, lease or otherwise, as to the directors of said consolidated corporation may seem expedient; *provided*, that if any stockholder or stockholders, being such at the time of making any such consolidation, agreement, contract, lease or other arrangement herein authorized, shall be dissatisfied with the same, the said corporation in which said party or parties shall own stock, shall pay to such dissatisfied stockholder or stockholders, the full value of his, her or their stock immediately prior to the consolidation by this act authorized, the value thereof to be assessed by three disinterested commissioners appointed for that purpose by the supreme court or court of chancery of this state, on the application of either party, made upon ten days' notice; but the said companies shall not be compelled

Power and authority to consolidate with other railroads.

Proviso.

to pay for stock of any of such dissatisfied stockholder or stockholders, unless he, she or they shall give written notice of such dissatisfaction to the president of the company, whose stock shall be held by him, her or them, within two months after such consolidation, agreement, contract, lease or other arrangement shall have been consented to by the requisite number of stockholders; *provided further*, that no such consolidation, agreement, contract, lease or other arrangement shall have the effect to be construed to release or discharge the said companies herein named or any or either of them or any other company or companies with which any consolidation, agreement, contract or lease may be made, from any taxes, liabilities, agreements, obligations or duties which they or either of them may be subject or liable, either to this state or to any person or persons on any account whatever.

Proviso.

Consent of stockholders shall be filed

2. *And be it enacted*, That the said consent of stockholders herein and hereby required to be filed in the office of the secretary of state, when filed together with the fact of the amount of stock held by each stockholder, the same being authenticated by affidavit of a director or stockholder, shall be sufficiently proved in all courts and places where the same may come in question (unless the contrary be made to appear), by the original affidavit so filed or by a duly certified copy thereof made by the secretary of state.

Corporate name of consolidated corporation.

3. *And be it enacted*, That the consolidated corporation shall be known as "The New Jersey Midland Railway Company," and shall by virtue of said consolidation, succeed to all the property, rights, powers, privileges, franchises, obligations and liabilities of the companies so consolidated, and shall assume, fulfill, perform and carry into effect all the contracts, liabilities, agreements and obligations, either legal or equitable, of the said companies herein named and hereby consolidated, any or either of them, and may issue stock in said consolidated corporate name in lieu and place of the stock of the several companies composing the same, to which shall attach all engagements, legal or equitable, which now apply to the stock in lieu of which the same shall be issued, and the directors of said consolidated company may by a majority vote increase the capital stock of the consolidated company one million dollars beyond the aggregate amount of the capital stock of the several companies consolidated; that said consolidated com-

Capital stock may be increased.

pany shall be managed by a board of seventeen directors to be chosen annually as provided in the agreement of consolidation, and said consolidated company may acquire and hold the stock of other corporations and vote thereon.

Empowered to lease its railroads and property.

4. *And be it enacted*, That said consolidated corporation is empowered to lease or make any agreement concerning the use of all or any portion of its railroads, property, chartered rights and franchises, or any part or parts thereof, to or with any other corporation or person of this state, or the state of New York, upon such terms as a majority of the directors of this consolidated corporation shall deem proper, subject to the approval of a majority of the whole stock of said corporation, and the said lessee, lessees, corporation or person with whom any such agreement is made, shall have the right to exercise all the powers, chartered rights and franchises of said consolidated corporation in reference to the railroads and property described in such lease or agreement; said consolidated corporation is also authorized, in addition to the amount of bonds authorized to be issued by the charters of the companies consolidated, to issue a further amount of bonds, not exceeding a further sum of two million dollars, in such form and denominations, and to dispose of the same upon such terms as to the board of directors of said company may be deemed for the best interests of said company, and to secure the payment thereof shall have power, from time to time, to convey or pledge by way of mortgage, trust or otherwise, the property, real and personal, franchises and chartered rights of the consolidated corporation, and such conveyance, pledge or foreclosure, or other lawful sale by virtue thereof, shall fully and completely transfer to and vest in the grantee or purchaser, all the property, real and personal, franchises and chartered rights of the consolidated corporation, free from all encumbrances and debts that were not liens thereon prior to the recording or registry of said conveyance or mortgage.

Authority to change grades and surveys.

5. *And be it enacted*, That the consolidated corporation may regulate, harmonize and change the grades of and surveys made by all or any of the companies hereby consolidated or authorized to be consolidated, and may make and file in the office of the secretary of state, new survey and maps, and purchase or take land by condemnation for the road or roads thereon on said new surveys and maps, as fully as could be done under the charters of any of the com-

panies hereby consolidated or authorized to be consolidated; and said consolidated corporation may impose the same tolls, freights and charges for transportation of freight and passengers that the New Jersey Midland Railway Company are now authorized to charge.

Annual statement of costs and expenses shall be made.

6. *And be it enacted*, That as soon as the said consolidated railroad or any part of it is in operation, the president of the said company shall file, under oath or affirmation, a statement of the amount of the costs of the said railroad, including equipments, appendages and all expenses, in the office of the secretary of state, and annually thereafter, on the first Monday in January of each year, he shall, under oath or affirmation, make a statement to the secretary of state, of the cost, equipments, appendages and expenses of said road, and after the said railroad or any part thereof shall be in operation, the said corporation shall pay to the

Annual tax.

treasurer of this state a tax of one-half of one per centum on the cost, equipments and appendages of said road, to be paid annually thereafter, on the first Monday in January of each year, and such other taxes 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, and until the said railroad or any part thereof shall be in operation, the said corporation shall be regularly assessed, and pay tax for the value of its real estate, including improvements thereon and personal property, as now taxed in the city or cities, township or townships wherein it lies, at the same time and rate, and in the same manner, for the same purpose, and by the same person or persons as other taxes are assessed in

Proviso.

said city or cities, township or townships; *provided*, that no other tax or impost shall be levied or assessed upon said consolidated corporation, or any companies embraced therein; and this act shall take effect immediately.

Approved March 7, 1873.

CHAPTER CLIV.

A Further Supplement to the act entitled "An Act to incorporate the Ridgefield Park Railroad Company," approved April fourth, one thousand eight hundred and sixty-seven.

Repealer.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the proviso in the second section of the act entitled a supplement to an act entitled "An act to incorporate the Ridgefield Park Railroad Company," approved April fourth, one thousand eight hundred and sixty-seven, which supplement was approved March tenth, one thousand eight hundred and sixty-nine, and the third section of the said act be and the same is hereby repealed; and it shall be lawful for the said "The Ridgefield Park Railroad Company" to change the location of any part of said company's main railroad line not already constructed, and to locate and alter and re-locate any of its branches not already constructed, as the said company shall deem necessary or to its advantage; *provided*, the same shall be confined to the counties of Bergen and Hudson; and the said company may, from time to time as the same shall be found necessary in the completion of said main line or in the construction of the said branches and in procuring rolling stock and other equipments, to borrow money and to issue bonds for the same, any portion of which bonds may be made convertible into the stock of the company or otherwise, and to dispose of the same upon such terms as to the board of directors may be deemed for the best interests of said company, and to secure any or all such bonds so to be issued by mortgage on the roads, branches, property and franchises of the said company.

May re-locate and change location.

Proviso.

May lease railroad and branches.

2. *And be it enacted*, That the said company may at any time during the continuance of its charter, make contracts, agreements and leases for letting and leasing the said railroad and branches, or any or either of them, to any other corporation or to individuals, or for the hiring and leasing of any other railroad or railroads in this state, or otherwise,

running in connected or continuous line with the said Ridgefield Park Railroad or any of its branches, and to guarantee the bonds of any railroad company whose road may be so leased; and may acquire land for depot purposes at any suitable point on the Hudson river, and extend their said road or any single branch thereof to the same, and may make contracts with any other company or corporation for joining such other company or corporation, and join in the building and construction at their joint costs of a suitable cut or tunnel through Bergen hill, or purchase and hold stock in, or a share or part interest, as tenant in common in fee with any other company or companies in any such cut; *provided*, where streets cross said cut the said railroad company shall provide a safe and proper bridge for the accommodation of the public travel. or tunnel to be built, and use the same in the operation of such railroad; *provided also*, the said Ridgefield Park Railroad Company shall pay local taxes upon all their property in the county of Hudson.

Proviso.

Proviso.

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

Approved March 7, 1873.

CHAPTER CLV.

An Act to enable the Ridgefield Park Railroad Company, a corporation of the State of New Jersey, and the Rockland Central Railroad Company, a corporation of the State of New York, to consolidate their stock or connect with other Companies.

Authority to consolidate stock or connect with other companies.

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 Ridgefield Park Railroad Company, a corporation of the state of New Jersey, and the Rockland Central Railroad Company, a corporation of the state of New York, by and with the consent of a majority in interest of the stockholders of each company expressed in writing and filed in the office of the secretary of state, to consolidate their

respective capital stocks, and for this consolidated corporation to consolidate with any other railroads or companies in this state or in the state of New York, with which said consolidated corporation it may be identified in interest or whose works shall form with their own continuous or connected lines, or to make such other arrangements for connection or consolidation of business with any such company or companies by agreement, contract, lease or otherwise, as to the directors of said consolidated corporation may seem expedient; *provided*, that if any stockholder or stockholders, being such at the time of making any such consolidation, agreement, contract, lease, or other arrangement herein authorized, shall be dissatisfied with the same, the said corporation in which said party or parties shall own stock, shall pay to such dissatisfied stockholder or stockholders, the full value of his, her or their stock, the value thereof to be assessed by three disinterested commissioners appointed for that purpose by the supreme court or court of chancery of this state, on the application of either party, made upon ten days' notice; but the said companies shall not be compelled to pay for stock of any of such dissatisfied stockholder or stockholders, unless he, she or they shall give written notice of such dissatisfaction to the president of the company whose stock shall be held by him, her or them, within one month after such consolidation, agreement, contract, lease or other arrangement shall have been consented to by the requisite number of stockholders; *provided further*, that no such consolidation, agreement, contract lease or other arrangement shall have the effect or be construed to release or discharge the said companies herein named, or any or either of them, or any other company or companies with which any consolidation, agreement, contract or lease may be made, from any taxes, liabilities, obligations or duties which they or either of them may be subject or liable to, either to this state or to any other person or persons.

Proviso.

Proviso.

2. *And be it enacted*, That the said consent of stockholders herein and hereby required to be filed in the office of the secretary of state, when filed, together with the fact of the amount of stock held by each stockholder, the same being authenticated by affidavit of a director or stockholder, shall be sufficiently proved in all courts and places where the same may come in question (unless the contrary

Duly certified copy of consent to be evidence.

be made to appear) by the original affidavit so filed, or by a duly certified copy thereof, made by the secretary of state.

Corporate name of consolidated company.

3. *And be it enacted*, That the consolidated corporation shall be known as "The Jersey City and Albany Railroad Company," and shall by virtue of said consolidation, succeed to all the property, rights, powers, privileges, franchises, obligations and liabilities of the companies so consolidated, and may issue stock in said consolidated corporate name in lieu and place of the stock of the several companies composing the same, and the directors of said consolidated company may by a majority vote increase the capital stock of the consolidated company such amount as they may deem necessary beyond the aggregate amount of the capital stock of the several companies consolidated; that said consolidated company shall be managed by a board of nine directors, to be chosen annually as provided in the agreement of consolidation; and said consolidated company may acquire and hold the stock of other corporations and vote thereon.

May lease its property rights and franchises.

4. *And be it enacted*, That said consolidated corporation is empowered to lease or make any agreement concerning the use of all or any portion of its railroads, property, chartered rights and franchises, or any part or parts thereof, to or with any other corporation or person of this state or the state of New York, upon such terms as a majority of the directors of this consolidated corporation shall deem proper, subject to the approval of a majority in value of the stock of said corporation, and the said lessee, lessees, corporation or person with whom any such agreement is made, shall have the right to exercise all the powers, chartered rights and franchises of said consolidated corporation in reference to the railroads and property described in such lease or agreement; said consolidated corporation is also authorized in addition to the amount of bonds authorized to be issued by the charters of the companies consolidated, to issue such further amount of bonds as they may deem necessary, in such form and denominations, convertible into stock or otherwise, and to dispose of the same upon such terms as by the board of directors of said company may be deemed for the best interests of said company, and to secure the payment thereof, shall have power from time to time, to convey or pledge by way of mortgage, trust or otherwise, the property,

real and personal, franchises and chartered rights of the consolidated corporation, and such conveyance, pledge or foreclosure, or other lawful sale by virtue thereof, shall fully and completely transfer to and vest in the grantee or purchaser, all the property, real and personal, franchises and chartered rights of the consolidated corporation, free from all encumbrances and debts that were not liens thereon prior to the recording or registering of said conveyance or mortgage.

May change grades and surveys, &c.

5. *And be it enacted*, That the consolidated corporation may regulate, harmonize and change the grades of and surveys made by all or any of the companies hereby consolidated or authorized to be consolidated, and may make and file in the office of the secretary of state new surveys and and maps, and purchase or take land by condemnation for the road or roads thereon on said new surveys and maps as fully as could be done under the charters of any of the companies hereby consolidated or authorized to be consolidated; and said consolidated corporation may impose the same tolls, freights and charges for transportation of freight and passengers that the New Jersey Midland Railway Company are now authorized to charge.

Annual statement of costs and expenses to be made.

6. *And be it enacted*, That as soon as the said consolidated railroad, or any part of it, is in operation, the president of the said company shall file, under oath or affirmation, a statement of the amount of the costs of the said railroad, including equipments, appendages and all expenses, in the office of the secretary of state, and annually thereafter, on the first Monday in January of each year, he shall, under oath or affirmation, make a statenent to the secretary of state of the cost, equipments, appendages and expenses of said road; 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 cost, equipments and appendages of said road, to be paid annually thereafter, on the first Monday in January of each year, and such other taxes 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; and until the said railroad or any part thereof shall be in operation, the said corporation shall be regularly assessed and pay tax for the value of its real estate, including improvements thereon and personal

Annual tax.

property, as now taxed in the city or cities, township or townships wherein it lies, at the same time and rate, and in the same manner, for the same purpose, and by the same person or persons as other taxes are assessed in said city or cities, township or townships; *provided*, that no other tax or impost shall be levied or assessed upon said consolidated corporation or any companies embraced therein; and this act shall take effect immediately.

Proviso.

Approved March 7, 1873.

CHAPTER CLVI.

A Supplement to an act entitled "An Act to incorporate the Valley Express Company," approved April second, one thousand eight hundred and seventy-two.

Name changed.

Corporate name.

Capital stock may be increased.

May borrow money and issue bonds.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That from and after the passage of this act, the name of the Valley Express Company be and the same is hereby changed to the "Ocean and Valley Express Company," and that so much of the act entitled "An act to incorporate the Valley Express Company" as requires the secretary and treasurer to be a director thereof, be and the same is hereby repealed; and that said company shall be authorized to increase their capital stock from time to time to a sum not to exceed two hundred thousand dollars; and any corporation engaged in the transportation of goods, merchandise, moneys or property of any kind shall be authorized to subscribe for any part of the capital stock of said company, not exceeding, however, the one quarter of the whole amount issued; and 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 paid in, and secure the same by bond, mortgage, pledge, or otherwise.

May charter and own vessels, boats and tugs.

2. *And be it enacted*, That the said company are empowered to build, purchase, charter, and own vessels, boats and tugs, 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 navigation to and from Jersey City in this state and the city of New York or elsewhere as the business of the company may require, with power to hold, build, or construct storehouses, warehouses, or other places of deposit to charge for the storage of goods and property, and also to purchase, acquire, hold and convey such real estate, docks and piers as may be necessary to enable them to carry on their business.

3. *And be it enacted*, That this act shall take effect immediately and that all acts and parts of acts so far as the same may conflict with the provisions of this act be and the same are hereby repealed.

Approved March 10, 1873.

CHAPTER CLXXI.

An Act to incorporate the Passaic Chemical Company.

Corporators and corporate name.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Josiah S. Leverett, Charles A. Edwards and Florian Alexander, their successors and assigns, be and they are hereby created and declared to be a body corporate and politic, in law and in fact, by the name of "The Passaic Chemical Company," and as such shall have perpetual succession and all the franchises and privileges belonging to or incident to a corporation.

Capital stock.

2. *And be it enacted*, That the capital stock of the said corporation shall be two hundred thousand dollars, divided into shares of fifty dollars each, with the privilege of increasing the same to five hundred thousand dollars, which said capital stock shall be personal property, and be transferable on the books of the corporation.

Objects and powers.

3. *And be it enacted*, That the said corporation shall be organized and shall have all the rights and powers conferred by this act when one hundred and thirty thousand dollars of its capital stock shall be subscribed and paid, and shall then have the power to purchase real estate as well as to purchase or build manufactories and other property necessary for their business, and issue stock to the amount of

the value thereof in payment therefor, or pay for the same in cash, and to sell the same when not needed for the purposes of said corporation; and the affairs of the said corporation shall, after its organization, be managed by at least three and not more than five directors, as shall be determined by the board of directors, such directors to be chosen by the stockholders of said corporation annually, at such times and in such manner as the by-laws of said corporating may direct, except that the first board of directors shall hold their office until the first day of January next, when their successors shall be chosen for the period of one year, and annually thereafter as aforesaid; a majority of the directors shall be a quorum for the transaction of business, and the directors so chosen shall serve for one year or until others are chosen in their stead; said directors shall, from time to time, elect a president of the said corporation from their own number, who shall hold his office until the next annual election for directors and until another shall be elected in his place; and any vacancy in the board of directors may be filled by the remaining directors until the next election, and if for any reason the election for directors shall not be held at the time appointed, the corporation shall not from that reason or cause be dissolved, but such election may be held at any time thereafter; *provided*, two weeks' notice shall be given of such election as the board of directors of said corporation may prescribe.

Election of directors.

Proviso.

Who may vote.

4. *And be it enacted*, That at all elections by stockholders for directors of said corporation and at all meetings of stockholders, and upon all questions submitted to them, each stockholder shall cast one vote for each and every share of stock standing upon the books of said corporation in his or her name, which vote may be cast either by said stockholder in person or by proxy.

Capital stock may be called in by installments and failure to pay to work forfeiture.

5. *And be it enacted*, That the said board of directors shall have power to demand and collect from the subscribers to the capital stock of said corporation, the payment for such subscription and for any subscription to any increase of its capital; and in case of the failure to pay subscriptions on calls at such time as they may appoint, within thirty days after due notice to the delinquents, the said board of directors shall also be empowered to forfeit the share or shares of each and every person so failing or any of them, to and for the use and benefit of said corporation;

and any share or shares of stock so forfeited as aforesaid, may be held by the said corporation, or any person or persons for its benefit, and may at any time be sold and disposed of for the benefit of said corporation as said directors may determine, or may be 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.

General powers of the directors.

6. *And be it enacted*, That the board of directors of said corporation shall have power to make and adopt a common seal for said corporation, and the same to alter at pleasure; to appoint a treasurer, secretary, and such other officers and agents of said corporation as they may deem necessary, and to prescribe and regulate their duties, salaries and compensation; to make, amend, repeal, and alter such by-laws, rules and regulations for the issuing and transfer of the stock, and for the government of the said corporation, its officers, clerks, agents and employees, as said directors may determine, and generally to manage the business and affairs of said corporation in such manner consistently with the provisions of this act, as they may think proper.

Object of the corporation.

7. *And be it enacted*, That the business of said company shall be the manufacturing of chemicals, and such other manufacturing business as shall be deemed by the directors for the best and most profitable interests of the corporation; the principal office of the company shall be in the city of Newark, and it shall be lawful for said corporation to have an office and hold meetings of its stockholders and directors in the city of New York.

How dissolved.

8. *And be it enacted*, That the said corporation may be dissolved by a general meeting of the stockholders for that purpose especially called; *provided*, that at least two-thirds in value of the stockholders shall concur therein, and upon such dissolution the stockholders holding a majority of the stock may elect one or more persons trustee or trustees for settling all the affairs of the said corporation, collecting and disposing of its property and assets, paying its debts, and dividing the surplus among the stockholders in proportion to their respective interest in the stock.

Proviso.

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

Approved March 11, 1873.

CHAPTER CLXXII.

A Supplement to the act entitled "An Act to incorporate the Vineland Cranberry Company."

Amendment

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section three of the act entitled "An Act to incorporate the Vineland Cranberry Company," approved March sixteenth, eighteen hundred and seventy, is hereby amended so as to read as follows: "that the business of said corporation shall be managed and conducted by a board of directors of not less than three or more than five in number, who shall be stockholders in said company, one of whom shall be the president thereof; said board of directors shall have power to appoint such other officers and agents as they shall deem necessary; said board of directors shall hold their office for one year and until others are chosen to fill their places.

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

Approved March 11, 1873.

CHAPTER CLXXIII.

An Act to incorporate the Sarsfield Association of Hudson County.

Names of corporators and powers.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Thomas Bourke, James Marnell, Cornelius Sullivan, John C. O'Sullivan, Daniel Quirk, John Meighan and Michael H. Murphy, their successors and assigns, be and they are hereby created a body politic and corporate, in fact and in law, with all corporate powers, for the purpose of building and erecting a hall in the county of

Hudson, and state of New Jersey, and for such other social and benevolent purposes as they by their by-laws may direct, not incompatible with the laws of this state or of the United States; and for this purpose the said corporation may from time to time make such by-laws for their government and regulations as to the said society shall seem meet and proper, and they may from time to time increase or decrease the number of trustees, and for the purposes of said organization shall have all the powers of corporations of like kind under any law of this state.

Capital stock.

2. *And be it enacted*, That the capital stock of said corporation shall be fixed at thirty thousand dollars.

Limitation.

3. *And be it enacted*, That the charter hereby conferred shall remain in full force and virtue for the period of thirty years.

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

Approved March 11, 1873.

CHAPTER CLXXIV.

Supplement to an act entitled "An Act to incorporate the New Jersey Classical and Scientific Institute, at Hightstown, New Jersey," approved March seventeenth, one thousand eight hundred and sixty-five.

Change of name.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the name of the "New Jersey Classical and Scientific Institute, at Hightstown, New Jersey," shall be changed, and shall hereafter be known by the title of "The Peddie Institute."

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

Approved March 11, 1873.

CHAPTER CLXXV.

A Further Supplement to the act entitled "An Act to incorporate the Vineland Safe Deposit Company," approved March eleventh, one thousand eight hundred and sixty-eight.

Corporate name.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the name of said Vineland Safe Deposit Company be and the same is hereby changed to the National Safe Deposit and Trust Company, and that by said name the said corporation shall have succession, and possess all the powers and be subject to the restrictions and liabilities contained and granted in the act to which this is a supplement and the supplements thereto.

Branch offices.

2. *And be it enacted*, That said corporation may establish branch offices and agencies in the cities of New York and Philadelphia or elsewhere, as its board of directors may deem proper and desirable, but the principal office of the company shall be in this state.

May increase capital stock

3. *And be it enacted*, That the capital stock of said corporation may be increased by a vote of the board of directors to any sum not exceeding five hundred thousand dollars.

May invest in public stocks, &c.

4. *And be it enacted*, That it shall be lawful for said corporation to invest its surplus funds in the public stocks and securities of any state of the United States, or in the stocks or bonds of any railroad company or other corporation, that the board of directors may deem desirable securities, and loan money and credit on pledge of stocks, bonds, goods, chattels and notes, and aid by loans contractors and manufacturers; to make insurance for the fidelity of persons holding places of responsibility and trust, and to accept and execute all such trusts of every description, as may be committed to said corporation upon such terms and commissions as may be established by said company and agreed upon with any person or persons whatsoever, or by any cor-

poration, or for any trust or business committed or transferred to said corporation by any court of record, or any officer of this or any other state.

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

Approved March 11, 1873.

CHAPTER CLXXVI.

An Act to incorporate the St. Patrick's Mutual Alliance Association of New Jersey.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey,* That John D. Harrington, Patrick Dowling, Patrick Murphy, John Whalen, William Walsh, James M. Brann, James Harper, Thomas J. Hannan, Patrick Dixon, Benjamin J. F. Roberts, Cornelius Sullivan, Cornelius Corcoran, Thomas McInroe, Dennis Reardon, Edward Reardon, Daniel Sullivan, Frank Costello, Thomas Burk, John L. McNamara, John Reehil, Stephen Gleeson, Patrick Malone and Charles M. O'Brien, and such other persons as may hereafter be associated with them by becoming members as hereinafter provided, and their successors are hereby created a body corporate and politic by the name of "The St. Patrick's Mutual Alliance Association of New Jersey."

Corporate name.

Present organization.

2. *And be it enacted,* That all persons who are now members of said society, as it is at present organized, shall continue so to be under this act, and shall be entitled to all the privileges and advantages arising from this act of incorporation.

Election of managers.

3. *And be it enacted,* That the persons named in the first section of this act as incorporators, shall, after ten days' notice published in a newspaper published in Jersey City (in which notice the time and place of said meeting shall be named), proceed to hold an election for a board of managers of said society, twelve in number, and all persons who are now members of said society, or who become so before said election, shall be entitled to vote at said election for

said managers, and a majority of said persons, so first named, are hereby authorized to hold said election.

Election of president and other officers.

4. *And be it enacted*, That the said board, so elected, shall, immediately after said election, proceed to elect a president and one or more vice presidents from among their number, who shall hold their offices until others are duly elected in their stead; and said board shall also elect a secretary and treasurer, and such other officers as they may deem best for the interests of said society, who shall hold their offices during the pleasure of the said board; and the said board of managers so elected as aforesaid shall hold their office until others are duly elected in their stead, in accordance with the provisions of this act.

Time of holding the annual elections.

5. *And be it enacted*, That the annual election of the said society for members of a board of managers, shall be held on the first Tuesday in May, one thousand eight hundred and seventy-three, and on the first Tuesday in May, every year thereafter, of which due notice as to time and place shall be given by ten days' notice duly published in a newspaper published in Jersey City, and members in good standing in said society shall be entitled to vote at said elections.

Objects.

6. *And be it enacted*, That the objects of this society shall be to provide for the temporal welfare of the members thereof by affording relief in case of accidents or sickness, assisting in the burial of deceased members, and the wives of members, and for such other benevolent and charitable purpose as the by-laws of said association may designate, and for like purposes may establish or aid in the establishment of branch societies, subject to the by-laws and general regulations of this association, or such by-laws and general regulations as may by this association be prescribed.

May make by-laws, &c.

7. *And be it enacted*, That the said board shall have power to make such by-laws and regulations for the management of said society and branches, the admission and removal of members, and the terms and condition of membership, as shall be necessary and proper, and not inconsistent with the laws of this state or of the United States.

Vacancies how filled.

8. *And be it enacted*, That any vacancy occurring in said board shall be filled by the remaining members of said board, who shall hold office until others are duly elected in their stead.

9. *And be it enacted*, That the said board shall meet monthly or oftener if necessary, for the transaction of busi-

ness; and all applications for relief shall be made to the board in writing, stating the name, residence and circumstances of the applicant or in such other manner as the by-laws may designate; and said board shall cause to be kept in charge all moneys received by them or by any designated officer or agent, and make such allowance to the needy as in their opinion the case may require and the state of the funds may warrant, and shall present annually to the society a statement of their funds and disbursements, with whatever else may be combined with the benevolent objects of the society and the performance of their duty. Board of managers shall hold meetings monthly.

10. *And be it enacted*, That nothing in this act contained shall in any way interfere with the said society as it now exists, and until the same may be organized in accordance with the provisions of this act. Not to interfere with existing societies.

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

Approved March 11, 1873.

CHAPTER CLXXVII.

An Act to incorporate the New Jersey Manufacturing Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Edward S. Norris, John Boylan and Charles Gallagher, and their successors and assigns, be and they are hereby created a body politic and corporate in law, by the name of "The New Jersey Manufacturing Company," for the purpose of manufacturing and dealing in fancy and staple goods of metal, and metal combined with other materials, and carrying on the business incident to such manufacture and dealing, and for that purpose may purchase and hold lands, erect such mills and other works as may be required to carry on such business, and may mortgage, sell, convey or otherwise dispose of the same. Corporators and corporate name and object.

2. *And be it enacted*, That the capital stock of said corporation shall be fifty thousand dollars, with power to Capital stock

increase the same to any amount not exceeding two hundred thousand dollars, and shall be divided into shares of one hundred dollars, which shall be deemed personal property and transferable in such manner as shall be prescribed by the by-laws of said corporation.

Books to be opened for subscriptions to capital stock.

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 shall 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 actually paid in, it shall and may be lawful for the said corporation to organize and conduct its business under the provisions of this act.

Election of directors.

4. *And be it enacted*, That the business of said corporation shall be managed by not less than three nor more than seven directors, who shall be stockholders, and one of whom shall be president; such directors shall hold office for one year and until others are elected in their stead; the election of directors shall be at such time and place as the by-laws may direct, at which election each stockholder shall be entitled to one vote, either in person or by proxy, for each share of stock by them respectively owned.

Property may be received in payment of subscriptions to stock.

5. *And be it enacted*, That any buildings, land, machinery or other property used in manufacturing and carrying on said business may be received in payment for subscriptions to capital stock at a valuation agreed upon by a majority of the board of directors and a majority of the stockholders.

May make by-laws, &c.

6. *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 the said corporation, and shall have power to ordain, establish and put in execution such by-laws and regulations as shall seem necessary and convenient for the government, management and disposition of the stock, effects, profits and concerns of the said corporation.

How dissolved.

7. *And be it enacted*, That the said corporation hereby created may be dissolved by a general meeting of the stockholders of the same, specially called for that purpose; Proviso. *provided*, that at least three-fourths in value of the stockholders shall concur therein; and upon such dissolution the directors for the time being, or such persons as the stockholders shall appoint, shall be trustees for the settling all the affairs of the company, collecting and disposing of all

its property and assets, paying its debts, and dividing the surplus among the stockholders in proportion to their respective interest in the stock.

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

Approved March 11, 1873.

CHAPTER CLXXVIII.

An Act to incorporate The Union County Manufacturing Company.

Corporators

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Amos Clark, junior, Nathaniel N. Halsted, Jacob Davis, William McKinley, J. Augustus Fay, junior, E. G. Brown and William A. Morrell, and their associates and successors, be and they are hereby constituted a body corporate by the name of "The Union County Manufacturing Company," for the purpose of erecting and creating steam power, and using and applying the same in manufacturing and mechanical operations in the city of Elizabeth, in this state; and the said company may hold such personal and real estate as may be necessary for their said business, and such other real estate as shall have been bona fide mortgaged or pledged to them by way of security, or conveyed to them in satisfaction of debts or liabilities previously created in their business or purchased at sales upon judgments which shall have been obtained for such debts or liabilities.

Corporate name.

Object.

Election of directors.

2. *And be it enacted*, That the stock, property and concerns of said corporation shall be managed and conducted by seven directors, being stockholders (a majority of whom shall be citizens and residents of this state, and one of whom shall be president) who shall hold their offices for one year; and the said directors shall be chosen on the first Monday in April of every year, at such place and time as shall be directed by the by-laws of the said corporation, and public notice thereof shall be given not less than ten days previous in one or more newspapers printed in said city of Elizabeth;

and each stockholder shall at such election be entitled in person or by proxy, to as many votes as he or she shall hold shares of the capital stock of said corporation; and the persons having or receiving in such election the greatest number of votes, and being stockholders, shall be directors; and the directors chosen at one election shall hold their offices until other directors are legally elected to succeed them; and the directors so chosen may appoint such officers, superintendents and agents and assign such compensation as they shall think fit, not less than a majority of the whole number of directors being present when the same shall be done; and all vacancies occurring by death, resignation or otherwise among the directors named in this act, or those hereafter to be chosen 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 for that purpose; and the said Amos Clark, junior, Nathaniel N. Halsted, Jacob Davis, William McKinley, J. Augustus Fay, junior, E. G. Brown and William A. Morrell and the survivors of them, shall be the first directors of the said corporation, and shall hold their offices until the first Monday in April next, and until others are legally chosen.

Vacancies, how filled.

Names of first directors.

Amount of capital stock

3. *And be it enacted*, That the capital stock of the said corporation shall not exceed the sum of five hundred thousand dollars, which shall be divided into shares of one hundred dollars each; but so soon as fifty thousand dollars of the said capital stock shall have been subscribed and paid in lawful money, and an affidavit thereof shall be made by a majority of the associates named in this act and filed in the clerk's office of the county of Union, it shall be lawful for said corporation to commence their said business, or any part of it, and with that capital to conduct and carry it on until they shall deem it expedient to extend the same; and it shall be lawful for the directors of the said corporation 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, under pain of forfeiting the shares of said stockholders and all previous payments thereon, if such payments shall not be made within thirty days after the day fixed for that purpose, by public notice previously published for the space of thirty days in one or more newspapers printed in said city, designating the proportion of

such payment per share and the time and place when and the officer to whom the same shall be required to be made.

Notice of time and place of receiving subscriptions to stock shall be given.

4. *And be it enacted*, That the subscription for said stock shall be opened from time to time until the sum required shall be subscribed under the direction of the board of directors, or such of the directors as shall be designated by the board for that purpose, first giving two weeks' notice of the time and place of opening said subscription in a newspaper printed in said city.

Stock to be transferable

5. *And be it enacted*, That the stock and property of the said corporation of whatsoever nature or kind shall be deemed personal estate and transferable in such a manner as shall be prescribed by the by-laws of said corporation.

May make by-laws, &c.

6. *And be it enacted*, That a majority of directors for the time being shall form a board for transacting the business of said corporation, and shall have power to make and enforce such by-laws and regulations as they shall deem expedient 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 or laws of the United States or of this state.

Proviso.

May issue bonds and secure the same by mortgage.

7. *And be it enacted*, That whenever in the opinion of a majority of the board of directors for the time being, it may be necessary to mortgage any of the property held by the said corporation, the same may be done by issuing a mortgage to trustees to secure bonds, which bonds shall be convertible into stock, and shall be sold at such price as the majority of said board of directors shall direct.

Books of account shall be kept.

8. *And be it enacted*, That the directors shall at all times keep, or cause to be kept, proper books in which shall be regularly entered all the transactions and business of said corporation; *and further*, that no transfer of stock shall be valid or effectual until such transfer shall be entered or registered in the book or books to be kept by the president for that purpose.

Proviso.

Limitation and restrictions.

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

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

Approved March 11, 1873.

CHAPTER CLXXIX.

A Supplement to an act entitled "An Act to incorporate the "Germania Mutual Fire Insurance Company," approved March seventeenth, one thousand eight hundred and seventy.

Corporate name.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the company incorporated by the act to which this is a supplement shall be known and designated by the name of the "German American Insurance Company;" whenever a majority in interest of the stockholders in said company may so determine, and by that name, if the same shall be adopted, shall have and exercise all the powers and privileges conferred by the act to which this is a supplement and liable to all the duties and obligations therein contained.

Repealer.

2. *And be it enacted*, That so much of the eighth section of the act to which this is a supplement as authorizes the said company to insure steam boilers against loss by explosion; and all parts of said act and any supplements thereto 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 March 11, 1873.

CHAPTER CLXXXI.

An Act to incorporate the Warren Manufacturing Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That John L. Reigel, John Brown, James W. Long, Samuel Boileau, Benjamin Reigel, Charles

Sitgreaves, Lewis C. Reese, and the 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 a body corporate and politic, in fact and in name, by the name of "The Warren Manufacturing Company," for the purpose of carrying on the business of manufacturing of paper, iron and other ores, and such other manufacturing business as may be for the interests of said company, and of selling and disposing of such articles as may be manufactured by said corporation at their works, to be located in the townships of Alexandria and Greenwich, in the counties of Hunterdon and Warren, in this state.

Corporate name and object.

2. *And be it enacted*, That the said corporation may purchase and hold such real estate as may be required for the purpose of the said corporation, not exceeding one thousand acres, and may dispose of the same and all other real estate which shall have been bona fide mortgaged to the said company by way of security, or conveyed to them in satisfaction of debts previously contracted in the course of dealings, or purchased at sales upon judgments or decrees, which may be obtained for such debts.

May purchase and hold real estate.

3. *And be it enacted*, That the stock, property and concerns of said corporation shall be managed and conducted by five directors, being stockholders, one of whom shall be president, who shall hold their offices for one year; and the said directors shall be chosen on the first Monday of February in every year, 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 every such election, not less than ten days previous, in one or more newspapers published in the county of Warren aforesaid, by such of the stockholders as shall attend for that purpose, either by person or by proxy, and each stockholder shall be entitled, in person or by power of attorney, to as many votes as he shall hold shares of the capital stock of the said company, and the persons having the greatest number of votes, being stockholders, shall be directors, and the directors chosen at one election shall be capable of serving by virtue thereof until another election shall have been held; and the directors so chosen shall appoint clerks, superintendents, engineers or agents, and fix such compensation as they shall think fit, not less than a majority of the whole

Election of directors.

number of directors being present when the same shall be done; and if it shall at any time happen that any vacancy or vacancies occur by death, resignation or otherwise, among the directors 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; and the first directors shall be John L. Reigel, John Brown, James W. Long, Samuel Boileau, Benjamin Reigel and the survivor or survivors of them, who shall hold their office until the first Monday of February, anno domini one thousand eight hundred and seventy four, or until others are legally chosen.

Names of the first directors.

Capital stock

4. *And be it enacted*, That the capital stock of said company shall be one hundred thousand dollars, with the privilege of increasing the same, from time to time, to any sum or sums not exceeding four hundred thousand dollars, which stock shall be divided into shares of fifty dollars each; but as soon as the sum of one hundred thousand dollars of said capital stock shall have been subscribed and paid in, or secured to be paid, 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 said stockholders all sums of money by them subscribed, at such times and in such proportions as they may deem proper; that payments for said stock either subscribed for or disposed of may be in money, in mines or mining property, or may be in land or real estate in the counties of Warren and Hunterdon, in this state, at full market value.

Stock, how transferred.

5. *And be it enacted*, That the stock or property of said company, of whatsoever nature or kind, shall be deemed personal estate, and shall 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 the said corporation.

Proviso.

Not to be dissolved by 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.

General powers of the company.

7. *And be it enacted*, That as soon as the said company shall be organized they shall be and are hereby authorized to receive conveyances for lands, mines and property in the counties of Warren and Hunterdon, in this state, or for any part, share or portion thereof owned by the corporation named in this act, or any or either of them, or their associates; and for such estate, right, title and interest in which said corporations, or any of them, are interested as at the time of the passage of this act, or afterwards, the said company may receive, enter into, make and execute all agreements, mortgages, conveyances and other instruments necessary or proper in the purchase and sale of any property, or any part or share or portion thereof, or any estate, right, or interest therein, or in any part thereof, or in the management of the same, and to pay for the whole or any part of said property purchased in whole or in part with the shares of its capital stock at no less than the par value of said stock, with lands of said company by mortgage or otherwise, or by either or any of such modes of payment.

May make and establish by-laws, &c.

8. *And be it enacted*, That the board of 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 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 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 shall be kept.

9. *And be it enacted*, That the directors shall at all times keep or cause to be kept proper books of accounts, in which shall be entered all the transactions of the said corporation, which shall be open at all suitable times 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.

Proviso.

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

Approved March 11, 1873.

CHAPTER CLXXXII.

An Act to enable the owners of all that tract of meadow and salt marsh, lying within the bounds of the Hope and Alloways Creek Meadow Company, the Foggs Ditch Meadow Company, Reedy Cove Meadow Company and marsh lying to the westward of the Reedy Cove Meadow Company, and between Alloways and Hope Creeks, in the Township of Lower Alloways Creek, in the County of Salem, and State of New Jersey, the more effectually to maintain a road or roads, in and through and to their said meadows and marshes.

Proceedings when owners cannot agree to keep roads in sufficient repair.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That in case any of the owners of the aforesaid body or tract of meadow and salt marsh, where roads to the fast land have been or hereafter may be laid out by law, or have been and hereafter may be established by contract or by the consent of the proprietors who would have to use any of said roads in going to and returning from their said meadows and marshes, cannot agree to support and keep the same in good and sufficient repair, it shall and may be lawful for three-fifths of the owners in value thereof so using said roads, after giving three weeks' previous notice of their intentions and the time and place of meeting by advertisements set up in three of the most public places in the neighborhood, to meet, and by a plurality of the votes of those so met to choose such person or persons as they may think proper for manager or managers, treasurer and clerk for the ensuing year, or until their next annual meeting; they shall likewise at said first meeting appoint three judicious and disinterested persons as commissioners to value said marsh or meadow belonging to each individual using said road, having regard not only to the value of said marsh or meadow, but also to the comparative benefit that may be derived to the owner, from the road so contemplated to be improved.

2. *And be it enacted*, That the commissioners when appointed as aforesaid shall as soon as may be, procure draughts or plots of all the lots or parcels of marsh belonging to each owner, either by adopting surveys already made, deeds, or causing the same to be carefully measured, showing the quantity held by each owner, and the valuation made thereon, and place the same in the hands of the manager or managers, who shall thereupon make an estimate of the sum or sums of money which will be necessary to defray the expenses of the different services required by this law; and also of making and keeping the aforesaid road sufficiently good for hauling hay over, and shall assess the same ratably on said marsh, and shall state the said assessment in a regular duplicate containing the names of the owners or possessors, 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 him or them to the treasurer appointed as aforesaid; and it shall be the duty of the manager or managers to keep in repair the said road from time to time as he or they shall think necessary; and the said manager or managers shall be accountable for any moneys remaining in his or their hands at the end of every year, or at the annual meeting; and if the said manager or managers shall refuse to pay such balance remaining in his or their hands, to his successors in office, then such successor or successors shall sue for and recover the same, in an action of debt, with costs of suits. Duties of the commissioners.

3. *And be it enacted*, That the treasurer, on receipt of said duplicate, shall in person, or by notice in writing left at the usual place of abode of each owner or possessor, or by advertisement in a public newspaper of the county, when any owner cannot be found, demand of and from such owner or possessor, twenty days before the time of payment, the sums assessed as aforesaid; and if any of the said owners or possessors shall neglect or refuse to pay the sum assessed as aforesaid for the space of twenty days after the time fixed for the payment thereof, it shall and may be lawful to and for the said treasurer to seize and rent out by public vendue, to the higest bidder, for so long a time, and no longer, as will be requisite, so much of the said marsh belonging to or in the possession of said delinquent owner or possessor as may suffice to discharge such assessment, and Duty of the treasurer.

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 said marsh lies.

Annual meetings shall be held.

4. *And be it enacted*, That the owners and possessors of said marsh shall meet annually, after their first meeting, on the first Monday in April, unless by a majority of those met some other time for the annual meeting shall be fixed upon, and at such place as they shall, also, by a majority of those met, appoint.

Proceedings when owner is aggrived by manager digging in marsh or meadow, &c.

5. *And be it enacted*, That it shall and may be lawful for the said manager or managers, and he or they are hereby authorized and empowered, from time to time, to dig and take, for the purposes aforesaid, any earth, mud or sod, in any part of the said marsh most convenient and least detrimental to the owners thereof, and to have free ingress and egress for himself or themselves, his or their team or teams and workmen, through any part of said marsh, whenever he or they may deem it necessary; and whenever any owner thinks himself aggrieved, by any manager digging upon his marsh or meadow, and taking therefrom any mud, earth or sod, for the making and maintaining said roads, and demands damages therefor, if the said manager or managers cannot agree with such owner or owners as to the amount of damages sustained, the said manager or managers shall choose one disinterested freeholder resident in the township in which the damage was sustained, and the owner or owners of the soil shall choose another disinterested freeholder, resident as aforesaid, which two parties shall choose a third disinterested freeholder, resident as aforesaid, and the three persons so chosen shall view the premises and assess the damages sustained as aforesaid, and their decision or a decision of a majority of them, put in writing under their hands shall be binding and conclusive on the parties.

Duty of the manager when notice is served.

6. *And be it enacted*, That it shall be the duty of the said manager or managers, within ten days after a copy of the said decision shall have been served upon him or them, to pay to the owner or owners of the said soil the damages so ascertained, and also to pay the expenses and compensation of the said freeholders; and in case he or they shall neglect or refuse so to do, the said owner or owners may maintain an action and recover judgment against him or them for the amount thereof, with costs, in any court of competent juris-

diction; and that the amount of the damages, expenses and compensation, which shall be paid by any such manager or managers, in pursuance of this act, shall be allowed and credited to him or them, in the settlement of his or their accounts.

New valuation may be made.

7. *And be it enacted*, That a new valuation or assessment may be had every ten years, if three-fifths of the owners in value, and possessors may deem it necessary.

Mode of voting.

8. *And be it enacted*, That after the first organization, in all cases of an election for officers or for other purposes, the mode of voting shall be in person or by proxy in writing, duly executed in the following manner every person owning or possessing meadow or marsh in the said company, shall be entitled to a vote for every acre upon which he is assessed for maintaining said roads.

Approved March 11, 1873.

CHAPTER CLXXXIII.

An Act to incorporate the Sisters of Charity of Saint Elizabeth.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Catharine Mehegan, Margaret Ann O'Neil, Antoinette F. Biell, Sarah Agnes Farrel, Ellen Holland, and such other sisters of the religious society called the Sisters of Charity of Saint Elizabeth, as shall hereafter become sisters of said society in Madison, New Jersey, are hereby constituted a body corporate by the name aforesaid, to have perpetual succession and to have a common seal.

Object.

2. *And be it enacted*, That the essential object of the said corporation shall be the instruction and education of youth, the erection and maintenance of a hospital for the sick and destitute, and affording and rendering assistance to the poor and destitute.

May make by-laws, &c

3. *And be it enacted*, That the said corporation shall have power to pass by-laws and regulations for the government of the corporation, for the admission of more members, and for the managing, directing, and transacting the affairs

of the corporation, as may be deemed necessary and proper; *provided*, that such by-laws and regulations shall not be repugnant to the constitution and laws of the United States or of this state.

Proviso.

May have and hold real estate.

4. *And be it enacted*, That the said corporation may receive by gift or devise, and may hold and purchase real and personal estate for their use and benefit.

Restrictions and liabilities.

5. *And be it enacted*, That the said corporation may possess all the powers and privileges, and be subject to all the restrictions and liabilities contained in the act entitled "An Act concerning corporations," passed and approved February fourteenth, one thousand eight hundred and forty-six, and various supplements thereto.

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

Approved March 11, 1873.

CHAPTER CLXXXIV.

Supplement to an act entitled "An Act to incorporate the Hospital of Saint Barnabas," approved February thirteenth, one thousand eight hundred and sixty-seven.

Representation.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That upon the application hereafter of any parish of the diocese of the Protestant Episcopal Church in which the city of Newark is now or may be hereafter situated, and not in the said city of Newark, to be represented in the board of trustees of the Hospital of Saint Barnabas, such parish shall be entitled to a representation of three members, to be added to said board; *provided, always*, that a majority of the parishes represented in said board shall give their consent to such representation, which shall consist of the rector of such parish and of two other members thereof, who shall be elected by a majority of said board of trustees; and whenever a vacancy shall occur in said board, it shall be filled by a member of the same parish to which the person whose place is to be supplied belonged, when he became a member of said board.

Proviso.

2. *And be it enacted*, That the board of trustees may provide by-laws for the removal of a trustee, for such cause as to them may seem good, and on such removal, the place of such trustee shall be vacant. Place of trustee removed shall be vacant.

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

Approved March 11, 1873.

CHAPTER CLXXXV.

An Act to incorporate the Toms River Cranberry and Fruit Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Benjamin Haines, Charles Stewart Haines, Samuel Gale, Jesse D. Price and Richard T. Haines, and all such persons as may hereafter be associated with them, their successors and assigns, be and they are hereby constituted a body politic and corporate, in fact and in law, by the name of "The Toms River Cranberry and Fruit Company," for the purpose of buying, holding, cultivating and improving lands in the county of Ocean, for raising and selling cranberries and other fruit and other products of said lands, and carrying on the business connected therewith, and for canning, preserving and pickling oysters, fruits and vegetables, and carrying on the business connected therewith, and erecting such buildings, and holding such personal property as may be necessary therefor, and that they and their successors, by the same name, may sell, grant, alien, mortgage and dispose of the said lands, tenements and hereditaments, cranberries, produce, fruit, goods and chattels, or any part thereof. Corporators. Corporate name and object.

2. *And be it enacted*, That the capital stock of said company shall be thirty thousand dollars, with the privilege of increasing to fifty thousand dollars, which shall be divided into shares of one hundred dollars each, and that subscriptions to the capital stock may be paid in real and personal estate; *provided*, that any buildings, lands, property, machinery, stock or materials which may be received in payment for subscriptions for stock shall be taken at a valuation Capital stock. Proviso.

approved by a majority of the board of directors; and the said corporation may issue stock in payment therefor; and that the subscriptions for stock shall be opened at such places as the directors shall designate; public notice of the time and place of which shall be given, not exceeding thirty days, under the direction of the board of directors, or such of them as shall be designated by the board for such purpose; and until an election shall be held for directors, the five persons named in the first section of this act shall be directors of said corporation; and as soon as fifteen thousand dollars of the said capital stock shall have been subscribed and paid, or satisfactorily secured to be paid, it shall be lawful for said corporation to commence their said business, or any part of it; and it shall be lawful for the directors of the said company to call in and demand from the subscribers to said capital stock the amount subscribed by them, at such times and in such proportions as they shall deem proper, under the penalty of forfeiting the shares by them respectively subscribed, and all previous payments made thereon, if such payments shall not be made in thirty days after the demand thereof, by service of notice upon them, or publication thereof in one or more of the newspapers published in the county of Ocean.

Election of directors.

Shares of stock, how forfeited.

General powers of the directors.

3. *And be it enacted*, That the affairs of said corporation shall be managed by not less than three nor more than five directors, one of whom shall be president, and they shall hold their office for one year, and until others are elected in their stead, and shall have power to make by-laws for the government and management of said corporation, and shall hold their meetings at such times and places in this state, or elsewhere, as the by-laws may provide.

Stock to be transferable

4. *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 transfer of stock shall be valid or effectual until such transfer shall be entered and registered in the books to be provided and kept by the president and directors for that purpose.

Liabilities of stockholders

5. *And be it enacted*, That the stockholders shall only be individually held liable to the amount of the par value of the share or shares respectively held by them.

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

Approved March 11, 1873.

CHAPTER CLXXXVI.

An Act to incorporate the Long Branch Association.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Thomas Murphy, Horace Porter, Henry M. Alexander, E. Boudinot Colt, George W. Childs, Anthoney J. Drexel, Lewis B. Brown, Louis J. Phillips, James G. De Forest, Samuel Borrowe, Nehemiah Perry, T. P. Howell, John Hoey, J. Seligman, Edward Kemp, Jules S. Abecasis, Charles G. Francklyn, together with such other persons as may be or become associated with them, are hereby constituted a body corporate in fact and in law, under the name and style of the "Long Branch Association," and may have a common seal and change or alter the same at their pleasure. Names of corporators. Corporate name.

2. *And be it enacted*, That the object of the corporation thus created is to furnish to persons residing at Long Branch, and those visiting there in the watering season and other times, facilities for social intercourse and the advancement of literature and arts, by establishing a library, reading room, gallery of art, or by such other measures as shall be expedient and proper for such purpose. Object.

3. *And be it enacted*, That the directors of said corporation shall have power to make and adopt a constitution and by-laws and regulations, for the admission, suspension and expulsions of its members and their government, the subscription to and payment of the shares representing the property of this association, collection of fees and dues, the election of its officers, and to define their duties, and for the safe keeping and protection of its property and funds, and from time to time alter and repeal the same; *provided*, that such by-laws, rules and regulations shall not be repugnant to the constitution or laws of the United States or this state; the persons named in the first section of this act shall constitute the board of directors until others, not exceeding twenty-five, are elected in their place, as may be provided for in the constitution. Directors may adopt by-laws, &c. Proviso.

May purchase and hold real estate.

Proviso.

4. *And be it enacted*, That the said corporation may purchase and hold any real or personal estate for the objects named in the second section; *provided*, that they shall not hold any real estate the value of which shall exceed the sum of one hundred thousand dollars, which said real estate they may sell or mortgage, or assume the payment of any mortgage existing upon such as they purchase.

Limitations and restrictions.

5. *And be it enacted* That this act shall take effect immediately, and be subject to the restrictions, limitations and conditions specified in an act entitled, "An act concerning corporations," approved February twentieth, one thousand eight hundred and forty-six, and the several supplements thereto.

Approved March 11, 1873.

CHAPTER CLXXXVII.

An Act to incorporate the Public Hall Association of the city of Rahway.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That George W. Gordon, Henry L. Stephens, Henry Spear, John H. Lufberry, Robert A. Russell, Geo. W. Walker, David Crowell, Walter Fuller, Joseph S. Smith, John Woodruff, Ira Laforge, Albert Lee, Joseph T. Crowell, and Wm. I. Brown, their successors, and such persons as may be hereafter associated with them, shall be and are hereby constituted and declared a body politic and corporate in fact and in law by the name, style and title of "The Public Hall Association of the city of Rahway," and by that name shall have power to lease or purchase and hold real estate in the city of Rahway, for the purpose of leasing, purchasing or erecting a public hall for the use of societies, public meetings, exhibitions, concerts and other public uses, subject to the by-laws and regulations of said corporation.

Corporate name and powers

Capital stock

2. *And be it enacted*, That the capital stock of said association shall not exceed the sum of fifty thousand dollars to be divided into shares of twenty dollars each, said shares to

be deemed personal property, transferable in such manner as the by-laws of said corporation shall direct.

Election of directors.

3. *And be it enacted*, That the government of said association, and the management and disposition of its stock, property and concerns shall be vested in seven directors, chosen from among the stockholders, in the manner hereinafter directed, who shall hold their office for the term of one year, and until others are elected; and in all cases the directors chosen at one election shall be capable of serving, by virtue thereof, until another election shall have been held; and should any vacancy or vacancies occur during the interval between the annual elections, by reason of death, resignation or otherwise, in such case the remaining directors, or a majority of them, may proceed to choose persons to fill such vacancy or vacancies; the said directors shall appoint, from among themselves, a president, a secretary and treasurer.

Who may vote.

4. *And be it enacted*, That the election for directors aforesaid shall be held annually at such time and place in the city of Rahway, as shall be directed by the by-laws of said incorporation, and public notice of said election shall be given not less than five days previous thereto, and each stockholder shall be entitled to as many votes, in person or by proxy, as he, she or they shall hold shares of the capital stock of the said incorporation.

Not to be dissolved by failure to hold election.

5. *And be it enacted*, That in case it should at any time happen that an election should not be held, 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 laws of said corporation, and the following persons shall be commissioners to open books and receive subscriptions for the capital stock of said corporation, and to call the first meeting of the stockholders for the election of directors, namely: Henry Spear, Henry L. Stephens and John Woodruff.

When election may be held.

6. *And be it enacted*, That whenever the sum of ten thousand dollars of the capital stock of said association shall be subscribed, and three dollars on each share paid in, the said commissioners shall call a meeting of the stockholders, giving at least five days' notice of the time and place of said meeting, 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 association for one year, of which election the said commissioners, or a majority of them, shall be judges.

May borrow money.

7. *And be it enacted*, That it shall be lawful for the directors of said association, from time to time, to borrow such sums of money as may seem to them advisable, for the purposes of their said business, and to secure the same by a mortgage or mortgages on the lands and other property of said company.

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

Approved March 11, 1873.

CHAPTER CLXXXVIII.

An Act to extend the Charter of the Cape Island Gas Company.

Charter extended.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the operation of the act entitled "An act to incorporate the Cape Island Gas Company," approved the ninth day of February, anno domini one thousand eight hundred and fifty-three, be and the same is hereby extended for the period of thirty years from and after the passage of this act.

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

Approved March 11, 1873.

CHAPTER CLXXXIX.

An Act to incorporate the National State Trust Company of New Jersey.

Corporators

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Francis J. Blatz, Frederick V. Price, Michael Doyle, N. K. Thompson, Thomas H. Smith and Jacob Schultheis, with all others who are or shall hereafter be associated with them, be and they hereby are, with their successors and assigns, made and established a body politic and corporate, by the name of "The National State Trust Company," and by that name shall be capable in law to purchase and hold all kinds of property, real and personal, and the same at pleasure to sell and convey; to sue and be sued in all courts, make and carry into effect all such by-laws and regulations as may be deemed expedient for the proper management of the affairs of the corporation, not repugnant to its charter, the laws of this state or of the United States, and generally to do and cause to be done and executed all such acts and things as may seem proper and necessary.

Corporate name and powers.

May receive money on deposit, &c.

2. *And be it enacted*, That the corporation have power to receive money in trust and on deposit, and to allow and pay interest on said money allowed by law; may take and receive on deposit or in custody for safe keeping, bonds, plate, jewelry, stocks and other property, upon such terms and for such compensation as may be agreed upon by both parties; and said corporation may advance moneys, securities and credits upon any property, real or personal; and the funds of said corporation may be invested and re-invested in, and loans made upon bond and mortgage on real estate within this state, and the bonds of this state and the United States, cities, counties, towns and townships of this state.

May hold real and personal estate as security.

3. *And be it enacted*, That it shall be lawful for the corporation hereby incorporated to take and hold any real and personal estate, in trust or otherwise, as security for or in payment of loans and debts due and to become due to

said company, and to hold, lease and convey the same at pleasure.

Capital stock to be charged with the fulfillment of trusts.

4. *And be it enacted*, That all the capital stock, property and estate of every description belonging to said company shall be and stand charged with the fulfillment of said trusts, and the payment of said deposits, trusts and other funds as the first lien thereon, in case of the failure of said corporation; and said corporation shall at all times have a lien upon all the stock or property of its stockholders invested therein, for all debts due from them to said depositors.

Amount of capital stock authorized.

5. *And be it enacted*, That the capital stock of said company shall not be less than one thousand shares of one hundred dollars each, with the privilege of increasing the same, by a vote of the directors, to any number not exceeding two thousand shares, which shall be transferable according to such rules as the directors by their by-laws may direct; at the time of subscribing for the capital stock of said company there shall be paid in, fifty dollars on each share, and as soon as fifty thousand dollars is paid in in cash, the said company may commence business, and not before.

Election of directors.

6. *And be it enacted*, That the persons named in the first section of this act, or a majority of them, are hereby authorized to make and receive subscriptions to the capital stock, at such places and at such times as they see fit; and within ten days after the capital stock to the amount last aforesaid shall have been subscribed, they shall call a meeting of the stockholders for the purpose of electing nine directors and such officers as the stockholders may deem necessary, each share representing one vote; the principal office of this corporation shall be in the city of Elizabeth, Union county, New Jersey.

Compensation to officers.

7. *And be it enacted*, That the officers necessary for the transaction of business shall receive their compensation through the board of directors, who shall have the disposal and management of all the affairs of said corporation in all cases not herein otherwise provided for.

Annual statement shall be made to the state comptroller.

8. *And be it enacted*, That the president of said corporation, annually, on the first day of January in each year, or within thirty days thereafter, shall make out under oath, to the comptroller of this state, a statement of the amount of the capital stock, amount paid in, amount of moneys held

in trust or on deposit, and generally all the assets and liabilities of said company.

9. *And be it enacted*, That this act shall take effect immediately, and may be at any time altered or amended by the legislature.

Approved March 11, 1873.

CHAPTER CXC.

An Act to incorporate the New Brunswick and Elizabeth Railroad Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Levi D. Jarrard, Lucius P. Porter, Joseph F. Fisher, Henry L. Janeway, Abraham V. Schenck, A. D. Newell, Isaiah Rolfe, Daniel McLaury, R. N. Woodworth, Amos Clark, Jr., Christopher Meyer, Edward G. Brown, Seman Klous, Demas Barnes, J. Elmer Stout, Jacob Herbert, Joseph T. Crowell, Thomas W. Strong, Robert A. Russell, Hugh H. Bowne, William G. Parsons, J. L. Mason, Joseph C. Letson, Henry Richmond, Elihu Cook, Thomas M. De Russy, Lyle Van Nuis, James Hurley, John Runyon and Kenneth J. Duncan and such other persons as may hereafter be associated with them, shall be and hereby are ordained, constituted and declared to be a body corporate and politic, in fact, in law, and in name, by the name of "The New Brunswick and Elizabeth 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 being 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 that name and style, 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 corporators.

Corporate name and powers.

Capital stock

2. *And be it enacted*, That the capital stock of said company shall be the sum of five hundred thousand dollars, with the privilege of increasing the same to the sum of one million of dollars, to 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.

Election of directors.

3. *And be it enacted*, That the above named persons or a majority of them, may be commissioners to open books to receive subscriptions to the capital stock of said corporation, at such time or times, and at such place or places, as they or a majority of them may think proper, by giving ten days' previous notice in two newspapers published in Middlesex and Union counties, and at the time of subscribing for said stock ten per centum upon each share subscribed shall be paid to the said commissioners; that whenever there shall be one thousand shares of said stock subscribed, the said commissioners shall give like notice as above for a meeting of the stockholders to choose nine directors, all of whom shall be stockholders, and 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 lawful proxy, each share of the capital stock entitling the holder thereof to one vote; and the said commissioners, or a majority of them, shall be inspectors of the first election of directors of said corporation, and shall certify, under their hands, the names of the persons duly elected, and deliver over to said directors the subscription books and the money paid; and the time and place of holding the first meeting of directors shall be fixed by the persons who act as inspectors aforesaid, and the directors chosen at such meeting, or at the annual elections of said corporation, shall as soon as may be after every election choose out of their own number a president, and in case of the death, resignation or removal of the president, or any director, such vacancy or vacancies may be filled for the remainder of the year wherein they may happen, by 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.

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. Company not to be dissolved by reason of failure to hold election.

5. *And be it enacted*, That five directors of said corporation shall be competent to transact all business of said corporation, and they 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 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 said corporation, and also shall have power to appoint a secretary, and so many clerks and servants as to them shall seem meet, and to fix such salaries to them, and also to the president, as to the said board shall appear proper. Capital stock may be called in by installments

6. *And be it enacted*, That it shall and may be lawful for the president and directors of said company, and they are hereby authorized and invested with all necessary rights and powers to survey, lay out and construct a railroad from some suitable point or place south of Commercial avenue in the First ward, in the city of New Brunswick, in Middlesex county, to any convenient point or place in Union county, at or near the city of Elizabeth; at which latter point or place or any intermediate point, the said railroad may connect with any railroad now built or hereafter to be built, in said county; *provided*, that the land taken for the said railroad shall not exceed one hundred feet in width, except in such places where, from the depth of the excavation or height of the embankment it is necessary to take more land for the slopes and protection of said banks of said railroad, in which case so much land as shall be necessary for the purpose, and 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 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 the said railroad, and of locating the same, Power to survey, lay out and construct road. Proviso.

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 the said railroad shall have been determined upon, and a survey of the same deposited in the office of the secretary of the 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 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 repairs of the said railroad, subject to such compensation as is hereinafter provided;

Proviso. *provided always*, that the payment or tender of payment for all damages for the occupancy of lands through which 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 or laying out said road, unless the consent of the owner or owners of such land be first had and obtained.

Proceedings when the company and owners cannot agree as to land or materials required.

7. *And be it enacted*, That when the said company or its agents cannot agree with the owner or owners of such required lands or materials, for the use or purchase thereof, or when by the legal incapacity or absence of such owner or owners no agreement can be made, a particular description of the land or materials for the use of the said company in the construction of said road, shall be given in writing under 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, or 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 or in the state, or if unknown and out of the state, to make a publication thereof as he shall direct, for any time not less than ten days, and to assign a particular time and place for the appointment of commissioners hereinafter named, at which time, upon satisfactory evidence of the service or publication of such notice aforesaid, he shall appoint under his hand and seal, three disinterested, judicious and impartial freeholders, resident in the counties of Union and Middle-

sex, commissioners to examine and appraise such lands or materials, and to assess 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 exceeding ten days; and it shall be the duty of said commissioners (having first taken and subscribed an oath or affirmation before some persons 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 knowledge and skill), to meet at the time and place appointed, and proceed to review and examine the said land or materials; and to make a just and equitable appraisement of the value of the same, and assessment of damages as shall be paid by the company, for such land or materials and damages aforesaid, which report shall be made in writing under the hands and seals of 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 appointments and oaths or affirmations aforesaid, in the clerk's office of the supreme court of the state of New Jersey, to remain of record therein, which report or a copy thereof, certified by the clerk of said court, shall at all times be considered as plenary evidence of the right of the said company, to have, hold, use, occupy, possess and enjoy the said lands 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 said company, if they shall refuse or neglect 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; the said justice of the supreme court shall, upon application to either party, and upon reasonable notice to the others, tax and allow such reasonable 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 or right, which shall be paid by the company; *provided always*, that should the said company or the owner or owners 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 circuit

Proviso.

court of the county in which the land or materials aforesaid may be at the next term thereafter.

Proceedings in case of appeal.

8. *And be it enacted*, That every appeal from the decision of the commissioners appointed under the preceding section shall be in writing, and in form of petition to said court, and filed with the clerk of said court, and notice in writing of such appeal shall be given to the opposite party within ten days after filing thereof which proceedings 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 issue to be tried at the next term of said court, to be holden in the county where the same shall be triable, 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 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 the said cost to be paid by the said applicant or applicants, or either deducted out of said sum found, 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 said 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 improvement 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 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 is 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 re-

Proviso

ceive 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, in the circuit court of the county wherein the lands shall lie, shall be deemed a valid and legal payment; *and further*, 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. Proviso.

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

10. *And be it enacted*, That the company may purchase, have and hold real estate, at or near the commencement and termination of said road, or at any other points on the line of said road where the directors may think proper to establish depots, not exceeding ten 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 the property, and for other necessary uses appertaining to the business, and receive the emoluments and rents thereof, and in order to enable the said company to cross the Raritan river with their locomotives, cars and trains, it shall be lawful for the said "The New Brunswick and Elizabeth Railroad Company" to build and maintain at and over the said Raritan river, at the place or point where the said railroad may pass over and cross the same (which said point shall be at New Brunswick, and below the railroad bridge now over the said river at said New Brunswick), a suitable bridge, to be constructed of stone and iron, with a pivot draw, with openings similar in character and dimensions to said bridge (of the New Jersey Railroad and Transportation Company), and also may build and maintain over such other rivers and streams as the road may cross, such piles and bridges as they may deem expedient; *provided*, that suitable and sufficient draws shall be made over any navigable streams, so as not to ob- May have and hold real estate. Authorized to construct a bridge over the Raritan river. Proviso.

Proviso. struct the navigation thereof; *provided*, that no part of the railroad authorized by this act shall be used for the transportation of freight or passengers until the said bridge over the Raritan shall have been completed in a substantial manner, as herein provided for.

May equip road and charge for transportation.

11. *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 said railroad, or any railroad connected with it, as they may think reasonable, expedient or right; *provided*, that they shall not charge over four cents per mile for carrying each passenger; but no charge shall be required, in the aggregate, to be less than ten cents, nor shall the company charge more than six cents per mile per ton for the transportation of any description of property; *provided, however*, that this rate shall be held to apply only to property usually freighted by the ton; and the said railroad with the appendages, and the land over which the same shall pass, and all the works and improvements, steam engines, carriages, cars and all other property whatsoever, at any time or times belonging to the company, are hereby vested in said company and their successors, for and during the continuance of this charter.

Proviso.

Proviso.

Dividends.

12. *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 said railroad.

May make contracts, &c.

13. *And be it enacted*, That it shall be lawful for 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 kind of goods, merchandize, freight or passengers, and to enforce the fulfillment of said contracts.

State tax to be paid the state treasurer.

14. *And be it enacted*, That as soon as the said railway, or any part of it, is in operation, the president of the said company shall make, under oath or affirmation, a statement of the amount of the cost of the railway in this state owned by this company including equipments, appendages, and all expenses, in the office of the secretary of state, and annually thereafter, on the first Monday in January of each year, he shall, under oath or affirmation, make a statement to the secretary of state of the cost of the equipments, appendages

and expenses of said railways in this state; and after the said railways, 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 cost, equipment and appendages of said railways in this state, to be paid annually thereafter on the first Monday in January of each year, and such other taxes 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; and until the said railways, or any part thereof, shall be in operation, the said corporation shall be regularly assessed and pay tax for the value of its real estate, including improvements thereon and personal property, as now taxed in the city or cities, township or townships, wherein it lies, at the same time and rate, and in the same manner, for the same purposes, and by the same person or persons, as other taxes are assessed in said city or cities, township or townships; and that the said corporation shall likewise be regularly assessed and pay tax for the value of its real estate, including improvements thereon, and buildings not used by them for their road-bed, switches, turnouts, rails, depots, freight buildings, and car and machine shops, as now taxed in the city or cities, township or townships, wherein it lies, at the same time and rate, and in the same manner, for the same purposes, as taxes against the real estate of individuals are assessed, levied and collected, any law, usage or custom to the contrary notwithstanding.

Penalty for injury to works or property.

15. *And be it enacted*, That if any person shall wilfully impair, injure, destroy or obstruct the use of any railroad enjoyed under the provisions of this act, or of any of their necessary works, bridges, carriages, cars, machines, or other property, 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 borrow money and secure the payment of the same.

16. *And be it enacted*, That the said "The New Brunswick and Elizabeth Railroad" shall have the 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 and machinery for the use and objects of said company, and for such other legitimate purposes as

the board of directors may direct; and to secure the repayment thereof by the execution and negotiation of any bond or bonds, and secured by mortgages on the said road, land, privileges, machinery, engines, cars, carriages, tracks, buildings, franchises and appurtenances of and belonging to said company, said bonds bearing not more than seven per centum per annum interest; *provided, however*, that the said company shall not plead the statute of usury in consequence thereof; *and provided further*, that the said mortgage shall constitute the first lien on the railroad, its tracks, engines, cars, real estate and franchises, and all other property and appurtenances, and to dispose of said bonds for the purpose of aiding in the construction of said railroad, and other purposes as aforesaid, at the rate of not less than ninety per centum of their par value, and redeemable in thirty years after date.

Proviso.

Proviso.

Time for commencement and completion of road.

17. *And be it enacted*, That if the said railroad shall not be commenced within two years, and completed within five years from the fourth day of July next ensuing, that then and in that case this act shall be void.

Who may ride free.

18. *And be it enacted*, That the governor, chancellor, vice chancellor, the justices of the supreme court, and the judges of the court of errors, of this state, when traveling 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 its annual or other sessions, shall pass and repass over the said railroad, in the cars thereof, free of charge.

Act, how considered.

19. *And be it enacted*, That this act shall be taken and deemed to be a public act, and shall at all times be recognized as such in all courts and places whatsoever; *provided*, that this corporation shall not be exempted from the provisions of the act entitled "An act to increase the revenue of the state of New Jersey," approved March sixth, one thousand eight hundred and fifty-eight, as qualified by the supplements thereto, approved March eighteenth, one thousand eight hundred and fifty-nine.

Proviso.

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

Approved March 12, 1873.

CHAPTER CXCI.

An Act to change the name of the "International Life Insurance and Trust Company."

Corporate name.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the name of the "International Life Insurance and Trust Company" be and the same is hereby changed to "The International Trust Company," and that the said "The International Trust Company" is hereby invested with all the rights and privileges heretofore enuring to "The International Life Insurance and Trust Company," and that in any action in any of the courts of this state, whether at law or in equity, to which the said corporation may hereafter be a party, it may appear and prosecute or defend under the name of the "International Trust Company," whether the cause of action arose before the passage of this act or not.

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

Approved March 12, 1873.

CHAPTER CXCII.

An Act to Incorporate the Star Pottery Company.

Corporators and corporate name and powers.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Isaac Stephens, George Brearley, Charles Brearley, James P. Stephens, and James Tams, and their associates, be, and are hereby created a body politic and corporate in fact and in law, by the name and style of The Star Pottery Company, for the purpose of manufacturing, selling, and dealing in earthenware and crockery of various descriptions, and the business incident thereto; and for such purpose the said company shall or may raise by subscription, by opening the books therefor, or

otherwise, a capital stock of twenty-five thousand dollars, to be divided into shares of one hundred dollars each, with the privilege of increasing the same from time to time, with the consent of a majority of the stockholders, to any amount not exceeding two hundred thousand dollars; and it shall be lawful for the said company to issue certificates of stock, in whole or in part payment for any real or personal property purchased or leased by said company, for the purpose of their business aforesaid.

May purchase and hold real estate, borrow money and issue bonds.

2. *And be it enacted*, That the said corporation may purchase, use, hold, possess, and enjoy such real estate as may be necessary or expedient for the purposes of the said corporation, and may sell, mortgage, lease, or otherwise dispose of the same, at pleasure; and may borrow money and issue bonds therefor, not to exceed at any time one-half of their paid up capital stock; and may sue or be sued in all courts of law or equity; and may have and use a common seal, and may change and 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 or laws of the United States, or of this state.

Proviso.

Election of directors.

3. *And be it enacted*, That the affairs and business of the said corporation shall be managed by not less than three nor more than five directors, who shall elect one of their number 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 such day, at such hour of the day, and at such place, as the by-laws of said corporation shall direct; and until such annual election shall take place

Names of first directors.

Isaac Stephens, George Brearley, Charles Brearley, James P. Stephens, and James Tams, being stockholders, shall be 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 a body competent to transact business, and all business matters before them shall be decided by a majority of votes; and in case a vacancy shall occur in the board of directors, by death, resignation, or a 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 stockholders.

4. *And be it enacted*, That in case it shall happen that an election of directors shall not be made on the day designated 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. Not to be dissolved because of failure to elect.

5. *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 said corporation, and the amount of all assets and property belonging to said corporation, as nearly as the same can be ascertained. Annual statement shall be made.

6. *And be it enacted*, That the principal office of the said company shall be at Trenton, in the county of Mercer, and that regular books of account shall be kept in said office, to which books of account the stockholders may have free access at all reasonable times, for the purpose of inspection; and that books of transfer of the stock shall also be kept, and shall be evidence of the ownership of said stock in all elections and other matters submitted to the decision of the stockholders of said corporation. Location of principal office.

7. *And be it enacted*, That the said corporation hereby created may be dissolved by a general meeting of the stockholders of the same, 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 of them, or such persons as the said stockholders shall appoint, shall be trustees for the settling all the affairs of the company, collecting and disposing of all its property and assets, paying its debts, and dividing its surplus among the stockholders in proportion to their respective interests in the stock. How dissolved. Proviso.

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

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

Approved March 12, 1873.

CHAPTER CXCIII.

An Act for the relief of Anna Butler.

Preamble. WHEREAS, Henry Butler, late of the city of Newark, Essex county, New Jersey, departed this life on the first day of September, one thousand eight hundred and sixty-six, intestate and without issue, leaving Anna Butler, his widow, and no lawful heir who can inherit the estate of which he died possessed, being a small lot in said city of Newark; *and whereas*, the said widow, Anna Butler, by her labor and industry accumulated a considerable portion of the money which was used in the purchase of said lot and in clearing off the incumbrance thereon, and has, since the decease of her said husband, occupied, used and enjoyed said premises and paid all taxes and assessments laid thereon, and being advanced in life is largely dependent upon the same for her maintenance and support; therefore,

Right, title and estate in certain premises vested in Anna Butler

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all the estate, right, title and interest of the said Henry Butler, deceased, at the time of his death, of, in and to the following described lot of land and premises, situated in the city of Newark, Essex county, New Jersey, beginning on the northeasterly side of Holland street at a point distant four hundred feet northwesterly from the corner of the same and Gold street; from thence running along Holland street north eight degrees and forty-five minutes, west fifty feet; thence north eighty-one degrees and fifteen minutes, east one hundred feet; thence south eight degrees and forty-five minutes, east fifty feet, and thence south eighty-one degrees and fifteen minutes, west one hundred feet to the place of beginning, being lots numbers one hundred and forty-six and one hundred and forty-seven on a map of the Jacob Morris property, surveyed and laid out by Dunn and Thompson, November, one thousand eight hundred and fifty-one, with the appurtenances, being the lot hereinbefore mentioned, and all the right, title, inter-

est and estate of the state of New Jersey, of, in and to the said lot of land and appurtenances, be and the same is hereby vested in the said Anna Butler, her heirs and assigns, to her and their only proper use, benefit and behoof forever.

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

Approved March 12, 1873.

CHAPTER CXCIV.

An Act to incorporate "The Union Mercantile and Manufacturing Company."

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That John Kean, William McKinlay, Aaron R. Reeve, Caleb B. Reeve, William Hall, David Mulford, Thomas B. Budd, James E. Hedges, Ferdinand Blancke, Jacob Davis and James R. English, 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 Mercantile and Manufacturing Company," for the purpose of selling, vending and dealing in coal, lumber and building materials, and manufacturing, selling and dealing in sash, blinds, doors, mouldings, and all articles manufactured from wood; and for the purpose of erecting and constructing houses and other buildings, and for such purposes may hold such real estate, water privileges, machinery and effects as they may deem necessary and useful, or may accrue to them in the course of business, and may sell, mortgage, lease or otherwise dispose of the same. Names of corporators. Corporate name and object.

2. *And be it enacted*, That the capital stock of the said company shall be four hundred thousand dollars, one-half at least thereof to be paid before commencing business, and shall be divided into shares of one hundred dollars each; and the persons named in this act are hereby appointed commissioners to receive subscriptions to such capital stock, at such place in the county of Union as a majority of them may appoint, giving at least two weeks' notice in one of the newspapers published in said county, and as soon as one-half of Capital stock

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 directors.

3. *And be it enacted*, That the business of the said corporation shall be managed by not less than five or more than eleven directors, a majority of whom shall reside in this state, 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 direct, an election for directors of said company 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; and 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.

General powers of the directors

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 of the United States, and may appoint such officers as the business of the corporation may require, and prescribe their powers and duties; and may from time to time 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 the shares and all previous payments thereon to the said company, if such payment 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 paid.

Dividends.

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; and dividends may be made from time to time from the earnings of the company as the directors may order.

May increase capital stock.

6. *And be it enacted*, That the said corporation may from time to time hereafter increase the said capital to any sum not exceeding eight hundred thousand dollars, giving two

weeks' notice of their intention to do so in two of the newspapers printed and published in said county of Union.

How dissolved.

7. *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 survivor or survivors of them shall be trustees for the 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.

Proviso.

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 entitled "An act concerning corporations," approved February fourteenth, one thousand eight hundred and forty-six, so far as the same may be applicable.

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

Approved March 12, 1873.

CHAPTER CXCV.

A Further Supplement to the act entitled "An Act to incorporate The Paterson Savings Institution," approved April second, one thousand eight hundred and sixty-nine.

May invest money left on deposit.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the said corporation to invest the money left with them on deposit, to such an amount, in bonds and upon personal securities, additional to that mentioned in said act, as shall be approved by a majority of the board of managers; *provided, however*, no investment shall be made upon personal security only, but every such investment shall be secured by pledges of

Proviso.

collateral security worth at least twenty per centum more than the amount so loaned on personal security.

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

Approved March 12, 1873.

CHAPTER CXCVI.

An Act to incorporate the New Jersey Spring and Manufacturing Works.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That John J. High, Robert A. Russell, John H. Lufberry, Thomas E. Garson, Joseph H. Livingston, Joseph T. Crowell and A. W. Morton, and all such persons as may hereafter be associated with them, their successors and assigns, be and they are hereby constituted a

Corporate name.

body politic and corporate, by the name of "The New Jersey Spring and Manufacturing Works," to be located in the city of Rahway, for the purpose of manufacturing, purchasing and disposing of springs, bolts, castings and all kinds of articles or machinery composed of wood or metal, necessary for the construction or equipment of railroad cars, carriages or other vehicles.

Capital stock

2. *And be it enacted*, That the capital stock of said corporation shall be one hundred thousand dollars, with privilege of increasing the same to not exceeding two hundred thousand dollars, to be divided into shares of one hundred dollars each, which shares shall be transferable in such manner as the by-laws shall direct.

May purchase and hold real estate, &c.

3. *And be it enacted*, That the said corporation may purchase, use, hold and possess such real and personal estate and patent rights as may be be deemed necessary or expedient for the purposes of said corporation, and may sell, mortgage, lease or otherwise dispose of the same at pleasure; and may borrow money and issue bonds therefor to an amount not exceeding two-thirds of the capital stock; and it shall be lawful for said corporation to issue certificates of stock, in whole or in part payment, for any patents, ma-

chinery or other real or personal property purchased or leased by said corporation for the purposes authorized by this act.

Election of directors.

4. *And be it enacted*, That the affairs and business of said corporation shall be managed by not less than five nor more than seven directors, who shall elect one of their number 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 such day, at such hour of the day, and at such place, as the by-laws of the said corporation shall direct; and in case it shall happen that an election for directors shall not be made upon the day designated for that purpose, the said corporation shall not be deemed to be dissolved for that cause; and the stockholders may proceed to hold an election for directors on any other day, ten days' notice being given of the time and place, by publication thereof in one or more newspapers published in the city of Rahway.

Vacancies may be filled by remaining directors.

5. *And be it enacted*, That the number of the directors may be fixed, from time to time, by the stockholders at their annual meeting; and in case a vacancy shall occur in the board of directors by death, resignation, or other cause, the remaining directors for the time being shall have power to fill such vacancy by appointment from among the stockholders; and the persons named in the first section of this act shall be the first directors of said corporation, and shall serve until others are legally chosen; and they are hereby authorized to open books of subscription for the remainder of one hundred thousand dollars, after making an issue or allotment of the stock authorized to be issued under the provisions of the third section of this act; and whenever the amount of said remainder of one hundred thousand dollars of said stock shall have been subscribed, and ten per centum thereon paid in cash, the said corporation may commence business.

Payment of subscriptions to capital stock.

6. *And be it enacted*, That it shall be lawful for said directors to call in and demand from the subscribers to the capital stock the amount subscribed by them at such times, and in such proportions, as they shall deem proper, under the penalty of forfeiting the shares by them respectively subscribed, and all previous payments made thereon.

Restrictions and liabilities.

7. *And be it enacted*, That a majority of the directors of said corporation shall constitute a quorum for the transaction of business, and the said corporation shall possess the general powers and be subject to the restrictions and liabilities imposed in the act entitled "An act concerning corporations," approved the fourteenth day of February, one thousand eight hundred and forty-six, and the several supplements thereto, so far as the same are applicable and not inconsistent herewith.

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

Approved March 12, 1873.

CHAPTER CXCVII.

An Act to authorize Jesse W. Starr to wharf out in front of his land on the Delaware River.

Preamble.

WHEREAS, Jesse W. Starr is the owner in fee simple of certain lands lying between the Ferry Road and the Delaware River, and between Little Newton Creek and the lands now or late of the National Iron Armor and Ship Building Company, in the Fifth Ward of the city of Camden, New Jersey,

May build and maintain wharves and piers.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for Jesse W. Starr, his heirs or assigns, to construct, build and maintain a wharf or wharves, pier or piers in front of his land lying along the Delaware river south of the line of lands now or late of the National Iron Armor and Ship Building Company and north of the Little Newton creek, in the city and county of Camden, and to extend said wharf or wharves, pier or piers beyond ordinary low water mark and out into the river Delaware.

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

Approved March 12, 1873.

CHAPTER CXCVIII.

An Act to incorporate "The Essex Fire Insurance Company of New Jersey."

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all such persons as shall become stockholders to the capital stock hereinafter mentioned, their successors and assigns are hereby constituted and made a body politic and corporate, by the name of "The Essex Fire Insurance Company, of New Jersey," 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 of law or equity, and by that name may have, purchase, possess and enjoy to them and their successors, lands, tenements and hereditaments, goods, chattels and effects of what nature and kind soever necessary for the purpose 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 their pleasure. Corporate name and powers.

2. *And be it enacted*, That the capital stock of the said company shall be one hundred thousand dollars, to be divided into shares of one hundred dollars each, with the privilege of increasing the same to three hundred thousand dollars, at any time during the continuance of this charter. Capital stock

3. *And be it enacted*, That the capital stock may be increased at any time by the directors to such amounts as they may determine, not exceeding the amount provided for in the second section; and they shall open books of subscription for said increased stock, after giving twenty days' previous notice in two newspapers published in the city of Newark, and the persons who shall then own the stock of said company shall have the privilege for five days of subscribing pro rata for said increased stock, and after that time, if not subscribed for by said stockholders, it may be subscribed for by others; and the terms of said subscription Capital stock may be increased.

shall be fixed and determined by the said directors and notice given as above directed.

Affairs shall be managed by a board of directors.

4. *And be it enacted*, That the stock, property, affairs and concerns of said company shall be managed and conducted by twenty-one directors, ten of whom shall constitute a quorum to transact business, and said directors shall at all times during their continuance in office, be stockholders in the said company in their own right, and the said directors shall hereafter be elected on the second Monday in January, in each and every year, at such hour of the day, and at such place in the city of Newark, as the board of directors for the time being shall appoint, of which election public notice shall be given in two newspapers published in the city of Newark, at least ten days previous to such elections, and every such election shall be by ballot, and by a plurality of the votes, each stockholder being entitled to one vote for each share of stock standing in his or her own name on the books of the company.

Election of directors.

5. *And be it enacted*, That when the said capital stock of one hundred thousand dollars shall be subscribed and twenty-five per centum of the same shall be paid in, that then the subscribers to said capital stock, upon ten days' previous notice in a newspaper published in the city of Newark, given by the commissioners hereinafter named, shall proceed to the election of the board of directors, and said directors so chosen shall then divide themselves into three classes of seven members each, one class of which shall serve as directors for one year, one class for two years and one class for three years; and at each annual election thereafter there shall be elected by the members seven directors, whose term of service shall be three years and until others are chosen; and the said board of directors shall then proceed to the election of a president, who shall be chosen from said board of directors, and to the appointment of a secretary and treasurer and the appointment of such other officers as may be necessary to manage the business of the company, and to allow them, respectively, such compensation for their services as in their judgment may be reasonable; and the office of secretary and treasurer may be filled by the same person; and the said president so elected shall preside until the next annual election thereafter; and any vacancy in the office of president or director may be filled by a majority of the directors at a meeting to be called as the by-laws may

provide, and in the absence of the president the directors may appoint a president pro tempore, who shall exercise such powers and duties as the by-laws shall prescribe.

Names of commissioners to receive subscriptions to the capital stock

6. *And be it enacted*, That Daniel W. Baker, James E. Bathgate, junior, Linus M. Price, William A. Ripley, Frederick Ahrens, Timothy W. Lord, Spencer Scott, William Stainsby, Albert C. Westervelt, Joseph C. Young, James C. Barnet, William H. Murphy, William M. Force, Samuel Morrow, junior, Joseph Hensler, Andrew Vansicle and Robert M. Hening, be and the same are hereby appointed commissioners to open the books for subscriptions to the capital stock of said company, and that ten days' previous notice of the time and place of the opening of said books shall be given by the said commissioners or a majority of them, and that said books of subscription may be kept open as long as it shall seem best by said commissioners or a majority of them so to do.

Time of holding the annual election

7. *And be it enacted*, That the regular annual election of the directors of said company, shall take place on the second Monday in January in each and every year, in accordance with the provisions of the fourth section of this act.

May insure against loss by fire, and may also insure steam boilers against loss by explosion

8. *And be it enacted*, That it shall and may be lawful for the said company to insure houses and other buildings, and personal property of all kinds, against loss or damage by fire, upon such rates and conditions as shall be contained and stated in the policy of insurance; and may also insure steam boilers against loss by explosion, upon such rates and conditions as shall be contained and stated in the policy of insurance.

Manner of writing policies, &c.

9. *And be it enacted*, That all policies or contracts founded thereon which shall be made or entered into by the said company, may be made either under or without the seal thereof, and shall be subscribed by the president, or by such other officers as may be designated for that purpose by the by-laws of said company, and attested by the secretary, and when so subscribed and attested, the same shall be binding upon the company according to the tenor, intent and meaning of this act and of such policies and contracts; and all such policies and contracts may be made, subscribed, attested and executed, and the business of said company may be otherwise conducted and carried on without the presence of a board of directors, by committee or otherwise, and the same shall be binding and obligatory on said company.

Stock, how transferred.

10. *And be it enacted*, That the stock of said company shall be deemed personal property, and as such assigned and transferred on the books of the company.

May purchase and hold real estate.

11. *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 and may be necessary for their convenient accommodation in the transaction of their business, and also to take and hold any real estate or securities, mortgaged or pledged to the said company, or to secure the payment of any debts which may be contracted with said company, and to redeem the moneys so pledged or secured, either at law or in equity; and also to purchase on sales made under judgment at law or done in equity, or any other legal proceedings or otherwise, to receive and take any real estate in payment or toward satisfaction of any debts previously contracted and due to the said company, and to hold the same until they can conveniently sell or convert the same into money or other personal estate; and

Investment of capital.

for the purpose of investing any part of their capital stock, funds or money, may purchase and hold any public stocks created by the incorporated cities and of the townships and counties of this state and of the United States, or of the states of New York, Pennsylvania, Ohio, Massachusetts, Delaware or Connecticut, as also of the stocks or securities created by said states, or the United States, or in bonds secured by mortgage on unencumbered real estate within this state, worth double the amount of money invested or loaned.

Dividends.

12. *And be it enacted*, That it shall be lawful for the directors of said company to make dividends of so much of the profits of said company as shall be deemed advisable, and the said dividends shall be paid to the stockholders or to their legal representatives.

Parties insured may participate in profits.

13. *And be it enacted*, That all persons who shall insure with said corporation may participate in its profits, during the period they remain insured by the same, upon such terms and conditions as the directors by their by-laws may fix and determine, and the power conferred in this section shall not prevent the said company from issuing policies of insurance without the parties participating in the profits of the company, if desired by the insured.

Limitation.

14. *And be it enacted*, That this act shall be and remain in force for the term of twenty years, and shall take effect immediately.

Approved March 12, 1873.

CHAPTER CXCIX.

A Further Supplement to an act entitled "An Act to incorporate the Manchester Land Company," approved March sixth, one thousand eight hundred and sixty-six.

Preamble. WHEREAS, in and by the act incorporating the Manchester Land Company, the said company is authorized and empowered to purchase, have, hold, and convey lands, and enjoy the privileges of the said act in regard to the same; *and whereas*, it was manifestly intended that the exercise by the said company of its rights, privileges and franchises was not to be restricted or limited to the county of Ocean; but doubts have been suggested whether the language of the act is not susceptible of that construction; *and whereas*, the said company in the course of its business finds it necessary, in the sale or exchange of lands and property, to be enabled to become possessed of lands and property situate in other states, and to have additional powers; therefore,

Powers and privileges. 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said Manchester Land Company be and it hereby is invested with, and it shall and may be lawful for the said company to exercise all and every the rights, powers, privileges and franchises mentioned and contained in the said act, and the supplements thereto, heretofore or which hereafter may be enacted over any and all lands, tenements and hereditaments which it has acquired, or shall or may hereafter acquire, whether within or without the limits of this state.

May make contracts with individuals or companies. 2. *And be it enacted*, That it shall and may be lawful for the said company, and it is hereby authorized and empowered to make, enter into, assume, execute and perform any contract or contracts with individuals or incorporated companies, in aid of or for the building, construction or completion of water powers, manufacturing establishments, erections, superstructures, works or improvements of any and every kind, and to do, perform, and execute any and all

kinds and descriptions of work, and to furnish materials, engines, machinery, and all things necessary for the full and successful construction, completion and operation of any such works, and to take in payment therefor properties or obligations, whether secured by mortgage or not, including the stock and bonds, or both, of any incorporated company or companies.

Repealer. 3. *And be it enacted*, That all parts of the act and of the supplements thereto, to which this is a supplement, inconsistent with the provisions of this act, be and the same are hereby repealed.

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

Approved March 12, 1873.

CHAPTER CC.

An Act to authorize and empower the Consistory of "The Reformed Church of Freehold, in the County of Monmouth, and State of New Jersey," to assess the pews of the said church.

Authority to make assessments on pews. 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the consistory of the Second Reformed Church of Freehold, be and they are hereby authorized and empowered to make assessments on the pews of said church, from time to time, for the purpose of raising the salary of the minister, the current expenses of the church and the support of the gospel, with power to collect the same; *provided*, the assessment shall not exceed the sum of one thousand dollars a year above the specified salary of the minister.

Proviso.

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

Approved March 12, 1873.

CHAPTER CCI.

An Act to incorporate the New Jersey Fire, Marine and Inland Insurance Company of Camden.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Coleman F. Leaming, Andrew K. Hay, Maurice Browning, Daniel T. Gage, Genge Browning, John F. Starr and Peter L. Voorhees and their associates, successors and assigns, be and they are hereby created a body corporate and politic in law under the name and style of "The New Jersey Fire, Marine and Inland Insurance Company of Camden," and by that name shall have and enjoy all the rights, privileges and immunities of a corporation, and which shall be necessary to accomplish the purpose of this act; *provided*, that if the corporation hereby created shall not organize within two years from the passage of this act, then this act shall become void.

Corporate name and powers.

Proviso.

Capital stock.

2. *And be it enacted*, That the capital stock of the said corporation shall be five hundred thousand dollars, and shall be divided into shares of twenty-five dollars each, which shares shall be personal property, and shall be assigned and transferred only on the books of said corporation, in such manner and under such terms as the directors of said corporation by their by-laws may require.

Commissioners shall open books and receive subscriptions to capital stock.

3. *And be it enacted*, That the said persons above named shall be commissioners to receive subscriptions to the capital stock of the said corporation and may meet at such time and place as they or a majority of them shall determine, and open books and receive subscriptions to said capital stock, and at the time said subscriptions are made, two dollars shall be paid on each share of stock subscribed, and when the sum of one hundred thousand dollars shall be subscribed and paid in the said commissioners, or a majority of them shall call a meeting of the stockholders for the purpose of electing three or more directors of said corporation to serve for one year, or until others shall be elected in their stead, and when said directors so elected, shall have organized by

Election of directors.

electing one of their number president and by appointing a secretary and treasurer, the said commissioners shall deliver and pay over to said directors all papers and moneys received or held by them, first deducting their reasonable costs and expenses.

Mode of electing directors

4. *And be it enacted*, That the business and affairs of the said corporation shall be managed by three or more directors who shall be stockholders of said corporation, who shall after the first year, be elected annually, and shall hold their offices until others shall be chosen to supply their place; said elections to be by ballot, each share of stock entitling the holder thereof to one vote either in person or by proxy; said directors shall have power to call in the payments on the capital stock subscribed in such installments and at such times as they may direct, and may enact all such regulations and by-laws for the management of the business of the corporation, as they may deem proper; *provided*, the same be not repugnant to the laws or the constitution of this state or the United States, and fill any vacancy that may be caused in the board of directors by death, resignation or otherwise.

May make by-laws and rules.

Proviso.

Location of principal office.

5. *And be it enacted*, That the principal office of the said corporation shall be in the city of Camden, and the business of the said corporation shall be carried on in the city of Camden and elsewhere by agencies, as the directors of said corporation may direct.

May insure all kinds of property against loss by fire, &c.

6. *And be it enacted*, That the said corporation shall have full power and authority to take risks and make insurance upon buildings and their contents, and generally upon all kinds of goods, and to make all kinds of marine insurance, and all kinds of insurance upon inland transportation of goods, wares and merchandise by water, railroad or otherwise, and to do all other acts and things necessary and incident to the transaction of a fire, marine and inland insurance business, and to loan all their surplus or unemployed capital or money on personal, real or other securities, and to purchase, hold and convey such real estate, and erect such buildings as may be necessary and convenient for the transaction of the business of the said corporation, or upon which the said corporation may have any liens by mortgage, decree, judgment or otherwise.

7. *And be it enacted*, That this act shall be a public act, shall be construed liberally for the purposes thereof, and shall take effect immediately.

Approved March 12, 1873.

CHAPTER CCII.

An Act to incorporate the Coytesville Park Association.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the three commissioners and and their successors, to be elected in the manner hereinafter prescribed, shall be and they are hereby constituted a body politic and corporate to be known as the "Coytesville Park Association," and by that name shall have power to sue and be sued, plead and be impleaded in all courts of law and equity. Corporate name and powers.

2. *And be it enacted*, That the said commissioners shall have full power and authority to take charge of, improve, regulate and control, for the public use and advantage, and at an annual expense not to exceed three hundred dollars, all that tract of land and premises situate at Coytesville in the township of Ridgefield in the county of Bergen and state of New Jersey which on a map entitled "map of the property of Joseph Coyte, near Fort Lee, in the township of Hackensack, in the county of Bergen, and state of New Jersey, known as Coytesville," and filed in the office of the clerk of Bergen county, July thirteenth, anno domini one thousand eight hundred and fifty-one, is laid down and dedicated as a "public square" and is bounded easterly by the Palisades or edge of the steep rocks, westerly by the Palisade road, northerly by lot number six hundred and sixty-nine, and southerly by lot number six hundred and seventy, as the said boundaries are laid down on the said map; and the said commissioners shall have full power and authority to adopt a corporate seal and to make constitution, by-laws, rules and regulations for their organization and for the management of said square or park; *provided*, that said constitution, by-laws, rules and regulations, shall not be repugnant to the constitutions or laws of the state or of the United States. Commissioners may improve property, &c. Boundaries of tract. May make by-laws, &c. Proviso.

3. *And be it enacted*, That when the said commissioners shall have determined the amount to be expended for the

May assess lands within certain boundaries.

purpose named in the last section, they shall assess the same on all the lands and real estate situated in the said township of Ridgefield in the following described limits: beginning at a point in the edge of the steep rock or Palisades, where the north line of land of Michael Vreeland strikes the same;

Boundaries.

thence running northerly along the said edge to the point where the south line of lands of Henry DeMott strikes said edge; thence westerly along said DeMott's line to Hammett avenue, and thence southerly along said avenue and the extension thereof known as the Coytesville road to said Vreeland's line, and they shall make the said assessment on the said lands and real estate in proportion to the benefit in their judgment received by the owner or owners of said lands and real estate.

Duplicate list of assessment shall be furnished the collector.

4. *And be it enacted*, That when the said commissioners shall have completed the said assessment, they shall hand a duplicate list to the collector of the township in which the lands assessed shall be, and the said collector shall proceed to collect the said assessment at the same time and in the same manner, and be entitled to the same fees and be subject to the same penalties as in the collection of the general taxes, and the owner or owners of lands and real estate so assessed, shall have the same right of appeal to the commissioners of appeal that the general taxpayers have, and the said assessment shall be lien on said lands and real estate in all respects, the same and enforceable the same as in the case of general taxes in the township of Ridgefield, and said assessment when collected shall be paid over to the said commissioners.

Election of commissioners.

5. *And be it enacted*, That the three commissioners above referred to shall be elected in the manner following: the first election shall be held in the building known as "Burns' Hall," at Coytesville, aforesaid, on the first Monday of April next; the polls shall open at four o'clock in the afternoon, and close at seven o'clock in the evening; every legal voter owning land in the above described limits shall have the right to vote; at the hour of opening the polls all the voters that may be present shall, by a majority vote elect a presiding officer, who shall conduct said election, and a clerk who shall keep a record thereof; the voting for commissioners shall be by ballot or otherwise, as the majority of the voters present shall determine, and a majority of votes shall decide the election; and notice of said election shall be given at least

six days previous thereto, by the clerk of the township of Ridgefield, by posting in five public places in said limits, and publication in one newspaper circulating therein; the said commissioners shall hold their offices for one year, and all subseqent elections shall be held annually on the first Monday of April, at the same hours, and shall be conducted in like manner, but the commissioners whose term shall be about to expire shall determine at what place the next election shall be held.

Commissioners shall take and subscribe an oath.

6. *And be it enacted*, That before the said commissioners shall enter upon their office they shall take and subscribe before a justice of the peace an oath or affirmation for the faithful performance of their duties, which they shall file in the office of the clerk of the county of Bergen, and the clerk of election shall, within six days after said election, file in said office, a certificate of the election of said commissioners.

Compensation to be paid the commissioners.

7. *And be it enacted*, That the said commissioners shall be entitled for each day of actual service under this act, to the sum of two dollars, and in case of the death or removal of any commissioner, or the disability, or the refusal of any commissioner to act, the remaining ones shall have full power and authority to perform the duties prescribed by this act.

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

Approved March 12, 1873.

CHAPTER CCIV.

A Further Supplement to an act entitled "An Act to incorporate the Widows' Home," approved February twenty. second, one thousand eight hundred and seventy.

Preamble.

WHEREAS, the "Trustees of the Widows' Home" are owners in fee of the following described property, to wit: all that certain plot situate, lying and being in the city of Hoboken, county of Hudson, and state of New Jersey, beginning at a point on the easterly line of Washington street, one hundred and nineteen feet and two-tenths of a

foot southerly from the south-easterly corner of Washington and Seventh streets, and running thence southerly and along the easterly line of Washington street fifty feet and eight-tenths of a foot, thence easterly and parallel with Seventh street one hundred feet to an alley, thence northerly and along the westerly line of said alley fifty feet and eight-tenths of a foot, and thence westerly and parallel with Seventh street one hundred feet, to the place of beginning; *and whereas*, it will greatly conduce to the comfort and convenience of the inmates of the said home to change the location thereof; therefore,

Authorized to sell property.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the trustees of the Widows' Home be and they are hereby authorized and empowered to sell and dispose of the above described property, either at private or public sale, upon such terms and conditions as they shall deem expedient; and for that purpose they are hereby authorized and required to make and execute all contracts, deeds and conveyances necessary for selling and disposing of the said property.

Proceeds of sale, how applied.

2. *And be it enacted*, That the proceeds of such sale shall be used by the trustees of the Widows' Home for the purchase of a plot of ground for the said home, and the erection thereon of such buildings as may be necessary for the use of said home.

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

Approved March 12, 1873.

CHAPTER CCXXX.

An Act to extend the act to incorporate the Mercer County Mutual Fire Insurance Company.

Act extended

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the act to incorporate the Mercer County Mutual Fire Insurance Company, approved March fifth, one thousand eight hundred and forty-four, and the

supplement thereto approved March sixteenth, one thousand eight hundred and fifty-eight, be and the same are hereby extended, and shall continue in force during the pleasure of the corporators.

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

Approved March 13, 1873.

CHAPTER CCXXXI.

An Act to incorporate the "Ocean Beach Association."

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That William S. Yard, William M. Force, John S. James, Joseph B. Yard, Thomas Kennedy, James G. Barnett, W. L. Piper, James S. Yard and Abraham Bitner, junior, and all such persons as may be hereafter associated with them, their successors and assigns, shall be, and they are hereby constituted a body corporate and politic, in fact and in name, by the name of the "Ocean Beach Association," and by that name shall be capable in law of purchasing, using, holding, letting, improving, selling and disposing of such real and personal estate in the county of Monmouth, as may be necessary or expedient to the objects of this incorporation, and may receive and make all deeds, transfers, covenants, conveyances, grants, contracts, agreements and bargains whatsoever necessary or useful for the purposes aforesaid.

Corporate name and powers.

Election of directors.

2. *And be it enacted*, That the stock, property, and concerns of the said corporation shall be managed and conducted by not less than five nor more than fifteen directors, a majority of whom shall be residents of this state, all of whom shall be stockholders, and one of whom shall be president, who shall hold their offices respectively for one year, and until others are elected; and that the said directors shall be chosen at such time and place as shall be provided for by the by-laws of said corporation, by such of the stockholders as shall attend for that purpose, either in per-

son or by proxy; and notice of the time and place of such election shall be published not less than two weeks previous thereto in a newspaper published in the county of Monmouth, and each stockholder shall be entitled to one vote for each share he or she may hold in said corporation; and the persons having the greatest number of votes shall be directors, and the said directors may appoint such agents, officers and superintendents, and make such compensation and assign such duties to said agents, officers and superintendents as they shall think fit; and if at any time it shall happen that any vacancy or vacancies occur, from any cause whatever, among the directors of said company, 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.

Capital stock

3. *And be it enacted*, That the capital stock of said corporation shall be thirty thousand dollars, with the privilege of increasing it to any sum not exceeding two hundred thousand dollars, which shall be divided into shares of one hundred dollars each, and as soon as three hundred shares of the capital stock shall have been subscribed, and the sum of ten dollars on each share so subscribed paid, or secured to be paid, it shall and may be lawful for said corporation to proceed to carry into effect the objects of said corporation; and it shall be lawful for the directors of said corporation to call and demand from the stockholders thereof, respectively, such installments, and at such times and in such proportions as they shall deem proper, not exceeding twenty dollars on each share at any one time, notice of which shall be published for at least thirty days in a newspaper in the county of Monmouth, or shall be given in writing, mailed to the stockholders for the like space of time before such installments are required to be paid; and in case of failure of any stockholder to pay his or her installments at the time and place appointed for the payment thereof, or within thirty days thereafter, such stockholders shall incur a forfeiture of his or her share or shares, and all previous payments thereon for the use of the company; and it shall be lawful for the said company to issue certificates of stock in whole or in part payment for any real estate purchased by said company.

Object and powers of the association.

4. *And be it enacted*, That the said company are hereby authorized to let, rent, lease, mortgage, sell and convey all

such lands and real estate as they may have and hold from time to time, in whole or in parcels, and to improve the same by erecting or causing to be erected thereon buildings of every name, kind and description and for all proper and legitimate uses and purposes, or by laying off said lands and real estate into lots, and to use the same for agricultural purposes, or in any other lawful way that the said corporation may deem necessary and advisable; and to purchase, make up, manufacture, sell and dispose of all materials pertaining to the erection of such buildings.

May make by-laws, &c.

5. *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 the said corporation and shall have power to make such by-laws, ordinances and regulations as shall seem necessary and convenient for the management or disposition of the stock, effects and concerns of the said corporation; *provided*, that the same are not contrary to the laws or constitution of the United States or of this state.

Proviso.

Not to be dissolved by failure to elect.

6. *And be it enacted*, That in case it shall at any time happen that an election of directors shall not be made on 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 it shall and may be lawful to hold such election on such other day as the directors of the said corporation shall direct.

May prohibit the sale of liquors, and provide for the maintenance of good order.

7. *And be it enacted*, That for the purpose of restricting nuisances and of compelling a uniform system of improvements of said settlement, the said company are hereby authorized and invested with power to incorporate into any deed of conveyance made by them, whether in fee simple or otherwise, a clause or condition forbidding the sale upon the premises so conveyed by said company, of any spirituous or intoxicating liquors, and to require any grantee of said company to make and maintain such style and character of improvement on said lots so conveyed or on the streets fronting thereon, as to the said company may seem most expedient for securing a uniform system of development and improvement throughout the said settlement, and the board of directors of said company shall have the power to appoint such peace officers as they may deem necessary for the purpose of keeping order on the premises of the company, which officers shall be paid by said company, and they shall have the same power, authority and immunities when on

duty, as constables and other peace officers under the laws of this state, and they shall have power to enforce obedience to any rule or regulation of said company, for the preservation of quiet and good order on the premises of the said company and their grantees.

How dissolved.

8. *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 survivor or survivors of them, or such persons as the said stockholders shall appoint shall be trustees for the 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.

Proviso.

General powers and restrictions.

9. *And be it enacted*, That this act shall take effect immediately, and that it shall possess the general powers, and be subject to the restrictions and liabilities set forth in an act entitled "An act concerning corporations," approved February fourteenth, one thousand eight hundred and forty-six, and the several supplements thereto, so far as the same are applicable.

10. *And be it enacted*, That the legislature shall have power to repeal, alter and amend the said act whenever they shall deem it necessary so to do.

Approved March 13, 1873.

CHAPTER CCXXXII.

An Act to incorporate the Irving Insurance Company, of Newark, New Jersey.

Corporate name and powers.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all such persons as shall become stockholders to the capital stock hereinafter mentioned, their successors and assigns, are hereby constituted and made a body politic and corporate, by the name of the "Irving Insurance Company," 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 of law or equity, and by that name may have, purchase, possess and enjoy to them and their successors, lands, tenements and hereditaments, goods, chattels and effects, of what nature and kind soever necessary for the purpose 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 the same to alter and renew at pleasure, and also have perpetual succession, and also to create and establish such by-laws, rules and regulations, and appoint such officers and committees, and delegate to them such powers as they shall deem necessary and expedient for the government of the said corporation, and to put the same into execution; *provided*, the same be not contrary to the laws of this state. Proviso.

2. *And be it enacted*, That the capital stock of the said company shall be one hundred thousand dollars, and shall be divided into shares of one hundred dollars each, with the privilege to increase the said capital stock to two hundred thousand dollars. Capital stock

3. *And be it enacted*, That the capital stock may be increased at any time by the directors to such amount as they may determine, not exceeding the amount provided for in the second section, and they shall open books of subscription for said increased stock, after giving twenty days' previous notice in two newspapers published in the city of Newark, and the persons who shall then own the stock of said company shall have the privilege, for five days, of subscribing for such increased stock, and after that time, if not subscribed for by said stockholders, it may be subscribed for by others, and the terms of said subscription shall be fixed and determined by the said directors, and notice given as above directed. Capital stock may be increased.

4. *And be it enacted*, That the stock, property, affairs and concerns of said company shall be managed and conducted by fifteen directors, seven of whom shall constitute a quorum to transact business, and said directors shall, at all times during their continuance in office, be stockholders in the said company in their own right, and the said directors shall, after the first election hereinafter mentioned, be elected for the term of one year and until others shall be chosen, on the second Monday in January in each and every year, at such hour of the day, and at such place in the city of New- Election of directors.

ark as the board of directors for the time being shall appoint, of which election public notice shall be given in two newspapers published in the city of Newark, at least ten days previous to such election, and such election shall be by ballot and by the stockholders, in person or by proxy, and each share of stock shall entitle its owner to one vote at each election.

Organization of the board of directors.

5. *And be it enacted*, That when the said capital stock of one hundred thousand dollars shall be subscribed, and twenty-five thousand dollars paid in, that then the subscribers to said capital stock, upon ten days' previous notice in a newspaper published in the city of Newark, given by the commissioners hereinafter named, shall proceed to the election of the board of directors, and the directors so chosen shall hold their office until others shall be elected in their stead, in accordance with the fourth section of this act; and the said board of directors shall then proceed to the election of a president and vice president (who shall be chosen from said board of directors) and to the appointment of a secretary, and of such other officers as may be necessary to manage the business of the company, and to allow them respectively such compensation for their services as in their judgment may be reasonable; and the said president so elected shall hold his office and preside until the next annual election of directors thereafter; and any vacancy in the office of president or director may be filled by a majority of the directors, at a meeting to be called as the by-laws may provide; and in the absence of the president his duties shall devolve upon the vice-president, who shall exercise such powers and duties in such manner as the by-laws shall prescribe.

Names of commissioners to open books and receive subscriptions to capital stock

6. *And be it enacted*, That William H. Baldwin, J. Reeve Sayre, George B. Swain, David A. Ryerson, John D. Harrison, William L. Thompson, Hiram H. Tichenor and Charles B. Thurston be and the same are hereby appointed commissioners to open the books for subscriptions to the capital stock of said company, and that ten days' previous notice of the time and place of the opening of said books shall be given by the said commissioners, or a majority of them, and that said books of subscription may be kept open as long as it shall seem best by the said commissioners, or a majority of them, so to do.

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

the said company to insure houses, factories and other buildings, and personal property of all kinds, against loss or damage by fire, upon such terms and conditions as shall be contained and stated in the policy of insurance; and may also insure ships and other vessels, rights interests and property against every description of casualty incident to marine and inland transportation. May insure against loss or damage by fire.

8. *And be it enacted*, That all policies or contracts founded thereon, which shall be made or entered into by the 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 for that purpose by the by-laws of said company, and attested by their secretary; and when so subscribed and attested, the same shall be binding upon the company according to the tenor, intent and meaning of this act, and of such policies or contracts; and all such policies and contracts may be made, subscribed, attested and executed, and the business of the said company may be otherwise conducted and carried on without the presence of a board of directors, by committee or otherwise, and the same shall be binding and obligatory on the said company. Mode of making policies or contracts.

9. *And be it enacted*, That the stock of said company shall be deemed personal property, and as such assigned and transferred on the books of the company. Stock, how transferred.

10. *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 and may be necessary for their convenient accommodation in the transaction of their business, and also to take and hold any real estate or securities mortgaged or pledged to the said company, or to secure the payment of any debts which may be contracted with the said company, and to redeem the moneys so pledged or secured, either at law or equity; and also to purchase on sales made under judgment at law or done in equity or any other legal proceeding, or otherwise to receive and take any real estate in payment or towards satisfaction of any debts previously contracted and due to the said company, and to hold the same until they can conveniently sell or convert the same into money or other personal estate; and the said company may invest their capital and funds or money, from time to time, in any public stocks created by the incorporated cities and of the townships and counties of this state or of the United May purchase and hold real estate.

States or the state of New Jersey, as also of the bonds or other securities of the United States, or in bonds secured by mortgages on unincumbered real estate within this state worth double the amount of money invested or loaned.

Dividends.

11. *And be it enacted*, That it shall be lawful for the directors of said company to make dividends of so much of the profits of the company as shall be deemed advisable, and the said dividends shall be paid to the stockholders or to their legal representatives.

Parties insured may participate in profits.

12. *And be it enacted*, That this company may, at its option, issue policies of insurance to parties insuring with the same, who may participate in its profits during the period they remain insured by the same, upon such terms and conditions as the directors, by their by-laws, may fix and determine; and the said company may issue policies of insurance without the parties participating in the profits of the company.

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

Approved March 13, 1873.

CHAPTER CCXXXIII.

A Supplement to the act entitled "An Act to incorporate "The Trade Insurance Company of Camden," approved March twenty-first, one thousand eight hundred and seventy-two.

Number of directors and capital stock may be increased.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the number of directors of said company may be increased to any number not exceeding twenty, and may increase its capital stock whenever the board of directors shall by resolution order such increase.

Repealer.

2. *And be it enacted*, That all acts and parts of acts inconsistent with the provision of this act be and they are hereby repealed, and that this act shall take effect immediately.

Approved March 13, 1873.

CHAPTER CCXXXIV.

A Further Supplement to an act to incorporate the Paterson Fire Insurance Company, approved February twenty-eighth, one thousand eight hundred and sixty-eight.

Repealer.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That so much of the third section of an act to which this is a supplement, as requires a majority of the board of directors to form a quorum, be and the same is hereby repealed.

Company not to be dissolved by failure to elect directors.

2. *And be it enacted*, That in case it shall at any time happen that an election of directors shall not be made on 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 it shall and may be lawful to hold such election on such other day as the directors of said corporation shall direct.

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

Approved March 13, 1873.

CHAPTER CCXXXV.

An Act to incorporate the Newton Land Company.

Preamble.

WHEREAS, by an agreement dated September twenty-seventh, one thousand eight hundred and seventy-two, Robert Hamilton, Joseph Coult, Thomas Kays, Jacob L. Swayze, Edward C. Moore, Martin Ryerson, William M. Perrine and others, to the number of ninety-five, citizens of Newton, Sussex county, became subscribers to a fund to the amount of forty thousand five hundred dollars, for the purpose of purchasing certain lands and premises, within

the said town of Newton, and for erecting a factory building for manufacturing business; *and whereas*, the subscriptions to the said fund or most of them have been paid, the said lands and premises have been purchased, and have been conveyed to Jacob L. Swayze and Joseph Coult, by deed, to them from William McCarty and wife, dated October eighth, one thousand eight hundred and seventy-two, and who hold the title for the benefit of the said subscribers, and the said factory building is partly erected; *and whereas*, it is provided in the said agreement, that a stock company should be formed, and that stock certificates be issued to the several subscribers for the amount of their respective interest therein; therefore,

Corporate name and powers.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said persons, the subscribers to the said fund, and all such person as may hereafter be associated with them, their successors and assigns, shall be, and the same are hereby constituted and declared a body corporate and politic, in fact and in law, by the name of "The Newton Land Company," and by that name shall be capable in law of purchasing, and taking in fee, the said lands and premises so held by the said Jacob L. Swayze and Joseph Coult, and also any lands adjacent thereto, and of using, letting, holding, improving, disposing of and conveying the same or any part thereof; and shall have power and authority to build and contract for the building of any houses or other buildings thereon; and in the sale of any houses or lots, shall have authority to reserve a lien thereon, by bond and mortgage or otherwise, for the purchase money in whole, or in part, and to reserve, and take not to exceed ten per centum interest upon such lien, and may do and perform all other acts necessary or proper for accomplishing the objects of the said corporation hereby granted, and may make and receive all deeds, mortgages, transfers, conveyances, covenants, grants, contracts, agreements and bargains whatsoever necessary for the said purposes.

Capital stock

2. *And be it enacted*, That the capital stock of the said company shall be the amount of the paid up subscriptions aforesaid, to be divided into shares of fifty dollars each, with authority to increase the amount to one hundred thousand dollars; that the capital stock shall be deemed per-

sonal property; and the said shares shall be transferred only on the books of the company, in such manner as the board of directors by their by-laws may direct; and every share of stock shall entitle the holder to one vote, either in person or by proxy.

Election of directors.

3. *And be it enacted*, That the affairs of the said company shall be managed by a board of not less than five nor more than nine directors, to be chosen by the stockholders annually, at such time and place as by the by-laws of said company may be directed, and who shall serve for one year and until others be chosen in their stead, notice of which election shall be given previously for two weeks at least, in the newspapers printed in Newton; that a majority of said board shall be a quorum to transact business; that the said board shall elect one of their number as president, and may elect a treasurer, secretary and such other officers as they may deem necessary; and may take bond with sureties from the treasurer conditioned for the faithful discharge of his duties; that the said directors may fill any vacancy in said board until an election be made by the stockholders.

Who may vote.

4. *And be it enacted*, That as soon as conveniently may be after the passage of this act, any three of the said subscribers may call an election for directors, giving notice by at least two publications in each of the newspapers printed in Newton, of the time and place, at which election each subscriber shall be entitled to one vote for every fifty dollars by him subscribed and paid to said fund and capital.

Not to be dissolved by reason of failure to hold election.

5. *And be it enacted*, That in case it shall at any time happen that an election of directors shall not be made on the day when, pursuant to this act, it ought to have been made, the said corporation shall not be for that cause deemed to be dissolved, but it shall and may be lawful to hold such election on such other day as the directors of said corporation shall direct.

How dissolved.

6. *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 survivor or survivors 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

Proviso.

surplus among the stockholders in proportion to their respective interests in the stock.

Limitation.

7. *And be it enacted*, That this act shall continue in force for thirty years, and it shall be lawful for the legislature to alter, modify or repeal the same whenever the public good may require it.

Restrictions and liabilities.

8. *And be it enacted*, That the said company 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, one thousand eight hundred and forty-six, as far as applicable.

Location of principal office.

9. *And be it enacted*, That the principal office and place of business of the said company shall be in Newton in the county of Sussex.

10. *And be it enacted*, That this act shall be deemed a public act, and read in all courts of law as such, and shall take effect immediately.

Approved March 13, 1873.

CHAPTER CCXXXVI.

An Act to incorporate the Navesink Hook and Ladder Company of Red Bank.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Corlies W. Thompson, George N. Whitning, William T. Corlies, Henry H. Curtis, John B. Bergen, Charles E. Applegate, William D. Hubbard, William H, Parker, Jacob Corlies, William H. Conrow, Seaman Allaire and all other persons who are or hereafter shall become associates of the Navesink Hook and Ladder Company, of the town of Red Bank, county of Monmouth, be and are hereby constituted and declared to be a body corporate and politic, in fact and in law, by the name of the

Corporate name and powers.

"Navesink Hook and Ladder Company of Red Bank," 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, and in all courts of judicature whatso-

ever; and they and their successors may have a common seal and shall have power to make, change and alter the same at pleasure, and by their corporate name aforesaid and under the common seal 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.

Capital stock

2. *And be it enacted*, That the capital stock of said company shall not exceed the sum of ten thousand dollars, which shall be applied to the purchase and holding of real estate and the procuring of 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.

Election of officers.

3. *And be it enacted*, That the 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 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 company.

List of members shall be submitted to the town commissioners.

4. *And be it enacted*, That the said Navesink Hook and Ladder Company of Red Bank be and are hereby authorized to submit to the commissioners of the town of Red Bank their list of members, constitution and by-laws, and they shall be subject to such regulations as the said board of commissioners shall deem best to make, so long as they may be entrusted with any property belonging to the town in charge of said board.

Annual statement shall be made.

5. *And be it enacted*, That an annual statement of the financial affairs of said company, signed by the president thereof, shall be placed upon the records of said company not less than fifteen days, and not more than thirty days before each annual election.

Exemption from tax.

6. *And be it enacted*, That the property of this company held under this act shall be free and exempt from taxation and assessment.

Exemption from jury and military duty.

7. *And be it enacted*, That all persons, during the period of their actual membership of the company organized by this act, shall be exempt from jury and military duty, and all persons having served as members of said company for the period of five years, and having received a certificate from the officers of said company to that effect, shall be forever exempt from such duty in this state.

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

Approved March 13, 1873.

CHAPTER CCXXXVII.

An Act to incorporate The Market Exchange of the City of Elizabeth.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Alfred De Witt, M. Sontheimer, F. W. Foote, L. W. Oakley, Thomas B. Leggett, John Davidson, A. S. Mitchell, James C. Wetmore, Samuel Bonnel, George W. Tubbs, C. H. Langdon, J. M. Watson, Amos Clark, junior, Benjamin F. Urner, W. E. Hovey, E. G. Brown, C. W. Whitney, R. E. Ricker, James Moore, Charles C. Suydam, Jacob Davis, W. J. Magie, Benjamin Williamson, S. W. Waterbury, and C. H. Genung, and all other persons who shall become subscribers and owners of the capital stock hereby created, shall be, and they are hereby made, constituted and declared to be a corporation and body politic in fact and in law by the name, style and title of "The Market Exchange of the City of Elizabeth."

Corporate name.

Objects and powers.

2. *And be it enacted*, That the object of said corporation shall be the establishment and maintenance of a public market, and halls and assembly rooms, for the accommodation of the public, in such place or places in said city of Elizabeth as may be deemed fit and desirable by the corporators of the same; and for the purposes aforesaid, said incorporation by their corporate name shall have power to lease, purchase and hold real estate in the city of Elizabeth aforesaid, and to erect and maintain thereon such building

or buildings and other improvements and appurtenances as may be required to promote and carry out the objects of their incorporation; and it shall further be lawful for said incorporation to convey by deed or by mortgage, to use and to permit to be used, or to lease such part or parts of any property, building or buildings, leased, erected or owned by them as shall not be necessary for the immediate objects of their incorporation.

Capital stock

3. *And be it enacted*, That the capital stock of said corporation shall be three hundred thousand dollars, with the privilege of increasing the same to five hundred thousand dollars, and shall be divided into shares of fifty dollars each, and shall be subscribed for and paid in at such times and in such installments and upon such notice as a majority of the corporators herein named, or as the said corporation may direct in by-laws or otherwise; and in case of a failure by any of the stockholders to pay his or her installment or installments at the time and place named and appointed for the payment thereof, such stockholder's shares and all payments thereon may be forfeited to the said corporation.

Election of directors.

4. *And be it enacted*, That when fifty thousand dollars of the capital stock shall have been subscribed and twenty per centum thereon paid, as the corporators herein named shall appoint, a meeting shall be called by a majority of the corporators named in this act, at which meeting the subscribers of said stock may organize by the election of fifteen directors for said corporation, to serve one year from and after their election, and until their successors are elected and qualified; and the stockholders shall adopt rules and by-laws for the election of directors and officers, and for the general management of the affairs of the corporation by the directors; and the government of said corporation and the management and disposition of its stock, property and concerns shall be vested in the directors to be chosen from the stockholders as herein provided, and any director ceasing to be a stockholder shall by that fact cease to be a director, and all vacancies occurring in the board of directors by death, resignation or otherwise, shall be filled by the remaining directors until the ensuing annual election.

Organization of the board of directors.

5. *And be it enacted*, That the directors shall choose one of their number to be president and shall also elect a secretary, treasurer and such other officers as the by-laws of the corporation shall appoint, and shall fix their compensation

and term of service when not fixed in the by-laws; and the directors shall, once a year or oftener if required, make a full and perfect report of all their acts and proceedings to the stockholders of the corporation at a meeting to be publicly called for the purpose.

Debts may be secured by mortgage bonds.

6. *And be it enacted*, That the whole amount of debt which the said corporation shall at any one time owe shall not exceed the amount of capital stock subscribed, and such debt if incurred may be secured by first mortgage bonds, issued in such denominations as shall be deemed fit, and secured on the property of the corporation or in such other mode as the directors may elect.

Liabilities of stockholders

7. *And be it enacted*, That each stockholder shall be liable for the debts of this corporation to the amount of stock subscribed or held by him or her, until the same shall have been paid up in full, but shall not be individually liable thereafter.

8. *And be it enacted*, That this act shall go into effect immediately.

Approved March 13, 1873.

CHAPTER CCXXXVIII.

An Act to incorporate the Franklin Insurance Company of Jersey City, New Jersey.

Corporate name and powers.

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 "Franklin Insurance Company of Jersey City, New Jersey," and by that name shall be known in law, and have power to sue and be sued, to defend and to be defended in all courts, whether in law or in equity, and by that name may have, purchase, possess and enjoy 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 alien and dispose of at pleasure for the benefit of the said company, and may also have a common seal, and the same to alter and renew at pleasure, and also have perpetual succession, and also to create and establish such by-laws, rules and regulations, and appoint such officers and committees and delegate to them such powers as they shall deem necessary, and expedient for the government of the said corporation, and to put the same in execution; *provided*, the same be not contrary to the laws of this state. May make by-laws, &c. Proviso.

2. *And be it enacted*, That the capital stock of said company shall be fifty thousand dollars, and shall be divided into shares of fifty dollars each, with privilege to increase the said capital stock to two hundred thousand dollars; and the said company shall not commence business until fifty thousand dollars of said stock shall be paid in. Capital stock

3. *And be it enacted*, That the business, property and affairs of said company shall be managed and conducted by such directors, not less than seven, nor more than fifteen in number, a majority of whom shall be citizens of New Jersey, as may be elected for that purpose, a majority of said directors shall constitute a quorum, which directors shall hold their office for one year, and until others shall be chosen, at the office of the company, public notice of which shall be given for one week in one or more of the papers published in Jersey City, and each share of stock shall entitle its owner to one vote at each election, which may be given in person or by proxy. Election of directors.

4. *And be it enacted*, That the board of directors shall have power to appoint a president, vice president, treasurer and secretary, and such other agents and officers as they may deem necessary for carrying on the business of the company, and to allow them such compensation for their services as may in their judgment be deemed reasonable. Appointment of president and other officers

5. *And be it enacted*, That Dudley S. Gregory, Jr., Dudley S. Steele, Richard M. Jordan, William B. Rankin, William W. Buckley, James H. Lane, William Robertson, John O'Mara, and Joseph Chevalier, be hereby appointed commissioners to receive subscriptions to the capital stock of said company, and that as soon as one thousand shares are subscribed the said commissioners, or a majority of them, shall, by public notice published in one or more of the pub- Commissioners to open books and receive subscriptions to capital stock.

lic papers published in Jersey City, for one week, call a meeting of the stockholders for the purpose of choosing the first board of directors.

May insure against loss and damage by fire, and also make marine insurance.

6. *And be it enacted*, That it shall and may be lawful for said company to insure houses and other buildings and property against loss and damage by fire, upon such terms 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 marine and inland transportation.

Mode of making policies or contracts.

7. *And be it enacted*, That all policies or contracts formed thereon, which shall be made and entered into by said company, may be made under or without the seal thereof, and shall be subscribed by the president or vice president, or by such other officer as may be designated for that purpose by the said company, and attested by the secretary, and being so subscribed and attested, shall be obligatory upon the said company, according to the tenor, intent and meaning thereof, and of such like policies and contracts.

May purchase and hold real estate.

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 may 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 in satisfaction of any debt previously contracted with or due to said company, and the real estate to mortgage, sell, exchange or otherwise to dispose of, and said company may invest their capital and accumulating funds from time to time in public stocks, bonds, notes, mortgages, and such other securities as the directors may approve.

Transfer of stock.

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 the company.

10. *And be it enacted*, That it shall be lawful for the di-

rectors to make dividends of so much of the profits of the company as shall appear advisable among the stockholders, which dividends shall be paid out semi-annually to the parties entitled thereto or their legal representatives. Dividends.

11. *And be it enacted*, That this act shall take effect from the date of its passage.

Approved March 13, 1873.

CHAPTER CCXXXIX.

An Act to renew the Charter of the "Farmers' Mutual Fire Insurance Company of Salem County."

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the act entitled "An Act to incorporate the Farmers' Mutual Fire Insurance Company of Salem County," passed March sixth, one thousand eight hundred and fifty-one, be and is hereby extended for and during the term of thirty years, from and after the time by the first mentioned act limited for its continuance. Act extended

2. *And be it enacted*, That this act shall take effect immediately upon the expiration of the time in and by said act entitled "An Act to incorporate The Farmers' Mutual Fire Insurance Company of Salem County," limited for the continuance thereof. Act, when to take effect.

Approved March 13, 1873.

CHAPTER CCXL.

An Act to enable the trustees of "The First Presbyterian Church of Alexandria" to convey certain real estate.

WHEREAS, Moses A. Taylor, late of the township of Alexandria, in the county of Hunterdon, deceased, did, in and by his last will and testament, bearing date the thirty-first Preamble.

day of May, anno domini one thousand eight hundred and sixty-seven, and duly recorded in the office of the surrogate in the said county of Hunterdon, in volume second of the record of wills, page five hundred and fifty-one, give and devise to the trustees of "The First Presbyterian Church of Alexandria," the lot adjoining the church, consisting of about nineteen acres, with all the buildings and improvements thereon, to be kept as a parsonage, on the condition that the trustees of said church should pay to his executors the sum of nineteen hundred dollars within eighteen months after his decease; *and whereas*, the said trustees of said church have accepted of and complied with the said condition, and have paid to the executors of the last will and testament of the said Moses A. Taylor, deceased, within eighteen months after his decease, the said sum of nineteen hundred dollars; *and whereas*, there is more land in the said lot contained than is necessary for the purposes of a parsonage, and it may become greatly to the advantage and for the best interest of the church to change the location of the parsonage; therefore,

Authorized to sell and convey lot of land.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the present trustees of the said "The First Presbyterian Church of Alexandria," or their successors in office, be and they are hereby authorized and empowered to sell and convey all or any part of the said lot of land and premises so devised to the trustees of the said church as above recited, and to execute and deliver to the purchaser or purchasers thereof, good and sufficient deed or deeds therefor; which deed or deeds shall convey to and vest in the said purchaser or purchasers a good and valid title, in fee simple, to said premises.

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

Approved March 13, 1873.

CHAPTER CCXLI.

A Supplement to an act entitled "An Act to consolidate The Manalapan Turnpike Company, and the Robertsville and Patton's Corner Turnpike Company, to be known as the Manalapan and Patton's Corner Turnpike Company," approved March twenty-fourth, one thousand eight hundred and sixty-three.

May borrow money and secure the same by mortgage.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said Manalapan and Patton's Corner Turnpike Company shall have power to borrow such sum or sums of money as shall be necessary to discharge the present indebtedness of said company, in whatever form such indebtedness may now be, not exceeding the sum of eight thousand dollars, and to secure the re-payment thereof by the execution and negotiation of a bond secured by a mortgage on said road, lands, privileges, franchises and appurtenances of and belonging to said company, which mortgage shall constitute a first lien thereon.

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

Approved March 13, 1873.

CHAPTER CCXLII.

An Act to enable the German Transatlantic Steam Navigation Company to hold property and transact business in the State of New Jersey.

Preamble.

WHEREAS, The German Transatlantic Steam Navigation Company, of Hamburg, in Germany, a corporation created by and under the laws of Germany, is carrying on

commerce between the United States and Europe, and desires authority to hold property in the state of New Jersey; therefore,

May hold and convey property in this state.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said corporation, known as the German Transatlantic Steam Navigation Company, is empowered in its corporate name to purchase, hold, mortgage, convey and otherwise dispose of such property, real and personal, in this state, as the purposes of their business may require.

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

Approved March 13, 1873.

CHAPTER CCXLIII.

An Act to enable "The Frankford Plains Cemetery Association" to take charge of and care for the Plains Burying Grounds.

Preamble.

WHEREAS, The Frankford Plains Cemetery Association, of the county of Sussex, in this state, has purchased and now owns a tract of land adjoining what has been known as the "Plains Burying Grounds," and has fenced in and laid out the said tract of land; *and whereas*, the said "Plains Burying Grounds," which include about two acres of land, has been filled up with the graves of deceased persons who have been interred therein, and the same has been neglected and become dilapidated for want of proper care and attention; *and whereas*, there is now no organized society or corporation in charge of the same; therefore,

Corporation vested with certain rights and powers.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said corporation, "The Frankford Plains Cemetery Association," be and the same is invested with the same power over and control over the lands and grounds known as "The Plains Burying Grounds" and all the ways and appurtenances to the same belonging,

as the said association now has by law over the lands purchased and held as aforesaid; subject, however, to such legal rights as any person or persons may have heretofore acquired therein.

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

Approved March 13, 1873.

CHAPTER CCXLIV.

An Act to incorporate the Bloomfield Library Association.

Preamble.

WHEREAS, the persons hereinafter named, and others, residents of Bloomfield, desire to form themselves into an association under the name and title of "The Bloomfield Library Association," for the purpose of founding and perpetuating a public library, with all proper conveniences and appurtenances, and furnishing to the public such other means of improvement in science, art and general literature, as the directors may from time to time deem advisable; and also the erection of a building adapted to the accomplishment of these objects, which building shall contain a hall for public assemblies and other appropriate rooms designed to yield a revenue; *and whereas*, this association is desirous of an act of incorporation that its purposes may be more effectually subserved; therefore,

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That David Oakes, Joseph A. Davis, Moses W. Dodd, Augustus T. Morris, Jacob F. Randolph, Robert Peel, Joseph P. Hague, Charles E. Knox, Warren G. Raynor, Jason Crane, Ebenezer McFarlan, Charles W. Powers, David G. Garrabrant, 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 Bloomfield Library Association;" and said association is hereby authorized to lease, purchase, hold, sell, improve, (by the erection of buildings or otherwise,) or to receive by do-

Corporate name and powers.

nation devise or bequest, and to convey any lands, tenements or personal property whatsoever, and to raise money by loans upon the same by mortgage or otherwise, and to rent out the same, and to receive the rents or emoluments thereof as may be deemed expedient for the purposes of this corporation.

Capital stock

2. *And be it enacted*, That the capital stock of said association, one-tenth part of which shall be expended for the benefit of the library, shall be thirty thousand dollars, with liberty to increase the same to seventy-five 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 on the books of the association.

Election of directors.

3. *And be it enacted*, That the said corporation shall be managed and controlled by a board of thirteen directors, who shall be stockholders, residing in Bloomfield, elected annually, and in such manner and at such time as may be prescribed by the by-laws of said association; and the first election for directors shall be held in such manner as shall be determined by a majority of the aforesaid corporators, as soon as the stock hereinbefore mentioned to the amount of fifteen thousand dollars shall have been subscribed, and ten per centum of the same paid to the said corporators, upon due written notice having been given by them to the subscribers of the stock of the time and place of holding such election; and in this and every subsequent election each stockholder shall be entitled to one vote for every share of stock by him, her or them held, not exceeding forty, and one vote for every additional ten shares, either in person or by proxy.

Books for subscription to capital stock shall be opened.

4. *And be it enacted*, That the corporators named in the first section of this act shall open books for subscription to the capital stock of this association, within thirty days after this act shall become a law, at such hour of the day and in such place or places in Bloomfield as they or a majority of them may deem desirable and proper, due notice of the time and place for opening such books of subscription having been given in a newspaper circulating in Bloomfield, at least five days before opening such books of subscription.

Corporators to be the first directors.

5. *And be it enacted*, That the persons above particularly named as corporators shall constitute a board of directors until others are elected; that they, as directors of said association, and their successors, 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 directors after the first election, and shall state the number of officers of said board of directors and of said association, and prescribe their duties and the time and manner in which and the term for which they are appointed, and the manner in which vacancies in the board of directors, or in any of the offices, in whatever way caused, may be filled; and they (the board of directors) shall have power to call in the balance of the capital stock of the association by installments, not to exceed five dollars per share, nor at less intervals than thirty days; to forfeit to the association such installments of money as may have been paid upon subscriptions, provided the balance shall not be paid according to the terms of said subscriptions; or the board of directors may take legal measures to enforce the payments of such sum or sums as may at any time be due on their stock.

Quorum.

6. *And be it enacted*, That seven directors of said corporation shall constitute a quorum competent to transact all business of the corporation, excepting such as by the requirements of this act or any by-law of the association a greater number than seven shall be required.

Dividends.

7. *And be it enacted*, That the board of directors of said association shall declare, make and pay such dividends to the stockholders, from time to time, out of the profits of the said association as they may deem prudent and proper; but no dividend shall be made except from the net earnings of the association, and none of more than seven per centum per annum while the association is in debt; and all excess of income beyond ten per centum net per annum, shall be devoted by the association to the increase of their facilities for intellectual culture.

Exemption from tax.

8. *And be it enacted*, That no state, county, city, township or other public assessments, taxes or charges whatsoever, shall at any time be levied or imposed upon the said association or upon the stocks and estates which may become vested in them under this act, other than their lands and tenements.

Who may subscribe stock.

9. *And be it enacted*, That other associations and corporations like in character, objects and purposes to this

association, shall and may have power and authority to subscribe to the stock of this association.

Repealer. 10. *And be it enacted*, That nothing in this act contained shall in any way interfere with the said association as it now exists.

11. *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 13, 1873.

CHAPTER CCXLV.

An Act to incorporate "The Delaware River and Cooper's Creek Horse Railroad Company."

Corporators 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Jesse W. Starr, William E. Lafferty, Benjamin A. Starr, Henry B. Wilson, Benjamin F. Archer, George B. Carse and Charles Watson, and such other persons as may be hereafter associated with them, shall be, and they are hereby ordained, constituted and declared a body politic and corporate, in fact and in law, by the name

Corporate name. of "The Delaware River and Cooper's Creek 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.

Capital stock 2. *And be it enacted*, That the amount of the capital stock of said corporation shall be ten thousand dollars, with the privilege to increase the same to twenty thousand dollars, and shall be divided into shares of fifty dollars each, which shall be deemed personal property, and transferable in such manner as the said corporation shall by their by-laws direct.

Commissioners shall open books and receive subscriptions to capital stock. 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, giving at least ten days' notice of the same in two of the newspapers published in the city of Camden, and that, at the time of subscribing, ten per

centum shall be paid for each share subscribed for to the commissioners, or some of them, and as soon as eight thousand dollars of the capital stock shall be subscribed, such commissioners shall give like notice for a meeting of the stockholders, to choose five 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 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; 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.

Election of directors.

Vacancies, how filled.

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 to be dissolved by reason of failure to elect directors.

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

General powers of the directors.

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.

May construct a single track railroad.

6. *And be it enacted*, That the said company shall have power and authority to construct a railroad with one track, to commence at the Delaware river at the foot of Walnut street, and thence eastwardly up and along said Walnut street to Newton avenue, thence northeastwardly along said Newton avenue to Pine street, and thence eastwardly along said Pine street to a point at or near Starr's foundry on Cooper's creek; *provided*, 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 council of the city of Camden shall be first had and obtained; *and provided further*, that said railroad shall be on the level of said streets, and shall be made in the best and most approved manner, and so as not materially to interfere with or obstruct the travel thereon.

Proviso.

Proviso.

Width of track and how laid.

7. *And be it enacted*, That the track laid by said company shall be the same width as the wagon tracks 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 said city council, so that said railroad shall not present any unnecessary obstructions to, or in any way unnecessarily 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, turnout or turnouts, and for two feet on the outer side of said rail, which pavement, tracks, and turnouts shall be laid in conformity with the ordinances of the said city, and under the supervision of the said 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 said city, now being or hereafter to be in force, and when required by the said city council, shall pay such tax per car to the said city as shall be directed, not exceeding one dollar per month for each car.

Company required to lay pavement.

May hold real estate, and erect machine shops, warehouses, &c.

8. *And be it enacted*, That the said company may purchase, have and hold real estate at the commencement and terminus of their railroad, and at any other place or places, not exceeding two acres at each place or six 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.

May operate road and charge for transportation.

9. *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 any species of property on their railroad as they may think fit, reasonable, expedient or right, and they are authorized to demand and receive such sum or sums of money for the transportation of any species of property thereon, as they may think reasonable and proper.

Dividends.

10. *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.

Penalties for injury to works or property.

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

May borrow money and secure payment by bond, &c.

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.

Time for commencement and completion of road.

13. *And be it enacted*, That the office of said company shall be in the city of Camden, 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 sub-

ject 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.

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

Approved March 13, 1873.

CHAPTER CCXLVI.

An Act to incorporate The South Mountain and Boston Railroad Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Joseph Coult, John S. Coursen, William M. Perrine, Francis M. Ward, Charles V. Moore, John Grove, Isaac Wildrick, John McCarter, William H. Bell, William Armstrong, Aaron 1. Barton, John Bonnell, Richard E. Edsall, Joseph B. Cornish, William Owens, and William H. Edsall Grenill Burt and such other persons as shall be associated with them, shall be and are hereby constituted a body politic and corporate by the name of "The South Mountain and Boston Railroad Company," and by that name they and their successors shall be known in law, and have power to sue and be sued, to defend and be defended, in all courts whether in law or equity and by that name shall be capable of purchasing or otherwise receiving and becoming possessed of and holding or conveying any real or personal estate, shall have perpetual succession, and may also have a common seal and alter or renew the same at pleasure, and shall have, enjoy and exercise all the rights, powers and privileges, pertaining to corporate bodies and necessary for the purposes of this act.

Corporate name and powers.

Capital stock

2. *And be it enacted*, That the amount of the capital stock shall be two hundred and fifty thousand dollars with liberty to increase the same from time to time to any amount not exceeding seven hundred and fifty thousand dollars, and shall be divided in shares of one hundred dollars each, which shall be deemed personal property and be transfer-

able in such manner as the said company shall by their by-laws direct.

Commissioners shall receive subscriptions to capital stock

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 time or times and at such place or places, as they or a majority of them may deem proper, giving at least ten days' notice of the same in two newspapers published in Newton, in the county of Sussex, and at Belvidere, in the county of Warren; and that at the time of subscribing five per centum shall be paid for each share subscribed to the commissioners or some persons appointed by them, and that the residue of the subscriptions shall be paid in such installments, and at such times and places and to such persons as the president and directors of said company shall from time to time direct by giving fifteen days' public notice thereof as aforesaid; and upon failure of 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 said installment or any of them to and for the use of the company.

Election of directors.

4. *And be it enacted*, That as soon as one hundred thousand dollars of the capital stock shall be subscribed, said commissioners shall give the like notice of at least ten days for a meeting of the stockholders to choose nine 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 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 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

New Jersey State Library

Vacancies, how filled.

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 to be dissolved by reason of failure to hold election.

5. *And be it enacted*, That 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 be made, the said corporation shall not for that cause be deemed to be dissolved, but the election may be had at any other time, on the notice of ten days as aforesaid, and the directors for the time being shall continue in office until others are elected in their stead

General powers of directors.

6. *And be it enacted*, That five directors of said corporation shall be competent to transact all business of said corporation, and shall have power to make and prescribe such by-laws and regulations of the capital stock aforesaid, and the property, estate, and effects of the said corporation, and also shall have power to appoint such superintendents, officers, clerks, and servants as to them shall seem meet and proper, and to fix and establish such salaries to them, and also to the president, as to the said board of directors shall appear proper.

May lay out and construct railroad.

Route of road.

7. *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 in the county of Warren, on the boundary line between this state and the state of Pennsylvania, in or between the town of Belvidere, and where the Delaware river passes through the Blue Ridge, at or near the Water Gap, extending said road by such route from the beginning when fixed, through the counties of Warren and Sussex, as may be deemed most feasible by said company, to some point in the boundary line between this state and the state of New York, within ten miles on either side of where the Walkill river crosses said boundary line, with the right and power to intersect and connect said railroad with the railroad of any company whose road crosses, or shall cross said Delaware river, by and with the consent of said company so to be connected with, and with power to said company to connect their road with any rail-

road constructed, or to be constructed in the county of Orange, in the state of New York, by and with the consent of said company, with the privilege of constructing such spurs and branches thereto as may be necessary to intersect with any other railroad or railroads now constructed or hereafter to be constructed in the county of Sussex, or to any mines, iron works or stone quarries in the said county of Sussex, subject to the restrictions herein contained; *provided*, 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 excavations or height of the embankments 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, with as many sets of tracks and rails as the company may deem necessary; and it shall and may be lawful for the said company, their servants, agents, engineers and 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 such road 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, or workmen, or others in their employ, to enter upon, take possession of, hold, use, occupy and excavate any such lands, and to erect embankments, bridges and all other works necessary to lay rails, and do all other things which shall be necessary and suitable 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 employ, shall enter upon or break ground in the premises, except for the purpose of surveying or laying out said roads unless the consent of the owner or owners of such land be first had and obtained.

Proviso.

Proviso.

8. *And be it enacted*, That all lands and real estate thus

Proceedings when company and owners cannot agree.

entered upon by said company, and which are not donated to said corporation, shall be purchased by the said company of the owner or owners thereof at the price to be mutually agreed upon between them, and in case the said company cannot agree with the owner or owners of such required lands 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 railroad, 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 is disinterested in the premises, who shall cause the said company to give notice thereof to the parties 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 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 lands 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 the 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 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 to make a just and equitable estimate or appraisement of the value of the same, and assessment of damages by reason of the taking thereof, to be paid by the company for such lands and materials and damages aforesaid, which shall be made in writing under the hand and seals of said commissioners, or any two of them,

and filed thereafter together with the aforesaid description of the land and materials, and the appointment and oaths or affirmations aforesaid, in the clerk's office of the county in which the lands and 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 and occupy, possess and enjoy the said land and 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 the 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 company or owner or owners of any of the land and materials, feel himself or themselves aggrieved by the decision of said commissioners, he, she or they, may appeal to the first or second term of the circuit court in the county wherein the said land or materials may lie, after filing of the said report, and to no other term. Proviso.

9. *And be it enacted*, That every appeal from the decision of said commissioners, appointed under the preceding section, shall be in form of a petition to the said circuit court and filed with said court, which proceeding shall vest in the said 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 circuit 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 for the taking thereof; and if the said jury shall find a larger sum than the said commissioners have awarded Proceedings in case of appeal.

in favor of said owner or owners, then judgment thereon, with costs, shall be entered against the said company, and execution shall be awarded therefor; but if the said jury shall find a less sum than the said commissioners shall have awarded, the said costs shall 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 erections 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; but in case the party or parties entitled to receive the amounts assessed by the commissioners or found by the jury, shall refuse upon tender thereof being made, 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 land lies, shall be deemed a valid and legal payment.

Proviso.

Company shall construct and keep in repair good andsufficient bridges.

10. *And be it enacted*, That it shall be the duty of said company to construct and keep in repair good and sufficient bridges or passages over or under the said railroad when any public road shall intersect and cross the same, so that the passage of carriages, horses and cattle across the said road shall not be obstructed, and also, where the said railroad shall intersect any farm or lands of any individual, to provide and keep in repair suitable and convenient wagon ways over and under said railroad, and also to build and keep in repair a sufficient fence on each side of said railroad, unless a bargain is made with the owner or owners of the land through which the said railroad passes that they will build and keep in repair said fences; also, said company are hereby authorized and empowered to build such bridges, raise such embankments and make such other works as they may deem necessary for the construction and use of the said railroad, and may also enter upon such roads and lands, and take possession of and use any materials necessary therefor, and if the corporation and the owner or owners of such materials do not agree as to the price of the same, it

shall be determined and settled in the manner heretofore provided for in the case of real estate or land.

May hold real estate and establish depots.

11. *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 of the line of said road, where the directors may think proper, to establish a depot, not exceeding five acres at each place, and may also erect and build thereon houses, warehouses and workshops, and such other buildings and improvements as they may deem expedient for the safety of their property, and for any other necessary use 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 or bridges as they may deem expedient and necessary for the full enjoyment of all the benefits conferred by this act.

May equip and operate road and charge for transportation.

12. *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 the said railroad all machinery, engines, cars, wagons, carriages or vehicles for the transportation of persons or any species of property, as they may think reasonable, expedient or right, and it shall also 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 incorporations, or with individuals for constructing, maintaining or operating said railroad, for transporting or conveying any kind of goods, property, produce, merchandise, freight or passengers, and to enforce the fulfillment of such contracts, and the said company are hereby authorized to demand and receive such sum or sums 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 at the rate of three cents per mile for carrying each passenger on said railway, and at the rate of six cents per mile per ton for the transportation thereon of any species of merchandise, produce, property and freight, and ten cents per mile per ton for way freight, but no charge shall be required to be less in the aggregate than fifteen cents; and the said railway with the appendages and the lands over which the same shall pass and all the works and improvements and all other property whatsoever belonging to the corporation, are here-

Proviso.

by vested in the said corporation and their successors for and during the continuance of their charter.

Dividends.

13. *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, and pay the same to the stockholders of the said company or to their legal representatives in proportion to the number of shares held by them respectively.

Penalty for injury to road or other property.

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

Statement of cost and expenses to be made annually.

15. *And be it enacted*, That as soon as the said railroad or any part thereof is in operation, the president of the said company shall file, under oath or affirmation, a statement of the amount of the cost of the said railroad, including equipment, appendages and all expenses, in the office of the secretary of state, and annually thereafter on the first Monday of January of each year he shall, under oath or affirmation, make a statement to the secretary of state of the cost of equipment, appendages and expenses of said road; and after the said railroad or any part of it shall be in operation, the said corporation shall pay to the treasurer of this

State tax shall be paid to treasurer of state.

state a tax of one-half of one per centum on the cost, equipment and appendages of said road, to be paid annually thereafter on the first Monday of January of each year, and such other taxes 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, and until the said railroad or any part thereof shall be in operation, the said corporation shall be regularly assessed and pay tax for the value of its real estate, including improvements thereon, and personal property as now taxed in the city or cities, township or townships wherein it lies, at the same time and rate and in the same manner, for the same purposes and by the same

person or persons as the other taxes assessed in said city or cities, township or townships; *provided*, that no other tax or impost shall be levied or assessed on said company. Proviso.

16. *And be it enacted*, That the said company shall have power to borrow such sum or sums of money; *provided*, that said sums shall not exceed two-thirds of the amount of capital stock paid up, as shall be necessary to build, construct or repair their roads, or any part of the same, and to furnish said corporation with all the necessary engines and machinery for the uses and objects of said company, and to secure the payment of the same by bond and mortgage, or otherwise, on the said road, lands, privileges, franchises, depots, cost, appurtenances of or belonging to said corporation, at a rate of interest not to exceed seven per centum per annum, and it shall not be lawful for said company to plead usury on their bonds or other securities sold by them at such prices as at the time they thought best for the interest of the company to get, but that said securities shall be good at all times against said company for their face value and the interest reserved therein. May borrow money. Proviso.

17. *And be it enacted*, That in case it shall at any time appear that, by reason of any mistake or error in the proceedings for acquiring the title of lands for said road and its spurs or branches aforesaid hereby authorized, the title to any such lands shall fail, or it shall appear that the title to lands necessary for said road and said spurs and branches has not for any reason been acquired, then it shall be lawful for said company to proceed anew, in the manner hereinbefore provided and directed, to acquire the right and title to any such lands. Proceedings for acquiring title to lands.

18. *And be it enacted*, That if the said railroad shall not be commenced within one year, and completed within five years from the fourth day of July next, then this act shall be void. Time for the commencement and completion of road.

19. *And be it enacted*, That it shall and may be lawful for the said company at any time hereafter to consolidate the capital stock of any railroad company now formed, or which may at any time hereafter be formed with which the road authorized by this act may connect. May consolidate with other roads.

20. *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 courts of errors of this state, when traveling for the dis- Who may ride free.

charge of the duties of their office, and the members of both houses of the legislature of this state, shall pass and repass on the railway of said corporation created by this act free of charge.

May construct and build bridge over the Delaware river.

21. *And be it enacted*, That the said company shall have power and authority (the authorities of the state of Pennsylvania consenting thereto) alone, or in conjunction with any other company, to build and maintain a bridge or bridges across the Delaware river, at the point where the said railroad should intersect the same, and to place therein piers and abutments to support the same, and to place upon said bridge or bridges when built, rails and tracks for the operation of the said railroad, and shall also have power to connect said road with the road or roads of any company now or hereafter to be constructed in said state of Pennsylvania, and the said company may cross with their said roads authorized by this act the railroad of any company constructed or authorized to be constructed in this state; *provided*, such crossings shall not unnecessarily interfere with the operation of the said road or roads.

Proviso.

22. *And be it enacted*, That this act shall be deemed a public act, and shall at all times be taken as such in all courts and places, and shall take effect immediately.

Approved March 13, 1873.

CHAPTER CCXLVII.

An Act to incorporate "The North Elizabeth Horse Railroad Company."

Corporators

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Charles Griffith, John Q. Dudley, John Prentiss, James S. Harlow and Jesse Smith, and such other persons as may hereafter be associated with them, shall be and are hereby made, constituted and declared a body politic and corporate, in fact and in law, by the name of "The North Elizabeth Horse Railroad Company," and by that name shall be capable of purchasing, holding and conveying lands, tenements and real estate, goods and

Corporate name.

chattels necessary or proper for the object of said corporation.

Capital stock

2. *And be it enacted*, That the amount of the capital stock of said corporation shall be fifty thousand dollars, with the privilege of increasing the same to two 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 by-laws direct.

Commissioners shall open books and receive subscriptions to capital stock.

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, in the city of Elizabeth, as they or a majority of them think proper, giving at least ten days' notice of the same in one or more newspapers published in the city of Elizabeth, and at the time of subscribing ten per centum of the value of each share subscribed shall be paid to the commissioners or one of them, and as soon as twenty thousand dollars of the capital stock shall be subscribed, and five thousand dollars paid in said commissioners shall give like notice for a meeting of the stockholders, to choose five directors, a majority of whom shall be residents of this state and citizens thereof, and such election shall be made at the time and place appointed by such of the stockholders as shall attend for the 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 in said corporation, and shall certify under their hands, the names of the persons duly elected, and deliver over the subscription books and moneys paid in, (after deducting all expenses previously incurred), to such director so elected, and annually after the first election of directors, at a time and place to be fixed by the by-laws of said corporation, there shall be a meeting of the stockholders to choose five directors, a majority of whom shall be citizens of this state, which election shall be conducted in accordance with the rules fixed by the by-laws of said corporation, and which directors shall hold their office for one year after their being chosen.

Election of directors.

Not to be dissolved by reason of failure to hold election.

4. *And be it enacted*, That in case it shall happen that an election of directors should not be held upon the day when pursuant to this act it ought to be held, the said corporation

shall not for that cause be deemed to be dissolved, but such election may be held at any other time, giving ten days' notice, in the manner provided by law, and the directors for the time being shall continue to hold their office until others shall have been chosen in their place; and in case of the death, resignation or removal of any director during the year for which he may have been chosen, such vacancy may be filled by the remaining directors or a majority of them.

General powers of the directors.

5. *And be it enacted*, That three directors of the said corporation shall be competent to transact all business of said corporation, shall have power to call in the capital stock of said corporation, to be paid 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 default shall arise, or at their option to sue for and recover the installments due and unpaid; to make such by-laws, rules and regulations as shall appear proper concerning the business of said corporation, and to appoint such officers, clerks and servants, and to fix for them such salaries and wages as to them shall seem proper.

May construct railroad.

6. *And be it enacted*, That said corporation shall have power and authority to lay down and construct a railroad with the necessary turnouts and switches, from some point in East Broad street, in the city of Elizabeth, and thence through East Broad street and Jefferson avenue, to North avenue, thence through North avenue and Madison avenue to the line of Clinton township; *provided*, that the right to construct the said railroad through any of the streets or roads within the city of Elizabeth shall not vest in said corporation until the consent of the city of Elizabeth shall be first had and obtained of the city council.

Proviso.

Manner of laying the track.

7. *And be it enacted*, That the track laid by said corporation, shall be laid in all streets within the limits of the city of Elizabeth level with the surface of said streets, and in conformity with the grades thereof, which now are or hereafter may be established by the municipal authority of said city, and in all cases the rails of such track shall be so laid as to present no unnecessary obstructions to, or in any way interfere with the wagons or other vehicles turning in or crossing said streets or roads through or over which said road or its turnouts or switches may be laid.

8. *And be it enacted*, That the said corporation may purchase, have and hold at each terminus of said road, and

along the line thereof, so much land as they desire, not however, exceeding ten acres in the aggregate; and may erect and build thereon houses, depots, warehouses, stables, machine shops, and such other buildings and improvements as may be necessary for carrying out the objects of said corporation. May build depots and warehouses.

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. Dividends.

10. *And be it enacted*, That the president and directors of said corporation shall have power to purchase, or to have constructed with the funds of said corporation, all such machinery, cars, wagons, or other vehicles, for the transportation of persons or property on their railroad as they may deem fit, expedient or right; and also to purchase such horses or mules as they shall deem fit for the purpose of said corporation; *provided, however*, that no steam power shall be used as a motive power upon said railroad; and they are hereby authorized to demand and receive such sum or sums of money for the transfer of persons or property upon said railroad as they shall think reasonable and proper; *provided*, that not more than six cents shall be demanded or received for conveying any person from any point to another upon said railroad. May equip and operate road and charge for transportation. Proviso. Proviso.

11. *And be it enacted*, That if any person or persons shall willfully or maliciously impair, injure, destroy or obstruct said railroad, or any of its works, turnouts, switches, carriages, animals or machines, such person or persons shall forfeit and pay therefor to 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 injury to road or other property.

12. *And be it enacted*, That the said corporation shall have power to borrow, in addition to the capital aforesaid, 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 and mortgage, or otherwise, on the said railroad, lands, privileges, franchises and appurtenances of the said corporation at a rate of interest not exceeding seven per centum per annum. May borrow money.

13. *And be it enacted*, That it shall be lawful for said corporation at any time to make contracts and engagements May make contracts, &c.

with any other corporation or with individuals for operating said railroad, for transporting or conveying any kind of goods, merchandize, freight or passengers, and to enforce the fulfillment of such contracts, and to demand and receive for such transportation by them carried over the road of any other company the same rate of fare and tolls as said corporation are entitled to receive by virtue of this act for transportation and passage over their road, and also to connect with any other railroad or railroads in the said city of Elizabeth, now incorporated or hereafter to be incorporated upon such terms and conditions as may be agreed upon between them and not inconsistent with their respective charters; *provided further*, that said company shall, within the limits of the city of Elizabeth, in all things be subject to the provisions of the charter and ordinances of said city now or hereafter to be in force.

Proviso.

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

Approved March 13, 1873.

CHAPTER CCXLVIII.

An Act to incorporate "The Chatelet Club, of Newark New Jersey."

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That William L. Robb, Richard G. Westervelt, George Taylor, Eliphalet C. Smith, jr., John T. Robb, William H. Lyon, William H. Curtis, and such other persons as now are or hereafter may be connected with them, be and they are hereby constituted and declared a body politic and corporate, in fact and in law, by the name and style of "The Chatelet Club, Newark, New Jersey," for the purpose of social intercourse among its members, and providing them the conveniences of a club house or club rooms.

Corporate name.

May make and adopt laws and rules for the government of the club.

2. *And be it enacted*, That the said corporation shall have the power to make and adopt a constitution, by-laws and such rules and regulations in reference to the admission,

conduct, suspension and expulsion of its members, and their management and government, the election of its officers and the defining of their duties, as it may deem expedient, and from time to time may alter or repeal the said constitution, by-laws, rules and regulations; that all the rights and interest of a member in the property and privileges of the club shall cease with the termination of his membership.

May have and hold real and personal property acquired by gift or otherwise.

3. *And be it enacted*, That the said corporation, by its corporate title of "The Chatelet Club, Newark, New Jersey," shall be capable in law to acquire by purchase, grant, gift, devise or otherwise, and to hold, possess, lease and enjoy such real and personal property as may be necessary or expedient for the purposes of said corporation, and may convey, sell, mortgage, lease or otherwise dispose of the same at pleasure; *provided*, the yearly income of such real and personal property shall not at any time exceed the sum of five thousand dollars; that the said corporation shall have power to adopt a corporate seal and to change the same at pleasure, and in its corporate name may be sued and may institute suits both in law and equity for the recovery of all fines, debts, fees, dues and arrearages due the said corporation, and for all other causes of action whatsoever.

Proviso.

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

Approved March 13, 1873.

CHAPTER CCXLIX.

An Act to incorporate the Camden City Savings Institution.

Corporators

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Jesse W. Starr, Henry B. Wilson, Charles Stockham, Seth B. Stitt, George Browning, Benjamin F. Archer, William E. Lafferty, Alden C. Scovel, Charles Watson, and their successors, shall be and are hereby constituted a body corporate and politic, by the name of "The Camden City Savings Institution," with power to purchase, take, hold, enjoy, and sell, lease, or otherwise dis-

Corporate name.

pose of any real or personal estate, which shall be necessary for the purposes herein mentioned.

Business shall be conducted by a board of managers.

2. *And be it enacted*, That the said institution shall be conducted by nine managers, elected by ballot from the number of the above named incorporators, of whom five shall be a quorum to transact business; and the seat of any manager who shall have neglected to attend for four successive meetings may be vacated by the board; the managers shall meet annually, at such times as their by-laws may designate, and choose one of their number 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 incorporation; which officers so chosen and appointed shall continue in office one year, and until others are chosen, unless sooner removed by the board of managers; and all officers so chosen shall be under oath, and shall give such security as the board of managers may require for the faithful performance of the duties of their respective offices; and the managers shall have power to fill up, by ballot, any vacancy which may occur in their body or its officers, by a vote of the majority of the managers present, after five days' notice thereof shall have been given to the managers by publication in one of the newspapers published in said Camden city, or by notice deposited in the post office, directed to each manager, or left at his residence.

General powers of the managers.

3. *And be it enacted*, That the board of managers shall have power to make, ordain, establish and alter 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 directing the affairs of the corporation: *provided*, that such by-laws and regulations shall not be repugnant to the constitution and laws of this state, or of the United States of America; and such by-laws and regulations shall be put up conspicuously in the room where the business of said corporation shall be conducted.

Proviso.

May receive deposits and regulate the rate of interest to be paid depositors.

4. *And be it enacted*, That the said corporation may receive, as deposits, all sums of money which may be offered for the purpose of being invested, in such amounts, and at such times and on such terms as the by-laws shall prescribe, which shall be invested accordingly, and shall be repaid to the depositor at such times and with such interest, and under

such regulations as the board of managers shall from time to time prescribe; and the said corporation may accept and execute all such trusts, of every description, as may be committed to them by any person or persons whatsoever, by will or otherwise, or by the order of any court; and 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 same rates of interest may be so regulated that the interest allowed to depositors may be less on large sums than that allowed on small sums, and that the managers shall not be required to allow any interest or dividend on account of said surplus fund, for money which shall have been withdrawn from deposit. Proviso.

5. *And be it enacted*, That the said corporation shall not issue any notes or bills, nor shall any manager, officer or agent of the said corporation, be allowed, directly or indirectly, to borrow any money from the said corporation; and all compensation to be allowed to the managers or officers shall be fixed by the board of managers. Shall not issue notes or bills.

6. *And be it enacted*, That the said corporation may invest money in the stocks and bonds created under the laws of the United States, and in stocks and bonds issued by the states of New Jersey, New York and Pennsylvania, and the several counties, cities, towns and townships thereof, and in real estate double in value of the amount loaned above any incumbrance thereon; and may make loans on personal securities to any amount not exceeding twenty per centum of the money to be invested, with pledges of collateral securities at least equal to the amount loaned. Investments

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

8. *And be it enacted*, That the said corporation may pay to any depositor, being a minor, such sums as may be due to such depositor, notwithstanding that no guardian may have been appointed for such depositor, and the receipt or acquittance of such minor shall be as valid as if executed by a guardian duly appointed; *provided*, that the deposit due such minor shall have been made by such minor in person, Deposits by minors. Proviso.

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 deposit shall not be subject to the control of the husband, or liable for his debts; nor shall moneys deposited by a single woman be subject, in case of marriage, to the use or control, nor liable for the debts, of the future husband.

Depositor may appoint person to whom money shall be paid.

9. *And be it enacted*, That a book shall be kept at the office of the corporation, in which any depositor shall be at liberty to appoint a person or persons to whom, in any 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 corporation.

Interest, how to be allowed

10. *And be it enacted*, That the corporation shall not be required to receive on deposit a less sum than one dime, nor to allow interest on the fractional part of a dollar, nor for the fractional part of a month.

Books of deposit shall be kept.

11. *And be it enacted*, That all deposits and payments shall be regularly entered in the books of the corporation, and every person depositing 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.

Annual report shall be made to the comptroller.

12. *And be it enacted*, That it shall be the duty of the said corporation to make an annual report to the comptroller of this state, under oath or affirmation of the treasurer and a committee appointed for that purpose by the managers, or three or more of their number, of the state of its funds, and such statement shall be published in the city of Camden.

Location of office or place of business.

13. *And be it enacted*, That the office or place of business of the said corporation shall be in the city of Camden, and the books of the corporation 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.

Act shall be favorably construed.

14. *And be it enacted*, That this act shall be and is hereby 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 corporation in deed, grant, devise, or other instrument of contract or conveyance, shall vitiate or defeat the same;

provided, the corporation shall be sufficiently described to ascertain the intention of the parties; *and provided, also*, that the legislature may, at any time hereafter, amend or modify this act, and that this act shall take effect immediately, and continue in force until repealed. Proviso. Proviso.

Approved March 13, 1873.

CHAPTER CCL.

An Act to incorporate the Princeton Savings Bank.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Joseph H. Bruere, Philip Hendrickson, Edward Howe, William Harris, Thomas R. Moran, Francis S. Conover, James H. Wikoff, George W. McGinness, Andrew L. Rowland and Crowell Marsh, be and are hereby constituted a body corporate and politic, by the name of "The Princeton Savings Bank," and by that name shall have perpetual succession, and may sue and be sued in any court whatsoever. Names of corporators. Corporate name.

2. *And be it enacted*, That it shall be lawful for said corporation to purchase, hold and convey real estate; first, such as shall be requisite for its accommodation in the convenient transaction of its business; second, such as shall have been mortgaged to it in good faith for money loaned in pursuance of the provisions of this act; third, such as shall have been purchased at sales upon judgments or decrees obtained or rendered for money so loaned; and the said corporation shall not purchase, hold or convey real estate in any other case, or for any other purpose. May purchase and hold real estate.

3. *And be it enacted*, That the said institution shall be conducted by five managers, elected by ballot from among the number of the above named incorporators, three of whom shall be a quorum to transact business, and at least three shall be residents of the township of Princeton; and the seat of any manager who shall have neglected to attend for six consecutive meetings, may be vacated by the board; the managers shall meet annually on the first Monday in Business shall be conducted by board of managers.

May, 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, or until others are chosen; and all officers so chosen shall be under oath for the faithful performance of the duties of their offices respectively, and shall give security, if required, for the faithful execution of the duties of their office, in such sum or sums as may be directed by the board of managers.

General powers.

4. *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 meetings 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, and shall not at any time be altered so as to affect any deposit of money previously made.

Proviso.

May receive deposits.

5. *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, which shall be invested accordingly, and shall be repaid to the depositor at such times and with such interest, and under such regulations as the board of managers shall from time to time prescribe, and the said institution may accept and execute all such trusts of every description, as may be committed to them by any person or persons whatever, by will or otherwise, or transferred to them by the order of any court.

May make contracts with borrowers as to payment of taxes.

6. *And be it enacted*, That it shall and may be lawful for the said Princeton Savings Bank to enter into a contract or agreement with any borrower or borrowers of its loanable funds, whereby the said borrower or borrowers shall pay any part or all of national, state, county, city, township, or other taxes, which may be assessed upon the money so loaned or to be loaned, and the securities for the payment thereof; and all such contracts and agreements are hereby made and declared to be valid and effectual in law, and no such security shall be held, deemed or taken in any court of

this state to be usurious or invalidated by reason of any such contracts or agreements, anything in any existing law of this state to the contrary notwithstanding.

Interest to be allowed depositors.

7. *And be it enacted*, That it shall be the duty of the managers to regulate the rate of interest to be allowed to the depositors, so that they shall receive a ratable proportion as near as may be of the profits, after deducting therefrom all necessary expenses and a reasonable surplus or contingent fund; *provided*, that said rates of interest may at the discretion of the managers be so regulated as that the interest allowed to depositors having over one thousand dollars deposited shall be at least at the rate of one per centum per annum less than the interest allowed to other depositors.

Proviso.

Managers shall not receive any compensation.

8. *And be it enacted*, That no emoluments whatever shall, directly or indirectly, be received by the managers or either of them for their services, except the secretary and treasurer, and the committee of examination of property offered as security for loans, who shall receive such compensation as may from time to time be established by a majority of the whole number of the managers of said corporation; nor shall any officer or agent of the institution be allowed, directly or indirectly, to borrow any money from said institution, or to use the same, except to pay necessary expenses, nor shall the institution take or hold any bonds, mortgages or other securities for the payment of money drawn or endorsed by or existing against any officer or agent of the institution, as security for money loaned by it, unless the same shall have been received in payment of debts due from other parties.

Investments

9. *And be it enacted*, That the said corporation may invest the money left with them on deposit, in no other public stocks or bonds than such as are created and issued by the United States, and by the several states, and by the several counties, cities and towns in this state, under the laws thereof, nor upon bond and mortgage, except on unencumbered real estate, worth at least double the amount invested; *provided*, said corporation may make temporary loans upon personal securities, with pledges of collateral securities worth at least twenty per centum more than the amount loaned; but the amount thus loaned on personal security shall not at any time exceed forty per centum of the whole amount of the assets and securities of the said corporation.

Proviso.

Certificates of deposit.

10. *And be it enacted*, That all certificates of evidence of deposit made under the hand of the proper officers of the institution shall be as binding as if the same were made under their common seal.

Deposits by minors.

11. *And be it enacted*, That it shall be lawful for the said institution, at their discretion, to pay to any depositor being a minor, such sum as may be due to such depositor, not exceeding one thousand 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 deposit 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 their interest and dividends thereon, and receive and withdraw the same; and such deposits shall not be subject to the control of the husband nor liable for his debts; nor shall moneys 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 of deposits shall be kept.

12. *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 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 of said institution.

Interest on deposits.

13. *And be it enacted*, That the institution shall not be required to allow interest on a deposit until it amounts to one dollar, nor to allow interest on the fractional part of one dollar, nor shall the institution be required to allow interest on the fractional parts of a month.

Duplicate of entry of deposit to be furnished.

14. *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.

Annual report shall be made to the comptroller.

15. *And be it enacted*, That it shall be the duty of the said institution to make an annual report to the comptroller of this state under the 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

such statement shall be published in one or more newspapers published in the county of Mercer.

16. *And be it enacted*, That the managers shall have power to fill up by ballot, at a regular meeting, after notice of one month, any vacancy which may occur in their own body or officers by a vote of a majority of the managers present. Managers may fill vacancies.

17. *And be it enacted*, That the office or place of business of the said institution shall be in the borough of Princeton, 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. Place of business.

18. *And be it enacted*, That this act shall be and is hereby 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, devise or other instrument of contract or conveyance shall vitiate or defeat the same; *provided*, the institution shall be sufficiently described so as to ascertain the intention of the parties; *and provided also*, that the legislature may at any time hereafter amend or modify this act. Act, how construed. Proviso. Proviso.

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

Approved March 13, 1873.

CHAPTER CCLI.

An Act to incorporate the Hainesport Manufacturing Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That H. B. Smith, Thomas D. Armstrong, Barclay Haines, Charles Bispham, John R. Slack, J. Wardell Brown, and their associates and successors, be and they are hereby created and declared to be a body corporate and politic in law and in fact, by the name of "Hainesport Manufacturing Company," and as such shall have per- Corporators and corporate name.

petual succession, and all the privileges and franchises belonging or incident to a corporation.

Capital stock

2. *And be it enacted*, That the capital stock of said corporation shall be one hundred thousand dollars, to be divided into shares of one thousand dollars each, with the privilege of increasing the same from time to time to any sum not exceeding five hundred thousand dollars, which said capital stock shall be personal property, and be transferable on the books of the company.

Commissioners shall open books and receive subscriptions to capital stock.

3. *And be enacted*, That the above named corporators, or a majority of them, shall be commissioners to receive subscriptions to the capital stock of the said corporation, at such time and place as they may direct; and at the time of subscribing for said stock such amount on each share subscribed for shall be paid, satisfied or satisfactorily secured to said commissioners as they or a majority of them shall direct, and the residue of the subscription shall be paid, satisfied or secured, as the directors of said corporation when elected shall from time to time direct, giving notice of the time and place of payment in a newspaper printed and published in the county of Burlington, for two weeks, at least once in each week; and upon the failure of any person or persons to pay, satisfy or secure the payment of such installment or installments, or any of them as aforesaid, the directors are hereby empowered to forfeit the share or shares of each and every person so failing, or any of them, to and for the use and benefit of said corporation; and any share or shares of stock forfeited as aforesaid may be held by the said corporation, or any person or persons for its benefit, and may at any time be sold or disposed of for the benefit of the corporation as said directors may determine, or may be divided proportionately among the remaining stockholders, to be by them held and enjoyed, or sold and transferred with the rights and benefits incident thereto, the same in all respects as if they were original shares by them subscribed.

Election of directors.

4. *And be it enacted*, That whenever forty thousand dollars of the capital stock aforesaid shall have been subscribed, said commissioners, or a majority of them, shall as soon thereafter as they deem expedient, give notice in such manner as they may determine of a meeting of the stockholders, at such time and place in the state of New Jersey as said commissioners may designate, to choose seven directors, who

shall hold their office for one year and until others are duly elected; and at such meeting of stockholders convened as aforesaid, and at each annual meeting of the stockholders thereafter, the said stockholders shall prescribe the time and place for holding the next annual election of directors of said corporation, and the directors elected at any such election shall hold their office for one year, and until others are duly elected in their stead; and the directors shall as soon as may be after their election choose from their number a president of said corporation, who shall hold his office for one year, and until his successor shall be duly appointed; and in case of the death, resignation or incapacity of the president or any director, the vacancy thereby created may be filled by the other directors at a meeting of the board convened for the purpose, for the remainder of the then current year.

Who may vote.

5. *And be it enacted*, That at all elections by stockholders for officers of said corporation, and at all meetings of stockholders upon all questions submitted to them, each stockholder shall cast one vote for each and every share of stock standing upon the books of said corporation in his or her name, which vote may be cast either by said stockholder in person or by proxy.

General powers of the directors

6. *And be it enacted*, That the board of directors of said corporation shall have power to make and adopt a common seal for said corporation, and the same to alter at pleasure; to appoint a treasurer, secretary, and such other officers, agents, clerks, servants and employees of said corporation as they may deem necessary, and to prescribe and regulate their duties, salaries and compensation; to issue or authorize to be issued such promissory notes, bills of exchange, and business papers of said corporation as they may determine; to borrow such sums of money from time to time as they may deem advisable for the purposes of said corporation, and to pledge the credit and property of said corporation for the payment thereof, or to issue the promissory notes or bonds of said corporation therefor, and to secure the payment of the said promissory notes or bonds, either by mortgages on the real or personal property of said corporation whereso-ever situate, or in such other way as said directors may see fit; to make such by-laws, rules and regulations for the issuing and transfer of the stock, and for the government of said corporation, its officers, clerks, agents and employees,

as said directors may determine; and generally to direct, control and manage the business and affairs of said corporation in such manner consistently with the provisions of this act as they may think proper.

Location of place of business.

7. *And be it enacted*, That the principal place of business and chief manufacturing establishment of said corporation shall be located at Hainesport, in the county of Burlington, and that said corporation shall be, and they are hereby

Object of the corporation.

authorized to engage in the manufacture and sale of iron, steel, brass, and the various kinds of metals in general use, and all articles, machinery, goods, wares and merchandise, of which wood, iron, steel, brass or other kinds of metals form a component or constituent part; and to purchase, sell, mortgage, have, hold, use, occupy, possess and enjoy, such real estate and personal property, tools, engines, machinery, fixtures and materials in this or any other state or territory as may be deemed needful; and to receive and take, have, hold, sell, assign and transfer mortgages or other securities for any debts due to or for any real or personal property sold by said corporation; and said corporation are hereby empowered, whenever in the opinion of the directors thereof it may be for the interest of the said corporation so to do, to subscribe for or to accept and receive as part payment for any work done, or goods, wares, merchandise, or real estate sold or furnished by said corporation, the whole or any part of the capital stock of any incorporated company in this or any other state or territory, and to have, hold, sell and transfer the same as they may deem advisable; and to purchase, hire, build or construct such and so many ships, vessels, boats or barges as may be necessary or useful in carrying on the business of said corporation; and to erect and build such wharves, houses, buildings, structures, workshops, foundries, engines and machinery as said corporation may require for the transaction of its business, and shall have power to build railroad tracks from their works to the Rancocas creek, and to a point on the Camden and Burlington County Railroad at or near Hainesport, to be selected by the directors of said corporation, not to exceed one mile in length; and it shall be lawful for the said president and directors, their agents, superintendents, engineers or others in their employ, to enter at all times upon all lands or water, for the purpose of exploring, surveying, leveling or laying out the route of such railroad, and 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 of such road shall have been determined upon, and a survey of such route 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 hereafter provided; *provided always*, that the payment or tender of payment of all damages for the occupancy of lands through which the said railroad 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 the said road, unless the consent of the owner or owners of such land be first had and obtained. Proviso.

Proceedings when company and owners cannot agree as to purchase of land or materials.

8. *And be it enacted*, That when the said company or its agents cannot agree with the owner or owners of such required lands or materials, for the use or purchase thereof, or, when by the legal incapacity 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 person 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 in writing thereof, to the person 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, resident 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 damage, 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 or subscribed an oath or affirmation before some person authorized to administer an oath or affirmation, 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, and to proceed to view and examine the said land or materials, and make a just and equitable estimate or appraisement of the value of the same and assessment of damages, as shall be paid by the company for such land and materials and damages as aforesaid, which report shall be made in writing under the hands and seals of said commissioners, or any two of them, and filed within ten days thereafter, together with the aforesaid description of the land or materials, in the clerk's office of the county in which the land or materials are situated, to remain of record therein, 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, possess and enjoy the said land or materials, or of the said owner or owners to receive the amount of the 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 upon reasonable notice to the other, 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 just, which shall be paid by the company;

Proviso. *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.

9. *And be it enacted*, That every appeal from the decision of 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 said circuit court of the county wherein the land or materials appraised by the said commissioners shall be, notice of the filing whereof 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 same issue to be tried at the next term of 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 land or materials, and the damage 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 therein with cost 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 offered, or the said commissioners shall have awarded, then said cost 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 may 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 making any erection or improvement whatever, or otherwise appropriating said lands to the use of the 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,

Proceedings in case of appeal.

Proviso.

then the payment of the amount assessed or found as aforesaid into the circuit court of the county where the said lands lie shall be 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.

Annual statement shall be made.

10. *And be it enacted*, That the directors of said corporation shall submit to the stockholders thereof at their annual meeting in each year, a statement in writing of the condition and affairs of said corporation, and said directors shall divide the net profits of the business of said corporation, or so much thereof as they may deem advisable, among the stockholders in proportion to the amount of stock held by them respectively, at such time and in such manner as said directors shall determine.

Subscriptions to capital stock may be paid in materials, machinery, &c.

11. *And be it enacted*, That the said corporation may receive in payment for subscriptions to its capital stock any real or personal property, or any materials, engines or machinery, at a valuation approved of by the directors of said company, and may have, hold, sell and convey the whole or any part of such real or personal property, and may receive and take security for any such real or personal property as may be sold, by way of mortgage or otherwise, and to hold or to sell and transfer the same.

Restrictions and liabilities.

12. *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 entitled, "An act concerning corporations," approved February fourteenth, one thousand eight hundred and forty-six, and the several supplements thereto, so far as the same are applicable; and

Property to be taxed.

the said corporation shall be assessed and taxed upon the actual value of all their real and personal estate, with the building and appurtenances thereto belonging in the township, city or ward in which the same may be situate; but no further tax shall be assessed upon the amount of the capital stock of said company in the hands of the holders thereof; and said corporation shall be entitled to all deductions for and in respect to debts owing by them, in the same way and to the same extent as natural persons now are or hereafter may be under the laws of this state.

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

Approved March 13, 1873.

CHAPTER CCLII.

An Act to incorporate the Cape May Boulevard Turnpike Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Mark Devine, Alexander Whilldin, Alexander G. Cattell, Dr. J. H. Smaltz, Downs Edmunds, Doctor V. M. D. Marcy, Franklin Hand and Thomas Beesley, and such other persons as may subscribe to the stock, hereby authorized, and their successors, shall be and they are hereby created a body politic and corporate, in fact and in law, by the name of The Cape May Boulevard Turnpike Company.

Corporate name.

Commissioners shall receive subscriptions to capital stock

2. *And be it enacted*, That the said persons named in the first section of this act, be appointed the first directors of the said company, and commissioners to receive subscriptions to the capital stock of said company, and who are hereby authorized to receive subscriptions to the said capital stock at such times and at such places within the county of Cape May, as they or a majority of them direct, giving at least twenty days' notice thereof, in writing, set up in five or more public places in said county.

Capital stock

3. *And be it enacted*, That the capital stock of said company shall be fifty thousand dollars, with the privilege of increasing the same from time to time to any sum not exceeding one hundred thousand dollars, divided into shares of one hundred dollars each, which shall be deemed personal property, transferable only on the books of the company in such manner as the directors of the said company by by-laws or otherwise may direct, and which shall be paid in at such times in such manner and upon such notice as the said directors may appoint, and in case of failure of any stockholder to pay his or her installments at the time and place appointed for the payment thereof, or (except in case of the first installment directed to be paid at the time of the subscription) within thirty days thereafter, the stockholder so in default shall incur a forfeiture of his or her share or shares, and of all previous payments thereon, to the use of the company.

Election of directors.

4. *And be it enacted*, That the affairs of said company shall be managed by a board of seven 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, who shall serve for one year and until others shall be chosen in their stead, notice of which said election shall be previously given for two weeks at least, by notice published in one newspaper published in the said county of Cape May; the said directors shall from time to time elect a president out of their own body, and shall also elect and employ such other officers as may be convenient and necessary.

Annual statement shall be made

5. *And be it enacted*, That an annual meeting of the stockholders shall be held each year, at such time as by the by-laws of the company may be directed, for the election of directors as aforesaid, at which meeting the directors shall every year exhibit a full and complete statement of the affairs of the said company during the preceding year.

May make and construct a turnpike road.

Route of road.

6. *And be it enacted*, That it shall and may be lawful for the said company to construct and make a turnpike road, to commence at the foot of Grant street, in the city of Cape May, Cape May county, aforesaid, and running thence by the edge of the piling by the sea shore, near the Sea Breeze hotel; thence by the said sea shore, and in front of the Sea Breeze hotel and the property of Mark Devine; thence along the shore the several courses thereof above and near the high water mark to the intersection of the Cape May or steamboat landing road with the shore at the steamboat landing, and there to end; that the said turnpike road, from the point of commencement aforesaid, to the said boundary line between Sea Breeze hotel property and that of Mark Devine, shall be fifty feet wide, and that beyond the said point last mentioned, and throughout its whole remaining extent, it shall be of a width not more than one hundred feet, and shall be throughout its whole extent sufficiently arched and drained to make and keep the same dry, and at least twelve feet thereof shall be sufficiently bedded and faced with stone, plank, shells or gravel to make a good, firm road, 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 said company shall make good and sufficient bridges along said road, not less than twenty feet in breadth, and whenever said road, in passing over

Width of road.

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 railing to be erected on the sides, so as to prevent horses and carriages from running off; *provided*, the consent of the board of commissioners of the city of Cape May be obtained for all work to be done under this act within the city limits. Proviso.

May enter upon lands.

7. *And be it enacted*, That it shall be lawful for said company, their agents and all persons employed by them, with carts, carriages and all necessary materials and implements, to enter upon all lands on, or contiguous, or near to the said road, doing as little damages thereunto as possible, repairing any breach they may make in the enclosures of any land so entered upon, and to make all ditches and underdrains 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 any judge of the court of common pleas of the county of Cape May, upon application by 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 persons, residents of this state, commissioners to assess the price or value of such land or materials as may be required by said company, and all damages to be sustained by reason of their removal, who shall before they enter on the duties of their appointment, be duly sworn or affirmed, 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, having regard to the advantage of said turnpike road to the land through which it may pass, 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 Cape May, 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,

Proceedings when company and owners cannot agree.

the said company, or their agents, may enter upon and take such required land, and remove all such materials as have been appraised as aforesaid; and when by reason of any legal incapacity or the absence of the owners of such land or materials, no agreement can be made with the said company, then it shall be the duty of said company to pay the amount of any award made in behalf of any such persons, by commissioners appointed as aforesaid, into the circuit court of the county of Cape May to the clerk thereof, subject to the order of said court, for the use of said owner or owners; and in case either party shall be dissatisfied by the decision of said commissioners, he, she or said company may appeal to the circuit court of the county of Cape May, and the said appeal may be prosecuted in all respects, as is provided in the eleventh section of the act entitled, "An act to incorporate the Cape Island Turnpike Company" approved March first, one thousand eight hundred and fifty-one.

May erect gates and demand toll.

8. *And be it enacted*, That as soon as the said company shall have constructed said road according to the directions of this act, and the true meaning and intent thereof, it shall and may be lawful for the said company to erect gates or turnpikes across the same, and demand and receive toll for traveling each mile so constructed, and all fractions of a mile of the said road, not exceeding the following rates per mile, to wit:

Rates of toll.

For every carriage, sleigh or sled drawn by one beast,	five cents;
For every additional beast,	five cents;
For every horse or rider, or led horse or mule,	five cents;
For each calf, sheep or hog,	five cents;
For each horse, mule or head of cattle,	five cents;

and it shall 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 from passing through the said gates or turnpikes until they shall have paid the toll as above specified; *provided*, that nothing in this act shall be construed so as to entitle the said company to demand or receive toll of or from any persons passing to or from public worship on the Sabbath day, or horses, carriages, sleighs or sleds carrying persons to or from a funeral.

Proviso.

Milestones shall be erected.

9. *And be it enacted*, That the said company shall cause mile-stones to be erected and maintained, and on each stone

shall be fairly and legibly marked the distance the said stone is from the said place of commencement in the city of Cape May, 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 for injury to road, &c.

10. *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 of 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.

Penalty for delaying traveler.

11. *And be it enacted*, That if any toll gatherer shall unnecessarily delay or hinder any traveler passing through any of the gates or turnpikes, or shall demand more toll than is by this act established, he shall for every offence forfeit and pay the sum of ten dollars, with costs of suit, to be prosecuted by and recovered for the sole use of the person so unreasonably hindered and defrauded.

Proceedings when road and bridges are not kept in repair.

12. *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 Cape May, 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 ten 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 shall 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 Cape May, who, having been duly sworn or affirmed 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 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 keepers of the gates or turnpikes to keep open the same until otherwise ordered, and if the said keeper or keepers shall, notwithstanding the order of said judge to open said gates or turnpikes, exact toll of travelers, he shall for each offence forfeit and pay ten dollars to any person or persons from whom toll shall be illegally taken, to be sued for 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 fees shall be allowed as before prescribed, and to be paid by the person or persons making the complaint.

May erect and maintain a hotel.

13. *And be it enacted*, That said company shall have power to erect and maintain a hotel or place of refreshment at some desirable point on the line of the road.

May borrow money.

14. *And be it enacted*, That the said company shall have power to borrow money not exceeding, in the aggregate, the sum of one hundred thousand dollars, and to secure the same by bonds or other evidences of debt, bearing interest not exceeding seven per centum per annum, and mortgages upon their property and franchises and privileges, and by such other assurances as they may deem expedient.

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

Approved March 13, 1873.

CHAPTER CCLIII.

An Act to incorporate The Changewater Manufacturing Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That John P. Castner, Aaron Riegel, Hiram Petty, Jacob Snyder, Jacob M. Petty, Jacob Hill, junior, Andrew Castner, Marshall Burd, Victor Castner, Voltaire Searls, George Castner, Joseph Bloomfield, Joseph Lance, Samuel Weaver, Samuel Curling, Theodore F. Ross, Daniel S. Castner, Calvin Castner, Calvin Hill, John Brocaw, Godfrey Hardy, William H. Apgar, George K. Burd, Samuel Rinehart, Theodore Burd, Nathan Castner, James N. Skinner, Aaron D. Petty, Thomas Wall, and such other persons as are now or may hereafter become associated with them, shall be and are hereby created a body corporate and politic, in fact and in law, by the style, title and name of "The Changewater Manufacturing Company," for the purpose of manufacturing, buying, selling and dealing in all kinds of wood, timber, lumber, building materials, cabinet furniture and frames of all kinds, and ores, mineral substances, iron, castings, brass, hardware and other metallic substances; also paper, woolen goods and all matters and things pertaining thereto, and for such purpose the said company shall and may raise by subscription, by opening books therefor or otherwise, a capital stock of forty thousand dollars, to be divided into shares of one hundred dollars each, with the privilege of increasing the same, from time to time, with the consent of a majority in interest of the stockholders to any amount not exceeding one hundred thousand dollars; and it shall be lawful for said company to issue certificates of stock in whole or in part payment for any lands or real estate or personal property purchased, owned or leased by said company for the purposes of said business.

Names of corporators.

Corporate name and purpose.

Capital stock

2. *And be it enacted*, That said corporation may pur-

May purchase and hold real estate.

chase, use, possess, hold and enjoy such real estate as may be necessary or expedient for the purposes of said corporation, and may sell, mortgage, lease, or otherwise dispose of the same at pleasure, and may borrow money and issue bonds therefor, not to exceed at any time one-half of their paid up capital, and may sue and be sued in all courts of law and equity, and may have and use a common seal and may alter the same at pleasure, and may make such by-laws for their regulations and government as they may deem proper; *provided*, the same are not inconsistent with the laws of the United States or the laws of this state.

Election of directors.

3. *And be it enacted*, That the affairs and business of the corporation shall be controlled and managed by a board consisting of not less than five or more than nine directors, being stockholders of said company, who shall elect one of their number president, and said directors shall be stockholders in said corporation, and shall hold their office for one year and until others are chosen to fill their places; said directors to be elected at the annual meeting of stockholders, to be held on such day, at such hour of the day and at such place, upon such notice as the by-laws of said corporation shall prescribe, and until such election shall be held, under the provision of this act, the board of directors elected at the last annual meeting of the stockholders shall continue in office, provided the same remain stockholders; a majority of said directors shall at all times and upon all occasions, when assembled at such times and place as the by-laws shall direct, constitute a body competent to transact business, and all business matters before them shall be decided by a majority of votes; and in case a vacancy shall occur in the board of directors by death, resignation or a 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 a stockholder.

Officers.

4. *And be it enacted*, That officers of said corporation shall consist of a president, to be elected as in the third section of this act provided for, a treasurer, secretary and superintendent, to be elected as provided for by the by-laws, and whose duties shall be therein defined, and such other officers as said by-laws may provide.

5. *And be it enacted*, That in case it shall happen that an election of directors shall not be made upon the day desig-

nated for that purpose, the corporation shall not be deemed to be dissolved on that account, but the stockholders may proceed to hold an election for directors on any other day, ten days' notice being given of the time of such election. Not to be dissolved by reason of failure to hold election.

6. *And be it enacted*, That all elections be by ballot, and that stockholders shall have as many votes as he or she shall have shares of stock, for the election at any annual meeting, and may vote by proxy or in person. Shall vote by ballot.

7. *And be it enacted*, That the said directors shall submit to the stockholders at their annual meeting, a written statement of the affairs of the said corporation, setting forth the amount of capital stock paid in, amount of money due to and from the said corporation, and the amount of all assets and property belonging to said corporation, as nearly as the same can be ascertained, verified by the oath of the secretary and treasurer. Annual statement shall be made

8. *And be it enacted*, That the said corporation may organize and commence the transaction of business under this act, whenever fifteen thousand dollars of capital shall have been actually subscribed and paid in. When company may commence business.

9. *And be it enacted*, That the principal office of said corporation and its manufactory, buildings, and real estate, shall be at the village of Changewater, in the county of Warren, and that the regular books of accounts shall be kept in the said office, to which books of account any stockholder may have free access at all reasonable times, for the purpose of inspection, and that books of transfer of stock shall be kept, and shall be evidence of the ownership of said stock. Location of principal office.

10. *And be it enacted*, That the said corporation may be dissolved by a general meeting of the stockholders of the same, specially called for that purpose by the secretary, or three of the stockholders, by public notice published in some newspaper in the county of Warren nearest the principal office, and circulating in the neighborhood; *provided*, at least three-fourths in value of the stockholders at such meeting shall concur therein; and upon such dissolution the directors for the time being, and the survivors of them, or such persons as the stockholders shall appoint, shall be trustees for the settling of the affairs of the company, collecting and disposing of all its property and assets, paying all its debts and dividing its surplus among the stockholders, in proportion to their respective interest in the stock. How dissolved. Proviso.

All acts to be legal and binding.

11. *And be it enacted*, That all the debts and contracts made by said corporation, and all acts done by them shall be legal, valid and binding; *provided*, the same are not contrary to the laws of the United States or of this state.

Proviso.

Stock may be forfeited for non-payment of assessments.

12. *And be it enacted*, That the board of directors shall have power to demand from the subscribers to the capital stock of said corporation the money for such subscriptions, and for any subscription to the increase of its capital, or any assessments thereon, and in case of the failure to pay such subscriptions, calls or assessments as they may appoint, the said board may, after four weeks' notice in a newspaper published in Warren county, or a written or printed notice served on the stockholder not paying, declare the said stock and all previous payments thereon forfeited to the corporation,

May enact by-laws, rules, &c.

13. *And be it enacted*, That the board of directors shall adopt by-laws, and shall have authority to enact such rules and regulations as they may deem necessary for the management of the affairs of this company and the business of the board of directors, and shall have power from time to time to alter the said by-laws; *provided*, the same, as adopted, shall not be contrary to the constitution of the United States or the laws of this state.

Proviso.

General restrictions and liabilities.

14. *And be it enacted*, That the corporation hereby created shall possess the general powers and be subject to the general restrictions set forth in an act entitled "An act concerning corporations," approved on the fourteenth day of February, one thousand eight hundred and forty-six, so far as the same may be applicable.

When election shall be held.

15. *And be it enacted*, That the election for directors shall be held at the office of the company within forty days from the passage of this act.

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

Approved March 13, 1873.

CHAPTER CCLIV.

An Act to incorporate the New Egypt and Whitings Railroad Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That George D. Horner, John L. Hulme, Andrew J. Allen, Thomas B. Jobes and John S. Mallary, of the county of Ocean, 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 law, by the name of the "New Egypt and Whiting 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.

Corporate name.

Capital stock

2. *And be it enacted*, That the capital stock of the said company shall be one hundred thousand dollars, with liberty to increase the same to two hundred and fifty 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 shall open books and receive subscriptions to capital stock.

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 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 one newspaper, published in the county of Ocean, in this state; and that, at the time of subscribing, ten per centum shall be paid upon 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 as aforesaid; and the commissioners shall give like notice for a meeting of the stockholders, to choose nine directors, a majority of whom shall be residents and citizens of this state; and such

Directors, how chosen.

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 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 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.

General powers of the directors.

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, as above mentioned, shall be given, and such elections 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 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 offices until others shall have been chosen in their places; 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

Payments to stock by installments. Proviso.

such installments, and at such times, as they may direct; *provided*, that such payments shall not exceed ten 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 man-

agement 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.

May lay out and construct railroad.

6. *And be it enacted*, That the president and directors of the said company be, and are hereby authorized and invested with all the rights and powers necessary and expedient to survey, lay out, and construct a railroad from a point at or near New Egypt, in the county of Ocean, to a point at or near Whitings, in the county of Ocean, the said railroad 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 the said president and directors, their agents, superintendents, engineers and others in their employ, to enter at all times upon all land or water, for the purpose of exploring, surveying, leveling, or laying out, the route of such railroad, and of locating the same, and to do and erect all necessary work, buildings, and appendages thereof, doing no unnecessary injury to private or other property; and when the route of such road shall have been determined upon, and a survey of such 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, workmen, and other persons in their employ, to enter upon and take possession of, hold, have, use, occupy and excavate any such lands, and to erect embankments, bridges, piers, wharves, ferries, and all other works, necessary to lay rails, and to do all other things which shall be suitable or necessary for the construction, completion or repair of the 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 occupation of land through which the said railroad may be laid out, be made; and if said owner of such land shall not see fit to receive such award the amount of such award shall be paid into the circuit court of the county where the damages occur, 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 lands be first had and obtained.

Proviso.

7. *And be it enacted*, That if the said company, or its

Proceedings when company and owners cannot agree as to purchase of land or materials required.

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 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, they shall take into consideration and make allowance in favor of said company, for all advantages which said land owner or owners will derive to his or her said land or lands, by reason of the construction of such railroad across the same, 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 re-

moval 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 on 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.

Proceedings in case the owners are dissatisfied with the report of the commissioners.

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 said court, to be holden in said county upon 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 have awarded in favor of 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 lands, 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.

Shall construct and keep in repair good andsufficient bridges.

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 to be laid shall cross the same, so that passage of carriages, horses and cattle, on the said road shall not be impeded thereby; and also when 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.

May equip road and charge for transportation.

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 the corporation, and to place on the said railroad, engines, cars or vehicles, for transportation of persons or property, and also suitable and safe boats at the several terminating points of the said road; 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 eight 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

Proviso.

material; and the said railroad, with the appendages, and the lands over which the same shall pass, and all the works and 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.

Dividends.

11. *And be it enacted*, That the president and directors shall declare and make such dividend of the net profits thereof, as they may deem prudent and proper from time to time.

Time for the commencement and completion of road.

12. *And be it enacted*, That if the said railroad shall not be commenced within five years, and completed and in use within ten years from the fourth day of July next ensuing, then and in that case this act shall be void.

May borrow money and issue bonds.

13. *And be it enacted*, That the president and directors of the said corporation shall have power to borrow, from time to time, such sum or sums of money as may be necessary for the construction of said road, and for furnishing the necessary engines, cars, machinery, boats and buildings for the use and objects of the said corporation, and to secure the repayment thereof, with 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; 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 connect with other roads.

14. *And be it enacted*, That it shall be lawful for the president and directors of the said New Egypt and Whitings Railroad Company to connect at any point on their road with any railroad now built or that may hereafter be built, or to consolidate with or lease their railroad to any railroad company in the state that is now or may hereafter be built, or to lease any connecting road in the state that is now or may hereafter be built; said consolidation or leases to be made by the consent of the stockholders owning or representing a majority of the stock of said railroads.

May hold real estate and erect depot, warehouses, &c.

15. *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 said road where the directors may think proper

to establish a depot, not exceeding six 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 use 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 or 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.

Penalty for injury to property.

16. *And be it enacted*, That if any person or persons shall willfully or maliciously injure the said road or any building, bridges, wharves, carriages, machinery or any other works or property of said corporation, such person or persons shall forfeit and pay therefor to the said corporation three times the amount of damages sustained by the means of such injury, to be recovered in the name of such corporation, with costs of suit, in any court having cognizance thereof.

Statement of costs and expenses to be made.

17. *And be it enacted*, That as soon as the said road or any part of it is in operation, the president of the said company shall file, under oath or affirmation, a statement of the amount of the costs of the said railroad, including equipments, appendages and all expenses, in the office of the secretary of state, and annually thereafter, on the first Monday in January in each year, he shall, under oath or affirmation, make a statement to the secretary of state of the cost, equipments, appendages and expenses of said road; 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 to be paid the state treasurer.

tax of one-half of one per centum on the cost, equipments and appendages of said road, to be paid annually thereafter on the first Monday in January of each year, and such other taxes 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; and until the said railroad or any part thereof shall be in operation, the said corporation shall be regularly assessed and pay tax for the value of its real estate, including improvements thereon, and personal property as now taxed in the city or cities, township or townships wherein it lies, at the same time and rate and in the same

manner, for the same purpose and by the same person or persons as other taxes are assessed in said city or cities, township or townships; *provided*, that no other tax or impost shall be levied or assessed upon said company. Proviso.

18. *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 corporation or with individuals for transporting or carrying any kind of goods, produce, merchandise, freight or passengers, and to enforce the fulfillment of each contract. May make contracts,&c.

19. *And be it enacted*, That when any portion of said railroad shall be completed the said company may commence running cars for the transportation of passengers and freight, enjoying all the privileges and subject to the restrictions created by this act. When company may commence running cars

20. *And be it enacted*, That any corporation or corporations under the laws of this state be and they are hereby authorized and empowered to endorse and to subscribe to and purchase any of the bonds of the said New Egypt and Whitings Railroad Company. Corporations may endorse and purchase bonds.

21. *And be it enacted*, That the governor, chancellor, vice chancellor, judges of the supreme court, secretary of state, state treasurer, clerk in chancery, clerk of the supreme court, adjutant general, quartermaster general, state librarian and superintendent of public schools and members and officers of the legislature shall have free passage on said road during the time for which they may be appointed or hold office. Who may ride free.

22. *And be it enacted*, That this act shall be deemed and taken as a public act, and shall at all times be recognized as such in all courts and places whatsoever, and shall take effect immediately. Shall take immediate effect.

Approved March 13, 1873.

CHAPTER CCLV.

An Act to incorporate the Philadelphia and Red Bank Ferry Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Samuel Hopkins, Charles B. Leonard, John G. Whitall, Samuel W. Stokes, Caleb C. Pancoast, John O'Grady, John F. Cassedy, Thomas Cockerill, David Smyth and William H. Snyder, or any six of them, are hereby appointed commissioners to receive subscriptions to the capital stock of the company hereby incorporated to be known by the name of the Philadelphia and Red Bank Ferry Company; and by that name shall have, hold, enjoy and exercise all the rights, powers and privileges appertaining to corporate bodies, and necessary to carry the objects of this act into effect.

Corporate name.

Capital stock

2. *And be it enacted*, That the charter of the said Philadelphia and Red Bank Ferry Company shall extend to the period of fifty years from the passage of this act; that the stock of the said company shall consist of ten thousand dollars, with the privilege to increase the same to two hundred and fifty thousand dollars in shares of fifty dollars each.

Payment of subscription to capital stock.

3. *And be it enacted*, That at the time of subscribing for said stock ten 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 said company as soon as one shall be appointed, and the residue of the subscriptions shall be paid in installments at such times and places, and to such persons as the managers of the company shall from time to time direct, and give public notice thereof as directed; the said managers 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 the said company after two weeks' notice shall have been given to such delinquent subscribers.

4. *And be it enacted*, That if the said commissioners for five years from the passage of this act, shall have failed to establish said ferry in accordance with the full intent and meaning thereof, then 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. Act, how null and void

5. *And be it enacted*, That the said company shall have power to raise on bonds, to be secured by mortgage on all its stock and franchises, and upon any realty of which it may have become seized, any sum, not exceeding one-half of the paid up capital stock, as authorized by this charter, for the purpose of carrying out the true intent of this act; *provided*, that no bond shall be issued for a less sum than one hundred dollars, with interest at a rate not exceeding seven per centum per annum. May issue bonds. Proviso.

6. *And be it enacted*, That the purpose and object of said company shall be to establish and conduct a ferry or ferries on the Delaware river between Red Bank, in the county of Gloucester, and state of New Jersey, and such point or points in the city of Philadelphia as they may deem best for the public accommodation and for the interests of the said company; and for that purpose may purchase or lease such real estate, and may lease, or erect, and construct all such wharves, piers, slips, buildings, and other appendages, as may be necessary to carry into effect the purposes of this act, and hire, purchase, or build steamboats, vessels or other ferry boats, of such description and dimensions as they may think best for the interests of the company. Object and purpose of the company

7. *And be it enacted*, That it shall be lawful for the said company at any time during its existence, to make contracts and engagements with any corporation, or with any individual or individuals, for transporting or conveying any kind of goods, produce, merchandize, freight or passengers, and to enforce the fulfillment of such contract. May make contracts with other corporations.

8. *And be it enacted*, That the before-named commissioners shall constitute a board of managers, consisting of a president, vice-president, secretary, treasurer and six directors, who shall hold office for one year, and until their successors shall be legally elected and qualified; at the expiration of Board of managers, how constituted.

which time the said officers shall be elected by the stockholders, each share of stock being entitled to one vote (which may be voted by proxy); said election shall be at the time of the annual meeting (of which two weeks' public notice shall be given), to be held at the office of the company on the second Monday of July in each year.

General powers of the managers.

9. *And be it enacted*, That the said managers, or a majority of them, may supply any vacancy occurring in the interval between the annual elections, by death, resignation, or refusal to act, of any manager, and may appoint such and so many officers, agents, superintendents and servants, as 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 as they may think expedient; they shall regulate the rates of toll or ferriage, 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 the general government of the company and management of its affairs; *provided*, that the same are not repugnant to the constitution or laws of this state, or of the United States.

Proviso.

Annual statement shall be made to stockholders.

10. *And be it enacted*, That at the annual meeting of the stockholders it shall be the duty of the managers of the preceding year to exhibit to the stockholders a full and complete statement of the affairs of the company during said term; that dividends, or so much of the profits of said company as shall appear advisable to the managers, shall be declared in the months of January and July of each year, and be paid at the office of the company at any time after ten days' notice from the time of declaring the same, but said dividends shall in no case exceed the amount of the profits of the company, so that the capital stock shall never be thereby impaired.

Special meetings may be called on notice.

11. *And be it enacted*, That special meetings of the stockholders may be called by order of a majority of the managers, 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 shall be transacted at such special meetings, unless a majority in

value of the stockholders attend, either in person or by proxy, 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 managers.

Penalty for injury done to property.

12. *And be it enacted*, That if any person or persons shall willfully injure, impair, destroy or obstruct the wharves, slips, piers, bridges, 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, and shall 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.

Not to interfere with right to lands under water.

13. *And be it enacted*, That nothing in this act shall interfere with the rights of the state to lands under water.

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

Approved March 13, 1873.

CHAPTER CCLVI.

Supplement to an act entitled "An Act to incorporate the Maurice River Manufacturing Company," approved March eighth, one thousand eight hundred and seventy.

Amendment

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That section seven of said act be so amended as to read "that it shall be lawful for the said company, when duly organized, to construct a dam or dams across the Maurice river, at such point or points in the counties of Cumberland and Salem as they may deem most expedient; to create ponds or reservoirs of water, and to construct raceways along the banks of said river, and in connection therewith to construct as many lateral or branch raceways, and such locks, weirs, buildings and other works

Authorized to construct a dam,

as the company shall deem expedient for the purposes of creating a water power and using the same for the manufacturing of all articles or materials whatsoever; and the said corporation shall have full power to manufacture all articles and materials whatsoever, and of buying, selling, and dealing in the same; and for the purpose of enabling said company to determine where such dams, raceways, and other works of said company can be located and constructed to the best advantage, it shall be lawful for the said company by its agents, engineers, officers or other persons in their employ, to enter upon all lands lying along said river in the townships through which said river runs, whether the same may be covered with water or not, for the purpose of exploring, surveying and locating said dams, locks, raceways and other improvements, doing no unnecessary damage to private property, and when the location of said dams, locks, and raceways, and other improvements shall be determined, and a survey of the same deposited in the office of the clerk of the county in which said lands may be located, it shall be lawful for the said company by any of its officers, agents, superintendents, engineers, contractors, workmen and other persons in their employ to enter upon, take possession of, have, hold, use and occupy any such lands, and to make excavations and embankments, and all the necessary works and structures which may be deemed expedient to carry into effect the purposes contemplated by this act; *provided*, that where such lands are not purchased by or given to said company, payment or tender of payment of all damages of the occupancy of said lands, to be determined as hereinafter provided, shall be made before the said company shall enter upon or occupy said lands, except for the purpose of surveying the same as hereinbefore mentioned; *provided further*, that nothing herein contained shall give any right to lessen the regular daily flow of the Maurice river, nor any right to enter upon or take possession of the lands or water privileges of any other improvement or manufacturing company already located upon that stream.

Proviso.

Proviso.

Appraisement by commissioners shall be filed with county clerk.

2. *And be it enacted*, That in all cases where it shall be necessary to have commissioners appointed as provided in said act to appraise the value of said lands and water rights and the damages which may be sustained by the owner or owners thereof, by the taking of the same by the said company, that all papers and proceedings of said appointment

and appraisement shall be filed in the office of the clerk of the county in which said lands are situate, and if either party shall feel aggrieved by the said appraisement and award of the said commissioners, the party so aggrieved may appeal to the circuit court of the said county wherein said lands are situate, at the next term after the said appraisement and award shall be returned filed as aforesaid.

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 be deemed and taken to be a public act, and shall take effect immediately. Repealer.

Approved March 13, 1873.

CHAPTER CCLVII.

A Further Supplement to the act entitled, "An Act to incorporate the Merchants' Mutual Fire and Marine Insurance Company," approved February eighteenth, one thousand eight hundred and fifty-eight.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That on and after the passage of this act, the said company shall be known as "The Merchants' Insurance Company of Newark," and by such name shall have all the powers granted to it, and be subject to all the liabilities imposed upon it, under any other name. Corporate name,

2. *And be it enacted*, That only bona fide owners of the capital stock, as shown by the books of the company, shall be entitled to vote in an election for directors of said company, and the number of votes which each stockholder may cast, together with all necessary rules governing such election shall be stipulated in the by-laws. Who may vote.

3. *And be it enacted*, That section six, and all that part of section eight, after the words, "rules and regulations of said company," and beginning with the words, "and if at any time" of the act to which this is a supplement, be and the same are hereby repealed. Repealer.

4. *And be it enacted*, That the provisions of the fifth sec-

Certain provisions to remain in force

tion of the act to which this is a supplement shall be in full force notwithstanding the provisions of any supplement heretofore enacted.

Repealer.

5. *And be it enacted*, That all provisions of the act and of the supplements thereto, to which this is a supplement, inconsistent with this act, are hereby repealed.

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

Approved March 14, 1873.

CHAPTER CCLXX.

An Act to incorporate the Tuckerton and Long Beach Building, Land and Improvement Association.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Archs R. Pharo, Rutherford Stuyvesant, Charles T. Perry, Samuel Ashhurst, Jesse C. Ridgway, T. T. Price, Joseph J. Pharo, Barclay Haines, Albert W. Markley, and all such persons as may be hereafter associated with them, their successors and assigns, shall be and they are hereby constituted a body corporate and politic, in fact and in name, by the name of "Tuckerton and Long Beach Building, Land and Improvement Association," of Burlington and Ocean counties; and by that name said association and their successors shall have perpetual succession, and enjoy all the privileges and franchises incident to a corporation; to make and use a common seal, to alter and renew the same at pleasure; 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; and shall be capable in law of purchasing, using, holding, letting, improving, manufacturing, selling, mortgaging and disposing of such real and personal estate, in this state, as may be necessary or expedient to the object of this incorporation; and may receive and make all deeds, transfers, covenants, conveyances, mortgages, grants, contracts, agreements and bar-

Corporate name and powers.

gains, whatsoever necessary or useful for the purposes aforesaid.

Election of directors.

2. *And be it enacted*, That the stock, property and concerns of said corporation shall be managed and conducted by nine directors, a majority of whom shall be residents of this state, all of whom shall be stockholders, and one of whom shall be president, who shall hold their offices for one year, respectively, until others are elected; and that the said directors shall be chosen on the first Monday in April of every year, at such time and place as shall be provided for by the by-laws of said corporation, by such of the stockholders as shall attend for that purpose, either in person or by proxy; and notice of the time and place of such election shall be published not less than two weeks previous thereto, in a newspaper published in the counties of Burlington and Ocean; and each stockholder shall be entitled to one vote for each share which he or she may hold in said corporation, and the persons having the greatest numbers of votes shall be directors; and the directors may appoint such agents, officers and superintendents, and make such compensation and assign such duties to said agents, officers and superintendents, as they shall think fit; and if at any time it shall happen that any vacancy or vacancies occur, from any cause whatever, among the directors of said association, 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 the persons named in the first section of this act, who shall hold their office until others are legally chosen; and the principal office of the company shall be located at Tuckerton, New Jersey.

General powers of directors.

Capital stock

3. *And be it enacted*, That the capital stock of said corporation shall be fifty thousand dollars, with the privilege of increasing it, from time to time, to five hundred thousand dollars, which shall be divided into shares of one hundred dollars each; and as soon as two hundred and fifty shares of the capital stock shall have been subscribed, and the sum of ten dollars on each share so subscribed paid, or secured to be paid, it shall and may be lawful for said association to proceed to carry into effect the objects of said corporation; and it shall be lawful for the directors of said association to call for and demand from the stockholders respec-

Payment of installments

tively, such installments, and at such times, and in such proportions, as they shall deem proper and expedient, not exceeding twenty dollars on each share at any one time, notice of which shall be published for at least thirty days in a newspaper published in the counties of Burlington and Ocean, or shall be given in writing to the stockholders for the like space of time, before such installments are required to be paid; and in case of failure of any stockholders to pay his or her installments 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 all the previous payments thereon, for the use of the association; and the books of subscription for the stock of the said corporation shall be opened at such time and place, and remain open such time, in the county of Burlington, as the directors shall appoint, notice being given previous thereto in a newspaper printed in said county; and the shares of the said capital stock shall be deemed personal property, and transferable on the books of the association in such manner as the said corporation by their by-laws shall direct,

Object and purpose of the association.

4. *And be it enacted*, That the said association are hereby authorized to let, rent, lease, mortgage, sell and convey all such lands and real or personal estate as they may have and hold from time to time, in whole or in parcels, and to improve the same by erecting, or causing to be erected thereon, buildings of every name, kind and description, and for all proper and legitimate uses and purposes, or by laying out said lands and real estate into lots; to lay out and open streets, roads or highways, either public or private, through and both to and from their own property, and to maintain and keep in order the same, by such rules and regulations as may be necessary in order so to do, and to use the same for agricultural purposes, or in any other lawful way that the said association may deem necessary and advisable; and to purchase, make up, manufacture, sell, and dispose of all materials pertaining to the erection of buildings, or for other purposes, and to use the same for the erection of buildings, or for other purposes, and upon selling the real estate or any part thereof, to take mortgages upon all or any part of said real estate, to secure part of the purchase money therefor, and to transact all such business incident or

appertaining to the erecting, managing, and furnishing buildings, or otherwise controling or disposing of the same.

May borrow money and issue bonds.

5. *And be it enacted*, That the said corporation, by the action of its board of directors, when they deem it necessary for the purposes of the company, shall have power to borrow money from time to time, and to make and deliver the bonds of the company executed as the directors may direct, bearing interest as therein, or in coupons, 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; to secure the payment of such bonds, the said association shall have power to convey or pledge, by way of mortgage, trust, or otherwise, such portions of the property of said corporation, as the directors may deem necessary for the purpose; *provided*, the amount of bonds issued shall not exceed two-thirds of the value of real estate held by said association.

Proviso.

May enact by-laws and rules.

6. *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 the said association, and shall have power to make such by-laws, ordinances and regulations, as may be necessary and convenient for the management or disposition of the stock, effects and general interest and concerns of the said association; *provided*, the same are not contrary to the constitution of the United States or of this state.

Proviso.

Not to be dissolved by reason of failure to hold election.

7. *And be it enacted*, That in case it shall at any time happen that an election for directors shall not be made on the day when, pursuant to this act it ought to have been made, the said association 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 as the directors of the said corporation shall direct.

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

Approved March 19, 1873.

CHAPTER CCLXXI.

An Act to authorize Benjamin Fish and George S. Green to construct a Railroad in the City of Trenton.

Preamble. WHEREAS, the common council of the city of Trenton, by an ordinance duly passed on the twelfth day of March, one thousand eight hundred and seventy-two, did authorize and empower Benjamin Fish and George S. Green to construct and operate a railroad track for the passage of logs and other lumber across West State street in said city, from the feeder of the Delaware and Raritan Canal Company to the lands of the said Fish and Green, on the southerly side of said street, adjacent to the waste wier; *and whereas*, doubts have arisen whether such power and authority can be given by an ordinance of said common council, and it has become necessary for the business of said Fish and Green that such track should be constructed; therefore,

Authorized to build railroad track. 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the powers and privileges granted and conferred in said ordinance, or intended to be granted and conferred, be and they are hereby granted and conferred to them, the said Benjamin Fish and George S. Green, their heirs and assigns, subject to the conditions and restrictions of said ordinance, and they are hereby authorized, empowered and invested with all necessary authority to construct and operate, in accordance with the terms, restrictions and conditions of said ordinance, a railroad track across said West State street, in said city of Trenton, for the passage of logs and other lumber from the feeder of the Delaware and Raritan canal to their own lands on the southerly side of said State street, adjacent to the waste weir.

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

Approved March 19, 1873.

CHAPTER CCLXXII.

An Act to legalize the Consolidation of the "New Jersey Tube Transportation Company" with "The Continental Railway Company," for the purpose of constructing and operating a Railroad across the State of New Jersey, as part of a Continuous Line of Railway from Council Bluffs, on the Missouri River, to the waters of the Hudson River, opposite New York, or New York Harbor, in New Jersey.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the agreement for the consolidation of the corporate franchises, property, rights, privileges and capital stock of the New Jersey Tube Transportation Company and the Continental Railway Company, under certain articles executed by each of said companies, bearing date the seventeenth day of January, one thousand eight hundred and seventy-three, and the duplicate of which articles was filed in the office of the secretary of state of the state of New Jersey, on the twenty-third day of January, one thousand eight hundred and seventy-three, is hereby ratified and declared legal and valid; and such consolidated company is declared to be a body corporate, in law and in fact, under the name and style of "The Continental Railway Company," with power to construct, operate and maintain a continuous line of railway for the transportation of passengers and freight from Council Bluffs, on the Missouri river, to the waters of the Hudson river, opposite the city or harbor of New York, in the state of New Jersey; and it shall be lawful for the said "The Continental Railway Company" to construct, operate and maintain a railroad for the transportation of passengers and freight, with one or more tracks, across the state of New Jersey, beginning at some convenient point on the easterly boundary of New Jersey, on the waters aforesaid, and running thence westerly across the state of New Jersey, on a line as nearly straight as the engineers may deem practicable and expedient, to or across the Dela-

Agreement of consolidation ratified and declared legal and valid.

Corporate name and powers.

Authorized to construct a railroad across the state.

Proviso. ware river; *provided*, said crossing be made north of the town of Phillipsburg, and not less than six miles from said town, there connecting with that part of the railroad line of the company running across the state of Pennsylvania, which constitutes, or shall constitute, its easterly terminus in that state, if not in conflict with the laws of the commonwealth

Proviso. of Pennsylvania; *provided*, that nothing in this act shall interfere with the rights of the state to lands under water.

May enter upon lands and make survey, and acquire title to lands. 2. *And be it enacted*, That it shall be lawful for said company to enter upon and survey, with a view to location of its route, and to acquire and take title to any and all lands which may be requisite or necessary for the construction of said railroad, with all necessary side-tracks, turnouts, depots, station houses, machine-shops, warehouses, water-tanks, and other appurtenances necessary and requisite for such railroad and its business, such location may be made, and such title may be acquired, either by purchase, or in like manner and under like forms and proceedings as provided in the charter of the New Jersey Tube Transportation Company for the condemnation and acquisition of its lands.

Tracks shall be laid with steel or steel-capped rails. 3. *And be it enacted*, That the tracks of said railroad shall be laid with steel or steel-capped rails, weighing not less than sixty-eight pounds to the yard; and at all crossings of highways, or of other railroads, the company is authorized and required to lay its own track and rails above or below all such crossings, as shall be deemed most practicable; and it may lay and use tubes of like character as those mentioned in the charter of said New Jersey Tube Transportation Company, whenever the company may deem it necessary or convenient so to do in the construction of its railroad, and shall be subject to the provisions, liabilities and restrictions contained in section thirteen of the act entitled "An act to incorporate the New Jersey Tube Transportation Company," approved April sixth, one thousand eight hundred and seventy-one.

Act, how construed. 4. *And be it enacted*, That this act shall be deemed a public act, and be liberally construed in all courts and

Proviso. places; *provided*, that nothing herein contained shall exempt this act from the state assessment required to be paid by an act entitled "An act to increase the revenues of the state of New Jersey," approved March sixth, one thousand eight hun-

Proviso. dred and fifty-eight; *and provided further*, that the said com-

pany shall pay municipal and county taxes on all property they may own and acquire within the limits of the county of Hudson.

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

Approved March 20, 1873.

CHAPTER CCLXXIII.

An Act to incorporate the North and South Jersey Railway Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Richard H. Conover, Jacob G. Schomp, John Hammill, Martin L. Dunn, Albert A. Taylor, Edward Howe, Charles Devlin, William Hance, Samuel H. Robbins, William C. Rouse, Samuel L. Vandegrift, Edwin Satterthwaite, Leonard F. Appelby, Benjamin F. Smith, Benjamin W. Titus, Horatio Ely, John Dawes, Charles Allen, John B. Robbins, Samuel Taylor, Walter F. Wright, Augustus G. Ritchie, James M. Thompson, Garret V. Van Doren, N. McConnaughty, William Buntling, Philip E. Thomas, Edward S. Wilde, John H. Chambers, Joseph D. Pancoast, Clement H. Sinnickson, Casper W. Acton, and Anthony G. McComb, 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 "North and South Jersey Railway Company," and by that name they and their successors and assigns shall and may have continual succession, and shall be persons in law, capable of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended, in all courts and places whatsoever, and 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 for the objects of this incorporation.

Names of corporators.

Corporate name and powers.

Capital stock

2. *And be it enacted*, That the capital stock of said company shall be two millions of dollars, and shall be divided into shares of one hundred dollars each, but said company may increase the same to an amount not exceeding the cost of the railway and appurtenances which are hereinafter authorized, and the said capital stock shall be deemed personal property, and shall be transferable in such manner as the by-laws of the said company shall direct.

Books shall be opened for subscriptions to capital stock.

3. *And be it enacted*, That the above named persons or a majority of them may open books and procure subscriptions to the capital stock of the said company at such time or times, place or places, as they or a majority of them may think proper; and whenever there shall be ten thousand shares of the said stock subscribed, the said corporators or a majority of them shall, by notices published in one newspaper in the city of Salem, one in Mount Holly, one in Trenton, such length of time and such number of insertions as the said corporators shall order and direct, appoint the time and place for a meeting of the subscribers to the capital stock, to elect from among the subscribers nine directors, a majority of whom shall be residents of this state; and such election shall be made at the time and place appointed in the said notice, by such subscribers as shall attend for that purpose, either by lawful proxy or in person, each share of the capital stock entitling the holder thereof to one vote, and the above named corporators, or a majority of them, shall be inspectors of such election, and certify under their hands the names of those persons duly elected directors, and deliver over the subscription books to the said directors at the first meeting of the said directors: and the said directors so chosen as aforesaid, shall at their first meeting, or annually, at the annual election, choose out of their own number a president; and in case of the death, resignation or removal of the president or any director, such vacancy or vacancies may be filled for the remainder of the year wherein they may happen, by the said board of directors or a majority of them; and in case of the absence of the president, the said board of directors, or a majority of them, may appoint a president pro tempore, who shall have such power and functions as the by-laws of the said company shall provide.

Election of directors.

Election of president.

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 company 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. Not to be dissolved on account of failure to elect directors.

5. *And be it enacted*, That five directors of the said company shall be competent to transact all business of the said company, and they shall have power to call in the capital stock of said company, by such installments, not to exceed five dollars on each share at any one time, and at such times 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 the non-payment of said 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 company, and also shall have power to appoint a treasurer and a secretary, and so many clerks and servants as to them shall seem meet, and to establish and fix such salaries to them, and also to the president, as to said board shall appear proper. Payment of installments. Proviso.

6. *And be it enacted*, That the president and directors of said company be and they are hereby authorized and invested with all the rights and powers necessary and expedient to survey, lay out, construct and operate, a railroad by such practicable route as they shall deem expedient, from some point in or near the city of Salem, through or near Marlborough on the West Jersey Railroad, Whitehorse on the Camden and Atlantic, Mount Holly, Bordentown and Princeton, to some point in the county of Somerset; but said railroad shall not exceed one hundred feet in width, unless more land shall be required for the slopes of cuts and embankments, with as many sets of tracks and rails as said company may deem necessary; and it shall 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 waters for the purpose of exploring, surveying, leveling and laying out the route or routes of such railroad, and of locating the same; and to locate and erect all necessary works, buildings, conveniences, appur- May lay out, construct and operate railroad.

tenances and appendages thereof, doing no unnecessary injury to private or other property; and when the route or routes of such railroad, and the location or locations of other works, buildings, conveniences, appurtenances and appendages thereof shall have been determined upon, and a survey of such route or routes, location or locations, deposited in the office of the secretary of state, then it shall be lawful for the said company, by its officers, agents, engineers, superintendents, 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 necessary works, lay rails, and do all other things which may be suitable or necessary for the completion, repairs or management of said railroad;

Proviso. *provided, always*, that the payment or tender of the payment of all damages for the occupancy of lands through or upon which the said railroad and its conveniences, appurtenances and appendages, may be laid out or located, 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 railroad and its conveniences, appurtenances and appendages, and for locating the same, unless the consent of the owner or owners of such lands be first had and obtained; *provided*, that no part of the said railroad authorized by this act shall be constructed north of the northerly line of Burlington county until the said railroad shall have been constructed and in operation from Salem to Bordentown; *also further*

Proviso. *provided*, that where said railroad crosses the line of any other railroad now built it shall be above or below the grade of the same.

Proceedings when land owner and company can not agree as to price of land required

7. *And be it enacted*, That if the owner of the land on which such survey or location for said company shall be made, shall not be willing to give the same for such purpose, and said company and owner cannot agree as to the price of the same, it shall be the duty of any justice of the supreme court, 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 to assess the price of value of said land, who shall be sworn or affirmed 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 decision and award, together with a description of the said land and the quantity taken, by whom owned, how situated and bounded, and described in writings, under their hands and seals, or under the hands and seals of any two of them, to the justice who appointed them, to be by him returned and filed in the office of the clerk of the county wherein the lands lie, together with all the papers before him relating thereto, 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 and award of the said commissioners, the party so aggrieved may appeal to the circuit court at the next term after such decision and award, by proceeding in the form of petition to the said court, with five days' notice in writing to the opposite party of such appeal, which proceeding shall vest in the said circuit court 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 said company, and they shall find a greater sum than the said commissioners, then judgment shall be given, with costs, against the said company, and execution issue, 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 awarded by the said commissioners, or execution issue therefor, as may be directed by the said court; and upon payment or tender of the sum so found by the said commissioners or by the jury, with costs, if any, the said company shall be deemed to be seized and possessed in fee simple of all such lands and real estate appraised as aforesaid.

Proceedings when owner or owners are under age, out of the state, &c.

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 company 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 any such 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 company, except in cases of appeal above provided for; and the said justice shall and may order and direct as to the amount of costs and charges of such valuation and appraisement and witness fees, and as to the payment thereof, in cases where an appeal is made.

Shall construct and keep in repair good andsufficient bridges.

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 over and under the said railroad, where any public or other road shall cross the same, so that the passage of carriages, horses and cattle across the said railroad shall not be impeded thereby, and if the company neglect to perform the same, after giving twenty days' notice to the company, by the person or the public officers having charge of the repairs or maintenance of said road so to do, such person or public officer may do the work, or cause it to be done, and recover the value thereof from the company, by common process of law.

May equip road and charge for transportation.

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 said company and to place on the 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 ton per mile for the transportation of freight and three cents per mile for carrying each passenger; and that the railroad and its appendages, and the land over which the same shall pass, and all the works and improvements, steam engines and carriages and all other property whatsoever belonging to the said company at any time or times, are hereby vested in the same company incorporated by this act, and their successors and assigns, during the continuance of this act.

Proviso.

Dividends.

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 think prudent and proper, of the net profits thereof, and

shall in like manner, semi-annually thereafter, declare such dividends, and pay the same to the stockholders of the said company, in proportion to the amount of shares held by them respectively, as they may deem prudent and proper.

Penalty for injuring or obstructing road, &c.

12. *And be it enacted*, That if any person shall willfully impair, injure, destroy or obstruct the use of the railroad constructed under the provisions of this act by the said company or any of its bridges, carriages, machines or appendages, such person or persons so offending shall forfeit and pay to the said company the sum of fifty dollars, to be by it recovered in any court having competent jurisdiction, in an action of debt, with costs; *and further*, shall be liable for all damages.

May hold real estate and erect machine shops and other buildings.

13. *And be it enacted*, That the said company may have and hold real estate at the commencement and termination of said railroad, and its several stations on the lines of the said railroad, to a sufficient extent to provide accommodations and conveniences for the business of said railroad, and may erect and build thereon houses, warehouses and machine shops, and such other buildings and improvements as it 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 any rivers or streams of water, on the line of its railroad, as it may find expedient and necessary for the full enjoyment of all the benefits conferred by this act.

Statement of costs and expenses shall be made.

14. *And be it enacted*, That as soon as the said railroad, or any part of it, is in operation, the president of said company shall file, under oath or affirmation, a statement of the amount of the cost of the said railroad, including equipments, appendages and all expenses, in the office of the secretary of state; and annually thereafter, on the first Monday in January of each year, he shall under oath or affirmation, make a statement to the secretary of state of the cost, equipments, appendages and expenses of said road; 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 cost, equipments and appendages of said road, to be paid annually thereafter on the first Monday in January of each year, and such other taxes as may be assessed from time to time by a

State tax shall be paid to the state treasurer.

Other taxes.

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; and until the said railroad, or any part thereof, shall be in operation, the said corporation shall be regularly assessed, and pay tax for the value of its real estate, including improvements thereon, and personal property, as now taxed in the city or cities, township or townships wherein it lies, at the same time and rate, and in the same manner, for the same purpose, and by the same person or persons, as other taxes are assessed in said city or cities, township or townships; *provided*, that no other tax or impost shall be levied or assessed upon said company.

Proviso.

Legislature may elect to take railroad on appraisement after fifty years.

15. *And be it enacted*, That any time after fifty years from the completion of the said railroad, the legislature of this state may cause an appraisement of the said railroad 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 date 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 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 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 the 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 railroad, upon the payment to the company of the amount of said report, within one year after electing to take said railroad, which report shall be filed in the office of the secretary of state; and the whole property and interest of said railroad, 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 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 railroad, and of all

receipts and disbursements of the said company; *provided always*, that the aforesaid valuation shall be made without reference to the receipts and disbursements of the company or advances of the stock, and the said valuation shall in no case exceed the first cost of said railroad, with the appendages thereof. Proviso.

16. *And be it enacted*, That unless the said railroad shall be commenced within two years and completed within five years from the fourth day of July next ensuing, this act shall be void. Time for the commencement and completion of road.

17. *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 corporations to connect its railroad with their railroads, and with any other corporation or corporations or individuals, for transporting and carrying any kinds of goods, produce, merchandise, freight or passengers over its own road, or the roads of such other corporations, whether the same be connected directly or by means of intervening railroads or otherwise. May make contracts, &c.

18. *And be it enacted*, That the said company shall have the power, and it is hereby authorized to make its bonds, and for the purpose of securing their payment, to mortgage its real estate and personal property, railroad or railroads, and all the appurtenances, franchises, powers and privileges, and rights belonging thereto, which it may possess under its act of incorporation, to such amount as it may deem expedient, and to sell the same at such price as it may deem for the best interest of the company, without invalidation thereof by virtue of any statute of this state; and the said bonds and mortgages so sold and negotiated shall be valid and binding in law and equity; and the purchaser or purchasers under a decree in equity of foreclosure founded upon any such bond or mortgage shall be invested with all the estate, rights, franchises, powers and privileges which are or may be conferred upon or possessed by said company under or by virtue of its act of incorporation, and any supplements thereto, subject nevertheless to all restrictions, conditions, and limitations contained therein. May issue bonds.

19. *And be it enacted*, That the governor, the chancellor vice chancellor, the justices of the supreme court, and the judges of the court of errors of this state, secretary of state, state treasurer, comptroller of the treasury, clerk in Who may ride free.

chancery, clerk of the supreme court, adjutant general, quarter master general, superintendent of public schools and state librarian while traveling for the purpose of discharging the duties of their offices, and the members and officers of both houses of the legislature of this state, shall pass and repass on the railroad of said company in their cars free of charge.

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

Approved March 20, 1873.

CHAPTER CCLXXIV.

An Act to incorporate "Scudder and Cook Lumber Company."

Corporators

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That William C. Scudder, Robert C. Cook, John Hood, Samuel H. Grey, Isaiah Woolston, their associates and successors, be and they are hereby created and declared to be a body politic and corporate in law, by the name of "Scudder and Cook Lumber Company," and as such shall have perpetual succession, and all the privileges and franchises belonging or incident to a corporation.

Corporate name.

Capital stock

2. *And be it enacted*, That the capital stock of said company shall be one hundred and fifty thousand dollars, divided into shares of one hundred dollars each, with the privilege of increasing said capital stock as hereinafter provided, which capital stock shall be personal property, and be transferable on the books of the company.

Commissioners shall open books and receive subscriptions to 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, and upon such notice as they may direct, and at the time of subscribing for said stock, such amount on each share subscribed for shall be paid, satisfied, or satisfactorily secured to said commissioners as they or a majority of them shall direct, and the residue of the subscription shall be paid, satisfied or secured, as the directors of said company,

when elected, may determine, in such installments, at such times and places, on such notice, and in such manner as said directors shall from time to time direct, and upon the failure of any person or persons to pay, satisfy or secure the payment of such installment or installments, or any of them as aforesaid, the directors shall be empowered to forfeit the share or shares of each and every person so failing, or any of them, to and for the use and benefit of said company; and any share or shares of stock 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 determine, or may be 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.

Election of directors.

4. *And be it enacted*, That whenever one hundred thousand dollars of the capital stock aforesaid shall have been subscribed, said 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 in the state of New Jersey as said commissioners may designate, to choose not less than two nor more than three directors, who shall hold their offices for one year, and until others are duly elected, and at such meeting of stockholders convened as aforesaid, said stockholders shall prescribe the time and place for holding the annual elections, and the number of directors of said company, which time, place, and number of directors may be changed at any time at the option of the stockholders, or a majority of them, and the directors chosen by the stockholders of said company shall as soon as may be after their election, choose from their number a president of said company, 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, the vacancy thereby created in the board of directors may be filled by the stockholders, at a meeting properly convened, for the remainder of the then current year.

Who may vote.

5. *And be it enacted*, That at all elections by stockholders for officers of said company, and at all meetings of stockholders, and upon all questions submitted to them, each

stockholder shall cast one vote for each and every share of stock then standing upon the books of said company in his or her name, which vote may be cast either by said stockholder in person or by proxy.

General powers of the board 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 a treasurer, secretary, and such other officers, agents, clerks, servants, and employees of said company as they may deem necessary, and to prescribe and regulate their duties, salaries and compensation, to prescribe the form of, and to issue or authorize to be issued, such promissory notes, bills of exchange, and business paper of said company, as they may determine; to borrow such sum or sums of money, from time to time, as they may deem advisable for the purpose of said company, and to pledge the property and credit of said company for the payment thereof, or to issue the promissory notes or bonds of said company therefor, and to secure the payment of said promissory notes or bonds, either by mortgage or mortgages on the real or personal property of said company wheresoever situate, or in such other way as said directors may see fit; to make such by-laws, rules, and regulations, for the issuing and transfer of the stock, and for the government of said company, its officers, clerks, agents, servants and employees, as said directors may determine, and generally to direct, conduct, control and manage the business and affairs of said company, in such manner, consistently with the provisions of this act, as they may think proper.

Location of principal place of business.

7. *And be it enacted*, That the principal place of business and chief manufacturing establishments of said company, shall be located in the city or county of Camden, and that said company shall be, and they are hereby authorized to engage in the manufacture and sale of lumber, and of all articles, goods, wares, and merchandise, of which lumber forms a component or constituent part, and in the purchase and sale of hardware and building materials, and to purchase, sell, mortgage, hold, use, lease, occupy, possess and enjoy such real or personal property, tools, engines, machinery, fixtures, and materials in this or any other state or territory, as may be necessary or needful for the proper management and conduct of said business; and said company are hereby empowered, whenever in the opinion of the directors thereof it may be for the interest of said com-

Object and purpose of the company

pany to do so, to subscribe, or to accept and receive as part payment for any work done, or any goods, wares or merchandise, sold or furnished by said company, the whole or any part of the capital stock of any incorporated company, or any real or personal property of any natural or artificial person in this or any other state, and to purchase, hire, build or construct such and so many ships, vessels, boats or barges, as may be necessary or useful in carrying on the business of said company; and to erect and build such houses, buildings, structures, workshops, engines and machinery, as said company may require for the transaction of its business; and said company shall be assessed and taxed upon the full and actual value of all their real and personal property only, and not upon the amount of the capital stock paid in; and said corporation shall be entitled to all deductions for and in respect to debts owing by them, in the same way and to the same extent, as natural persons now are or hereafter may be under the laws of this state; *provided*, that said company shall not be assessed and taxed in this state for, or by reasons of, or of any interest in any real or personal estate, situate in any other state or territory, and taxed therein. Proviso.

8. *And be it enacted*, That said corporation may, by a vote of the stockholders holding a majority of all the shares of stock, from time to time, increase its capital stock to any sum not exceeding the sum of five hundred thousand dollars, and it shall be lawful for the directors of said corporation to issue certificates for such increased capital stock, to each of the original stockholders, in proportion to the stock held by them respectively, or, at their option, to receive subscriptions for such increased capital stock, in the same manner as said commissioners are hereinbefore authorized to receive subscriptions for original stock, and to require payment of such subscriptions therefor, in such installments, and at such times and places, and in such manner as they may elect; and in the event of the non-payment of such installments, or any of them, at the time or place or in the manner prescribed by said directors, the said stock may be forfeited and disposed of in the same manner provided by the third section of this act, in reference to the original capital stock of said company; and upon every increase of the capital stock of said company an affidavit made by the president and by one or more of the directors of said company, Capital stock may be increased.

specifying the amount paid in under such increase of capital stock, shall be filed in the office of the secretary of state.

Annual statement shall be submitted to the stockholders

9. *And be it enacted*, That the directors of said company shall submit to the stockholders thereof, at their annual meeting, a statement in writing of the condition and affairs of said company, and said directors shall divide the net profits of the business of said company, or so much thereof as said directors may see fit, among the stockholders in proportion to the amount of stock held by them respectively, at such times and in such manner as said directors shall determine.

Property that may be received in payment of subscriptions.

10. *And be it enacted*, That any real or personal property, or any materials, engines, or machinery, which may be received in payment for subscriptions for the stock of said company, shall be taken at a valuation, approved by the persons holding a majority of all the shares of the stock of said company.

Restrictions and liabilities.

11. *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 entitled "An act concerning corporations," approved February fourteenth, one thousand eight hundred and forty-six, and the several supplements thereto, so far as the same are applicable.

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

Approved March 20, 1873.

CHAPTER CCLXXV.

An Act to incorporate the "Dime Savings Bank," of the town of Washington, Middlesex County, State of New Jersey.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Harry F. Worthington, Garret J. Snedeker, Frederick W. Birsett, Charles H. Connett, Isaac G. Snedeker, Abraham C. Price, Charles Whitehead, Daniel Morgan, Abraham Sperling, Ezekiel Letts, John C.

Thompson, Nicholas Booraem, Elijah Sheddon, Ezekiel Wade, Frederick Stultz, Josiah C. Voorhees, Benjamin B. Walker, Freeland Van Deventer, Richard Serviss and Henry Gordon, and their successors, shall be and are hereby constituted a body corporate and politic, by the name of "The Dime Savings Bank," of the town of Washington, and by that name shall be capable of purchasing, taking, holding and enjoying, to them and their successors, any real estate, in fee simple or otherwise, and any goods and chattels, or personal estate which shall be necessary for the purposes herein mentioned, and of selling, leasing or otherwise disposing of the said real and personal estate, or any part, at their will and pleasure; *provided always*, that the clear annual value of such real and personal estate, exclusive of the profits that may arise from any investments in which the deposits may be made, shall not exceed the sum of twenty-five thousand dollars. Corporate name and powers.

2. *And be it enacted*, That the said institution shall be conducted by seven managers, elected by ballot from among the number of the above named incorporators, four of whom shall be a quorum to transact business, and at least three shall be residents of the town of Washington, and the seat of any manager who shall have neglected to attend for four consecutive meetings may be vacated by the board; the managers shall meet annually, on the first Monday in 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, or until others are chosen; and all officers so chosen shall be under oath for the faithful performance of the duties of their offices respectively, and shall give security, if required, for the faithful execution of the duties of their office, in such sum or sums, and such securities as may be directed by the board of managers. Election 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 meetings of the officers and managers, and for the transacting, managing and General powers of the managers.

Proviso.

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, and of the United States of America; and such by-laws and regulations shall be put up in some public and conspicuous place in the room where the business of said institution shall be conducted, and shall not be altered, so as to affect, injuriously, any one who may have been a depositor previous to the alteration.

May receive deposits and allow interest thereon.

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, which shall be invested accordingly, and shall be repaid to the depositors at such times, and with such interest, and under such regulations as the board of managers shall from time to time prescribe; and the said institution may accept and execute all such trusts, of every description, as may be committed to them by any person or persons whatever, by will or otherwise, or transferred to them by the order of any court.

Rate of interest shall be regulated by the board of managers.

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;

Proviso.

provided, that said rates of interest may, at the discretion of the managers, be so regulated as that the interest allowed to depositors having over one thousand dollars deposited shall be at least at the rate of one per centum per annum less than the interest allowed to other depositors.

Compensation to be fixed by board of managers.

6. *And be it enacted*, That no emolument whatever shall, directly or indirectly, be received by the managers, or either of them, for their services, except the president, secretary and treasurer, and the committee of examination of property offered as security for loans, who shall receive such compensation as may from time to time be established by a majority of the whole number of the managers of said corporation; nor shall the said institution issue any notes or bills; nor shall any officer or agent of the institution be allowed, directly or indirectly, to borrow any money from said institution, or to use the same, except to pay necessary expenses; nor shall the institution take or hold any bonds, mortgages,

or other securities, for the payment of money drawn or endorsed by or existing against any officer or agent of the institution as security for money loaned by it, unless the same shall have been received in payment of debts due from other parties.

May invest in public stocks.

7. *And be it enacted*, That the said corporation may invest the money left with them on deposit, in no other public stocks or bonds, other than such as are created and issued by the United States, and by the several states of the Union, or by the several counties, cities or towns in this state, or by the cities of New York and Brooklyn, of the state of New York, under the laws thereof, nor on bond and mortgage, except on unencumbered real estate worth at least double the amount invested; *provided*, said corporation may make temporary loans upon personal securities, with the pledge of collateral securities, at least double the amount loaned; *provided*, said loan shall at no time exceed twenty per centum of the whole amount of assets.

Proviso.

Certificates of deposit.

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

Acquittance by a minor, being a depositor, to be valid.

9. *And be it enacted*, That it shall be lawful for the said institution, at their discretion, to pay to any depositor being a minor, such sum as may be due to such depositor, not exceeding one thousand 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 deposit 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 their interest and dividends thereon, and receive and draw the same, and such deposits shall not be subject to the control of the husband, nor liable for his debts; nor shall money 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.

May contract with borrower for payment of tax.

10. *And be it enacted*, That it shall and may be lawful for the said "Dime Savings Bank," and the borrowers or lenders of any money secured by mortgage or other security upon personal or real estate, to enter into a contract or agreement whereby the borrower shall pay any part, or all

of national, state, county or township taxes, which may be assessed upon the money so lent or to be loaned, and the securities for the payment thereof; and all such contracts and agreements are hereby made and declared to be valid and effectual in law, and no such mortgage or other security shall be held, deemed or taken in any court of this state to be usurious or invalidated by reason of any such contracts or agreements, anything in any existing law of this state to the contrary notwithstanding.

Depositor may elect to whom money shall be paid.

11. *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 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 the said institution.

Interest not to be allowed on fractional part of a dollar.

12. *And be it enacted*, That the said institution shall not be required to receive on deposit a less sum than ten cents, nor to allow interest on a deposit until it amounts to one dollar, nor to allow any interest on the fractional part of one dollar; nor shall the institution be required to allow interest on the fractional part of a month.

Duplicate of account shall be furnished depositor.

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.

Annual report shall be made to the legislature.

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 the oath or affirmation of the treasurer, and a committee appointed for that purpose by the managers, or three or more of their number, of the state of its funds; and such statement shall be published by putting up at least four notices in the most public places in the town of Washington.

May fill vacancies.

15. *And be it enacted*, That the managers shall have the power to fill up by ballot, at a regular meeting, after notice of one month, any vacancy which may occur in their body or officers, by a vote of a majority of the managers present.

Location of office.

16. *And be it enacted*, That the office or place of business of the said institution, shall be in the town of Washington, 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.

17. *And be it enacted*, That this act shall be and is hereby declared to be a public act, and the same shall be construed in all courts favorably and benignly for every beneficial purpose therein included, and that no misnomer of the said institution in any deed, grant, devise or other instrument of contract or conveyance, shall vitiate or defeat the same; *provided*, the institution shall be sufficiently described so as to ascertain the intention of the parties; *and provided also*, that the legislature may at any time hereafter amend, modify or repeal this act. Act to be favorably construed. Proviso. Proviso.

18. *And be it enacted*, That this act shall continue in force twenty years, and shall take effect immediately. Limitation.

Approved March 20, 1873.

CHAPTER CCLXXVI.

An Act to incorporate the Deer Spung Park and Cranberry Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That W. H. B. Thomas, Charles A. Higgins, A. H. Nichols, William C. Stockes, Abraham Vansciver, Jacob Perkins, and William Stevenson, and all such persons as may hereafter be associated with them, their successors and assigns, be and they are hereby constituted a body politic and corporate, in fact and in law, by the name of "The Deer Spung Park and Cranberry Company," for the purpose of purchasing the Deer Spung Park, situate in the township of Shamong, in the county of Burlington, and state of New Jersey, and buying or leasing such other lands as may be necessary for the successful operation and carrying on of said company, or to secure a debt or debts due them at any time, holding, cultivating, and improving said lands, and raising and selling cranberries, fruits, and other products of said lands, and carrying on the business connected therewith, and erecting such buildings, and holding such personal property as may be necessary therefor; and that they and their successors by the same name, may sell, let, lease, grant, alien, convey and dispose of the same, or Names of corporators. Corporate name and purpose.

any part thereof, and may borrow money from time to time, and may secure the same by bond and mortgage, or otherwise, and may from time to time sell and dispose of the cranberries, fruits, products, goods and chattels, or any part thereof, and may lay, open, make and maintain dikes, sluices, raceways, ditches, drains, and embankments through their own and adjoining and contiguous lands, doing no unnecessary damage thereto, as they may deem for the benefit of their said lands; and for such purposes the said company may raise by subscription by opening the books therefor, or otherwise, a capital stock of twenty-five thousand dollars, with liberty to increase the same from time to time, to two hundred thousand dollars, which shall be divided into shares of one hundred dollars each; and the directors may fix the amount of the installments, and the times for paying the same, and may fix fines and forfeitures for nonpayment of installments, and may accept payments therefor in land or other necessary property, and issue stock therefor.

Capital stock

Affairs shall be managed by a board of directors.

2. *And be it enacted*, That the affairs of said corporation shall be managed by a board of not less than three directors, nor more than seven, one of whom shall be president, and a majority of whom shall have all the powers of the board, and they shall hold their office for one year, and until others are elected in their stead, and shall have power to make by-laws for the government and management of said corporation; *provided*, that the same are not contrary to the laws of this state or of the United States, and shall hold their meetings at such times and places in this state or elsewhere, as the by-laws may provide; and that until an election for directors shall be held, the persons named in the first section of this act shall be directors; and in case a vacancy shall occur in the board of directors by death, resignation, or a 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.

Proviso.

Stock shall be transferable.

3. *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 be made to the stockholders except from the net profits of the corporation; and that regular books of accounts of the corporation shall be kept, to which every stockholder shall have free access at reasonable times for the purpose of

inspection, and that their principal office shall be in the city of Beverly in this state.

How dissolved.

4. *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 survivor 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.

Proviso.

Corporation not to be dissolved by reason of failure to elect directors.

5. *And be it enacted*, That the directors shall call an annual meeting for the election of directors and the transaction of other business, but if they fail to do so this corporation shall not be deemed to be dissolved, or its rights and powers be thereby in any way impaired, but they may call a meeting for the purpose of electing directors, and transacting any other business at such subsequent times as they may decide upon, giving at least ten days' notice of the time and place thereof, and that previous to each annual election for directors the directors for the time being shall make a full report or exhibit of the affairs of the company, and that if the directors neglect or refuse to call the annual meeting for sixty days after the regular time when the same should have been held, then one-fourth in interest of the stockholders may call the same by giving at least ten days' notice of the time and place of holding the same, to all stockholders that can by reasonable diligence be found, and especial meetings of the stockholders may be called by the board of directors, or by one-fourth in interest of the stockholders in the manner hereinbefore specified, and at all elections for directors each stockholder shall be entitled, in person or by proxy, to one vote for each share of stock by him or her held.

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

Approved March 20, 1873.

CHAPTER CCLXXVII.

An Act to incorporate the Greenwood Cemetery Association of Boonton, New Jersey.

Corporators

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Enoch Hammonds, Jacob L. Hutt, Victor Thibou, Joseph Milner, senior, James H. Wootton, Nathaniel A. Myers, James G. Simms, Thomas Byard, Thomas Hammonds, Sammuel Hammonds, John Maxfield and Richard S. James, and such others as shall become associated with them, shall be and are hereby created, declared and constituted a body corporate and politic by the name of the Greenwood Cemetery Association of Boonton, New Jersey, with the general powers and privileges of a corporation.

Corporate name.

May purchase, hold and uselands for a cemetery.

2. *And be it enacted*, That the said association shall have power to purchase, to take and hold in fee, a tract or tracts of land situate at or near Boonton, in the county of Morris, in the state of New Jersey, not to exceed one hundred acres, for the use and purpose of a cemetery, and erect thereon such buildings and other improvements as the directors may deem suitable and necessary for the objects of the said corporation, and may sell or otherwise dispose of the sub-lots or plats in the said cemetery to the several purchasers or owners thereof, by a good and sufficient deed or deeds of conveyance, under the corporate seal of said association, signed by the president and secretary thereof, to be used only as a cemetery, for the burial of deceased persons, with the use and privilege of the several avenues, passages and walks, and other accommodation therein and thereunto belonging, subject however, to such rules, regulations and restrictions as may be established in relation thereto, by any by-law or ordinance of the said association; transfers of sub-lots or rights thereunto, may be made by the owner or owners thereof, by simple assignment annexed to said deed, but shall not be valid until the assignment is recorded

on the books of said association; *provided*, that all parts of land not required for cemetery purposes shall be sold within one year after the purchase of the same. Proviso.

3. *And be it enacted*, That if any part of the lands purchased by the said corporation for the purpose aforesaid, shall be unsuited for the purpose of a cemetery, or if the title made to such corporation shall contain any restriction, prohibiting them from using such land for such purposes, then it shall be lawful for said corporation to sell and dispose of such parts thereof as are unsuited for, or which they are prohibited from using for said purposes. May sell such land as is unsuited for purpose.

4. *And be it enacted*, That the business and concerns of the said corporation shall be conducted and managed by a board of directors consisting of twelve persons, a majority of whom shall be residents of this state, and who shall be elected annually, at such time and place as the by-laws may direct, upon notice given at least ten days previous thereto by advertisements in two newspapers published or circulated in the county where said cemetery is now or shall hereafter be located; at which election each share of stock shall entitle the holder thereof to one vote; and the said directors shall elect one of their number president, and shall appoint such other officers and agents as they may deem expedient, and fix the compensation to be paid them; they shall have power to fill all vacancies in their own number until the annual meeting next ensuing; and the said board of directors shall have power to make and establish all needful rules, regulations, ordinances and by-laws, and affix from time to time to the several plats and lots such prices as they shall deem reasonable and proper, and shall have the sole charge, control and superintendence of said cemetery. Election of directors and their powers.

5. *And be it enacted*, That until the first election of directors the persons named in the first section of this act shall be the directors, and may act as such until others are chosen in their stead; and in case it should happen that an election of directors should not be made during the day fixed by the by-laws, the said corporation shall not for that cause be deemed to be dissolved, but such election may be held at any other time upon due notice being given by the directors; and the directors for the time being shall continue to hold their office until others are chosen. First directors.

6. *And be it enacted*, That the sum or consideration which the said corporation may agree to pay for the tract Capital stock

or tracts of lands hereinbefore mentioned, and the sums which shall be expended in embellishing, improving, beautifying, erecting fences, buildings and other necessary accommodations, shall be the capital stock of the said association, and shall be divided into shares of one hundred dollars each.

Tobe exempt from tax.

7. *And be it enacted*, That on the sale of any or all of the lots or plats in said cemetery, not less than twenty-five per centum of the net proceeds shall be appropriated or funded for the further embellishment and maintaining the improvements, fences and other accommodations of said cemetery grounds, and the balance received shall belong to, and be divided among the stockholders according to their several interests, and whatever sum shall be founded as aforesaid, the same shall be free from all taxes, and no taxes or assessments shall be imposed on the lot owners thereof.

Stock may be forfeited for non-payment.

8. *And be it enacted*, That it shall be lawful for the directors, or a majority of them, to call in the subscriptions to the capital stock, at such times and in such sums, and upon such notice as they may deem reasonable, and a failure to comply with such notice on the part of any stockholder shall, at the option of the directors, or a majority of them, be cause of forfeiture of all moneys paid thereon, all rights by virtue of his or her subscription to such stock shall be vitiated.

Exemption from tax.

9. *And be it enacted*, That the said corporation shall have, use and exercise all the rights and privileges incident to a corporation herein stated, and shall be exempt from all taxes, assessments and charges upon their capital stock and the property which they may acquire, hold or possess, and the real estate of said corporation, and the said lots and parcels, when conveyed by the said corporation, or when sold to individual proprietors or held by any person for cemetery purposes, shall be exempt from all taxation or assessment whatsoever, and shall not be liable to be sold in execution or subject to attachment, or applied to the payment of debts by assignment under any insolvent or bankrupt laws, but may be conveyed under such regulations as the said directors may adopt.

Public road or street not to be opened without consent.

10. *And be it enacted*, That no public street or road shall hereafter be opened through the cemetery grounds without the consent of the said corporation.

11. *And be it enacted*, That any association of persons

for benevolent purposes, and also any religious society may purchase and hold lots in said cemetery adjacent to each other, in which they may bury, agreeably to any particular rites or ceremonies of their own, subject only to the rules and regulations prescribed by the said board of directors. Religious and other societies may purchase and hold lo

12. *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 or 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 or purposes of this act, according to the terms of such grant, donation or bequest. May receive property upon trust, by grant, devise or donation.

13. *And be it enacted*, That the provisions of the eighth section of the act entitled "An act authorizing the incorporation of rural cemetery associations," approved March fourteenth, one thousand eight hundred and fifty-one, be and the same are hereby made part of this act. Provisions of general act to apply.

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

Approved March 20, 1873.

CHAPTER CCLXXVIII.

An Act relative to the New Jersey Southern Railroad Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said New Jersey Southern Railroad Company may enter into any contract or lease with any other company whose railroad or branches now connect or may hereafter connect with the railroad or branches of the said New Jersey Southern Railroad Company, on such terms as the directors of the companies that are parties to any such lease may agree upon. Company may contract or lease with other railroad company.

Capital stock may be consolidated with that of other railroad companies.

2. *And be it enacted*, That the said New Jersey Southern Railroad Company may from time to time, consolidate with its capital stock that of any other railroad company in the states of New Jersey, Delaware, and Maryland, or either of them, whose railroad or branches now join or connect, or may hereafter join or connect with the railroad or branches or leased railroads of the said New Jersey Southern Railroad Company, or which shall form connecting or continuous lines with the railroad or branches or leased railroads of the said New Jersey Southern Railroad Company, by bridge, intervening roads, ferry or otherwise; *provided*, that nothing in this act contained shall in any way impair or interfere with section one of "a supplement to an act entitled an act to incorporate the Long Branch and Sea Shore Railroad Company," approved February sixteenth, eighteen hundred and seventy, of which the following is a copy: *Be it enacted by the Senate and General Assembly of the State of New Jersey*, That the said Long Branch and Sea Shore Railroad Company, and New Jersey Southern Railroad Company, by and with the consent of two-thirds of the stockholders of said railroads respectively, may consolidate the capital stock of the said companies; subject always to the provisions, reservations and conditions in the acts incorporating the said companies and the supplements thereto; and that the stock of the said companies subscribed and authorized to be subscribed under the said acts shall be deemed and considered, and is hereby declared to be joint stock, and the profits arising from the railroads of the said companies shall be divided among all the stockholders of the two companies aforesaid, share and share alike, and that the number of directors of the said consolidated companies shall, after the said consolidation, be thirteen; *provided, always*, that before this act shall take effect, the assent of the stockholders holding two-thirds of all the stock of the said Long Branch and Sea Shore Railroad Company, and of said New Jersey Southern Railroad Company, to the provisions of this act, shall be certified to the satisfaction of the governor of this state, and the same shall be filed in the office of the secretary of this state; *and provided further*, that if any stockholder or stockholders shall refuse his, her, or their assent; or if by reason of absence or legal disability such assent cannot be obtained, application may be made by such stockholder or stockholders, within three months from

Proviso.

Copy of act.

Proviso.

Proviso.

the time that the purchase or consolidation shall take effect, to one of the justices of the supreme court of this state, for the appointment of three disinterested and impartial persons, well acquainted with the value of railroad property, as commissioners to appraise the value of the shares held by said stockholder or stockholders; whereupon such proceedings shall be had as are provided in section seven and eight of the act of incorporation, for appraising and taking lands so far as the same is applicable.

Consent of stockholders shall be first obtained

3. *And be it enacted*, That before any such consolidation or lease shall take effect, the consent, in writing, of the stockholders owning or representing two-thirds of the stock of the said companies shall have been obtained and filed in the office of the secretary of this state; *and provided further*, that if any stockholder or stockholders shall refuse his, her, or their assent, or if by reason of absence or legal disability, such assent cannot be obtained, application may be made by such stockholder or stockholders within three months from the time that the lease or consolidation shall take effect, to one of the justices of the supreme court of this state, for the appointment of three disinterested and impartial persons, well acquainted with the value of railroad property, as commissioners to appraise the value of the shares held by said stockholder or stockholders, whereupon such proceedings shall be had as are provided in section seven of the act approved March third, one thousand eight hundred and fifty-four, entitled "An Act to incorporate the Raritan and Delaware Bay Railroad Company," so far as the same are applicable thereto; said seventh section reading as follows: *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 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,

Proviso.

Proceedings for appraisement of value of shares.

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, 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 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 said supreme court, to remain on 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 consti-

tute 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.

Consolidated company to have rights and powers of companies consolidated

4. *And be it enacted*, That such consolidated company shall possess all the powers, rights and privileges, and be subject to all debts, liabilities, contracts and agreements of the company or companies thus leased or consolidated; "and that the said New Jersey Southern Railroad Company shall have power to borrow from time to time such sum or sums of money as shall be necessary for the purposes of the company, and to secure the repayment thereof by bond and mortgage or otherwise, on the roads, lands, property, privileges, franchises, and appurtenances of, or belonging to, said corporation, at a rate of interest not exceeding seven per centum per annum; *provided*, that it shall not be lawful for the said corporation to plead any statute of this state against usury in any court of law or equity in any suit instituted to enforce the payment of any bond or mortgage issued by it."

Proviso.

May make contracts, &c.

5. *And be it enacted*, That it shall be lawful for the said New Jersey Southern Railroad Company to make any and all contracts and engagements with any other corporation or individuals for the transportation or conveyance of passengers or any kind of goods, produce, merchandise, or freight at such rates and upon such terms as may be agreed upon or fixed by the said New Jersey Southern Railroad Company, and to enforce the fulfillment of said contracts and engagements.

Other corporations may purchase and hold stock.

6. *And be it enacted*, That it shall be lawful for any corporation or corporations to subscribe for, purchase, or hold the stock or bonds, or to endorse and guarantee the bonds of the said New Jersey Southern Railroad Company, or any of its leased roads or branches.

May have and hold real estate.

7. *And be it enacted*, That the New Jersey Southern Railroad Company may purchase, have, hold, lease, and convey at any point on its main line, or on the line of its branches or leased roads, such real estate as its board of

directors may deem requisite for the purposes of the said New Jersey Southern Railroad Company.

Existing contracts not to be impaired.

8. *And be it enacted*, That nothing in this act contained shall in any wise impair or affect, or be construed to imply any change of the contract now existing between the New Jersey Southern Railroad Company and the United Railroad and Canal Companies of New Jersey, dated October twenty-eighth, eighteen hundred and sixty-nine, nor grant, or be construed as granting, by implication or otherwise, any right to said New Jersey Southern Railroad Company, for ferrying or bridging the Delaware river.

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

Approved March 20, 1873.

CHAPTER CCLXXIX.

An Act to incorporate the Lidalia Land and Improvement Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Alfred L. Dennis, F. Wolcott Jackson, J. Henry Stone, Charles B. Thurston, Martin R. Dennis, David McAlpin, John M. Welch, Charles S. Baylis, and Walter Freeman, and all such persons as may be hereafter associated with them, their successors and assigns, shall be and they are hereby constituted a body corporate and politic, in fact and in name, by the name of "The Lidalia Land and Improvement Company," and by that name shall be capable in law of purchasing, using, holding, letting, improving, and disposing of such real and personal estate in the counties of Middlesex and Union, as may be necessary or expedient to the objects of this incorporation, and may receive and make all deeds, transfers, conveyances, covenants, grants, contracts, agreements and bargains whatsoever necessary or useful for said purposes.

Corporate name and powers.

Election of directors.

2. *And be it enacted*, That the stock, property and concerns of the said company shall be managed and conducted by nine directors, a majority of whom shall be residents of

this state, all of whom shall be stockholders, and one of whom shall be president, who shall hold their offices respectively for one year, and until others are elected, and that the said directors shall be chosen on the first Monday in June in every year, at such time and place as shall be provided for by the by-laws of said corporation, by such of the stockholders as shall attend for that purpose, either in person or by proxy; and notice of the time and place of such election shall be published not less than two weeks previous thereto, in a newspaper published in the county of Middlesex or Union; and such stockholder shall be entitled to one vote for each share which he or she may hold in said company as may appear on their books; and the persons having the greatest number of votes shall be directors; and the said directors may appoint such agents, officers, and superintendents, and make such compensation, and assign such duties to the said agents, officers, and superintendents as they shall think fit; and if at any time it shall happen that any vacancy or vacancies occur, from any cause whatever, among the directors of said company, 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 by the stockholders; the first directors shall be Alfred L. Dennis, F. Wolcott Jackson, J. Henry Stone, Charles B. Thurston, Martin R. Dennis, David McAlpin, John M. Welch, Charles S. Baylis and Walter Freeman, who shall hold their offices until the first Monday of June next, or until others are legally chosen.

General powers of directors.

Names of the firstdirectors

3. *And be it enacted*, That the capital stock of said company shall be one hundred thousand dollars, with the privilege of increasing it to three hundred thousand dollars, which shall be divided into shares of one hundred dollars each, and as soon as five hundred shares of the capital stock shall have been subscribed, and the sum of forty dollars on each share so subscribed paid, or secured to be paid, it shall and may 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 proportion, as they shall deem proper, not exceeding twenty dollars on each share at any one time, notice of which shall be published for at least

Capital stock

three weeks in a newspaper in the county of Middlesex or Union, or be given in writing to the stockholders for the like space of time, before such installments are required to be paid; and in case of the failure of any stockholder to pay his or her installment 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 all previous payments thereon, for the use of the company; and the books of subscription for the stock of the said company, shall be opened at such time and place and remain open such time, in the said county of Middlesex or Union, as the directors shall appoint, notice being given previous thereto for two weeks, in a newspaper printed in one of said counties; and the shares of the said capital stock shall be deemed personal property, and transferable in such manner as the company by their by-laws shall direct.

Stock may be forfeited for non-payment.

May purchase land and erect improvements.

4. *And be it enacted*, That the said company may purchase any lands authorized to be purchased under this act, and may pay for the same in whole or in part, by issuing stock therefor, and may let, rent, lease, mortgage, exchange and sell all such land and real estate as they may hold, and may improve the same by laying out any portion thereof into lots, squares or parks; and may open, lay out and level, raise, grade or vacate streets, lanes and alleys, and may erect such workshops, factories, warehouses, stores, dwellings, gas and water works and reservoirs, and such other improvements as may be found or deemed necessary, ornamental or convenient; and may use the same for agricultural purposes, or in any other lawful way that the said company may deem necessary and advisable.

May enact by-laws, &c.

5. *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 the said company, and shall have full power to make such by-laws, ordinances and regulations, as shall seem necessary and convenient for the management or disposition, of the stock, effects and concerns of the said corporation; *provided*, that the same are not contrary to the laws or constitution of the United States or of this state.

Proviso.

May subscribefor and take stock in railroad, canal or turnpike companies.

6. *And be it enacted*, That the said company shall be at liberty to subscribe for and take stock in any canal, railroad, turnpike or other highway that now is or hereafter may be established and incorporated by the legislature of this state,

which shall lead to or pass through any lands that may be owned by said company.

Not to be dissolved for failure to hold election

7. *And be it enacted*, That in case it shall at any time happen that an election of directors shall not be made on 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 it shall and may be lawful to hold such election on such other day as the directors of the said company shall direct.

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

Approved March 20, 1873.

CHAPTER CCLXXX.

An Act to incorporate The Union Mercantile Association of Swedesboro, Gloucester County, New Jersey.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Moses Bradshaw, Alexander Black, Benjamin Rulon, David R. Black, Siemon Warrington, Edward C. Tallman, Ira Allen, Simon W. Stanger, Aaron Hurff, Thomas H. Black, John B. Batten and Henry C. Garrison, and all such persons as may be hereafter associated with them, be and hereby are created and declared a body politic and corporate, in fact and in law, by the name and style of "The Union Mercancile Association of Swedesboro, Gloucester County, New Jersey," for the purpose of buying, selling and dealing in general merchandise; and for such purpose the said association shall and may raise by subscription, by opening books therefor or otherwise, a capital stock of ten thousand dollars, to be divided into shares of twenty-five dollars each, with privilege of increasing the same from time to time, with the consent of a majority of the stockholders, to any amount not exceeding thirty thousand dollars; and it shall and may be lawful for said association to issue certificates of stock in whole or part payment for any real or personal property purchased or leased by said association for the purposes of their business aforesaid.

Corporate name and purpose.

Capital stock

May purchase and hold real estate.

2. *And be it enacted*, That the said association may purchase, use, hold, possess and enjoy such real estate as may be necessary or expedient for the purposes of said corporation, and may sell, mortgage, lease or otherwise dispose of the same at pleasure, and may sue and be sued, complain and defend in all courts of law and equity, and may have and use a common seal, and may change and alter the same at pleasure, and may make such by-laws for their regulation and government as they may deem proper; *provided*, the same are not inconsistent with the constitution and laws of the United States or of this state.

Proviso.

Business shall be managed by a board of directors.

3. *And be it enacted*, That the affairs and business of the said association shall be managed by not less than five nor more than nine directors, and said directors shall be stockholders in said association, and shall be elected at the annual meeting of the stockholders, to be held on such day and hour, and at such place as the by-laws of said association shall direct; a majority of said directors shall, when assembled as directed by the by-laws, constitute a quorum competent to transact business, and all business matters before them shall be decided by a majority of votes, and in case of a vacancy in said board of directors by death or otherwise, the remaining directors may appoint any stockholder to fill such vacancy.

Not to be dissolved for failure to hold election.

4. *And be it enacted*, That in case it shall happen that an election for directors shall not be held on the day designated for that purpose, the said corporation for that reason shall not be dissolved, but the stockholders may proceed to hold an election for directors on any other day, by giving ten days' previous notice of such election.

Annual statement shall be made

5. *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 association, setting forth a full and complete list of the assets and liabilities of said association as near as the same can be ascertained.

Location of store and office.

6. *And be it enacted*, That the store and office of the said association shall be in Swedesboro, Gloucester county, New Jersey; and that regular books of account shall be kept in said office, and also books of evidence of ownership of stock and transfer of the same, which said stock-books shall be evidence of ownership of said stock in all elections and other matters decided by the stockholders of said association.

7. *And be it enacted*, That the said corporation hereby

created may be dissolved by a general meeting of the stockholders thereof, 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, or such persons as the stockholders may appoint, shall be trustees for the settling up of all the affairs of said association, collecting all its property and assets, paying its debts and dividing its surplus among the stockholders in proportion to their respective interests in said stock. How dissolved. Proviso.

8. *And be it enacted*, That the corporation hereby created shall possess the general powers and be subject to the general restrictions set forth in an act entitled "An act concerning corporations," approved the fourteenth day of February, one thousand eight hundred and forty-six, so far as the same may be applicable. Restrictions and liabilities.

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

Approved March 20, 1873.

CHAPTER CCLXXXI.

An Act to incorporate the Florence Iron Works.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Richard Wood, Edward R. Wood, George B. Wood, Randolph Wood and Walter Wood, and such other persons as may be hereafter associated with them, be and are hereby created a body corporate and politic under the name and style of "The Florence Iron Works," with power to sue and be sued; to buy and sell real estate or to hold the same; to make and use a common seal and to alter it at pleasure. Corporators. Corporate name.

2. *And be it enacted*, That the capital stock of this company shall be one hundred thousand dollars, with power on the part of the stockholders to increase the amount at any time to a sum not greater than three hundred and fifty thousand dollars, which stock shall consist of shares of one hundred Capital stock

New Jersey State Library

dollars each, to be considered personal property, and to be transferable only upon the books of the company.

Object and purpose of the company

3. *And be it enacted*, That the said company shall have power to purchase the foundries, buildings and other real estate at Florence, Burlington county, in this state, now owned or occupied by R. D. Wood and company, and such other adjoining lands or real estate as may be advantageous to its business at such prices as may be agreed upon with the owners thereof; and shall have power to carry on said works as heretofore they have been carried on, and to make extensions thereof as may be necessary, for the development of said business, or for the manufacture of raw iron from ores, or for any form of machine work and of manufacture of cast or wrought iron; and shall have power to own and navigate such vessels as may be necessary or expedient for the transportation of the product of said works; and shall at any time have power to sell, lease or mortgage the said works as may be desired by a three-fourths majority of the stockholders; and shall have power to purchase stock of other corporations in payment of the products of the works of the said Florence Iron Works; and shall have power to operate the Florence Branch Railroad under the terms of the charter thereof and the laws of this state.

Election of directors.

4. *And be it enacted*, That the officers of the company shall consist of a president and a board of not more than eleven, nor less than five directors, of whom the president shall be one, all of whom shall be stockholders of said company, and such other officers as may from time to time be found to be necessary; the annual meeting of said company shall be upon the time fixed by the by-laws of the company at which time the board of directors shall be elected for the ensuing year, but if for any cause there should be a failure to elect, the franchises of the company shall not therefore be forfeited but the old board shall hold over until the next annual election or until a special meeting of the stockholders shall have been called for the purpose of said election; and until the organization of this company the corporators herein named shall manage the business of the company.

General powers.

5. *And be it enacted*, That the company shall have power to adopt all such rules and by-laws as it may deem necessary

Proviso.

for the regulation and proper conduct of its business; *provided*, that no rule or by-law shall limit the right of each

stockholder to one vote for every share of stock held by him at any meeting of stockholders, nor shall any rule or by-law contain anything inconsistent with the terms of this charter nor the laws of this state.

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

Approved March 20, 1873.

CHAPTER CCLXXXII.

An Act to provide for the extension of the Caldwell and Millburn Railroad.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the Caldwell and Millburn Railway Company is hereby authorized to continue and extend its railroad with a single or double track from its present authorized terminus at or near the village of Caldwell, in the county of Essex, to some point at or near the town of Wycoff, in the county of Bergen, thence to the state line at or near the town of Sufferns, in the state of New York, also to extend the line of said road from the village of Millburn, in the county of Essex to some point at or near the city of New Brunswick, in the county of Middlesex; and the said Caldwell and Millburn Railroad Company shall have the same powers to locate and acquire lands for the purpose of extending, constructing and operating the said road as given in the act of incorporation, approved March thirty-first, one thousand eight hundred and seventy-one; and the time for commencing said road shall not exceed three years, and completing said road shall be and is hereby extended for five years; *provided*, that the northern extension from Caldwell shall be completed and in operation before any part of the line authorized by this act south of the New Jersey Central Railroad is constructed. Extension of railroad authorized. Proviso.

Approved March 20, 1873.

CHAPTER CCLXXXIX.

A Supplement to the act entitled "An Act concerning Turnpike Roads," approved March twenty-second, one thousand eight hundred and sixty.

Preamble. WHEREAS, the turnpike road of the Mullica Hill and Woodstown Turnpike Company runs through parts of the counties of Gloucester and Salem; *and whereas*, the said Mullica Hill and Woodstown Turnpike Company have accepted the act entitled "An act concerning turnpike roads," approved March twenty-second, one thousand eight hundred and sixty, in the manner as in and by said act is directed, by virtue of which said act the said Mullica Hill and Woodstown Turnpike Company are entitled and authorized to charge the rates of toll, in said act specified, on that part of their said road lying and being in the said county of Gloucester; *and whereas*, doubts have arisen whether the said company can lawfully charge said rates of toll in said act named, on that part of their said road lying and being in the said county of Salem, and in order that the rates of toll on the said road may be uniform on all parts thereof; therefore,

Provisions of act extended 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the provisions of the said act entitled "An act concerning turnpike roads," approved March twenty-second, one thousand eight hundred and sixty, be and the same hereby are extended to that part of the turnpike road of the said Mullica Hill and Woodstown Turnpike Company, lying and being in the said county of Salem; and it shall and may be lawful for the said Mullica Hill and Woodstown Turnpike Company to charge the rates of toll specified in said act to which this is a supplement, on that part of their said road lying and being in the said county of Salem, from and after the time they shall have complied with the directions contained in the last proviso in said act mentioned.

2. *And be it enacted*, That the provisions of this act shall

extend and apply to the Gloucester and Salem Turnpike Company. Provisions extended to Gloucester and Salem turnpikes.

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

Approved March 20, 1873.

CHAPTER CCXCI.

A Supplement to the act entitled "An Act for the Protection and Preservation of the Cemetery of the Holy Sepulchre," approved March seventeenth, one thousand eight hundred and seventy.

WHEREAS, since the passage of the act to which this is a supplement, there have been added to the Cemetery of the Holy Sepulchre, in said act mentioned, for the legitimate purposes thereof, the burial of the dead therein, certain lots of land in the township of South Orange, in the county of Essex, in this state, namely: lots numbers one to four, both numbers inclusive, and numbers seven to forty-three, both numbers inclusive, in block twelve, on a map of the property of Isaac Halsey; *and whereas*, it is desirable that the privileges, prohibitions and exemptions granted and contained in and by the act to which this is a supplement should be extended to the said land which has been added to said cemetery for the purposes thereof; now therefore, Preamble.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all and singular, the provisions, prohibitions and exemptions in the act to which this is a supplement contained, shall extend to the said lots of land in the foregoing preamble mentioned so far as refers to lots sold to private parties and actually used for burial places, as fully and completely as if at the time of the passage of the said act, the said lots constituted part of the land mentioned and referred to in the preamble to that act. Provisions, &c., extended

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

Approved March 21, 1873.

CHAPTER CCXCII.

An Act to authorize the construction of a Pier and Railways at Keyport.

Preamble.

WHEREAS, Byron Osborn and Francis Cuttrell, of the town of Keyport, in the county of Monmouth and state of New Jersey, have represented that they are the owners of certain lands situate in said town, adjoining the waters of the Raritan bay, and prayed that a law may be passed authorizing them to build, maintain and keep in repair a pier and one or more set or sets of railways, to be used in building, repairing and overhauling vessels,

Authorized to build and maintain a pier and railway to be used in repair of vessels.

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 Byron Osborn and Francis Cuttrell, and their assigns, to build, maintain and keep in repair a pier, and one or more set or sets of railways, to be used in building, repairing and overhauling vessels, and such uses as they may deem expedient, upon and in front of the lands of said Byron Osborn and Francis Cuttrell, in said town of Keyport, the said pier and railways extending a sufficient distance into said Raritan bay for the necessities of said business of building, repairing and overhauling vessels, and to drive piles, wherever it may be needful for the prosecution of said business, in front of the lands of said Byron Osborn and Francis Cuttrell; *provided*, the said pier, railways and piles shall not obstruct the navigation of said bay; *and provided*, that this act shall not affect the legal rights of any person whatever.

Proviso.

Proviso.

Penalty for injury to property.

2. *And be it enacted*, That if any person or persons shall willfully destroy, or by carelessness, want of skill or negligence, in any way injure or damage the said pier, railways or piles, such person or persons so destroying or injuring said pier, railways or piles, 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.

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

Approved March 21, 1873.

CHAPTER CCXCIII.

An Act to incorporate the Glasgow Pottery Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That John Moses, James Moses, Elijah Mountford, Thomas Davis and Thomas Stevenson and their associates be and are hereby created a body politic and corporate in fact and in law by the name and style of the Glasgow Pottery Company, for the purpose of manufacturing, selling and dealing in earthenware and crockery of various descriptions, and the business incident thereto; and for such purpose the said company shall or may raise by subscription by opening the books therefor or otherwise, a capital stock of thirty-five thousand dollars to be divided into shares of one hundred dollars each, with the privilege of increasing the same from time to time with the consent of a majority of the stockholders, to any amount not exceeding three hundred thousand dollars, and it shall be lawful for said company to issue certificates of stock in whole or in part payment for any real or personal property purchased or leased by said company, for the purpose of their business aforesaid.

Corporate name and object.

Capital stock

May purchase and hold real estate, &c.

2. *And be it enacted*, That the said corporation may purchase, use, hold, possess and enjoy such real estate as may be necessary or expedient for the purposes of said corporation, and may sell, mortgage, lease or otherwise dispose of the same at pleasure, and may borrow money and issue bonds therefor, not to exceed at any time one-half of their paid up capital stock, and may sue or be sued in all courts of law or equity, and have and use a common seal and trade mark, and may change and 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 incon-

General powers.

Proviso.

sistent with the constitution or laws of the United States or of this state.

Election of directors.

3. *And be it enacted*, That the affairs and business of the said corporation shall be managed by not less than three nor more than five directors who shall elect one of their number 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 such day at such hour of the day and at such place as the by-laws of the said corporation shall direct; a majority of the directors shall on all occasions when assembled at such time and place as the by-laws shall prescribe, constitute a body competent to transact business and all business matters before them shall be decided by a majority of votes, and in case a vacancy shall occur in the board of directors by death, resignation or a 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 stockholders.

Not to be dissolved by reason of failure to elect.

4. *And be it enacted*, That in case it shall happen that an election of directors shall not be made upon the day designated 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.

Annual statement shall be submitted to stockholders

5. *And be it enacted*, That the said directors shall submit to the stockholders at their annual meeting a written statement of the affairs of the said corporation, setting forth the amount of the capital stock paid in, the amount of money due to and from the said corporation, and the amount of all assets and property belonging to said corporation as nearly as the same can be ascertained.

Location of principal office.

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

7. *And be it enacted*, That the said corporation hereby created may be dissolved by a general meeting of the stockholders of the same, 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 of them or such persons as the said stockholders shall appoint, shall be trustees for the settling all the affairs of the company, collecting and disposing of all its property and assets, paying its debts and dividing its surplus among the stockholders in proportion to their respective interests in the stock. How dissolved. Proviso.

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

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

Approved March 21, 1873.

CHAPTER CCXCIV.

An Act to incorporate the "Essex Ice Company of Newark."

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Peter S. Duryea, James M. Loweree, Andrew A. Smalley, James L. Hays and John P. Wakeman, and such other persons as may associate with them, shall be and they are hereby declared to be a body corporate and politic, in fact and in name, by the style and title of the "Essex Ice Company of Newark," and shall be capable of suing and being sued at law and in equity in all respects as natural persons; that they may gather and store ice to be sold to the citizens of this state and of adjoining states, and to buy, hire, lease and hold all such property, real and personal, as the needs of the business of said company shall require, wherever their said business shall be carried on, and to dispose of the same at their pleasure. Names of corporators. Corporate name and object.

Location of principal office.

2. *And be it enacted*, That the said company shall locate their principal office either in the county of Essex, or in the town of Harrison or Kearny, in the county of Hudson, as they shall deem best.

Capital stock

3. *And be it enacted*, That the capital stock of the said company shall be fifty thousand dollars, and shall be divided into shares of one hundred dollars each, which shall be deemed personal property; but the same may be increased to two hundred and fifty thousand dollars by a vote of the board of directors.

Commissioners shall receive subscriptions to capital stock

4. *And be it enacted*, That the persons above named, or a majority of them, shall be commissioners to receive subscriptions to said capital stock, at such time and places as they shall appoint, giving five days' notice of such time and place in one or more newspapers published in the city of Newark, and when one hundred shares of said stock shall have been subscribed for and ten dollars on each share so subscribed for paid to said commissioners, they shall call a meeting of the subscribers to said stock for the purpose of organizing the company by the election of directors, and when the board of directors is organized by the appointment of a president and other proper officers, the commissioners shall deliver to such president all moneys, papers and property in their possession and relating to said company; and if the subscribers to said stock fail to elect directors, as herein provided, the persons above named shall be directors for one year and until others are lawfully chosen.

Election of directors.

General powers of the directors.

5. *And be it enacted*, That the business of the said company shall be managed by a board of directors, not less than five nor more than nine in number, each of whom shall be a stockholder in said company; that said board may elect all such officers as they deem necessary; and may appoint such agents and subordinates as in their judgment are required in their said business; that the directors and president shall hold office for one year and until successors are legally chosen in their stead; that elections for directors shall be held at such time and place and upon such notice as the directors by the by-laws shall direct.

Capital may be paid in by installments

6. *And be it enacted*, That a majority of the board of directors shall have power to transact all the business of the company, to call in all installments on the stock subscribed for, in such amounts and at such times as they may

direct, giving to each subscriber twenty days' notice, either personally or by a general publication in one or more newspapers published in the city of Newark, and also to declare forfeited to such company all shares upon which default in paying installments shall arise, and all previous payments thereon.

7. *And be it enacted*, That when stock to the amount of ten thousand dollars shall have been subscribed for and paid in it shall be lawful for said company to begin their operations under this act. When company may commence business.

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

Approved March 21, 1873.

CHAPTER CCXCV.

An Act to incorporate The Loan and Trust Company of the City of Elizabeth.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Amos Clark, junior, Abram S. Mitchell, J. Williams Crane, Henry Aitkin, David Mulford, John A. Wilson, Ferdinand Blancke, E. H. Clemens, Benjamin Williamson, Benjamin F. Urner, George W. Tubbs, John Kean, James R. English, J. K. Hoyt, and their associates and successors, shall be and are hereby constituted a body politic and corporate, in fact and in law, by the name, style and title of "The Loan and Trust Company of Elizabeth," and shall have its principal place of business in said city of Elizabeth, and shall have perpetual succession, with all the powers and privileges vested by the laws of the state in similar corporations. Names of corporators. Corporate name.

2. *And be it enacted*, That the capital stock of said corporation shall be five hundred thousand dollars, divided into five thousand shares, of one hundred dollars each; the persons above named shall be commissioners, within a reasonable time after the passage of this act, to open books for the purpose of receiving subscriptions to the said stock; and the corporation may commence business when fifty Capital stock

thousand dollars, in cash, shall have actually been paid in upon such subscriptions.

Election of directors.

3. *And be it enacted*, That the business of said corporation shall be managed by a board of directors, to consist of thirteen persons, a majority of whom shall constitute a quorum for the transaction of business, and the persons above named as corporators shall constitute such board of directors until others shall be elected in their places; and such board of directors shall be deemed to have become organized whenever they shall have met and elected a president and vice president from among their number; and in case of a vacancy in said board of directors, occasioned by death, resignation, or otherwise, the persons remaining in said board shall have power to fill said vacancy by appointment.

Notice to be given of annual elections.

4. *And be it enacted*, That said first board of directors shall, within a reasonable time, fix the day and month in each year when elections for a new board of directors shall be held, of which annual elections public notice once a week for two weeks shall be given, in some newspaper published in the city of Elizabeth.

Purpose and object of the corporation.

5. *And be it enacted*, That the said corporation shall have power to receive money on deposit, and to loan money on securities; to allow interest on money deposited; to act as executor or administrator of estates, or trustee of the estates of minors, insolvents, or partnerships in liquidation; to receive the custody and management of trust funds, or funds and property in litigation, by order and appointment of the courts thereto; to act as agent or trustee for the investment of money in real or personal property, and for the management thereof, and of money invested; to purchase or sell notes of hand, or promissory notes, land warrants, stocks and scrip, government claims, municipal or private claims, drafts and bills of exchange, and other evidences of indebtedness collaterally secured by bond and mortgage, or trust deed of real estate, or on bullion, state or government securities, warehouse receipts, insurance policies, choses in action, personal property, or otherwise; to purchase and sell bonds and mortgages; to guarantee bonds and mortgages and titles to real estate, for a money consideration.

Liability of stockholders

6. *And be it enacted*, That each stockholder shall be liable for the debts of the corporation to the amount of stock subscribed or held by him, until the same shall have been paid

up in full, but shall not be individually liable thereafter; the shares of stock subscribed, and not paid up, as called for by the rules of the corporation, may be forfeited to the corporation for such non-payment; and no stock shall be transferred, except on the books of the corporation.

May purchase and hold real estate.

7. *And be it enacted*, That said corporation shall have power to purchase, hold and convey real estate for the following purposes, to wit: such as may be necessary for the transaction of its business; such as may be taken by it in compromise, or payment for any pre-existing indebtedness, lawfully acquired by said corporation; such as may be purchased by it at any judicial sale or sales in forfeiture, or for the foreclosure or other enforcement of any claim, judgment, mortgage, trust deed, or agreement in the nature of a pledge or mortgage of the same, taken by said corporation in the course of its regular business transactions.

May enact by-laws, &c.

8. *And be it enacted*, That said corporation, through its directors, may adopt, amend and rescind, from time to time, such by-laws as they may deem necessary to transact business and carry out the powers and provisions hereinbefore contained.

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

Approved March 21, 1873.

CHAPTER CCXCVI.

A Supplement to an act entitled "An Act to incorporate the Ocean County Land and Improvement Company," approved March twentieth, one thousand eight hundred and seventy-two.

Corporate name.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That from and after the passage of this act the name of said company shall be changed to "The New Jersey National Land and Improvement Company," and that all publications of notices, as by said original act are required to be published in a newspaper published in

the county of Ocean, may be published in a newspaper printed in the county of Essex.

2. *And be it enacted*, That the principal office of said company shall be located at the city of Newark, in the county of Essex. Location of principal office.

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

Approved March 21, 1873.

CHAPTER CCXCVII.

An Act to authorize Moro Phillips to build and maintain Wharves, Piers, and so forth, in front of his lands on Cooper's Creek and the River Delaware, in the Township of Stockton, in the County of Camden.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Moro Phillips be, and he is hereby authorized and empowered to erect and maintain all such wharves, piers and bulkheads in front of his lands on Cooper's creek and the river Delaware, in the township of Stockton, in the county of Camden, and to extend the same into the said Cooper's creek and the river Delaware, as far as may be necessary and proper for the improvement of his property and for the benefit of commerce, and to collect wharfage for the use thereof, and to hold, use and enjoy the same to the use of himself, his heirs and assigns; *provided*, such wharves, piers and appliances shall not extend so far out into said streams as to injure or impede the navigation of the same, but such wharves and piers shall in no case extend beyond the port warden's line. Authorized to build wharves and piers. Proviso.

2. *And be it enacted*, That if any person or persons shall in any way willfully injure said wharves, piers or appliances, such person or persons shall be responsible and shall pay the damages which the same may sustain, recoverable in an action of trespass on the case in any court having jurisdiction of the same. Penalty for injury to property.

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

Approved March 21, 1873.

CHAPTER CCXCVIII.

An Act to incorporate the Vineland Fair Association.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Seaman R. Fowler, A. F. Leavitt, H. N. Green, W. A. Warriner, M. E. Hubbard, Thomas Grigg, Charles Degroff, Daniel F. Morrill, E. N. Ellis, C. L. Mabbett and E. Green and such other persons as now are or may become members of the association hereby incorporated, their successors and assigns, shall be and they are hereby constituted and declared to be a body politic and corporate, in fact and in law, by the name, style and title of the "Vineland Fair Association," and by that name they and their successors shall have perpetual succession, with power to have, use and adopt a common seal, and to alter and change the same at any time, to sue and be sued, to defend and be defended, in all courts of law and equity; and the said association shall be capable of purchasing, holding, leasing, selling, conveying, or receiving by donation, devise or bequest, any lands, tenements or personal estate whatsoever, and to raise loans upon the same by mortgage or otherwise; and that the office of said company shall be in the township of Landis, county of Cumberland. Names of corporators. Corporate name and powers.

2. *And be it enacted*, That the object of the association shall be to promote the agricultural, horticultural, mechanical and floral interests of Vineland, by means of fairs for the exhibition of the products of the soil and workshops, floral displays, cattle, horses, poultry, and agricultural implements, and such other articles and merchandise as may be deemed proper by the board of directors; and to encourage and incite competition therein, they may offer and give premiums for the superiority in the articles, things or objects exhibited or sought for; to disseminate knowledge on all subjects connected therewith, and to encourage a practical application of it by lectures, exhibitions and in such other ways as the society shall deem proper. Object.

May charge admission fees.

3. *And be it enacted*, That said association shall have the right and power to charge a fee for admission to such exhibitions, the amount to be fixed from time to time as the directors may deem proper; shall have power to make and establish from time to time such constitution, by-laws, rules and regulations as they shall judge proper for the admission and expulsion of its members, for the election, time of service and duties of its officers, and for the collection of admission fees, fines or assessments from the members thereof.

Officers.

4. *And be it enacted*, That the officers of said association shall consist of a president, vice president, recording secretary, treasurer, corresponding secretary, and an executive committee of six members, who together shall constitute a board of directors, who shall be elected at the annual meeting of said association, and hold their office for one year and until their successors shall be chosen in their stead.

Time of holding annual election.

5. *And be it enacted*, That the annual meeting for the election of officers of said association shall be held on the first Saturday of October in each year, at such time and place as the board of directors shall direct, and until said annual meeting shall be held the persons named in this act shall be constituted and deemed the directors thereof.

Not to be dissolved because of failure to elect.

6. *And be it enacted*, That in case an election for officers shall not take place upon the day herein designated for that purpose, the corporation shall not for that cause be deemed dissolved, but the members of said association may hold an election upon any other day, ten days' previous notice of time and place of said election having first been given in a newspaper published in the village of Vineland.

Vacancies, how filled.

7. *And be it enacted*, That in case of the death, resignation, neglect or refusal to act of any of said officers, such vacancy shall be filled for the remainder of the year in which such vacancy may occur by the board of directors or a majority of them; said persons so appointed shall hold their offices until the next annual meeting and until others shall be elected in their places.

Directors to open books of subscriptions to capital stock.

8. *And be it enacted*, That the board of directors shall have power and are hereby authorized at any time they may deem it expedient, to open books of subscriptions for capital stock of said association to any amount not exceeding twenty-five thousand dollars, to be divided into shares of twenty dollars each, which shall be deemed personal property; and all stock subscribed shall be paid in at such times

and upon such notice as the board of directors of said association may direct.

Shareholders shall be members of the association.

9. *And be it enacted*, That any person subscribing and paying for or holding one or more shares shall be a member, unless he transfers his stock, which he may do by having the transfer recorded by the secretary; the secretary's book shall be closed for five days previous to any exhibition or fair and during the same, in which no transfers shall be recorded, so that the secretary may be enabled to make a list of the members previous to holding any exhibition or fair.

May enact and enforce by-laws for the preservation of order, &c.

10. *And be it enacted*, That the association shall have the right and power to enact and enforce by-laws prohibiting gambling, betting, selling or using intoxicating drinks, huckstering or peddling, the use of the ground for showmen and others upon the premises, and to eject from the premises all disorderly persons violating the rules of the association.

May borrow money, &c.

11. *And be it enacted*, That if it shall be deemed expedient by the board of directors at any time to purchase land for the use of the association and to improve the same by erecting buildings in which to hold their fairs or exhibitions, or otherwise, then it shall be lawful for said board of directors to borrow from time to time such sum or sums of money as may to them seem advisable for the purpose of purchasing and improving said land or erecting buildings thereon, and to secure the same by mortgage, mortgages or otherwise.

Stock may be forfeited for non-payment.

12. *And be it enacted*, That the directors of said association shall have power to declare stock forfeited and all previous payments made thereon, in case of non-payment when duly called for, if they deem it expedient, and to make such dividends as the profits of the association will allow.

How dissolved.

13. *And be it enacted*, That said association may be dissolved by a general meeting of the stockholders specially called for that purpose; *provided*, that stockholders representing at least two-thirds of the capital stock shall concur therein, and upon such dissolution the directors for the time being or such persons as the stockholders may appoint, shall be trustees for the settling of all the affairs of the association, 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.

Proviso.

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

Approved March 21, 1873.

CHAPTER CCXCIX.

A Supplement to an act entitled "An Act to incorporate the Vineland Loan and Improvement Association," approved February fifteenth, eighteen hundred and sixty-seven.

Number of directors.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the number of the directors of said association may be either three or five, as the stockholders may direct.

May act as trustee, &c.

2. *And be it enacted*, That it shall be lawful for said association to act as trustee for any person or persons whatsoever, or for any corporation, for the purpose of loaning money, and may accept and execute all trusts, of every description, that may be committed to said corporation, upon such terms and commissions as may be established by said association and agreed upon with any person or persons, corporation or corporations, for whom said association acts; and that said association may loan and invest its funds on pledge of stocks, bonds, goods, chattels, notes, and such other securities as the board of directors may deem desirable securities.

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

Approved March 21, 1873.

CHAPTER CCC.

A Supplement to the act entitled "An Act to incorporate the Orange Central Horse Railway Company," approved March twenty-ninth, one thousand eight hundred and seventy-one.

WHEREAS, since the passage of the act to which this is a supplement, Moses H. Williams, one of the corporators named therein, has died, and relief is necessary in order to the carrying into effect of the provisions of said act: Preamble.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That William Stainsby be and he is hereby made one of the corporators of said company, in the place of Moses H. Williams, deceased, and the said William Stainsby, together with the surviving persons named in the first section of said act, are hereby authorized and empowered, within one year from and after the passage of this act, to open books to receive subscriptions to the capital stock of said company, in accordance with the provisions of the third section of the act to which this is a supplement, and all the powers, privileges, rights and franchises created and given by said act are hereby renewed and given to the said William Stainsby and the surviving corporators in said act named, as fully and beneficially as in said act they were given to the corporators therein named, subject, however, to the conditions, restrictions and provisions in said act created and made; *provided, however*, that the said persons herein made corporators shall be the first directors of said company until such time in the year one thousand eight hundred and seventy-four as the stockholders of said company shall choose a board of directors, and no longer; and the name of said company shall hereafter be the Montrose Railway Company, instead of the name enacted in the act to which this is a supplement. Corporators shall open books for subscriptions to capital stock. Proviso.

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

Approved March 21, 1873.

CHAPTER CCCI.

An Act to authorize the Trustees of the Methodist Episcopal Church of Smithville, in the County of Atlantic, to sell and convey certain church property.

May sell and convey church edifice.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the trustees of the Methodist Episcopal Church at Smithville, or their successors in office, be and the same are hereby authorized and empowered to sell and convey their old church edifice situate in Smithville, in the county of Atlantic.

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

Approved March 20, 1873.

CHAPTER CCCII.

An Act to incorporate The Essex County Printing and Publishing Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Francis W. Potter, A. Monroe Porter, Francis Mackin, Samuel Atwater, James M. Patterson, Caleb G. Crane, and Isaac J. Everett, and their associates and successors, be and they are hereby created a

Corporate name and object.

body politic and corporate, by the name of "The Essex County Printing and Publishing Company," for the purpose of printing, publishing and binding books, periodicals and journals, and executing all kinds of job printing whatever, with power to purchase and sell all kinds of materials incident to the said business, and with power to lease, purchase and hold real and personal estate, in fee or otherwise, as

may by said corporation be deemed necessary and advantageous for carrying on said business, and to sell, lease and mortgage the same or any portion thereof, together with all the powers and privileges, and subject to such restrictions, limitations, and conditions as are specified in the act entitled "An act concerning corporations," approved February fourteenth, one thousand eight hundred and forty-six, except as otherwise provided in and by this act of incorporation.

Capital stock

2. *And be it enacted*, That the capital stock of the said company shall be fifty thousand dollars, with power to increase the same to one hundred thousand dollars, divided into shares of fifty dollars each, and said company may commence business when twenty thousand dollars shall have been paid into the capital stock.

Affairs to be managed by a board of directors.

3. *And be it enacted*, That the property and affairs of this company shall be managed and conducted by a board of directors of not less than five nor more than nine (as may be fixed by the by-laws of the company), being shareholders, and the said board shall annually, at such times as shall be fixed by the by-laws, appoint a president and such other officers as they may think proper; and the persons named in the first section of this act shall be the first directors, to continue in office respectively until their successors are chosen.

Election of directors.

4. *And be it enacted*, That the directors of said company shall be chosen annually, at such times and place, and on such public notice as may be fixed by the by-laws of the company; all elections shall be by ballot, and each share shall be entitled to one vote, and the vote may be given in person or by proxy; and if from any cause an election for directors shall not take place at the appointed time, it shall not therefore work a forfeiture of this charter, but the former directors shall continue in office until their successors shall be chosen, either at a regular or special subsequent election in conformity with the by-laws of said corporation, and any vacancy occurring in the board by death, resignation, or by increasing the number of directors, or otherwise, shall at all times be filled for the unexpired term by the said board, a majority of whom shall constitute a quorum.

Location of the company

5. *And be it enacted*, That the said company shall be located in the city of Newark, and the corporators hereinbefore mentioned, or a majority of them, are hereby authorized to open subscription books and receive subscriptions to

the capital stock, at such times and places as they shall determine, and to do all things necessary to establish and carry on the business of said company.

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

Approved March 21, 1873.

CHAPTER CCCIII.

An Act to incorporate the Lincoln Library of Jersey City.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That P. H. Laverty, Dennis Reardon, F. H. Snyder, Richard Miller, Henry L. Bonsall, T. J. Hannan, G. C. Brown and Herman Otersen, their successors and such persons as are now or hereafter may be associated with them, shall be and hereby are ordained, constituted and declared a body politic and corporate in fact and in law

Corporate name.

by the name, style and title of "The Lincoln Library of Jersey City," and by such corporate name are hereby given all the rights, privileges and powers of bodies corporate for the uses and purposes herein set forth.

May make by-laws and rules.

2. *And be it enacted*, That the said corporators may acquire and hold by gift, purchase, loan, or otherwise, the books, pamphlets, periodicals and papers to be used as a public library, and may acquire and hold in fee simple or otherwise the necessary grounds and buildings in which to keep and preserve and use its library; and may make such rules, regulations and by-laws for the acquisition, safe keeping, use and enjoyment of its library as may be deemed

Proviso.

necessary; *provided*, they are not in conflict with this act.

Affairs shall be managed by a board of directors.

3. *And be it enacted*, That the library, property, and affairs of said corporation shall be under the control and management of not less than five directors, chosen by the stockholders once in every two years; the directors named in this act shall be the directors for two years next succeeding the passage of this act, and until their successors are chosen; a vacancy in the board of directors caused by resignation, death or otherwise, shall be filled by other directors, or a

majority of them, in such manner as they may determine; two directors shall constitute a majority of the board and quorum for the transaction of business; the biennial choosing of directors by the stockholders shall be upon notice published in one or more of the papers published in Jersey City, for at least ten days next preceding the meeting of the stockholders for that purpose; the meeting of the stockholders to choose directors shall be in the building in which the library is kept, and at such a meeting the directors selected by a majority of the stockholders present shall serve for the ensuing two years and until their successors are chosen. Election of directors.

4. *And be it enacted*, That the directors shall select a president, vice president, secretary, treasurer, and librarian, and such assistants as may be deemed necessary; the treasurer, librarian and assistant librarians shall hold office at the will of the directors, and may be required to give such security as may be deemed necessary for the faithful performance of their duties; the librarian and assistant librarians shall receive such pay for their services as may be fixed by the directors, but the directors as such shall receive no compensation for their own services; the treasurer shall keep safely all money belonging to the corporation, and no money shall be withdrawn except upon the order of the librarian, countersigned by the secretary and endorsed by the president. General powers of the directors.

5. *And be it enacted*, That "The Lincoln Library of Jersey City" shall be located in the city of Jersey City; its capital stock shall be one hundred thousand dollars, divided into shares of ten dollars each; the stock shall be evidenced by such stock book, certificates of issue and transfers, as the directors may determine by the by-laws; when one hundred shares are subscribed for, the directors or a majority of them may organize and begin operations; either of the persons named in this act may receive subscriptions of stock until the corporation is organized under this charter, and after organization the trustees, or a majority of them, may make such arrangements as they may deem fit for additional subscriptions. Location of library and amount of capital stock authorized.

6. *And be it enacted*, That should said corporation at any time receive, by gift, grant, bequest or otherwise, any considerable amount of money or property, for which its trustees are not required to issue stock, the directors shall in- Investment of surplus funds.

vest the same in permanent stocks or improved real estate in the city of Jersey City, from which an annual income may be drawn for the enlargement, support and expense of the library; and should it at any time be deemed necessary and advisable to encumber this corporation with a debt to be liquidated in the future for the purpose of securing books, pamphlets, periodicals, and papers, and especially for the securing in fee simple of suitable grounds and buildings, in which to keep the library of said corporation, the directors, or a majority of them, are hereby authorized and empowered to issue and sell or dispose of the coupon bonds of the corporation, to an amount not exceeding one-half of its capital stock, and to fall due in not less than twenty years; said bonds, if so issued, shall be of the denomination of not exceeding one thousand dollars each, shall bear interest at the rate of seven per centum per annum, payable semi-annually at the office of the treasurer, and shall be secured by mortgage upon the property of the corporation; no such bonds, however, shall be issued until the payment of the semi-annual interest is duly provided for by voluntary subscription or otherwise; the trustees are also hereby empowered to purchase upon credit suitable grounds and buildings in which to keep the library of the corporation, with a reserved lien to the seller upon the property conveyed, or they may execute a mortgage upon the same for the purchase money, after taking a conveyance in fee simple of the same.

May issue bonds.

General powers of the corporation.

7. *And be it enacted*, That to obtain books, periodicals, pamphlets, papers, and such property as said corporation may hold, and to keep up the library and meet the current expenses of the same, the directors, or a majority of them, are hereby authorized and empowered to issue stock for books, pamphlets, periodicals, and papers to be used in the library, the same as if such stock were first sold, and the proceeds thereof vested in such things; also to accept presents, donations, and gifts of books, pamphlets, periodicals, papers and property, without issuing stock thereof, also to accept loans of books, pamphlets, periodicals, papers and property, to be used in the library for the care of them, also to publish a paper or periodical journal for the benefit of the library, and appropriate the profits arising therefrom to the library, also to give public literary or musical entertainments at which they may distribute by lot to patrons of the

entertainments a portion of the proceeds arising from the sale of tickets of admission, but no person is ever to be made to pay for the use and enjoyment of the books, pamphlets, periodicals, or papers of the corporation, and the library of the same is to be ever free to the gratuitous use and enjoyment of every citizen of the state of New Jersey, and of all good citizens of every state in the Union who shall conform to the rules and regulations that may from time to time be made and adopted by the directors for the care, preservation and safety to the books and property of the corporation; the library, moreover, is to be kept open to the use and enjoyment of the public during such hours of the day and night as may be deemed proper by the board of directors.

May employ agents and assistants.

8. *And be it enacted*, That the directors, or a majority of them, are hereby authorized to employ such agents, assistants, and additional directors as they may deem necessary to collect books, pamphlets, periodicals and papers, to secure subscriptions and donations, and to give and conduct literary and musical entertainments for the benefit of the library, but in such appointments and employments they are not to involve the corporation in debt, nor incur for it any liabilities beyond its ready means of meeting them.

Property to be restored to persons giving or loaning in case the corporation shall cease to keep public library.

9. *And be it enacted*, That should the corporation hereby created at any time cease to keep a library for the public use as contemplated by this act, then the books, pamphlets, periodicals, and papers, and property which may have been given or loaned to the library, shall be restored to those who gave or loaned them, and the books, pamphlets, periodicals, and papers, and property which may have been acquired otherwise than by gift or loan, shall be equitably divided, or sold and the proceeds thereof be equitably and equally divided among the stockholders according to the shares of stock held by each one.

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

Approved March 21, 1873.

CHAPTER CCCIV.

An Act to change the name of Richard Ralph Smith, and Mary Doane Smith.

Preamble. WHEREAS, Richard Ralph Smith and Mary Doane Smith, of the county of Hudson, have been adopted by George L' Hommedieu of the same place, and said Richard Ralph Smith and Mary Doane Smith, are desirous of having their names changed respectively to Richard Doane L'Hommedieu and Mary Doane L'Hommedieu, and no objection appearing; therefore,

Name changed. 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the name of Richard Ralph Smith be and the same is hereby changed to Richard Doane L'Hommedieu, and by that name to possess and enjoy all rights and privileges the same as he would have possessed and enjoyed had he retained the name of Richard Ralph Smith; that the name of Mary Doane Smith be and the same is hereby changed to Mary Doane L'Hommedieu, and by that name to possess and enjoy all rights and privileges the same as she would have possessed and enjoyed had she retained the name of Mary Doane Smith.

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

Approved March 21, 1873.

CHAPTER CCCV.

A Supplement to an act entitled "An Act to incorporate the Children's Aid Society, of Newark, New Jersey," approved March twenty-fourth, one thousand eight hundred and sixty-nine.

Number of directors may be increased.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the board of directors to manage and conduct the estate and concerns of said corporation may be increased from time to time to any number not exceeding fifteen, by a majority vote of the managers already chosen, or by the members of said corporation at their annual meeting.

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

Approved March 21, 1873.

CHAPTER CCCVI.

An Act to incorporate the "Phœnix Insurance Company," of Newark, New Jersey.

Corporate name and powers.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all such persons as shall become stockholders to the capital stock hereinafter mentioned, their successors and assigns, are hereby constituted and made a body politic and corporate, by the name of the "Phœnix Insurance Company," 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 of law and equity; and by that name may have, purchase, possess and enjoy, to them and their successors, lands, tenements and heredita-

ments, goods, chattels and effects, of whatever nature and kind soever, necessary for the purpose of this corporation, and the same to grant, demise, alien and dispose of at pleasure, for the benefit of said company, and may also have a common seal, and alter and renew the same at their pleasure.

Capital stock

2. *And be it enacted*, That the capital stock of the said company shall be one hundred thousand dollars, to be divided into shares of one hundred dollars each, with the privilege of increasing the same to five hundred thousand dollars, at any time during the continuance of this charter.

Names of commissioners to open books and receive subscriptions to the capital stock

3 *And be it enacted*, That Lebius B. Miller, John W. Campbell, Nathan McLaughlin, George G. Mitchell, and Hugh Holmes, be and the same are hereby appointed commissioners to open the books of subscription to the capital stock of said company; and that ten days' previous notice of the time and place of the opening of said books shall be given by the said commissioners, or a majority of them, by publication in a daily newspaper published in the city of Newark; and that said books of subscription may be kept open as long as it shall seem best by the said commissioners, or a majority of them, so to do.

Election of directors.

4. *And be it enacted*, That when the said capital stock of one hundred thousand dollars shall be subscribed, and fifty thousand dollars paid in, that then the subscribers to said capital stock (upon ten days' previous notice in a newspaper published in the city of Newark, given by the commissioners hereinbefore named) shall proceed to the election of a board of directors, which said board of directors shall then proceed to the election of a president, and the appointment of such other officers as may be necessary to manage the business of the company, who shall hold their respective offices at the pleasure of the board of directors; and the office of secretary and treasurer may be filled by the same person, and such compensation be allowed the officers thus chosen, for their services, as, in the judgment of the directors, may be reasonable.

Capital stock may be increased.

5. *And be it enacted*, That the capital stock may be increased, at any time, by the directors to such an amount as they may determine, not exceeding the amount provided for in the second section, and they shall open books of subscription for said increased stock, after giving twenty days' previous notice, in a daily newspaper published in the city

of Newark; and the persons who shall then own the stock of said company shall have the privilege, for five days, of subscribing for said increased stock; and after that time, if not subscribed for by said stockholders, it may be subscribed for by others; and the terms of said subscription shall be fixed and determined by the said directors, and notice given as above directed; and the whole of said increased capital stock shall be paid in within sixty days after the closing of the books of subscription for said increased capital stock.

Affairs shall be managed by a board of directors.

6. *And be it enacted*, That the stock, property, affairs and concerns of said company shall be managed and conducted by nine directors, five of whom shall constitute a quorum to transact business, who shall respectively hold their office for one year, or until others may be chosen, and shall at all times during their continuance in office be stockholders in the said company in their own right; and the said directors shall hereafter be elected on the second Tuesday of January in each and every year, at such hour of the day, and at such place in the city of Newark as the board of directors for the time being shall appoint; of which election public notice shall be given in a newspaper published in the city of Newark, at least ten days previous to such election; and every such election shall be by ballot, and by a plurality of the stockholders, in person or by proxy.

Time of holding annual election.

General powers of the directors.

7. *And be it enacted*, That the said directors shall have power to make and prescribe all such by-laws, rules and regulations as to them shall appear needful and proper for the management of the business and property of the said company; to fill any vacancy that may occur in their own body, at a meeting to be called as the by-laws may provide, and from time to time to appoint and change such officers as may be necessary to manage the business of the company.

May insure against loss or damage by fire.

8. *And be it enacted*, That it shall and may be lawful for the said company to insure houses and other buildings, and personal property of all kinds, against loss or damage by fire, upon such rates and conditions as shall be contained and stated in the policy of insurance.

Mode of making policies.

9. *And be it enacted*, That all policies founded thereon which shall be made or entered into by the 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 for that purpose by the by-laws of said company, and attested by the secretary, and when so sub-

scribed and attested, the same shall be binding upon the company, according to the tenor, intent and meaning of this act, and of such policies or contracts; and all such policies and contracts may be made, subscribed, attested and executed, and the business of the said company may be otherwise conducted and carried on without the presence of a board of directors, by a committee or otherwise, as provided by the by-laws, and the same shall be binding and obligatory on the said company.

Transfer of stock.

10. *And be it enacted*, That the stock of the said company shall be deemed personal property, and as such assigned and transferred on the books of the company.

May purchase and hold real estate.

11. *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 or may be necessary for their convenient accommodation in the transaction of their business, and also to take and hold any real estate or securities mortgaged or pledged to the said company, or to secure the payment of any debt which may be contracted with the said company, and to redeem the moneys so pledged or secured, either at law or equity; and also to purchase on sales made under judgment at law or done in equity, or any other legal proceedings, or otherwise to receive and take any real estate in payment or towards satisfaction of any debt previously contracted and due to the said company, and to hold the same until they can conveniently sell or convert the same into money or other personal estate; and for the purpose of investing any part of their capital stock or funds may purchase and hold any public stocks created by the incorporated cities, and the townships and counties of this state, or of the states of New York, Ohio, Pennsylvania, Massachusetts and Connecticut, and also the stocks or other securities created by said states or the United States, or may loan on bonds secured by mortgages on unincumbered real estate within this state worth double the amount of money invested or loaned.

Investment of funds.

Dividends.

12. *And be it enacted*, That it shall be lawful for the directors of said company to make dividends of so much of the profits of the company as shall be deemed advisable, and the said dividends shall be paid to the stockholders or to their legal representatives.

13. *And be it enacted*, That all persons who shall insure with the said incorporation may participate in its profits,

during the period they remain insured by the same, upon such terms and conditions as the directors by their by-laws may fix and determine; and the power conferred in this section shall not prevent the said company from issuing policies of insurance without participating in the profits of the company, if desired by the insured. Persons insured may participate in profits.

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

Approved March 21, 1873.

CHAPTER CCCVII.

An Act to incorporate the Board of Trustees of the Seventh Day Baptist Memorial Fund, of Plainfield.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Darwin E. Maxson, Calbert B. Cottrell, Elias R. Pope, Charles Potter, junior, Lewis A. Platts, George H. Babcock, Thomas S. Greenman, Clark Rogers, Isaac D. Titsworth and their successors are hereby ordained and declared a body corporate and politic in fact and in law, by the name of "The Board of Trustees of the Seventh Day Baptist Memorial Fund," and by that name shall have perpetual succession and shall be capable of purchasing, holding and conveying any lands, tenements, goods and chattels necessary or proper for the objects of the corporation. Names of corporators. Corporate name.

2. *And be it enacted*, That the above named persons or a majority of them shall be the first board and shall be divided or allotted into three equal classes as follows: one class of which shall hold office for three years; one class for two years; and one class for one year, (or until their successors are elected) by the general conference of the Seventh Day Baptist denomination at the regular annual meeting thereof, and said board of trustees shall make annual report of the proceedings to said conference. Classification of the trustees.

3. *And be it enacted*, That the business of said board of trustees shall be to hold in trust the memorial fund of the Seventh Day Baptist denomination and to expend the prin- Object and business.

cipal or interest accruing therefrom in accordance with the object for which the fund is raised; and in pursuance of this object shall have power to hold real estate by purchase or bequest by will or otherwise, and to have power to make good and legal title and conveyance in law for the same; they shall sue and be sued, and make and use a corporate seal and alter the same at pleasure.

May fill vacancies in the board.

4. *And be it enacted*, That the said trustees shall have power to fill all vacancies that may occur in their board except by expiration of term of office, to make all by-laws, rules and regulations necessary for the government of their members, and as may be necessary for carrying out the object of said corporation.

Majority shall be residents of this state.

5. *And be it enacted*, That a majority of said board shall reside in the state of New Jersey, and five shall constitute a quorum for the transaction of business.

Ex-officio members.

6. *And be it enacted*, That the treasurers of the several societies and institutions which may receive benefits arising from this fund, shall be ex officio members of the board and be entitled to participate in its deliberations, but not to vote upon questions affecting the investment of the fund, or the disposition of the interest accruing therefrom.

Investment of funds.

7. *And be it enacted*, That the said trust board shall invest no money in any public stocks other than such as are created under the laws of the United States or the states of New Jersey, New York, Connecticut, Rhode Island, Wisconsin, Kansas, Minnesota, Virginia, Illinois or Iowa, and stock and bonds of the different cities and counties in the states above mentioned or such other bonds or stocks as the board of trustees should deem expedient.

Annual election of officers.

8. *And be it enacted*, That the annual meeting of this board for the election of a president, secretary and treasurer or such other officers as may be necessary to carry out the provisions of this act, shall be held in October of each year.

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

Approved March 21, 1873.

CHAPTER CCCVIII.

An Act to incorporate The Newark Industrial Institute.

Preamble. WHEREAS, the persons hereinafter named, and others, have formed themselves into an association, under the name and title of "The Newark Industrial Institute," the object of which association is the encouragement and advancement of manufactures and the mechanical arts in the city of Newark, and the development of its capacity as a centre of manufacturing industry, by the holding of annual exhibitions of its products, and the encouragement of a knowledge of science and art in their relations to arts and manufactures; *and whereas*, the said association is desirous of an act of incorporation, that its purposes may be more effectually subserved; therefore,

Names of corporators. 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Thomas B. Peddie, Edgar Farmer, Noah F. Blanchard, Leopold Graf, William Johnson, James M. Durand, Horace Alling, David Campbell, Martin R. Dennis, Nicholas J. Demarest, Joseph J. Meeker, Walter M. Conger, John M. Philips, Philetus W. Vail, Ferdinand Kuehnhold, John T. Leverich, Eli H. Reynolds, Christopher Nugent, David M. Meeker, Albert M. Holbrook, Phineas Jones, George Peters, William D. Russell, Charles N. Lockwood, George A. Halsey, William Clark, Andrew Atha, and all and every other person or persons who are or may become their associates, their successors and assigns, shall be and are hereby incorporated by the name of "The Newark Industrial Institute," and by that name shall be a body corporate and politic, and shall be forever hereafter capable of holding, receiving by donation or otherwise, parchasing, mortgaging, leasing and conveying real and personal estate, and otherwise disposing of the same, as to them shall appear most advantageous for promoting the purposes of their incorporation. Corporate name and powers.

Capital stock. 2. *And be it enacted*, That the capital stock of the said corporation shall be one hundred thousand dollars, with the

privilege of increasing the same to three hundred thousand dollars which shall be divided into shares of twenty-five dollars each; the said association having power to commence operations as soon as the sum of fifty thousand dollars is subscribed.

Board of directors.

3. *And be it enacted*, That the affairs and business of said association shall be managed by a board of twenty-seven directors, each of whom shall be a stockholder of the said association, and ten of said directors shall be a quorum for the transaction of business.

Election of directors.

4. *And be it enacted*, That as soon as practicable after this act of incorporation becomes a law, and annually thereafter on the first Wednesday after the second Monday of January in each year, an election shall be held for twenty-seven directors for the ensuing year; and that each stockholder at such election shall be entitled to one vote, either in person or by proxy, for each share of stock he may then hold, and those persons having a majority of all the votes thus cast shall be deemed elected; but no stockholder shall be allowed to vote whose indebtedness to the association shall not be fully paid up; and that in case an election shall not take place on the day appointed by this act, the corporation shall not for that cause be deemed to be dissolved, but it shall and may be lawful to hold such election on some day not more than six weeks after the time appointed for the annual election, provided ten days' notice of such election be given in two of the daily newspapers of said city of Newark, and the directors at any time in office shall hold their offices until others are elected; and in case of the death, resignation or removal of any director, the vacancy occasioned thereby shall be filled for the remainder of the term by a vote of the majority of the board of directors; three inspectors for the annual election shall be appointed by the directors from the stockholders who are not directors or candidates for the position.

May fill vacancies.

Powers of the directors

5. *And be it enacted*, That the directors shall choose from among themselves a president and two vice-presidents, and either from among themselves or from among the stockholders generally, a secretary and a treasurer, and the directors shall have authority to appoint such other officers as may be necessary to establish regulations and restrictions which shall be binding upon the stockholders and others in

the enjoyment of the privileges and objects of the association.

Stock may be forfeited for non-payment.

6. *And be it enacted*, That all installments now due on stock already subscribed to said association, or that may at any time be due from stockholders, on the share or shares by them respectively held, shall be paid at such times as the directors for the time being shall appoint, and the non-payment of such installments or any of them by the stockholder or stockholders after ninety days' notice, shall, if the board of directors so determine, either work a forfeiture of all previous payments and the stock upon which such installments shall not be paid as aforesaid revert to the association, and be by them sold for the benefit of the association, or the board of directors may take legal measures to enforce the payment of such sum or sums as may at any time be due on the stock of the corporation.

Transfer of stock.

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

Exemption from tax.

8. *And be it enacted*, That no state, county, city, township or other public assessments, taxes or charges whatsoever, shall at any time be levied or imposed upon the said association, or upon the stocks and estates which may become vested in them under this act.

May hold annual exhibitions.

9. *And be it enacted*, That the association may hold annually an exhibition of the various products of manufacture and the arts of the city of Newark or elsewhere, at such season of the year and under such regulations as the association may prescribe.

Surplus funds, how applied.

10. *And be it enacted*, That when the said board of directors may deem it advisable they may appropriate any surplus funds they may have in hand, or such funds as may be contributed or devised to them, and which they may hold in trust for the purpose, to establish in the said city of Newark a series of lectures and experiments on chemistry, physics and natural history, and their application to manufactures and the arts; and they may also provide such entertainments of a popular and instructive character as will conduce to the interest and instruction of the workingmen of the city and their families.

Act to be favorably construed

11. *And be it enacted*, That this act is hereby declared to be a public act, and shall be favorably construed in all courts and places for the purposes thereby intended, and no misnomer of the said corporation in any deed, grant, gift, devise, bequest or other instrument, contract or conveyance shall defeat or vitiate the same if the corporation be sufficiently described to show or ascertain the intention of the parties.

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

Approved March 21, 1873.

CHAPTER CCCXVI.

A Supplement to the act entitled "An Act to incorporate the Bessemer Company," approved April second, one thousand eight hundred and seventy-two.

May accept and execute trusts, &c.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the company incorporated by the act to which this is a supplement may accept and execute trusts, and may purchase, endorse, sell, pledge, or otherwise dispose of, bonds, obligations and securities, of a public or private character.

Amendment

2. *And be it enacted*, That the first section of the act to which this is a supplement be and the same is hereby amended by striking therefrom the words "for that purpose."

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

Approved March 24, 1873.

CHAPTER CCCXVII.

An Act relative to an adopted Child of George W. Barker and Wife.

Preamble. WHEREAS, The parents of Miller, an infant, formerly of Chicago, Illinois, are both dead, and George W. Barker and his wife, of Jersey City, New Jersey, have adopted said child as their own; therefore,

Name changed and adoption ratified. 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the name of said child shall hereafter be Walter Miller Barker, and he shall be the legal heir of said George W. Barker and his wife, exactly the same as if he was their own son; and the reciprocal rights and duties of parent and child shall hereafter exist between said parties the same as though said George W. Barker and wife were his natural parents, and he their own son.

Assent shall be filed in office of secretary of state. 2. *And be it enacted*, That said George W. Barker and wife shall file their assent to this act in the office of the secretary of state of New Jersey, and this act shall take effect immediately.

Approved March 25, 1873.

CHAPTER CCCXVIII.

A Supplement to an act entitled "An act to incorporate the Long Branch Banking Company," approved March fourteenth, one thousand eight hundred and seventy-two.

Amendment 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the third section of said act is hereby so amended as that hereafter the affairs of said

corporation shall be managed by a board of fifteen directors, and that the vacancies created by this act shall be filled for the remainder of the year by the present board of directors.

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

Approved March 25, 1873.

CHAPTER CCCXIX.

A Supplement to an act entitled "An Act to incorporate the Miners Savings Bank of Dover, New Jersey," approved February seventh, one thousand eight hundred and seventy-one.

Names of additional managers.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the word "five" as it occurs in the second section of the act to which this is a supplement, be stricken out, and the word "nine" be substituted therefor in such place, and that Isaiah W. Condict and Isaac B. Jolley, be and they are hereby declared to be the additional managers of the first board of managers of the said "The Miners Savings Bank of Dover, New Jersey," with the same powers to them, their associates and successors, as belong or are granted to the corporators named in the first section of the act to which this is a supplement.

Investment of bonds.

2. *And be it enacted*, That it shall and may be lawful for the said "The Miners Savings Bank of Dover, New Jersey," to loan or invest any of the moneys deposited therein, in or upon any bonds or obligations, issued by any township, city or county of this state, in pursuance of any law of this state.

May make contract with borrower for payment of taxes.

3. *And be it enacted*, That it shall and may be lawful for the said "The Miners Savings Bank of Dover, New Jersey," and the borrowers of any money secured by mortgage, or any other security; to enter into a contract or agreement, whereby the borrower shall pay all national, state, county, city and township taxes which may be assessed upon the

money so lent or to be loaned, and the securities given for the payment thereof in the possession of said savings bank; and all such contracts and agreements are hereby declared to be valid and binding in law, and no such mortgage or other security shall be held, deemed or taken in any court in this state to be usurious, or in any degree invalidated by reason of any such contract or agreement, anything in any existing law of this state to the contrary notwithstanding.

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

Approved March 25, 1873.

CHAPTER CCCXX.

An Act for the relief of "The First Methodist Episcopal Church, at Little Falls, New Jersey."

Preamble. WHEREAS, the said "The First Methodist Episcopal Church, at Little Falls, New Jersey," hold a certain lot of land described as follows: all those three certain lots, pieces, or parcels of land situate, lying and being in the township of Little Falls, county of Passaic, and state of New Jersey, known and distinguished on a certain map entitled "A map of Samuel S. Gilpin's lots at Little Falls, Passaic county, New Jersey, by C. S. Van Wagoner, per F. B. Vane, Paterson, July, one thousand eight hundred and sixty," on file in the office of the clerk of said county of Passaic, by numbers twenty-nine, thirty and thirty-one, which said three lots taken together are bounded and described as follows, viz: beginning at a point on the southwesterly side of Warren street, distant one hundred and seventy-five feet northwesterly from the corner formed by the intersection of the northwesterly side of Centre street with the southwesterly side of Warren street; running thence southwesterly and parallel with Centre street one hundred and twenty-five feet; thence northwesterly and parallel with Warren street to land of Robert Beattie; thence northeasterly along the line of said Robert Beattie's land to the said southwesterly side of Warren street;

and thence southeasterly along the said southwesterly side of Warren street to the point or place of beginning: which lots of land were conveyed to the said corporation for the purpose of a parsonage for said corporation, by Elizabeth M. Gilpin, wife of Samuel S. Gilpin, and the said Samuel S. Gilpin, by deed dated August fourth, one thousand eight hundred and seventy, in which deed it is declared that the said lots are to be held by the said corporation in trust, that the said premises shall be held, kept and maintained as a place of residence for the use and occupancy of the preachers of the Methodist Episcopal Church, in the United States of America, who may from time to time be stationed in said place, subject to the usage and discipline of said church, and from time to time authorized and declared by the general conference of said church; and by the annual conference within whose bounds said premises are situate; *and whereas*, the said corporation desire to mortgage the said premises for the purpose of raising money for the purposes of said corporation, and the said Elizabeth M. Gilpin and her husband, Samuel S. Gilpin, having consented; therefore,

May mortgage or sell and convey certain land and premises

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That notwithstanding the said trust declared in the said deed in the preamble to this act recited, it shall be lawful for the said "The First Methodist Episcopal Church at Little Falls, New Jersey," to mortgage or sell and convey said lots of land and premises in the preamble to this act described, by mortgage or deed in fee simple or otherwise, free and clear of the said trust declared in the said deed from the said Elizabeth M. Gilpin and Samuel S. Gilpin, her husband, and in like manner as if said trust was not contained in said deed.

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

Approved March 25, 1873.

CHAPTER CCCXXI.

An Act to incorporate the Women's Christian Association of the City of Newark.

Corporators

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Mrs. M. Virginia Terhune, Mrs. Emma Few Smith, Mrs. Anna G. Wilson, Mrs. Cornelia Mott, Mrs. Isabella Ballantine, Mrs. Gertrude W. Dodd, Mrs. Elizabeth B. Smith, Miss Emily Tucker, and their associates and successors, are hereby constituted a body corporate by the name of "The Women's Christian Association of the City of Newark," with power to appoint their associates and successors, for the purpose of providing a home for women, especially young women, who are dependent upon their own exertions for support, and are without home or religious influence, with authority to administer the funds and all things appertaining to the object of this corporation, according to such by-laws and regulations as may be from time to time adopted.

Corporate name and object.

May have and hold property by purchase, devise or donation.

2. *And be it enacted*, That the said corporation may receive and take by purchase, grant, devise, bequest or donation, any real or personal property, and hold the same for the purposes aforesaid, to any amount not exceeding one hundred thousand dollars, and shall be capable of selling, disposing of, or conveying the same, as may be deemed best for the purposes aforesaid, and the property of said corporation shall be exempt from taxation so long as it shall be used exclusively for the purposes of this association.

General powers.

3. *And be it enacted*, That the said corporation may adopt such a constitution and by-laws, and the board of managers such by-laws and rules for the regulation of its business, the management of its affairs, the choice, powers and duties of its officers and agents, as are not inconsistent with its character and the laws of this state or of the United States.

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

Approved March 25, 1873.

CHAPTER CCCXXII.

An Act to incorporate The Farmers' Canning Company, of Wenonah.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Allen S. Morgan, Asa Redrow, Samuel Hopkins, Charles Starr, William W. Clark, Randal M. Stevenson, Isaac C. Stevenson, Eli D. Starr, William B. Stevenson, William S. Cattell, Ellison K. Turner, John McClure, David Cooper Cattell, Joseph S. Cattell, George S. Dilks and Benjamin H. Lodge, their associates and successors be and they hereby are created and declared a body politic and corporate in law, by the name of "The Farmers' Canning Company, of Wenonah," for the purpose, in the county of Gloucester, of canning, preserving and manufacturing preserved fruit of every kind and description, with power to manufacture any kind of tin-ware and wood-ware for the use of the said company, or for sale, and with power to consolidate and unite with any canning, or tin manufacturing company, and with authority to purchase and hold such real estate as they may deem expedient for the purposes of the company, and to mortgage, sell, or otherwise dispose of the same.

Corporate name and object.

Capital stock

2. *And be it enacted*, That the capital stock of said company shall be five thousand dollars, divided into shares of twenty-five dollars each, with liberty to increase the same to any sum not exceeding twenty thousand dollars; which shares shall be deemed personal property, and shall be transferable only on the books of the company, in such manner as the directors by their by-laws or otherwise, may direct, each share to entitle the holder thereof to one vote, either in person or by proxy; said stock to be subscribed, called for, and paid in, at such times, in such installments, and upon such notice, as the directors may appoint.

Election of directors.

3. *And be it enacted*, That the property and affairs of the said company shall be managed by a board of directors, not less than three nor more than five in number of shareholders

in said company, to be chosen annually, at such time and place in the county of Gloucester, and upon such notice as the directors, by the by-laws or otherwise, from time to time may direct and appoint; and that Allen S. Morgan, Isaac C. Stevenson, William W. Clark, George L. Dilks and William S. Cattell, shall be the first directors of said company, who shall, as soon as convenient after the passage of this act, assemble and organize said company, and shall continue in office until others are elected in their stead. Names of first directors.

4. *And be it enacted*, That as soon as three thousand dollars of the said capital stock shall have been subscribed, the said company shall be authorized to proceed to carry out the objects of this corporation; that the directors shall choose out of their own number a president, and shall have power to appoint such officers, agents, clerks and other servants as they may deem expedient, and to fix their compensation; they shall have power to adopt such by-laws, rules and regulations as they may deem necessary and convenient for the management of said company; to fill vacancies in their own board until the next annual election, and until others are chosen in their stead; to declare stock forfeited for non-payment of any installment or installments, and to sell and issue stock in lieu thereof for the benefit of said company. General powers of the directors

5. *And be it enacted*, That the first annual election shall be held on the fourth Monday in May, at such place as the directors may appoint, between the hours of eleven and five o'clock in the afternoon of said day; and that if it so happen that an election of directors shall not take place on that day or on any subsequent day appointed for that purpose, the said corporation shall not be dissolved, but an election shall be held subsequently in any such case, at such time and place as the directors may appoint. Not to be dissolved by reason of failure to hold election.

6. *And be it enacted*, That the directors of said company shall make an annual report to the stockholders, at their annual meeting, of the condition and affairs of the said company, of the assets and debts of the company; and no dividends shall be declared, except from the actual and net profits of the company. Dividends.

7. *And be it enacted*, That this shall be a public act, and shall go into effect immediately.

Approved March 25, 1873.

CHAPTER CCCXXIII.

A Supplement to an act entitled "An Act to incorporate the People's Horse Railway Company, of Newark, New Jersey," approved April sixth, one thousand eight hundred and seventy-one.

Time of commencement and completion.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That if the said railroad is not commenced within two years, and completed in five years from the fourth day of July next, then and in that case the said act shall be void.

Repealer.

2. *And be it enacted*, That the fourteenth section of the act to which this is a supplement be and the same is hereby repealed,

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

Approved March 25, 1873.

CHAPTER CCCXXIV.

An Act to incorporate the Green Limb Fruit and Cranberry Company.

Corporators

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Jervis Butterworth, Samuel Butterworth, Alexander Elwell, Henry J. Irick and John B. Irick and all such persons as may hereafter be associated with them, their successors and assigns, be and they are hereby constituted a body politic and corporate, in fact and in law, by the name of "The Green Limb Fruit and Cranberry Company," for the purpose of purchasing, holding, cultivating and improving lands situate in the township of

Corporate name and object.

Shamong, in the county of Burlington, and state of New Jersey, and buying or leasing such other lands as may be necessary for the successful operation and carrying on of said company, or to secure a debt or debts due them at any time, holding, cultivating, and improving said lands, and raising and selling cranberries, fruits, and other products of said lands, and carrying on the business connected therewith, and erecting such buildings, and holding such personal property as may be necessary therefor; and that they and their successors by the same name, may sell, let, lease, grant, alien, convey and dispose of the same, or any part thereof, and may borrow money from time to time, and may secure the same by bond and mortgage, or otherwise, and may from time to time sell and dispose of the cranberries, fruits, products, goods and chattels, or any part thereof, and may lay, open, make and maintain dikes, sluices, raceways, ditches, drains, and embankments through their own and adjoining and contiguous lands, doing no unnecessary damage thereto, as they may deem for the benefit of their said lands; and for such purposes the said company may raise by subscription by opening the books therefor, or otherwise, a capital stock of eight thousand dollars, with liberty to increase the same from time to time, to thirty thousand dollars, which shall be divided into shares of one hundred dollars each; and the directors may fix the amount of the installments, and the times for paying the same, and may fix fines and forfeitures for non-payment of installments, and may accept payments therefor in land or other necessary property, and issue stock therefor. Capital stock

2. *And be it enacted*, That the affairs of said corporation shall be managed by a board of not less than five directors, nor more than seven, one of whom shall be president, and a majority of whom shall have all the powers of the board, and they shall hold their office for one year, and until others are elected in their stead, and shall have power to make by-laws for the government and management of said corporation; *provided*, that the same are not contrary to the laws of this state or of the United States, and shall hold their meetings at such times and places in this state or elsewhere, as the by-laws may provide; and that until an election for directors shall be held, the persons named in the first section of this act shall be directors; and in case a vacancy shall occur in the board of directors, by death, General powers of the directors. Proviso.

resignation, or a 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.

Dividends.

3. *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 be made to the stockholders except from the net profits of the corporation; and that regular books of accounts of the corporation shall be kept, to which every stockholder shall have free access at reasonable times for the purpose of inspection, and that their principal office shall be at Vincentown in this state.

How dissolved.

4. *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 survivor 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.

Proviso.

Annual elections shall be held.

5. *And be it enacted*, That the directors shall call an annual meeting for the election of directors and the transaction of other business, but if they fail to do so this corporation shall not be deemed to be dissolved, or its rights and powers be thereby in any way impaired, but they may call a meeting for the purpose of electing directors, and transacting any other business at such subsequent times as they may decide upon, giving at least ten days' notice of the time and place thereof, and that previous to each annual election for directors the directors for the time being shall make a full report or exhibit of the affairs of the company, and that if the directors neglect or refuse to call the annual meeting for sixty days after the regular time when the same should have been held, then one-fourth in interest of the stockholders may call the same by giving at least ten days' notice of the time and place of holding the same, to all stockholders that can by reasonable diligence be found, and especial meetings of the stockholders may be called by the board of directors, or by one-fourth in interest of the stockholders in the man-

ner hereinbefore specified, and at all elections for directors each stockholder shall be entitled, in person or by proxy, to one vote for each share of stock by him or her held.

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

Approved March 25, 1873.

CHAPTER CCCXXV.

An Act to incorporate the Salem Manufacturing Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That George M. Ward, Richard M. Acton, Wyatt W. Miller, George A. Rumsey, John C. Dunn, Samuel Prior, Charles S. Lawson, Josiah Morris, Robert Newell and Richard Grier, and their associates and successors, and all persons who shall become subscribers to the capital stock hereby created, shall be and are hereby created a body politic and corporate, by the name of the Salem Manufacturing Company.

Capital stock

2. *And be it enacted*, That the capital stock of said company shall be thirty thousand dollars, divided into shares of fifty dollars each, with power to increase the same to one hundred thousand dollars, and which shall represent the lands, tenements, and real and personal estate, which the said company by this act is empowered to purchase, hold and acquire, and that the capital stock shall be deemed personal property, and transferable only on the books of said company, in such manner as the directors, by their by-laws may direct; each share to entitle the holder thereof to one vote, either in person or by proxy.

Commissioners shall open books and receive subscriptions to capital stock.

3. *And be it enacted*, That the persons named in the first section, or a majority of them, are hereby constituted commissioners to receive subscriptions to the said stock at such time or times, and at such place or places as they or a majority of them may direct, by giving public notice thereof at least two weeks previously, in the newspapers of the city of Salem; and as soon as five thousand dollars shall be subscribed and paid in, the said commissioners, or a majority

Election of directors.

of them, may, by public notice as aforesaid, call a meeting of the stockholders of said company for an election of seven directors, each of whom shall be a stockholder; the said commissioners, or any three of them, to be inspectors and judges of said first election; directors, when chosen, to serve for one year, or until others are elected in their stead; and shall elect one of their number president, and shall appoint other officers and agents as they may deem expedient and proper, and allow compensation for their services, delegating to them such power as may seem necessary; they shall annually, by public notice as aforesaid, call meetings of the stockholders for the election of directors of said company, such election to be held at such place and in such manner as the by-laws of the company may direct; the said directors shall have power so call in said stock at such times, in such manner, in such installments, and upon such notice as they may deem proper; and in case of failure by any stockholder to pay his or her installments at the time and place specified for payment thereof, or within thirty days thereafter, such stockholder, at the option of the directors, shall incur a forfeiture of his or her share or shares, and of all previous payments thereon, for the use of the company.

May make by-laws, &c.

4. *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 company, and shall have power to establish and put in execution such by-laws and regulations as shall be necessary for the government, management and disposition of the stock, effects and concerns of said company, and conducive to the interest of its stockholders.

May purchase and hold lands and real estate.

5. *And be it enacted*, That the said company, for the purpose of manufacturing paper and paper bags, boots and shoes, starch, wool, wood, cotton, and any other article, the manufacture of which shall not be prohibited by the laws of this state, may buy, rent, and hold any lands, tenements and water powers in the county of Salem whereof they may become seized or possessed, and hold and convey any real and personal estate, and erect such factories, mills, or other buildings as may be necessary and useful for the purposes aforesaid; and may sell, mortgage, rent, lease or otherwise dispose of the same as they deem best; and make such regulations respecting the government of said works as they may think advisable; and shall have and enjoy and exercise all

the rights, powers and privileges pertaining to corporate bodies and necessary for the purposes of this act.

6. *And be it enacted*, That the directors may declare dividends from the profits of the business of said company, at such times and in such manner as they may deem expedient. Dividends.

7. *And be it enacted*, That this act shall be deemed a public act, and shall go into effect immediately; and may be altered, amended and repealed, as the legislature may see fit. Repealer.

Approved March 25, 1873.

CHAPTER CCCXXVI.

An Act to authorize The Thomas Iron Company to construct a Railroad from their Iron Mines, in the County of Sussex, to the Ogden Mine Railroad.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for The Thomas Iron Company, a body incorporated under a law of the state of Pennsylvania, and the directors thereof, are hereby invested with full power to lay out, construct, use and maintain a railroad with one or more tracks, in the county of Sussex, to run from their iron mines in the Wa Wa Yonda Valley to the northerly terminus of the Ogden Mine Railroad, with the privilege of connecting with any other railroad between the points above named, and to run engines and cars on said road for the transportation of iron ores and other materials, and to contract with any other company for operating the same, the consent of said railroad companies to connect therewith, being first had and obtained, the land to be taken for said railroad not to exceed one hundred feet in width, and when the same shall cross any public highway, a crossing shall be made and maintained in good repair so as not unnecessarily to impede the travel or interfere with the public convenience; *provided*, that a majority of the directors of the said company shall be residents of the state of New Jersey. May lay out, construct and use a railroad. Route of road. Proviso.

2. *And be it enacted*, That it shall be lawful for the said company, its agents, engineers, and any other person or per-

May enter upon lands for the purpose of locating road.

sons in their employ, to enter from time to time upon all lands and premises necessary for the purpose of exploring, surveying, and locating the said road, doing thereunto no unnecessary damage, and when said road shall be located, to acquire the right of way for such road by purchase or agreement from or with the owner or owners of the lands over which the same may be laid out; and any deed or agreement made between said company and the landholder or landholders, shall be valid and effectual in law, and said company and its lessees shall and may hold and use said railroad and its appurtenances, when constructed, as a part of their property.

Proceedings when company and owners cannot agree as to land or materials required.

3. *And be it enacted*, That when the said company or its agents cannot agree with the owner or owners of such required lands or materials, for the use or purchase thereof, or when by 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 time 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, and to make a just and equitable estimate or appraisement 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 if 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. Proviso.

4. *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 a petition to said court, and filed with the clerk of the said circuit court, of the county wherein the lands or materials appraised by the said commissioners shall lie, and notice in writing of Proceedings in case of appeal.

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 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 the said costs to be paid by said applicant or applicants, and either deducted out of the said sum found by the said jury or execution awarded therefor, as the 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 land 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 land or damages, in case the report of 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 legal disability, then the payment of the amount assessed or found as aforesaid into the circuit court of the county wherein the said land lies shall be deemed a valid and legal payment; *and further*, that the party or parties entitled to receive the amount assessed by the commissioners

Proviso.

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.

Statement of cost and expenses shall be filed.

5. *And be it enacted*, That as soon as the said railroad or any part thereof is in operation, the president of the said company shall file under oath or affirmation a statement of the amount of the cost of the said railroad, including equipment, appendages and all expenses, in the office of the secretary of state, and annually thereafter, on the first Monday of January of each year, he shall under oath or affirmation, make a statement to the secretary of state of the cost of said road and of equipment, appendages and expenses of said road; 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 cost of equipment and appendages of said road, to be paid annually thereafter on the first Monday of January of each year, and such other taxes 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, and until the said railroad or any part thereof shall be in operation, the said corporation shall be regularly assessed and pay tax for the value of its real estate, including improvements thereon, and personal property as now taxed in the city or cities, township or townships wherein it lies, at the same time and rate and in the same manner for the same purposes, and by the same person or persons as the other taxes assessed in said city or cities, township or townships; *provided*, that no other tax or taxes shall be levied or assessed upon said corporation for said property.

State tax.

Proviso.

Penalty for injury to property.

6. *And be it enacted*, That if any person shall willfully 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 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 sustained.

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

Approved March 25, 1873.

CHAPTER CCCXXVII.

An Act to incorporate the Highland Railroad Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Richard A. Leonard, Andrew Mount, John H. Patterson, William S. Mount, Edward M. Hartshorne, John Hopping and Joseph G. Mount, 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 law, by the name of "The Highland Railroad Company," and by that name they and their successors 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 shall have power to make and use a common seal, and the same at pleasure to alter; and they and their successors, by the name and style shall be capable of purchasing, holding and conveying any lands, tenements, goods and chattels whatsoever necessary or expedient to the objects of this incorporation.

Corporate name and powers.

Capital stock

2. *And be it enacted*, That the capital stock of said company shall consist of one hundred and fifty thousand dollars, with liberty to increase the same to three 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 by-laws of the said corporation shall direct.

Election of directors.

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 at such place or places, as they or a majority of them may think proper; and at the time of subscribing for said stock ten per centum on each share subscribed shall be paid to said commissioners; that whenever there shall be five hundred shares of said stock subscribed, the said commissioners may give notice

for a meeting of the stockholders to choose seven directors, a majority of whom shall be residents of this state; and such election shall be made at the time and place appointed 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 any three of them, shall be inspectors of the first election of directors of the said incorporation, and shall certify under their hands the names of those persons duly elected, and deliver over the subscription books to said directors; and the time and place of holding the first meeting of directors shall be fixed by the 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 will provide.

Organization of the board of directors.

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

Not to be dissolved forfailure to elect directors.

5. *And be it enacted*, That a majority of said directors shall be competent to transact all business of said corporation; and they 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 said 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 a secretary and treasurer, and so many clerks and servants

General powers of the directors.

as to them shall seem meet, and to establish and fix such salaries to them, and also the president, as to the said board shall appear proper.

May survey, lay out and construct railroad.

6. *And be it enacted*, That the president and directors of said company be and they are hereby authorized and invested with all the powers and rights necessary and expedient, to survey, lay out and construct a railroad from some

Route of road.

suitable point in the Highlands of Navesink, in the township of Middletown, in the county of Monmouth, to the railroad known as the New York and Long Branch Railroad, whereever in said township of Middletown it now is or may hereafter be located, not exceeding one hundred feet wide, with as many sets of tracks and rails as they may deem necessary; and it shall be lawful for the said president and directors, their agents, superintendents, engineers or others in their employ, to enter at all times upon all lands or water, for the purpose of exploring, surveying, leveling 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 injury to private or other property; and when the route of such road shall have been determined upon, and a survey of such route 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, first making such compensation as is hereinafter provided.

Proceedings if company and owners cannot agree as to purchase of land, &c.

7. *And be it enacted*, That if the owners of the land upon which such railroad shall be made, shall not be willing to give the same for such purpose, and the said company and the owner cannot agree as to the price of the same, it shall be the duty of any judge of the court of common pleas of the county in which the said disputed lands shall lie, who is disinterested in the premises, upon the application of either party, and after ten days' notice, in writing, to the other party of such application, and after hearing the parties, to appoint three disinterested commissioners of said county to assess the price or value of said land and all damages resulting from the taking thereof, who are also directed and

required to assess the damages which any individual or individuals may sustain by the said road, arising from the removing, making and maintaining the fencing on the line of the route of the said road through any improved lands over which the same may run, 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 with a description of the said land, and the quantity taken, by whom owned, and how situated, 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 thereof may be 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 court of common pleas of the county, at the next term after such decision of the commissioners, by proceeding in the form of a petition to the said court, with five days' notice in writing to the opposite party, of such appeal; which proceedings 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 costs against the said company, and execution issue, if need be; but if the said jury be demanded by the owner or owners, and they 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 issue therefor, as the court shall direct; and upon payment, or the 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

Proceedings in case of appeal.

in fee simple of all such lands and real estate appraised as aforesaid.

Proceedings when owner or owners are out of the state or under any legal disability.

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 legal disability which would prevent their agreement with this 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, such specification, under oath, of the land required, and notice or publication thereof having been made and given, as said judge shall have directed, into the court of chancery, to the clerk thereof, subject to the order of 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 cost and charge 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 said specification, valuation, notice, appraisement and witness fees to be paid as aforesaid.

Company shall construct and keep in repair good andsufficient bridges.

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 and passages over or under the said railroad where any public or other roads 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.

May equip road and charge for transportation.

10. *And be it enacted*, That the president and directors of the said company shall have power to construct or purchase with the funds of the company, and to place and run on said railroad all machinery, engines, cars, wagons, carriages or vehicles for the transportation of persons or any species of property thereon as they may think expedient, right or reasonable; 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 all distances exceeding five miles for each passenger, and eight cents per ton per mile for the transportation of property on said road, and that the said railroad and its appendages, and the land over which the

Proviso.

same shall pass, and all the works and improvements, steam engines, carriages, and all other property whatsover belonging to said company at any time or times, are hereby vested in the said company incorporated by this act, and their successors and assigns forever.

May build warehouses and other buildings.

11. *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, and may erect and build thereon warehouses and such other buildings and improvements as they may deem expedient for the safety of their property and other uses appertaining to their business, and take and receive the rents, profits and emoluments thereof.

Penalty for injury to property.

12. *And be it enacted*, That if any person shall willfully injure, impair, destroy or obstruct the use of the railroad constructed under the provisions of this act by the said company, or any of their necessary works, wharves, bridges, carriages or machines, such person or persons 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 of the cost and expenses shall bemade

13. *And be it enacted*, That as soon as said railroad or any part of it is in operation, the president of the said company shall file, under oath or affirmation, a statement of the cost of said railroad, including equipments, appendages and all expenses, in the office of the secretary of state, and annually thereafter on the first Monday in January of each year he shall, under oath or affirmation, make a statement to the secretary of state of the cost, equipment, appendages and expenses of said road; and after the said railroad or any part of it 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 cost, equipment and appendages of said road, to be paid annually thereafter on the first Monday in January of each year, and such other taxes 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; and until the said railroad or any part thereof shall be in operation, the said corporation shall be regularly assessed

State tax.

and pay tax for the value of its real estate, including improvements thereon, and personal property as now taxed in the city or cities, township or townships wherein it lies, at the same time and rate and in the same manner, for the same purposes and by the same person or persons as other taxes assessed in the said city or cities, township or townships; *provided*, that no other tax or impost shall be levied or assessed upon the said company.

Proviso.

May borrow money.

14. *And be it enacted*, That said corporation shall have power to borrow such sum or sums of money not exceeding in amount two thirds of the capital stock of said company, as shall be necessary to build, construct or repair said road and furnish the said corporation with all the necessary engines and machinery for the uses and objects of said company, and to secure the payment thereof by bond and mortgage, or otherwise on the said road, lands, franchises and appurtenances of or belonging to said corporation; *provided however*, that the said company shall not plead the statute of usury in consequence thereof.

Proviso.

May make contracts with other companies.

15. *And be it enacted*, That it shall be lawful for this 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 kinds of goods, property, 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.

Who may ride free.

16. *And be it enacted*, That the governor, the chancellor, vice chancellor, the justices of the supreme court, and the judges of the court of errors of this state, the state superintendent of public schools and the principal of the normal school, whilst traveling 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 railroad of said company free of charge.

17. *And be it enacted*, That unless the said road shall be

commenced in three years and completed in five years this act shall be of no affect. Time for commencement and completion of road.

18. *And be it enacted*, That this act shall be subject to alteration, amendment or repeal. Act may be repealed.

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

Approved March 25, 1873.

CHAPTER CCCXXVIII.

An Act to empower the Directors of the Salem Library Company to appoint the day of the annual meeting of said company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the trustees of the Salem Library Company, of the city of Salem, be and are hereby empowered to appoint the day of the annual meeting of said company; *provided*, that they shall give two weeks' notice of any change in the time of such meeting, by notice posted in the library room. Annual meeting. Proviso.

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

Approved March 25, 1873.

CHAPTER CCCXXXVII.

An Act to repeal the first section of the act entitled "An Act to change the name of the First Presbyterian Church of Independence to the First Presbyterian Church of Hackettstown, and to authorize it to convey land," approved March twenty-first, one thousand eight hundred and seventy-two.

Repealer.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the first section of the act of the legislature of the state of New Jersey, entitled "An Act to change the name of the First Presbyterian Church of Independence to the First Presbyterian Church of Hackettstown, and to authorize it to convey lands," approved March twenty-first, one thousand eight hundred and seventy-two, be and the same is hereby repealed.

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

Approved March 25, 1873.

CHAPTER CCCXXXVIII.

An Act to incorporate "The Hoboken Widow and Orphans Aid Association."

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That James Housman, Ramon M. Cook, George W. Rouse, John J. Chase, Charles H. Martin, Patrick McGinness, William R. Lasher, Silas Spicer, Benjamin G. Campbell, and such other person and persons as now are or 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 Hoboken Widow and Orphans Aid 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. Corporate name.

2. *And be it enacted*, That the said association, hereby created, shall have power and authority, from time to time, and at all times hereafter, to make, ordain and establish, such constitution, by-laws, rules 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 their elections, and for prescribing their several functions and their compensation, to adopt a corporate seal and the same to alter or change at pleasure, and all other acts and things necessary or proper for the organization of the incorporation hereby created, and for the transacting, managing and conducting the business and affairs of the said association; *provided*, such constitution, by-laws, rules and regulations shall not be repugnant to the constitution and laws of this state or of the United States. General powers. Proviso.

3. *And be it enacted*, That the objects and purposes of the said incorporation shall be to aid and assist the widows or lawful heirs of the members of said association, in such manner, and to such extent and amount as may, from time to time, be prescribed by the constitution and by-laws of said association. Objects.

4. *And be it enacted*, That the business and affairs of said incorporation shall be managed by a board of not less than seven directors, who shall be chosen from among the members of said association, in such manner, at such time and times, and for such terms of office as may, from time to time, be prescribed by the constitution and by-laws of said incorporation. Affairs to be managed by directors.

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

Approved March 25, 1873.

CHAPTER CCCXXXIX.

A Supplement to the act entitled "An Act to incorporate the German Theological School of Newark, New Jersey," approved February second, one thousand eight hundred and seventy-one.

Number of directors may be increased.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the Presbytery of Newark, on the recommendation of the board of directors of the German Theological School of Newark, New Jersey, to increase from time to time the number of the directors of said corporation to any number not exceeding twenty-five in all; and whenever any such increase shall be made it shall be so made that one-half of said additional directors shall be clergymen and one-half laymen; and said directors shall be elected at the time and in the manner directed by the act to which this is a supplement for the election of directors; and when so elected said additional directors shall be added to the existing classes in said board as the said presbytery may direct, but in such manner as to maintain as nearly as may be equality among the several classes; and when so classified, said additional directors shall respectively hold their offices for the term of the class to which they may be respectively assigned.

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

Approved March 26, 1873.

CHAPTER CCCXL.

A Supplement to an act entitled "An Act to incorporate the Cedar Lawn Cemetery Association, of the City of New Brunswick," approved March eighteenth, one thousand eight hundred and sixty-eight.

Corporate name.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the name of the "Cedar Lawn Cemetery Association, of the city of New Brunswick," be changed to the "Elm Wood Cemetery Association, of the city of New Brunswick," and by such name shall be invested with all the powers, rights and duties which belonged to said Cedar Lawn Cemetery.

Amendment

2. *And be it enacted*, That the first section of the act to which this is a supplement is hereby amended by striking out the names of the corporators individually named therein, and inserting in lieu thereof as such individual corporators, the following persons, viz: Henry H. Booream, Daniel G. Stubblebine, Garret Van Lieu Booream, Levi D. Jarrard, Henry Arbogast, Cornelius Farley and Davis Carel.

Names of corporators.

Repealer.

3. *And be it enacted*, That all acts and parts of acts inconsistent with this act be and the same are hereby repealed, and this act shall take effect immediately.

Approved March 26, 1873.

CHAPTER CCCXLI.

An Act to incorporate The Roseville Methodist Episcopal Church, of Newark, in the County of Essex.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Nathaniel C. Ball, David Collins, Ira C. Brown, William S. Brown, Stephen F. Simin-

son, Nelson Greenwood and Abijah Pell, of the county of Essex in the state of New Jersey, trustees, and their successors in office be and they hereby are constituted a body politic and corporate in law by the name of "The Roseville Methodist Episcopal Church of Newark."

Corporate name.

General powers and restrictions.

2. *And be it enacted* That the said trustees and their successors in office shall be subject to all the restrictions and liabilities imposed, and clothed with all the rights and privileges conferred, by an act of the legislature of this state entitled "An act to incorporate trustees of religious societies," approved April seventeenth, one thousand eight hundred and forty-six, and the several supplements thereto, and that the said corporation from and after the passage of this act, shall be vested with all the franchises and chartered rights, and shall be subject to all the legal liabilities of corporations organized under the said act and supplements, so far as the said act and supplements are applicable to the corporation hereby created.

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

Approved March 26, 1873.

CHAPTER CCCXLII.

An Act to incorporate the United Paper Manufacturing Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That William H. Gibbons, Hugh A. Toler, Augustus F. Miller, Henry W. Miller, William E. Booram, Charles P. Edwards, Francis S. Lathrop, and all others who may become associated with them as stockholders, as hereinafter provided, their successors and assigns forever, be and they are hereby created and made a body corporate and politic, in fact and in name, by the name of

Corporate name and object.

the "United Paper Manufacturing Company," for the purpose of manufacturing paper, and that the said company shall have the power to manufacture paper, to buy all materials necessary to the manufacture thereof, to sell and dis-

pose of the same, and transact all other business incident thereto, to erect buildings, with the necessary machinery, and other works, to purchase, acquire, hold, sell, lease, and convey in any part of the state of New Jersey, or elsewhere, all the real estate and personal property which may be deemed necessary and advantageous for carrying on the business of the corporation, to mortgage their real estate and issue bonds.

Capital stock

2. *And be it enacted*, That the capital stock of said company shall be one hundred thousand dollars, with power to increase the same as the business of the company may require, by a vote of the board of directors, the said capital to be divided into shares of one hundred dollars each, and the same shall be deemed and considered personal estate; and it shall be lawful for said company to grant certificates of shares in full or part payment for any of the real or personal estate that may be purchased or leased, and by the by-laws to compel payments of installments not exceeding twenty 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 thereon, giving at least thirty days' previous notice of such call and demand in a newspaper published in the cities of Jersey City and New York.

First directors to organize.

3. *And be it enacted*, 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 second Tuesday in April, one thousand eight hundred and seventy-four, and until others are elected in their stead.

Location of office orplace of business.

4. *And be it enacted*, That the property and affairs of the company shall be managed and conducted by seven directors being shareholders, not less than two of whom with the secretary shall be residents of this state; and the company shall keep an office in Jersey City, or where the manufacturing business may be carried on; the president shall be appointed from the directors, and the directors shall have power to make all needful by-laws, not inconsistent with the laws of this state or of the United States.

Election of directors.

5. *And be it enacted*, That the annual election of directors shall take place on the second Tuesday of April, in each year, commencing on the second Tuesday in April, one

thousand eight hundred and seventy-four, at some convenient place in Jersey City, in the county of Hudson, or such other place as may be fixed by the board of directors, in the by-laws adopted by them, between the hours of twelve o'clock at noon and three o'clock in the afternoon of that day; all elections shall be by ballot, and each share shall be entitled to one vote, and the vote may be by person or by proxy; two weeks' previous notice shall be given in a newspaper published in Jersey City and one published in the city of New York, and if from any cause an election of directors shall not take place at the appointed time, it shall not therefor work a forfeiture of this charter, but a new election shall be ordered in conformity to the by-laws of said corporation.

Stock, how transferred.

6. *And be it enacted*, That no transfer of said stock of said corporation shall be valid or effectual until such transfer shall be entered or registered in a book or books kept for that purpose, which said book or books shall be closed for the purposes of transfer of stock, fifteen 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 registered in the said transfer books more than fifteen days prior to the election at which he or she claims to vote; and all books of said corporation shall be open to the inspection of the stockholders.

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

Approved March 26, 1873.

CHAPTER CCCXLIII.

An Act to repeal an act entitled "An Act to incorporate the Mount Holly and Eayrestown Turnpike Company," approved March twenty-fourth, one thousand eight hundred and fifty-five.

Preamble.

WHEREAS, the said turnpike has been for some time past virtually abandoned by the said turnpike company, in neglecting to make any repairs upon the same, thereby

rendering it not only difficult, but dangerous to travel upon; *and whereas*, the stock of said turnpike having become nearly worthless, it is the wish of the stockholders that the charter be repealed, and the said turnpike declared to be a public road; therefore,

Repealer.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the act to incorporate the Mount Holly and Eayrestown Turnpike Company, approved March twenty-fourth, anno domini one thousand eight hundred and fifty-five, be and the same is hereby repealed, and that the said turnpike shall be deemed and taken to be a lawful public road, and shall be kept in repair in the same manner and by the same means, and shall be subject to the same penalties as other public roads are in the several townships through which the same may pass.

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

Approved March 26, 1873.

CHAPTER CCCXLIV.

An Act to incorporate The Bergen Contracting and Building Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That John J. Anderson, Cornelius L. Blauvelt, David P. Patterson, Cornelius Lydecker and Manning M. Knapp, and such persons as shall hereafter be associated with them, be and they are hereby declared to be a body politic and corporate by the name of "The Bergen Contracting and Building Company" and by such name shall have perpetual succession, and shall be capable in law of suing and being sued, of acquiring, holding and conveying real and personal property for the purposes for which this corporation is created, and shall have full power and authority to contract for the construction of railways, bridges, docks and such other works of public or private improvement as may be deemed advisable, and to invest their capital in furtherance of such enterprises, and to receive and

Corporate name and powers.

hold in payment therefor, cash or bonds, or shares of railroads or other corporations and securities issued by any government, state, county, town or other municipal corporation, with power to sell, transfer and convey any and all such securities, to make advances to railroad companies or other corporations, or persons dealing with the corporation hereby created, to lease, purchase, hold, mortgage, convey or exchange real and personal property for the purpose of their said business, and to exercise and use such rights, powers and privileges as corporations may by any general law of this state, use and exercise.

Capital stock

2. *And be it enacted*, That the capital stock of said company shall be one hundred thousand dollars divided into shares of one hundred dollars each, and when ten per centum thereof shall have been paid in, the said company may organize; the capital stock may from time to time be increased to such amount as the said corporation shall deem necessary, but no increase shall be made without in each case the consent in writing of two-thirds in amount of the stockholders for the time being.

Commissioners to open books for subscriptions to capital stock.

3. *And be it enacted*, That any three of the persons named in the first section of this act, may act as commissioners to open books of subscription to the capital stock of said company at such time and place as they shall deem proper, notice of which shall be published in one or more newspapers in the county of Bergen for two weeks, and when one thousand shares shall have been subscribed for and ten per centum thereon paid, it shall be lawful for the said corporation to organize and commence business.

Election of directors to be annual.

4. *And be it enacted*, That the corporate powers of the said company shall be exercised by not less than five nor more than seven directors, each of which shall be a stockholder in said company, and a majority of whom shall constitute a quorum for the transaction of business, and until the first election shall be held for directors, the persons named in the first section of this act, shall be the directors and may elect a president and other officers, who shall hold their offices until the first annual election for directors; the

First election, when held.

first annual election for directors shall be held on the first Monday in June next after the passage of this act, at such place as the said first directors shall appoint, notice of which shall be given by advertising the same for a period of twenty days in two newspapers printed and circulated in

this state, at which election each stockholder shall either in person or by lawful proxy be entitled to one vote for each share of stock held by him, and if for any reason the said election shall not be held on the day herein appointed for such election, the said corporation shall not for that cause be dissolved, but the directors for the time being may appoint such other time for the same and give public notice thereof as before directed, and annually thereafter an election for directors shall be held, upon like notice, who shall hold their office for one year, and until others are elected in their place.

Not to be dissolved because of failure to elect.

5. *And be it enacted*, That the directors, immediately after every annual election, shall choose from their body a president, who shall hold office for one year and until another is chosen in his stead; they shall also appoint a treasurer and secretary, and such engineers, counsel, agents, and other officers as may be necessary, and may fill any vacancy in any office or in the board of directors that may occur by death or otherwise.

Organization.

6. *And be it enacted*, That the shares of stock of said company shall be deemed personal property, and shall be transferable on the books of the company in such manner as the said company by their by-laws may direct; that the principal office of said company shall be at Hackensack, in Bergen county, but the directors, under such rules and regulations as they may prescribe, may establish branches and agencies elsewhere in this state, or any other of the United States.

Location of principal office.

7. *And be it enacted*, That each stockholder of said company shall be individually liable to the creditors of said company to an amount equal to the amount unpaid on any stock subscribed for, or held by him, for all debts and liabilities of the company, but shall not be liable to an action therefor before an execution shall be returned unsatisfied, in whole or in part, against the corporation.

Liability of stockholders.

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

Approved March 26, 1873.

CHAPTER CCCXLV.

A Further Supplement to an act entitled "An Act to incorporate the Cumberland Mutual Fire Assurance Company, of Bridgeton, Cumberland County," approved February twenty-third, one thousand eight hundred and forty-four, and to the act entitled "A Supplement to the act entitled 'An Act to incorporate the Cumberland Mutual Fire Assurance Company, of Bridgeton, Cumberland County,'" approved February twenty-third, one thousand eight hundred and forty-four, approved February seventeenth, one thousand eight hundred and forty-eight.

May insure against loss or damage by lightning.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the Cumberland Mutual Fire Insurance Company shall and may have full and complete power to insure against loss or damage as well by lightning where no fire follows the stroke thereof, as by fire.

Provisions of original act, &c., to apply.

2. *And be it enacted*, That all and every the provisions of the several acts to which this act is a further supplement, shall apply as well to all corporate acts done or hereafter to be done by the said corporation, with respect to insurance against loss or damage by lightning where no fire follows the stroke, as to insurance against loss or damage by fire.

Repealer.

3. *And be it enacted*, That so much of section seven of the act entitled "An act to incorporate the Cumberland Mutual Fire Assurance Company, at Bridgeton, Cumberland county," approved February twenty-third, one thousand eight hundred and forty-four, as forbids the immediate payment of any part of a promissory note of the insured exceeding five per centum of the amount thereof, be and the same hereby is repealed.

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

Approved March 26, 1873.

CHAPTER CCCLXXXII.

An Act to incorporate the Summit Gas Light Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Jonathan Edgar, William Z. Larned, Jonathan Bonnell, Nicholas D. C. Moller, William Littell, Charles A. Duvivier, William H. De Forrest, and George Manley, and all and every person or persons, who may become stockholders in the capital stock hereinafter mentioned, their successors and assigns, are hereby constituted and made a body politic and corporate, in fact and in law, by the name of "The Summit Gas Light Company;" and by the said name the said corporation shall have power to sue and be sued, plead and be impleaded, contract and be contracted with, and to make, manufacture and sell illuminating gas, to be made from coal or other materials, for the purpose of lighting the roads, streets, buildings, manufactories and public grounds, situate in the township of Summit, in the county of Union, and in the other townships contiguous thereto; and under and by the aforesaid corporate name and style the said corporation shall have perpetual succession, and shall have power and authority to enter into and execute any and all proper contracts, agreements, understandings, undertakings and covenants for the furtherance of the objects for which the said corporation is created, with power and right to enforce the same in all proper ways and manners under the laws of this state; and shall be capable of purchasing, taking and holding any estate, real or personal, necessary to give effect to the specified purpose of this corporation, for the accommodation of their business and concerns, or which it may be necessary for the said corporation to acquire and hold for the purpose of securing debts which have become due to them in the regular business of the said corporation; and also to hold any and all patents and patent rights necessary and proper for the purpose of carrying out the object and intent for

Names of corporators.

Corporate name and powers.

which such corporation is created, and for the accommodation of its business concerns.

Capital stock

2. *And be it enacted*, That the capital stock of said corporation shall be fifty thousand dollars, with the privilege of increasing the same, from time to time, to any sum not exceeding three hundred thousand dollars, divided into shares of fifty dollars each, which shall be deemed personal property, and transferable on the books of the said corporation, in such manner as the said company shall by their by-laws direct.

Names of persons to open books and receive subscriptions to capital stock

3. *And be it enacted*, That Jonathan Edgar, William Z. Larned, Jonathan Bonnell, Nicholas D. C. Moller, William Littell, Charles A. Duvivier, William H. De Forest, and George Manley, or a majority of them, may open books to receive subscriptions to the capital stock of said corporation, at such time or times, and at such place or places as they, or a majority of them, may think proper, by giving notice of the same in a public paper, published in the county of Union, at least fourteen days previous to the time appointed: and whenever five thousand dollars of the capital stock shall have been subscribed and shall be paid, or secured to be paid, it shall and may be lawful for the said corporation to commence business; and the above named persons, or a majority of them, shall then give like notice for a meeting of the stockholders to choose seven directors, who shall be stockholders in their own right and name, and 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 said above named persons, or any three of them, shall be inspectors of the first election of directors for said corporation, and shall certify under their hands the names of the persons duly elected, and thereupon deliver over the subscription books and moneys paid in, deducting therefrom all necessary expenses previously incurred, to the said directors; and the said directors shall hold their office for one year, and until others are elected in their stead, and shall fix the time and place of holding the annual meetings for the election of directors, notice of which shall be given in at least one public paper published in the county of Union, at least ten days before said election; and the directors so chosen at any such meet-

Election of directors.

ing shall, as soon as may be thereafter, 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 of any director, such vacancy or vacancies may be filled for the remainder of the year by a majority vote of said board; and in case of the absence of the president the said board, or a majority of them, may appoint a president pro tempore, who shall have such powers and functions as the by-laws of said corporation shall provide.

Vacancies, how filled.

4. *And be it enacted*, That if, at any time, an election shall not be held on 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 an election may be held at any time within one year, in the manner provided by law; and the directors for the time being shall continue to hold their offices until others shall have been chosen in their places.

Not to be dissolved by reason of failure to elect directors.

5. *And be it enacted*, That a majority of the board of directors of the said corporation shall be competent to transact all the business of said corporation, and shall have power to call in the capital stock of said company in such installments and at such times as they may direct, not exceeding ten per centum at any one time, and not less than thirty days after the previous installments, and in case of non-payment of any such installments, or any one of them, to forfeit the share or shares upon which such default shall arise; and to open the books for further subscriptions of stock until the whole stock subscribed amounts to the sum of fifty thousand dollars; and also to make and prescribe such by-laws, rules and regulations as to them shall appear needful, touching the management of the stock, property, estate and effects of said corporation, and further, shall have power to elect or appoint as many officers, superintendents, agents, clerks and servants as to them shall seem meet; and to establish and fix their salaries, and also that of the president, as to the board shall appear proper.

Capital stock may be paid in by installments.

6. *And be it enacted*, That the said corporation shall be, and hereby is, empowered and authorized to make, build, construct and erect any and all buildings, tanks, reservoirs, works and machinery for the manufacture of gas for lighting streets, buildings, manufactories, and so forth, from coal, resin, or other material; and shall have power to enter upon and make any and all necessary and proper excavations for

Authorized to construct and build gas works and all necessary apparatus.

the laying down of gas pipes and pipes for conducting the gas in the streets, roads, alleys, lanes and avenues that may be in the said township, and other townships or places; and shall have power to erect gas posts, burners and reflectors in the streets, roads, alleys, lanes and avenues in said township or townships, upon obtaining the consent of a majority of the town committee of said township, and the said corporation shall have power to do all other things necessary to light the said township or townships, or any part of them, and the dwellings, stores, factories, and other places therein; Proviso. *provided*, that the public travel shall at no time be unnecessarily affected or impeded by the laying of the said pipes, or the erection of said posts; and the streets, roads, side and cross-walks, lanes, alleys and avenues shall not be injured, but all be left in as good and perfect condition as before the laying of said pipes, or the erection of said posts; *and provided also*, Proviso. that no private lands shall be in any way injured or defaced without permission, in writing, first had and obtained from the owner or owners thereof.

Penalty for injury to works. 7. *And be it enacted*, That if any person shall willfully impair, injure, or willfully do or cause to be done any act or acts whatsoever, thereby to injure any conduit, pipe, cock, machine, tank, reservoir, works, building or structure whatsoever, or any other thing appertaining to the works of the said corporation, or whereby the same may be stopped, obstructed, or in anywise injured, the person or persons so offending shall be considered guilty of a misdemeanor, and being thereof convicted, shall be punished by fine not exceeding three hundred dollars, or imprisonment at hard Proviso. labor not exceeding two years, or both; *provided*, such criminal prosecution shall not in any wise impair the right of action for damages, by a civil suit hereby authorized to be brought for such injury as aforesaid, by and in the name of said corporation, in any court of the state having cognizance of the same.

May contract with any other company. 8. *And be it enacted*, That the said corporation is hereby authorized and empowered to enter into contract with any other company to furnish or be furnished with gas, for the purposes before mentioned, on such terms as may mutually be agreed on.

May borrow money and issue bonds. 9. *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 or expedient, and to mortgage

their property and franchise, or otherwise to secure the payment thereof, and to execute all necessary securities therefor, with interest thereon, not exceeding seven per centum per annum, and to sell and dispose of any bonds, obligations or assurances, which they may issue to secure the payment of the money so borrowed as aforesaid, at any rate of price they may be able to obtain for the same, without said obligations being in any way invalidated thereby, or any person or persons, or corporation, being liable to any penalty or forfeiture therefor.

Books of account shall be kept.

10. *And be it enacted*, That the said corporation 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 corporation; which books, together with the transfer book, shall at all times be open for the inspection of the stockholders.

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

Approved March 27, 1873.

CHAPTER CCCLXXXIII.

An Act to incorporate "The White Rock Lime and Cement Company of the County of Sussex."

Corporators

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Justus W. Beardsley, Robert Chardavoyne, Theodore R. Beardsley, Thomas Rosewall, Samuel R. Beardsley and George A. Beardsley, and their associates, be and are hereby created a body politic and corporate, in fact and in law, by the name and style of "The White Rock Lime and Cement Company of the County of Sussex," for the purpose of manufacturing lime and cement, and for selling and dealing in the same, and for such purposes the said company shall or may raise by subscription, by opening the books therefor or otherwise, a capital stock of six thousand dollars, with the privilege of increasing the same to twenty thousand dollars, the stock to be divided into shares of one hundred dollars each; and

Corporate name and object.

Capital stock

it shall be lawful for the said company to issue certificates of stock, in whole or in part, in payment of any real or personal property purchased or leased by said company, for the purposes of their business aforesaid, and may commence business when twenty-five per centum of the capital stock is subscribed and paid in.

May purchase and hold real estate.

2. *And be it enacted*, That the said corporation may purchase, lease, use, hold and possess and enjoy such real estate as they may deem necessary or expedient for the purposes of said corporation, and may sell, mortgage, lease or otherwise dispose of the same at pleasure, and may borrow money and issue bonds therefor, not to exceed at any time two-thirds of their capital stock, and may sue and be sued in all courts of law and equity, and may have and use a common seal, and may change and 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.

May make by-laws and rules. Proviso.

Election of directors.

3. *And be it enacted*, That the affairs and business of the said corporation shall be managed by not less than three or more than five directors, who shall be elected at the annual meeting of stockholders, at such day, at such hour of the day, and at such place as the by-laws of said corporation may direct, and shall hold office one year, or until others are chosen to fill their places, and until such annual election the six persons named in the first section of this act, being stockholders, shall be directors of said corporation; said directors, being stockholders in said corporation, shall elect one of their number president, and a majority of the directors shall on all occasions, when assembled at such time and place as the by-laws shall prescribe, constitute a body competent to transact business, and all business matters brought before them shall be decided by a majority of votes; and in case a vacancy shall occur in the board of directors by death, or 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.

Vacancies, how filled.

Not to be dissolved for failure to elect.

4. *And be it enacted*, That in case it shall happen that an election of directors shall not be made upon the day designated 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, such notice being given as the by-laws shall prescribe.

Annual statement shall be made

5. *And be it enacted*, That the said directors shall submit to the stockholders at their annual meeting, a written statement of the affairs of the said corporation as nearly as can be ascertained.

Location of principal office.

6. *And be it enacted*, That the principal office of the said company shall be in the township of Vernon, in the county of Sussex, and that regular books of account shall be kept in said office, to which books of account any stockholder may have free access at all reasonable times, for the purpose of inspection, and that the books of transfer of the stock shall also be kept, and shall be evidence of the ownership of said stock, in all elections and other matters submitted to the stockholders of said corporation.

Restrictions and liabilities.

7. *And be it enacted*, That the corporation shall possess general powers, and be subject to the general restrictions set forth in an act entitled "An Act concerning corporations," approved February fourteenth, one thousand eight hundred and forty-six, so far as the same may be applicable.

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

Approved March 27, 1873.

CHAPTER CCCLXXXIV.

An Act to incorporate the Chester Savings Bank.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That William H. Nichols, Augustus C. Canfield, Daniel Budd, James Vanderveer, William M. Budd, James S. Dickerson, James C. Yanger, Charles Hardin, William Hillard, Elias M. Skellenger, Philip Welsh, Theodore P. Skellenger, Smith E. Hedges, Samuel Swayze, Caleb Osborne and John Webb, junior, and their successors, shall be and are hereby constituted a body corporate and politic by the name of "The Chester Savings Bank," to be located in Chester, Morris county.

Corporate name.

Business shall be conducted by a board of managers.

2. *And be it enacted*, That the business of the said corporation shall be conducted by nine managers, five of whom shall constitute a quorum; and the seat of any manager who shall have neglected to attend for six successive meetings may be vacated by the board, and when the seat of any member of the board of managers shall from any cause become vacant the other members may fill such vacancies by the vote of the majority of the board, such vacancies to be filled at the first regular meeting of the board held after such vacancy having occurred; the first managers shall be elected from the persons named in the first section of this act, by a majority of the votes, the said incorporators having the right to vote by proxy; the board of managers shall meet at least once in every three months to attend to the business of the corporation, and there shall be an annual meeting of the board on the first Monday in May for the purpose of choosing one of their number president, and appointing a cashier and such officers or agents as may appear to them necessary for conducting the business of the bank; which officers so chosen and appointed shall continue in office for one year and until others are chosen and appointed in their place, and they shall be under oath and, if necessary, required to give security for the faithful and honest performance of the duties of their respective offices.

May make by-laws and rules.

3. *And be it enacted*, That the board of managers shall have the power from time to time to make, ordain and establish such by-laws, rules and regulations as they shall judge proper for the receiving of deposits and paying out of the same by drafts, orders or otherwise, as the depositors may direct, and for the transacting, managing and directing all the affairs of the corporation; *provided*, that such by-laws and regulations shall not be repugnant to the constitution and laws of this state or of the United States, and shall not at any time be altered so as to affect any deposit of money previously made.

Proviso.

Deposits.

4. *And be it enacted*, That the said corporation may receive on deposit, 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, which shall be invested accordingly, and shall be repaid to the depositors or their order, at such times and with such interest and under such regulations as the board of managers shall from time to time prescribe; and the said institution

may accept and execute all such trusts of every description as may be committed to them by any person or persons whatever, by will or otherwise, or transferred to them by order of any court.

Investments

5. *And be it enacted*, That the said corporation may invest the money left with them on deposit in no other public stocks or bonds other than such as are created and issued by the United States and by the several states of the Union, or by the several counties, cities and towns in this state, under the laws thereof, nor upon bond and mortgage, except on unencumbered real estate worth at least double the amount invested.

May make contract or agreement with borrower for the payment of taxes

6. *And be it enacted*, That it shall and may be lawful for the said "The Chester Savings Bank," and the borrowers of any money secured by mortgage or other security, to enter into a contract or agreement whereby the borrower shall pay all national, state, county or township taxes, which may be assessed upon the money so lent or to be loaned and the securities given for the payment thereof in the possession of the said savings bank; and all such contracts and agreements are hereby declared to be valid and binding in law, and no such mortgage or other security shall be held, deemed or taken in any court of this state to be usurious, or in any degree invalidated by reason of any such contract or agreement, anything in any existing law of this state to the contrary notwithstanding.

Interest to be allowed depositors.

7. *And be it enacted*, That it shall be the duty of the board of managers to regulate the rate of interest to be allowed to the depositors, so that they shall receive a just proportion of the profits of the business of the said corporation, after deducting therefrom all necessary expenses and a reasonable surplus or contingent fund; *provided*, that the said corporation shall not be required to allow interest upon any deposit of a less amount than five dollars, nor upon the fractional parts of one dollar, nor upon the fractional parts of a month; and that no interest or dividends on account of any surplus or contingent fund shall be allowed for moneys which have been withdrawn from deposit.

Proviso.

Depositor being a minor may give valid receipt for deposit.

8. *And be it enacted*, That it shall be lawful for the said corporation, at their discretion, to pay any depositor, being a minor, such sum, not exceeding five hundred dollars, as may be due to such depositor, in cases where no guardian shall have been appointed in his or her behalf, and that the

receipt or acquittance of such minor shall be as valid as though the same were executed by his or her guardian duly appointed; *provided*, such deposit shall have been made personally by such minor, and not by any other person for his or her benefit.

Proviso.

Deposits by married women to be free from the control of the husband.

9. *And be it enacted*, That in case the said corporation shall receive any deposit or deposits from any married female, or from any single female who may afterwards marry, it shall be lawful for the said corporation to hold the same, together with the interest or dividends which may accrue thereon, as the sole and separate property of such female as though she were single, not subject to the control, nor liable for the debts of her husband, and to repay the same, and the interest and dividends, or any part thereof, upon her check, order, or receipt or demand, without the concurrence of her husband; and such payment shall exonerate and discharge the said corporation from any further liability by reason thereof.

May purchase and hold real estate.

10. *And be it enacted*, That the said corporation may purchase and hold, in fee simple or otherwise, any real estate or personal property, and the said corporation may sell, lease or otherwise dispose of the said real estate or personal property, or any part thereof, at their will and pleasure.

Depositor may appoint person to receive money.

11. *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 any 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 the person or persons so appointed shall be a full discharge of the claims against said institution.

Annual report shall be made.

12. *And be it enacted*, That it shall be the duty of the said institution to make an annual report to the legislature of the state, under the oath or affirmation of the treasurer or cashier, and a committee appointed for that purpose by the managers, of three or more of their number, of the state of its funds, and such statement shall be published in not less than two of the papers of the county.

Managers not to receive compensation.

13. *And be it enacted*, That no emolument whatever shall directly or indirectly be received by the managers, or either of them, for their services, except the cashier or treasurer and the committee on the examination of property offered as security for loans, who shall receive such compensation as

from time to time may be established by a majority of the whole number of the managers of said corporation.

Act, how to be construed

14. *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 included, and that no misnomer of the said institution in any deed, grant, devise, or other instrument of contract or conveyance shall vitiate or defeat the same; *provided*, the institution shall be sufficiently described so as to ascertain the intention of the parties; *and provided also*, that the legislature may at any time hereafter amend, modify or repeal this act.

Proviso.

Proviso.

15. *And be it enacted*, That this act shall continue in force until repealed, and shall take effect immediately.

Approved March 27, 1873.

CHAPTER CCCLXXXV.

A Further Supplement to an act entitled "An Act to incorporate the Chester Railroad Company," approved April second, one thousand eight hundred and sixty-seven.

May extend railroad and change line, &c.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the Chester Railroad Company to extend its railroad from any point in the township of Chester or in the township of Washington, in the county of Morris, to any point in the county of Hunterdon; and it shall also be lawful and the said company is hereby authorized and empowered to change the line of any portion or portions of their railroad heretofore constructed, and they shall also be and hereby are invested with the privilege of making a branch or branches from the main line of their road, and from any extension of the main line that may be hereafter constructed, to any mine or mines, a distance not exceeding three miles, and for the purposes aforesaid shall be and are invested with all the powers conferred by the original charter of said company and the several supplements thereto, subject to the duties

Proviso. and liabilities thereby imposed; *provided*, that if any portion of the line of the said road now constructed shall be changed as herein authorized, such new line or road shall not at any point thereof be located at a greater distance than three miles from so much of the line as is already con-
Proviso. structed; *and provided further*, that no part of the present located or constructed line shall be taken up or abandoned, notwithstanding the making of such new line, unless the said company shall file in the office of the secretary of state a certificate under their corporate seal declaring their purpose to take up and abandon the same, and surrendering all their franchises in and over the part so to be taken up and abandoned.

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

Approved March 27, 1873.

CHAPTER CCCLXXXVI.

An Act to validate and confirm a certain Lease and Contract between the companies now known as "The United New Jersey Railroad and Canal Company," and "The Pennsylvania Railroad Company."

Lease ratified and confirmed. 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the lease and contract, a copy of which is now on file in the office of the secretary of state, dated the thirtieth day of June, one thousand eight hundred and seventy-one, between the Delaware and Raritan Canal Company, the Camden and Amboy Railroad and Transportation Company, and the New Jersey Railroad and Transportation Company, now merged into and known as "The United New Jersey Railroad and Canal Company," which companies, together with the Philadelphia and Trenton Railroad Company, are the lessors, and the Pennsylvania Railroad Company which is the lessee, be and the same is here-
Proviso. by validated, ratified and confirmed; *provided*, that nothing in this act shall be considered as a waiver of any rights that

the state of New Jersey has in the corporations named in this act; nor in any wise affect or interfere with the rights of parties in any suit or suits in law or equity now pending in any of the courts of this state.

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

Approved March 27, 1873.

CHAPTER CCCLXXXVII.

Supplement to an act entitled "An Act to incorporate the Saddle River Railroad Company," approved April second, one thousand eight hundred and seventy-two.

WHEREAS, through inadvertence the state assessment on the act to which this is a supplement was not paid within the time required by the act entitled "An act to increase the revenues of the state of New Jersey," by which inadvertence and non-payment of said state assessments the said act became void; *and whereas*, it is desirable that said act should be revived; therefore, Preamble.

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 Saddle River Railroad Company," approved April second, one thousand eight hundred and seventy-two, be and the same is hereby revived, and shall stand in full force and effect, the same as if the state assessment required to be paid by the act entitled "An act to increase the revenues of the state of New Jersey," had been paid within the time prescribed by law; *provided*, that the state assessment on the said original act of incorporation and on this supplement be paid before the first day of July next ensuing the passage of this supplement. Original act revived. Proviso.

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

Approved March 27, 1873.

CHAPTER CCCLXXXIX.

A Supplement to an act entitled "An Act to incorporate the Mechanics and Laborers Savings Bank of Jersey City," approved

Managers shall be divided into classes.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said institution shall be conducted by twenty-four managers, who shall divide themselves into three classes, at the next regular meeting after

Term of office

the passage of this act; the term of the first class shall expire on the second Monday of November, one thousand eight hundred and seventy-three, or as soon thereafter as others shall have been elected in their stead; the term of the following classes shall expire successively on the first Monday of November in the following years, or as soon thereafter, as others are elected in their stead; the annual election for managers will be held on the second Monday of November in each year, or as soon thereafter as the president may call a meeting for that purpose; the managers whose term shall have expired, shall have no voice in the election of their successors, and when any manager shall fail to attend the meetings of the board for one year, or fail to perform the duties devolving on him as a member of a committee for the space of six successive months without excuse satisfactory to the board, the board may by vote declare his position vacant, in which case, or in case of the

Vacancies, how filled.

death or resignation of any manager, the board shall have power to fill such vacancy for the unexpired term of said managers by a vote of the majority of the members present, at the first regular meeting after such vacancy shall have occurred.

Election of managers.

2. *And be it enacted*, That the board of managers of said savings bank shall consist of twenty-four, and that the said board as now constituted, at their next meeting after the passage of this act, shall proceed by a majority of said managers present to elect said board from amongst the deposi-

tors of said savings bank, who shall serve until the classification as provided for in this act shall take place.

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

Approved March 27, 1873.

CHAPTER CCCXC.

Supplement to an act entitled "An Act to incorporate The State Trust Company, of New Jersey," approved April second, eighteen hundred and seventy-two.

Election of directors.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the board of directors of the company, incorporated by the act to which this is a supplement, shall consist of such persons as a majority in interest of the stockholders may determine; and that the election for directors shall be held annually at the office of the company, in the city of Newark, on the second Thursday in January of each year, ten days' notice thereof having been given in two daily newspapers published in the county of Essex; and the directors chosen shall serve for the ensuing year, or until others shall be elected in their place; all elections shall be by ballot, and every stockholder shall be entitled to one vote for every share of stock held by him.

General powers.

2. *And be it enacted*, That it shall be lawful for the said company to advance or loan their money and credit on pledge of merchandise, stocks, bonds and notes; to aid by loans contractors and manufacturers, to make insurance for the fidelity of persons holding places of responsibility and trust; to take the management, custody and charge of real and personal property; to collect rents, coupons of bonds and interest due upon obligations; to draw drafts or bills of exchange, and to accept and execute all such trusts of every description as may be committed to them, upon such terms and commissions as may be established by said company, and agreed upon between said company and the parties contracting with them.

3. *And be it enacted*, That any court or individual may

May be appointed receiver, guardian, &c.

appoint the said company a receiver, assignee, guardian, executor, administrator, or other trustee, or may order the deposit of moneys or valuables of any kind with said company for safe keeping, pending suit or otherwise.

Trust moneys may be deposited with company.

4. *And be it enacted*, That any executor, administrator, guardian, or other trustee or public officer having the custody or control of any bonds, stocks, securities, moneys, or other valuables belonging to others, shall be authorized to deposit the same for safe keeping with the said company.

Location of principal office.

5. *And be it enacted*, That the principal office of the company shall be in the city of Newark, but the directors may establish branch offices or agencies from time to time in other parts of the state, or elsewhere.

Repealer.

6. *And be it enacted*, That all parts of the act to which this is a supplement, inconsistent with the provisions of this act, be and the same are hereby repealed, and that this act shall take effect immediately.

Approved March 27, 1873.

CHAPTER CCCXCI.

A Further Supplement to the act entitled "An Act to incorporate the Jersey City and Bergen Railroad Company," which was approved March fifteenth, one thousand eight hundred and fifty-nine, giving authority to execute a mortgage to secure bonds to be issued by said company.

Authority to issue bonds.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That to enable the said company to fund its indebtedness, and also to improve its property, and to enlarge and extend its operations, as the said company is now authorized and may hereafter be authorized by law, the said company can issue bonds in such sums as said company may designate, which it can secure by a mortgage to be made by said company to one or more trustees, which mortgage can cover all the property, real and personal, now owned by it, and which may hereafter be acquired, and also all the franchises now vested in or which may hereafter be

granted to the said company; said bonds can be made with interest warrants attached, and can be issued from time to time as may be required for the purpose aforesaid; said bonds shall not at any time exceed one million dollars, and may be issued from time to time as may be required for such purposes, and to the amount aforesaid, under such mortgage as aforesaid; said mortgage and bonds can bear date as of the first day of January, one thousand eight hundred and seventy-three, or any subsequent day, at the option of the said company; and can be made payable at such time as the said company may declare.

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

Approved March 27, 1873.

CHAPTER CCCXCII½.

An Act to incorporate the Rahway Horse Railroad Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That John B. Edgar, Joseph T. Crowell, George P. Gordon, John Woodruff, Thomas Archer, Abram F. Shotwell, James H. Clark, James Vanderhoven, J. Henry Stone, Albert G. Lee, Dewitt C. Hough, and such other persons as may hereafter be associated with them, shall be and are hereby made, considered and declared a body politic and corporate, in fact and in law, by the name of "The Rahway Horse Railroad Company," and by that name shall be capable of purchasing, holding and conveying lands, tenements, real estate, goods and chattels necessary or proper for the object of said corporation. Names of corporators. Corporate name.

2. *And be it enacted*, That the amount of the capital stock of said corporation shall be twenty-five thousand dollars, with the privilege of increasing the same to two hundred thousand dollars, and shall be divided into shares of twenty dollars each, which shall be deemed personal property and transferable in such manner as the said corporation shall by their by-laws direct. Capital stock

Commissioners shall receive subscriptions to capital stock

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 in the city of Rahway as they, or a majority of them, think proper, giving at least twenty days' notice of the same, in one newspaper published in the city of Rahway; and at the time of subscribing, ten per centum of the value of each share subscribed shall be paid to the commissioners, or one of them, and as soon as fifteen thousand dollars of the capital stock shall be subscribed, said commissioners shall give like notice for a meeting of the stockholders to choose seven directors, a majority of whom shall be residents of this state and citizens thereof, and such election shall be held at the time and place appointed by such of the stockholders as shall attend for the 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 the said corporation, and shall certify under their hands the names of the persons duly elected, and deliver over the subscription books and all moneys paid in (after deducting all actual expenses previously incurred) to such directors so elected, and annually after said first election of directors, at a time and place to be fixed by the by-laws of said corporation, there shall be a meeting of the stockholders to choose seven directors, a majority of whom shall be citizens of this state, which election shall be conducted in accordance with the rules fixed by the by-laws of said corporation, and which directors shall hold their office for one year after their being so chosen.

Election of directors.

Not to be dissolved by reason of failure to hold an election.

4. *And be it enacted*, That in case it shall happen that an election of directors should not be held upon the day when pursuant to this act it ought to be held, the said corpotation shall not for that cause be deemed to be dissolved, but such election may be held at any other time, giving ten days' notice in the manner provided by law, and the directors for the time being shall continue in office until others shall have been chosen in their place; and in case of the death, resignation or removal of any director during the year for which he may have been chosen, such vacancy may be filled by the remaining directors or a majority of them.

5. *And be it enacted*, That four directors of said corpora-

tion shall be competent to transact all business of said corporation, and shall have power to call in the capital stock of said corporation, to be paid 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, or at their option to sue for and recover the installments due and unpaid, to make such by-laws, rules and regulations as shall appear proper concerning the business of said corporation, and to appoint such officers, clerks and servants, and fix for them such salaries and wages as to them shall seem proper. Capital stock may be paid in installments.

6. *And be it enacted*, That said corporation shall have power and authority to lay down and construct a railroad, with necessary turnouts and switches from some point at or near the present depot (located between Milton avenue and Cherry street) of the New York division of the Pennsylvania Central Railroad Company in the city of Rahway, thence along any street or streets already opened or which may hereafter be opened; to the eastern boundary of said city, also from some starting point, connecting if necessary with the route hereinbefore mentioned, through any street or streets, already opened or to be opened in said city; to any point either at or near the western or northern city boundary, or the points in the townships of Linden, Clark and Woodbridge, or any of them; *provided*, that the right to construct said railroad through any of the streets or roads within the city of Rahway shall not vest in the said corporation until consent shall be first had and obtained of the common council of said city, or through the roads of any of said townships without the consent of the township committee of such townships. May lay down and construct a railroad. Route of road Proviso.

7. *And be it enacted*, That if it is deemed necessary in laying the route of any part of said road for the said company, to locate the same through private property they are authorized to take the lands required for such purpose, not exceeding thirty feet in width; and it shall be lawful for the said company, their officers, agents, engineers, superintendents and others in their employ to enter at all times upon all lands, bridges and waters for the purpose of exploring, leveling, surveying and laying out the route of said railroad, and of locating, and of subsequently altering the location thereof, doing no unnecessary damage to private property, and when any part of the route and location of such road, May enter upon and take lands necessary to lay road.

or the alteration or location shall have been determined upon, then it shall be lawful for the said company, its officers, engineers, agents, 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 repairs of said road, subject to such compensation as is hereinafter provided; *provided always*, that the payment or tender of payment of all damages for the occupancy of private lands through which the said railroad may be laid out, be made before 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 the said road unless the consent of the owner or owners of such land be had and obtained.

Proviso.

Proceedings when company and owners cannot agree as to purchase of land, &c., required.

8. *And be it enacted*, That when the said company or its agents cannot agree with the owner or owners of such required lands or materials for the use or purchase thereof, or when by reason of the legal incapacity or absence of such owner or owners no such agreement can be made, a particular description of the lands 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 or out of this state, to make publication thereof as he shall direct, for any time 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 of this state, commissioners to examine and appraise the land or materials, and to assess the damages, upon such notice to be given to the person 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 the said commissioners (having first taken and subscribed an oath or affirmation before some person duly authorized to administer an oath, faithfully and impartially to examine the matter in question, and to make a true report, according to the best of their skill and understanding) to meet at the time and place appointed, and proceed to view and examine the said lands or materials, and to make a just and equitable estimate or appraisement of the value of the same, and assessment of damages as shall be paid by the said company for such lands or materials and damages aforesaid, which report shall be made in writing, under the hands and seals of the said commissioners, or any two of them, and filed within ten days thereafter, 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 lands or materials are situated, to remain on record therein; which report, or a copy thereof, certified by the clerk of the said county, shall at all times be considered as plenary evidence of the right of the said company to have, hold, use, occupy, possess and enjoy the said land or materials, or of the said owner or owners to recover the amount of said valuation, with interest and costs, in an action of debt in any court of competent jurisdiction, in a suit to be instituted against the company, if they shall neglect or refuse to pay the same for twenty days after the demand of their treasurer, and shall from time to time constitute a lien upon the property of the company in the nature of a mortgage; and the said justice of the supreme court shall, on application of either party, and on reasonable notice to the other, 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 said company.

Proceedings in case of appeal.

9. *And be it enacted*, That in case the said company or the owner or owners of the said land or materials shall be dissatisfied with the report of the commissioners named in the preceding section, and shall apply to the justice of the supreme court at the next term after the filing of the said report, the court shall have the power, upon good cause shown, to set the same aside, and thereupon to direct a proper issue for the trial of the said controversy to be

formed between the said parties, and to order a jury to be struck and a view of the premises or materials to be had, and the said issue to be tried at the next circuit court to be holden in the said county, upon the like notice and in the same manner as other issues in the said court are tried; and it shall be the duty of the said jury to assess the value of the said land or material and damages sustained, and if they shall find a greater sum than the 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 said owner or owners, and shall find the same or a less sum than the company shall have offered or the said commissioners awarded, then the said costs to be paid by said applicant or applicants, and either deducted out of the said sum found by the said jury or execution awarded therefor, as the court shall direct; but such application shall not prevent the company from taking the land or materials upon filing the aforesaid report, the value and damages being first paid, or upon a refusal to receive the same upon a tender thereof, or the owners thereof being under any legal disability, the same being first paid into the court of chancery.

Width and mode of laying track.

10. *And be it enacted*, That the track laid by said corporation shall be of the same width as the wagon track, now established by law, and the same shall be laid in all the streets within the limits of said city level with the surface of said streets, and in conformity with the grades thereof, which now are or hereafter may be established by the municipal authority of said city, and in all cases the rails of such track shall be so laid as to present no unnecessary obstructions to, or in any way interfere with the wagons or other vehicles turning or crossing said streets or roads through or over which said road or its turnouts or switches may be laid.

May hold real estate and erect depots, &c.

11. *And be it enacted*, That the said corporation may purchase, have and hold real estate at each terminus of said road, and at such other places, not exceeding three, along the line of said road as they may desire, not however, exceeding three acres at each place, or fifteen acres in the aggregate, and may erect and build thereon houses, depots, warehouses, stables, machine shops and such other buildings

and improvements as may be necessary for carrying out the objects of said corporation.

Dividends.

12. *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.

May equip road and charge for transportation.

13. *And be it enacted*, That the president and directors of said corporation shall have power to purchase or to have constructed, with the funds of said corporation all such machinery, cars, wagons, carriages or other vehicles, for the transportation of persons or property on their railroad, as they may think fit, expedient or right, and also to purchase such horses or mules as they shall deem fit for the purpose of said corporation; *provided, however*, that no steam power shall be used as a motive power upon said railroad; and that they are hereby authorized to demand and receive such sum or sums of money for the transfer of persons or property upon said railroad as they shall think reasonable and proper; *provided*, that not more than ten cents shall be demanded or received for conveying any person from any one point to another point upon said railroad.

Proviso.

Proviso.

Penalty for injury to property.

14. *And be it enacted*, That if any person or persons shall willfully or maliciously impair, injure, destroy or obstruct said railroad, or any of its works, turnouts, switches, carriages, animals, machines or machinery, such person or persons shall forfeit and pay therefor to 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 of the same.

May borrow money.

15. *And be it enacted*, That the said corporation shall have power to borrow such sum or sums of money from time to time, as shall be necessary to build, construct, repair, equip said road, and to secure the payment thereof by bond and mortgage, or otherwise on said railroad, lands, privileges, franchises and appurtenances of said corporation, at a rate of interest not exceeding seven per centum per annum.

May make contracts with other corporations or with individuals.

16. *And be it enacted*, That it shall be lawful for said corporation at any time to make contracts and engagements with any other corporation, or with individuals, for operating said railroad, for transporting or conveying any kind of goods, merchandize, freight or passengers, and to enforce the fulfillment of such contracts, and to demand and receive for such transportation by them carried over the road of

any other company, the same rates of fare and tolls as said corporation are entitled to receive by virtue of this act, for transportation and passage over their road, and also to connect with any railroad or railroads in said city or townships now incorporated, or hereafter to be incorporated, upon such terms and condition as may be agreed upon between them, and not inconsistent with their respective charters.

Statement of cost and expenses shall be made to state comptroller.

17. *And be it enacted*, That as soon as said road, or any part thereof, shall be in operation, the president of said corporation shall file, under oath or affirmation, a statement of the cost and equipments of said railroad in the office of the comptroller, and annually thereafter he shall, under oath or affirmation, make a statement to the comptroller of the proceeds and expenses of said road; said corporation shall pay to the treasurer of this state a tax of one-half of one per centum on the cost of the said road and its equipments, to be paid annually on the first Monday in January of each year.

State tax.

To be subject to ordinances of Rahway within city limits.

18. *And be it enacted*, That said company shall, within the limits of the city of Rahway, in all things be subject to the provisions of the charter and ordinances of said city now or hereafter to be in force; whenever any street or road in said city occupied by said company, with their tracks or turnouts, shall be paved by order of the common council of said city, the company shall pay the costs and expenses of paving between the rails of their tracks and turnouts, the said cost and expense to be assessed upon the said company as directed by the city charter for assessing the costs and expenses of paving any street in said city; and the said assessment shall become a lien upon the property of said company within the said city in the same manner that similar assessments are a lien upon real estate therein; and that whenever the said company shall occupy with their tracks or turnouts any street within said city which before the time of such occupation had been paved, they shall pay to the said city such amount of the costs and expenses of said pavements as may have been expended in paving between the rails of said tracks and turnouts as shall relay said pavement and place the same in as good repair as the same was at the time of such occupation by them; the said money shall be paid by said city to the persons owning property along said street at the time of said payment, proportionately to the amount of the whole original cost and expenses of said pave-

ment actually paid by the owners of said property; *and further*, that said company shall keep the pavement between their rails in repair at their own expense.

Who may ride free.

19. *And be it enacted*, That the governor, chancellor, judges of the supreme court and members and officers of the legislature be entitled to ride free on said road.

Act repealable.

20. *And be it enacted*, That it shall be competent for the legislature of this state to alter, amend or repeal this act or any portion thereof.

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

Approved March 28, 1873.

CHAPTER CCCXCIII.

An Act for the relief of the Franklin Street Methodist Episcopal Church in Newark, and to enable their Trustees to sell lands.

Preamble.

WHEREAS, In the year one thousand eight hundred and forty, a deed was made by Sarah Lyon, of the city of Newark, to William Sandford, and six other persons, as trustees of the Methodist Episcopal Church in Franklin street (and therein describing them as such), and to their successors and assigns, of a lot of land in Newark, which has been used and occupied by the said church as a burial ground, and burial lots and privileges have been sold in the same to various persons, but the same is now unused by the owners of the said lots and privileges, and is liable to be neglected, and at the present time is a source of annoyance to the neighborhood; *and whereas*, it has recently been discovered that the aforesaid deed should have been made to the Trustees of the Franklin Street Methodist Episcopal Church, by their corporate name, and a majority of the said persons named as trustees in said deed having conveyed all their title and interest to the said corporation, but all of the others of the said persons named in

said deed having died, or removed from the state, no relief can be obtained through them; for a remedy therefor in the premises,

Title vested in trustees.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the title to the said lot of land is hereby to be vested and confirmed in the said the Trustees of the Franklin Street Methodist Episcopal Church in Newark, as a religious corporation, according to the true intent of the said grantor, and of the conveyance made of the said lot of land as hereinbefore mentioned.

Trusteesmay purchase other lands, &c.

2. *And be it enacted*, That it shall and may be lawful for the said the Trustees of the Franklin Street Methodist Episcopal Church to purchase other lands, in some suitable location, for burial purposes, or sufficient burial lots in some cemetery already laid out and established, in the vicinity of the city of Newark, and at their own proper costs and charges remove and re-inter the remains of the bodies now interred and buried in the above mentioned land, heretofore used as a burying ground as aforesaid, and also to remove all tombstones and monuments erected over the graves of remains in said burying ground, and set the same up in a substantial and proper manner over the graves of the bodies so removed and re-interred.

Trusteesmay sell and convey lands.

3. *And be it enacted*, That upon the removal of the bodies, tombstones and monuments from the said land by the said trustees, as above provided, it shall be lawful for the said the Trustees of the Franklin Street Methodist Episcopal Church in Newark, and they are hereby authorized and empowered to sell and convey the whole or any part of the said tract of land and premises, in fee simple or otherwise, as may to them seem proper, desirable, free and clear, and absolutely discharged of and from all trusts whatsoever, and to execute and deliver to the said purchaser or purchasers thereof good and sufficient deed or deeds therefor, to be executed and proved in the manner that deeds of corporations are now made and proved by law, which deeds shall convey to and vest in the purchaser or purchasers a good and valid title to and for the said land so conveyed.

Money to be refunded.

4. *And be it enacted*, That the said the Trustees of the Franklin Street Methodist Episcopal Church in Newark shall pay and refund to such person or persons as may have purchased lots in the said tract of land heretofore used as a burial ground, and that have or shall remove the bodies

buried therein at their own individual costs and charges, or that may have purchased lots, and not used the same for burial purposes, the amount of the purchase money paid for said lots, without interest; *provided*, the same be demanded within five years from the passage of this act; and the remainder of the purchase money received for the land so sold shall and may be applied to and for such purpose as the said the Trustees of the Franklin Street Methodist Episcopal Church in Newark may direct. Proviso.

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

Approved March 28, 1873.

CHAPTER CCCXCIV.

An Act to incorporate the Union Cemetery Company of Plainfield.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Joseph W. Yates, John H. Evans, William White, Alexander Gilbert, Joseph B. Coward, Job Male, Charles A. Hunter, Charles Hyde, William B. Stewart, William Swalm, Charles H. Stillman, Phineas M. French, Isaac W. Pangborn, Enos W. Runyon, Reuben M. Van Sickler, Henry P. Bronk, Alfred Berry, Nathan Harper, Isaac W. Rushmore, and their associates, be and they are hereby made a body politic and corporate in law by the name of "The Union Cemetery Company of Plainfield," with the general powers and privileges of a corporation. Names of corporators. Corporate name.

2. *And be it enacted*, That the said corporation shall be composed of such persons, who are or shall be owners of stock in the company; and the said corporation, shall have power to purchase and hold in fee a tract of land, not exceeding eighty acres, not more than four miles from the city of Plainfield, in the county of Union, which said land may be located in either of the counties of Union, Middlesex or Somerset, for the purposes of a cemetery, and to lay May have and hold tract of land for cemetery purposes.

New Jersey State Library

out and divide such tract as may be purchased, into sub-lots, and to sell and dispose thereof for the purposes of burial only, subject to such conditions, regulations and restrictions as may be made and established by such corporation, and shall have power to erect on said land such buildings and accommodations as the managers may deem suitable and necessary for the uses and purposes of the cemetery, and make good and sufficient deed or deeds of conveyance to purchasers of sub-lots or plots, under their corporate seal, signed by the president and secretary, with the privilege of the several avenues, walks, passages and other accommodations therein and thereunto belonging; and transfer of such sub-lots or rights thereunto may be made by the owner or owners thereof by simple assignment annexed to said deed, but shall not be valid until the assignment is recorded on the books of said corporation.

Election of directors.

3. *And be it enacted*, That the affairs of said corporation shall be managed by a board of not less than nine nor more than fifteen managers; the first board shall be composed of the persons above named as corporators, whose term of office shall continue until the first Monday in March, in the year one thousand eight hundred and seventy-four, on which day and annually thereafter, on such day, at such place, and subject to such regulations as the said corporators shall prescribe; an election for managers shall be held, who shall hold their offices for one year, and until others are chosen in their stead.

Exemption from tax.

4. *And be it enacted*, That the burial lots of the persons holding the same, shall be exempt from all taxation, and shall not be liable to be seized or sold on executions, or be subjected to the payment of any debt due from individual proprietors, but such proprietors, their heirs, devisees or assigns, may hold the same exempt therefrom, so long as the said lots shall remain dedicated to the purpose of a cemetery.

Religious societies, &c., may hold burial lots, &c.

5. *And be it enacted*, That any association of persons, for benevolent purposes, and also any religious society, may purchase and hold lots in said cemetery, in which they may bury, agreeably to any peculiar rites or ceremonies of their own, subject however, to the rules and regulations of said cemetery; but no lot or plot of ground, laid out on the map of said corporation, and numbered as separate lots, shall

ever be subject to division, although the same may be held in individual shares.

Maysell such lands as are not necessary.

6. *And be it enacted*, That if any part of said lands conveyed to said corporation for the purposes aforesaid, shall be unsuited or unnecessary for the purpose of a cemetery, then it shall be lawful for said corporation to sell and dispose of such parts thereof as are unsuited or unncessary therefor.

Capital stock

7. *And be it enacted*, That the sum which the said corporation may agree to pay for the tract or tracts of land hereinbefore mentioned, and the sums which shall be expended in embellishing, improving, erecting buildings, fences, and other necessary accommodations shall be the capital stock of said association, and it shall be divided into shares of fifty dollars each; and not less than twenty per centum of the net proceeds of all sales of lots, parcels and plots, shall be appropriated or funded, and the income thereof shall be expended for the further embellishing and maintaining the improvements of said cemetery grounds, and the balance received shall belong to and be divided among the stockholders according to their several interests therein.

Subscriptions to stock

8. *And be it enacted*, That it shall be lawful for the directors or a majority of them, to call in the subscriptions to the capital stock at such times, and in such sums, and upon such notice as they may deem reasonable, and a failure to comply with such notice on the part of any stockholder, shall at the option of the directors or a majority of them, be cause of forfeiture of moneys paid thereon, and rights by virtue of his subscription to such stock.

Public street or road not to be laid out without consent.

9. *And be it enacted*, That no public street or road shall hereafter be opened or laid through the said cemetery grounds without the consent of said corporation.

Restrictions and limitations.

10. *And be it enacted*, That the said corporation shall have the powers, privileges and immunities, and be subject to the limitations contained in the seventh, eighth, ninth and tenth sections of the act entitled "An act authorizing the incorporation of rural cemetery associations."

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

Approved March 28, 1873.

CHAPTER CCCXCV.

An Act to Incorporate the Lambertville Building and Loan Savings Bank.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That William V. Cooley, Richard McDowell, Charles A. Skillman, Augustus C. Barber, John Groman, Nelson V. Young, John C. Reeve, 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 law and fact, by the name of "The Lambertville Building and Loan Savings Bank," to be located in the city of Lambertville, county of Hunterdon, in said state, and by that name, style and title shall have continued succession, and shall be capable of purchasing, leasing, mortgaging and conveying any lands, tenements, goods and chattels, and to let money at interest, and to secure the payment thereof as hereinafter provided, and to do all things necessary to carry out the objects of said corporation hereby created.

Corporate name.

Capital stock

2. *And be it enacted*, That the capital stock of said association shall be one hundred thousand dollars, with the privilege of increasing the same from time to time, to any sum not exceeding two hundred thousand dollars, divided into shares of fifty dollars each, each stockholder being entitled, in person or by proxy, to as many votes as he or she holds shares of said stock, which shall be deemed personal property, and transferable on the books of the association only; that two dollars on each share of stock shall be paid into the association each and every month, until the full amount of stock subscribed shall be fully paid up, at such time and place as the directors shall appoint, and that notice of said time and place of meeting shall be published in one newspaper published in the county of Hunterdon, at least one week previous to the time of said meeting; *provided*, that any stockholder may fully pay up his or her full amount of stock subscribed for at any time that the directors

Proviso.

may agree to receive the same; and each stockholder shall be personally liable to double the amount of their stock.

Election of directors.

3. *And be it enacted*, That the property and business of said association shall be managed and directed by a board of directors, who shall be stockholders in said association, and shall be chosen annually, at such time and place in the county of Hunterdon, in such manner and upon such notice as the by-laws of said association shall direct, who shall serve for one year, and until others are elected; that William V. Cooley, Richard McDowell, Charles A. Skillman, Augustus C. Barber, John Groman, Nelson V. Young, and John C. Reeve, shall appoint three judges or tellers to receive the votes for the first directors of this association under this charter; that the board of directors shall not be less than three nor more than nine directors; that the directors of said association shall choose one of their number president, and may appoint such other officers and agents as they shall deem expedient, fill vacancies in their own board until the next annual election, make by-laws, collect installments on stock, let money on interest to members and other persons of said association offering the highest premium, and declare dividends to stockholders entitled to receive them.

Names of persons to appoint tellers at first election.

Initiation fee.

4. *And be it enacted*, That each member of said association shall pay the sum of one dollar initiation fee upon each share of stock taken in said association; that if any member owning stock in said association shall neglect or refuse to pay his or her installments, at the time and place appointed by the directors for the payment thereof, said members so neglecting shall pay a fine to said association of twenty-five cents on each share owned in said association by said delinquent, and in case any member of said association shall neglect or refuse to pay any installment for the space of six months after the same shall have become due, such delinquent shall forfeit to said association all profits on his or her stock during the time such member shall so neglect to make such payment; that any person may become a member of said association, for the purpose of obtaining a loan, by paying to said association the sum of one dollar initiation fee for every loan of one hundred dollars obtained from said association; that no person shall be entitled to vote in said association, or to any profits or dividends, except upon stock owned by him or her upon which there has been no loan obtained from the association.

Books of account shall be kept.

5. *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 transactions of said association; and also books for the transfer of stock of the association, which shall at all times, at reasonable hours, be open for the inspection of stockholders of said association; that the directors shall make an annual report to the stockholders of the affairs of the association, of the amount of stock actually paid in, and assets and debts of the association, and no dividends shall be declared, except from the actual profits of the association.

May accept and execute trusts.

6. *And be it enacted*, That the said institution may or may not, as the majority of the directors may decide, receive as deposits all such 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, which shall be invested accordingly, and shall be repaid to the depositors at such times, and with such interest, and under such regulations as the board of managers shall from time to time prescribe; and the said institution may accept and execute all such trusts, of every description, as may be committed to them by any person or persons whatever, by will or otherwise, or transferred to them by the order of any court.

Not required to allow interest on deposits under certain amounts.

7. *And be it enacted*, That the institution shall not be required to allow interest on deposits until it amounts to five dollars, nor to allow interest on the fractional part of one dollar, nor shall the institution be required to allow interest on the fractional parts of a month.

Depositor to be furnished with duplicate of his account.

8. *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 shall be regularly entered, as soon as made.

May invest in stocks, &c.

9. *And be it enacted*, That the said institution may invest money in the stocks created under the laws of the United States, and on the stocks and bonds issued by the several states, and also in such bonds as may be issued by the several counties and cities and townships in the different states, under the laws thereof, and also upon bonds and mortgages.

Act to be favorably construed.

10. *And be it enacted*, That this act shall be and is hereby declared to be a public act, and the same shall be construed in all courts favorably and benignly for every beneficial purpose therein intended.

11. *And be it enacted*, That the said association may be dissolved at any time, at a general meeting of the stockholders specially called for that purpose; *provided*, that the stockholders of said corporation, representing at least two-thirds in value of the capital stock, concur therein; and upon such dissolution, the directors for the time being, and the survivors of them, or such other persons as the stockholders shall appoint, shall be trustees for settling all the affairs of the association, collecting and disposing of its property and assets, paying its debts, and dividing the surplus among the stockholders, in proportion to their respective interest in the stock. How dissolved. Proviso.

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

Approved March 28, 1873.

CHAPTER CCCXCVI.

Supplement to the Act Incorporating the Woodstown and Mantua Railroad Company.

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 be and the same is hereby extended for the term of five years. Term extended.

2. *And be it enacted*, That it may be lawful to organize whenever the sum of sixty thousand dollars shall be subscribed to the capital stock of said company. When company may organize.

3. *And be it enacted*, That in locating said road, commencing at or near Woodstown, and running to Mullica Hill, it may be lawful to connect with the West Jersey Railroad, at any point between Glassboro and Woodbury. May connect with West Jersey Railroad.

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

Approved March 28, 1873.

CHAPTER CCCXCVII.

An Act to incorporate the Mountain Dale Land and Water Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That David W. Lewis, Leander Darling, Benjamin Ford, Benjamin Dominick, Frederick A. Trafton, and all such persons as may be hereafter associated with them, their successors and assigns, shall be and they are hereby constituted a body corporate and politic, in fact and in name, by the name of "The Mountain Dale Land and Water Company," and by that name shall be capable in law of purchasing, using, holding, letting, improving, manufacturing, selling and disposing of such real and personal estate, in the county of Union, as may be necessary or expedient to the objects of this incorporation, and may receive and make all deeds, transfers, covenants, conveyances, grants, contracts, agreements and bargains whatsoever, necessary or useful for the purposes aforesaid.

Corporate name and powers.

Election of directors.

2. *And be it enacted*, That the stock, property and concerns of the said corporation shall be managed and conducted by not less than three nor more than seven directors, a majority of whom shall be residents of this state, all of whom shall be stockholders, and one of whom shall be president, who shall hold their offices respectively for one year and until others are elected; and that the said directors shall be chosen on the first Monday in January in each year, and at such time and place as shall be provided for by the by-laws of said corporation, by such of the stockholders as shall attend for that purpose, either in person or by proxy, and notice of the time and place of such election shall be published not less than two weeks previous thereto in a newspaper published in the county of Union; and each stockholder shall be entitled to one vote for each share he or she may hold in said corporation; and the persons having the greatest number of votes shall be directors, and the said directors may appoint such agents, officers and superin-

tendents, and make such compensation and assign such duties to said agents, officers and superintendents as they shall think fit, and if at any time it shall happen that any vacancy or vacancies occur, from any cause whatever, among the directors of said company, 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.

Vacancies, how filled.

3. *And be it enacted*, That the capital stock of said corporation shall be one hundred thousand dollars, with the privilege of increasing it to five hundred thousand dollars, which shall be divided into shares of one hundred dollars each, and as soon as one thousand shares of the capital stock shall have been subscribed and the sum of ten dollars on each share so subscribed paid, or secured to be paid, it shall and may be lawful for said corporation to proceed to carry into effect the objects of said corporation; and it shall be lawful for the directors of said corporation to call and demand from the stockholders thereof respectively, such installments and at such times, and in such proportions as they shall deem proper, not exceeding twenty dollars on each share at any one time, notice of which shall be published for at least thirty days in a newspaper in the county of Union, or shall be given in writing to the stockholders for the like space of time before such installments are required to be paid; and in case of failure of any stockholder to pay his or her installments 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 all previous payments thereon, for the use of the company; and it shall be lawful for the said company to issue certificates of stock in whole or in part payment for any real estate purchased by said company.

Capital stock

Stock may be forfeited for non-payment.

4. *And be it enacted*, That the said company are hereby authorized to let, rent, lease, mortgage, sell and convey all such lands and real estate as they may have and hold from time to time, in whole or in parcels, and to improve the same by erecting or causing to be erected thereon buildings of every name, kind and description, and for all proper and legitimate uses and purposes, or by laying off said lands and real estate into lots, and to use the same for agricultural purposes, or in any other lawful way that the said corporation may deem necessary and advisable, and to purchase,

Object.

make up, manufacture, sell and dispose of all materials pertaining to the erection of such buildings.

May make by-laws, &c.

5. *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 the said corporation, and shall have power to make such by-laws, ordinances and regulations as shall seem necessary and convenient for the management or disposition of the stock, effects and concerns of the said corporation; Proviso. *provided*, that the same are not contrary to the laws or constitution of the United States or of this state.

Not to be dissolved by reason of failure to elect.

6. *And be it enacted*, That in case it shall at any time happen that an election of directors shall not be made on 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 it shall and may be lawful to hold such election on such other day as the directors of the said corporation shall direct.

How dissolved.

7. *And be it enacted*, That the said company may be dissolved by a general meeting of the stockholders specially called for that purpose; Proviso. *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 survivor or survivors of them, or such persons as the said stockholders shall appoint, shall be trustees for the 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.

Restrictions and liabilities.

8. *And be it enacted*, That this act shall take effect immediately, and that it shall possess the general powers and be subject to the restrictions and liabilities set forth in an act entitled "An Act concerning corporations," approved one thousand eight hundred and forty-six, and the several supplements thereto, so far as the same are applicable.

9. *And be it enacted*, That the legislature shall have power to repeal, alter and amend the said act whenever they shall deem it necessary so to do.

Approved March 28, 1873.

CHAPTER CCCXCVIII.

A Supplement to an act entitled "An Act to incorporate the Dime Saving Bank of the Village of Woodbridge."

May make contract or agreement with borrower for payment of taxes.

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 institution and the borrowers and lenders of any money secured by bond and mortgage on real estate, to enter into any agreement whereby the borrower shall pay any part or all of the national, state, county and township tax, which may be assessed upon money so lent, or to be loaned, and the securities for the repayment thereof; and all such contracts and agreements are hereby declared to be valid and effectual in law, and no such mortgage or other security shall be held or deemed in any court of this state to be usurious or invalidated by reason of this contract or agreement, any thing in the existing laws of this state to the contrary notwithstanding.

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

Approved March 28, 1873.

CHAPTER CCCXCIX.

A Further Supplement to the act entitled "An Act to incorporate the Schooley's Mountain Turnpike Company," approved March twenty-second, anno domini one thousand eight hundred and sixty-five.

May increase capital stock.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That said company may increase their capital stock to the amount of ten thousand dollars.

Time for commencement and completion of road.

2. *And be it enacted*, That the first section of the supplement to said act, approved February eighteenth, anno domini one thousand eight hundred and sixty-eight, be so amended as to read "that if said road is not commenced within seven years and completed within ten years from the first day of April, anno domini one thousand eight hundred and sixty-eight, then and in that case this act shall be void."

Grade of road.

3. *And be it enacted*, That the twelfth section of the act to which this is a further supplement, be so amended in the sixth, seventh and eighth lines, as to read, "and shall be so graded that in its progress no part of said road shall rise above an angle of ten degrees with the plane of the horizon."

Repealer.

4. *And be it enacted*, That all parts of the original act to which this is a further supplement, and of said supplement thereto, inconsistent with the provisions of this act be and the same are hereby repealed, and further, that this act shall take effect immediately.

Approved March 28, 1873.

CHAPTER CCCCXV.

A Supplement to the charter of The Easton and Amboy Railroad Company, a corporation formed by the consolidation of the Bound Brook and Easton Railroad Company and the Perth Amboy and Bound Brook Railroad Company under their charters and the supplements thereto.

May purchase and hold real estate.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for said The Easton and Amboy Railroad Company, which has been created as aforesaid, to have and hold such real estate, at any points along the line of said road where the directors may think proper to establish depots or construct side-tracks, and at or near either terminus of said railroad as the said directors may think proper for the purposes above men-

tioned; *provided, however*, that said company shall not have power to acquire any lands in the city of Perth Amboy, situate east of that portion of State street, which is south of the northerly line of Alfred Hall's lands; nor shall they take by condemnation, nor without the consent of the owners any of the lands in said city of the Amboy Iron Company, or any of the lands or appurtenances to the lands of the heirs of Jos. D. Meredith, except any portion thereof located west of High street, as now laid out, extended northerly in a continuous straight line, and east of a line formed by the extension northerly of the westerly line of lands formerly of William A. Whitehead, now belonging to said company; and to erect and build thereon houses, warehouses, machine shops, wharves, piers, slips, and such other buildings and improvements as they may deem expedient for the transhipment, handling and storing of coal and other freight, the convenience of passengers, the construction, manufacture, or maintenance of cars and other articles used in the operation and maintenance of their road; and also to have and hold such wharves, docks, piers, land or lots, steamboats, sailing vessels, and such other facilities in the city of New York, or elsewhere, as may be necessary for their business, and to take and receive all rents, profits and emoluments thereof; *provided*, that before the said company shall have, hold or use, any of the lands of the state lying under tidal waters, the said company shall pay or cause to be paid, to the state of New Jersey, for such land under tidal waters, such sum of money or compensation as shall be fixed and determined by the commissioners appointed under the act entitled "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," approved April eleventh, one thousand eight hundred and sixty-four, and the several supplements thereto.

Proviso.

Proviso.

2. *And be it enacted*, That it shall be lawful for the said company to build connecting lines or branches, from a convenient point on their road, to the village of Clinton; and to build a branch to Flemington, and connect the same with the South Branch Railroad and the Flemington Railroad, or either of them; and a branch to Millstone, and connect the same with the Millstone and New Brunswick Railroad.

May build connecting lines or branches.

3. *And be it enacted*, That if the said railroad company

May change location of turnpike or other road. Proviso.

shall find it necessary to change the location of any portion of any turnpike or other public road, they are hereby authorized and empowered so to do; *provided*, that such privilege shall not apply to any street or highway now graded or paved, in any incorporated city or town of this state, or any road or highway in the township of Raritan, or city of Perth Amboy, except those located upon the property of said company, and to occupy such portions of the turnpike or road as they may deem necessary or expedient, and in such case they shall cause the changed portion of such turnpike or public road to be reconstructed at their own expense, in as perfect a manner as the original road or turnpike, and to pay all damages done to real estate by such removal of roads and turnpikes.

Provisions of charter extended.

4. *And be it enacted*, That all the provisions of the present charter of The Easton and Amboy Railroad Company, except so far as the same may be altered by this act, shall extend and be applicable to the connecting lines and branches by this act authorized, in every respect as if the same had been authorized in the existing charter of said company; and for the construction of the said connecting lines and branches and of the extension from Bound Brook to Perth Amboy the said company is hereby invested with the like rights and powers conferred by the charter of the Bound Brook and Easton Railroad Company for the construction of its road, subject only to the like obligations, liabilities and conditions of that charter.

Proceedings when the companyand owners cannot agree.

5. *And be it enacted*, That in case the said company, or its agents, cannot agree with the owner or owners of any land or real estate which, by its present charter, or this supplement, it is or shall be authorized to hold at its several stations or depots and for side tracks, and at the termini, or of any land necessary to be occupied to change the location of any turnpike or other public road, or of any turnpike, the location whereof is to be changed, for the purchase of any such land or real estate, or in case it shall become desirable and useful in carrying out the provisions of this act, or of the original charter of said company, or of any of the supplements thereto, to take the lands or materials belonging to any other corporation or corporations not absolutely necessary to such corporation or corporations in the exercise of their franchise, all such lands and real estate may be taken and acquired by the said company, and the

damages occasioned thereby ascertained in the manner provided in the existing charter of said company for obtaining the land for the route of said railroad, except so far as the said charter is altered or modified by this act.

Appeal from the report of the commissioners may be had.

6. *And be it enacted*, That said company shall have the right to an appeal from the report of commissioners, and the benefit of a trial by jury, according to the provisions of the ninth section of the act entitled "An Act to incorporate the Bound Brook and Easton Railroad Company," notwithstanding any payment, tender, or payment into court, of the sum awarded by commissioners; *provided*, the company, at the time of such payment, tender, or payment into court, give or file notice that they intend to appeal from said award, and to apply for a trial by jury; and if the jury, in any case, assess a less sum than the award, judgment for the difference, with interest from the time of payment, or payment into court, and costs, shall be entered in favor of the company, and against the owners or persons interested, and the same be satisfied, either out of the fund paid into court, or by execution, as on other judgments.

Proviso.

Cost of making and maintaining fences may be included as damages.

7. *And be it enacted*, That it shall be lawful to include in the estimate of damages to be paid by said company for taking any lands required for the construction of their road, the cost of making and maintaining fences along the lands taken; and if such cost has been estimated in making up any award heretofore made, it is hereby declared to have been lawfully included; and if the said cost has been or shall be paid by said company, the fences along said lands shall be made and maintained by the owner or owners thereof; and upon the owner or owners thereof failing, on reasonable notice, to make or maintain the same, the said company may make or maintain the same, and sue for and recover from the owner or owners, or persons liable to make or maintain, the amount paid for making or maintaining the same.

May establish, construct and operate a line of telegraph.

8. *And be it enacted*, That the said company are hereby authorized and empowered to construct, or purchase and hold, use and maintain and operate a line of electric telegraph, with the appurtenances, over and along the line of their railroad or railroads, and thence to where they can make a connection or connections with any telegraph line now built, or hereafter to be built, and to take and receive compensation for the transmission of messages; and that any

person who shall unlawfully and intentionally injure, molest or destroy any of the wires, posts, conductors, buildings, or other property belonging to said company within this state, shall, on conviction thereof, be deemed guilty of a misdemeanor, and punished by a fine not exceeding five hundred dollars, or imprisonment in the county jail not exceeding one year, or both, at the discretion of the court before which the trial shall be had.

Actions for damages shall be commenced within one year.

9. *And be it enacted*, That all actions in court for damages resulting from the malfeasance, misfeasance, negligence, or omission of the said company, its officers or agents, shall be commenced within one year after the cause of action shall arise or accrue, or the persons sustaining such damages shall be forever barred and deprived from prosecuting or maintaining his, her or their action.

Meetings may be held out of this state.

10. *And be it enacted*, That it shall be lawful for the directors of said company to hold meetings and transact business in either of the cities of New York, Philadelphia or Easton.

Repealer.

11. *And be it enacted*, That this act shall be a public act, and shall take effect immediately; and that all acts and parts of acts, so far as the same conflict with the provisions of this act, be and the same are hereby repealed.

Act, how construed.

12. *And be it enacted*, That nothing in this act shall be construed as giving authority to condemn the lands of any other railroad corporation.

Approved April 2, 1873.

CHAPTER CCCCXVI.

A Supplement to the act entitled an act to incorporate the "Peoples Gas Light Company," of Jersey City, approved April eighth, one thousand eight hundred and sixty-eight.

Amendment

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the fourth section of the act to which this is a supplement shall be so amended as to read: "That the management of the concerns of said company

shall be vested in not more than nine directors instead of five as therein provided.

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

Approved April 2, 1873.

CHAPTER CCCCXVII.

An Act to authorize John Stockham and Charles Stockham to build, maintain, and keep in repair, docks, wharves, and piers, in front of their lands, in the first ward of the city of Camden, in the county of Camden.

Authorized to build and maintain docks, wharves and piers.

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 Stockham and Charles Stockham, their heirs and assigns, to build, maintain and keep in repair docks, wharves, piers, and other appliances in front of their lands in the first ward in the city of Camden, in the county of Camden, and extend the same a sufficient distance into the river Delaware, for the accommodation of vessels navigating the said river, and building a marine railway, and from time to time to rebuild and repair the same; and to lay vessels at said docks, wharves or piers, and to take, receive and collect dockage or wharfage therefor from all persons using the same; *provided*, that nothing in this act shall be construed to confer any right of ferry upon the owner or owners of said docks, wharves or piers, or to authorize the extension of said docks, wharves or piers so far into said river as to injure or impede the navigation of the same, or beyond the lines of bulkhead or solid filling and piers recommended and reported to the legislature by the commissioners appointed under the act entitled, "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, one thousand eight hundred and sixty-four, by report bearing date February first, one thousand eight hundred and sixty-five.

Proviso.

Penalty for injury to property.

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

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

Approved April 2, 1873.

CHAPTER CCCCXVIII.

An Act to incorporate Vincentown Council, Number Twenty-six, of the Order of United American Mechanics, of Vincentown, New Jersey.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That William M. Allen, Geo. F. Brown, Amos Peacock, Caralile Brown, Jacob H. Horner, Alexander Elwell and Absalom E. Cox and their associates, officers, and members of Vincentown Council, Number twenty-six, of the Order of United American Mechanics, 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 "Vincentown Council, Number twenty-six, of the Order of United American Mechanics of the State of New Jersey," and by that name they and their successors may at all times sue and be sued, plead and be impleaded, take, purchase, hold, and receive any lands, tenements, goods, chattels, sum or sums of money by grant, gift, bargain, sale, devise or bequest, and grant, bargain, sell, and mortgage the same for the use of the corporation, and by the name aforesaid may make investments, and enter into, execute, and enforce any contracts or engagements relating to, touching or concerning the objects of said corporation, and may also have a common seal, and use, change, alter, and renew the same at their pleasure; *provided*, that the said corporation shall not at any time hold or possess property, real,

Corporate name and powers.

Proviso.

personal, and mixed, exceeding in value the sum of fifteen thousand dollars.

2. *And be it enacted*, That the objects of this corporation shall be to maintain and promote the interest of the American Mechanics, to assist them in obtaining employment, to encourage them in business, to afford relief to the members thereof and their families in case of sickness, to defray the expense of their funerals, or such other cases of distress as shall be defined by the by-laws. Objects.

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

Approved April 2, 1873.

CHAPTER CCCCXIX.

An Act to incorporate the East Trenton Pottery Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Charles S. Cook, Charles Moyer, Robert S. Manning, Jacob S. Young and Alfred D. Cook, and their associates be and are hereby created a body politic and corporate in fact and in law by the name and style of the East Trenton Pottery Company, for the purpose of manufacturing, selling and dealing in earthenware and crockery of various descriptions and the business incident thereto; and for such purposes the said company shall or may raise by subscription by opening the book therefor or otherwise, a capital stock of fifty thousand dollars, to be divided into shares of five hundred dollars each, with the privilege of increasing the same from time to time with the consent of a majority of the stockholders, to any amount not exceeding two hundred thousand dollars; and it shall be lawful for said company to issue certificates of stock in whole or in part payment for any real or personal property purchased or leased by said company for the purpose of the business aforesaid. Names of corporators. Corporate name. Capital stock

2. *And be it enacted*, That the said company may purchase, use, hold, possess and enjoy such real estate as may be necessary or expedient for the purposes of said corpora- May purchase and hold real estate.

tion, 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 and 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 or laws of the United States or of this state.

Election of directors.

3. *And be it enacted*, That the affairs and business of said corporation shall be managed by not less than three nor more than five directors who shall elect one of their number president; and said directors shall be stockholders in said corporation and shall hold their office one year and until others have been chosen to fill their places, said directors shall be elected at the annual meeting of stockholders to be held on such day, at such hour of the day and at such place as the by-laws of said corporation shall direct, and until such annual election shall take place Charles S. Cook, Charles Moyer and Alfred D. Cook, being stockholders, shall be directors of said corporation; a majority of directors shall on all occasions, when assembled at such time and place as the by-laws shall prescribe, constitute a body competent to transact business, and all business matters before them shall be decided by a majority of votes, and in case a vacancy occurs in the board of directors by death, resignation or a 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 stockholders.

Names of first directors.

Not to be dissolved by failure to hold election.

4. *And be it enacted*, That in case it shall happen that an election shall not be made upon the day designated for that purpose the said corporation shall not be deemed 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.

Annual statement shall be made.

5. *And be it enacted*, That the said directors shall submit to the stockholders at their annual meeting a written statement of the affairs of the said corporation setting forth the amount of capital stock paid in, the amount of money due to and from the said corporation, and the amount of all assets and property belonging to said corporation as nearly as the same can be ascertained.

Location of principal office.

6. *And be it enacted*, That the principal office of the said company shall be at East Trenton in the township of Law-

rence, county of Mercer, or in the city of Trenton, and that regular books of account shall be kept in the said office to which books any stockholder may have free access at all reasonable times for the purposes of inspection, and that books of transfer of stock shall also be kept, and shall be evidence of the ownership of said stock in all elections and other matters submitted to the decision of the stockholders of said corporation.

How dissolved.

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

Proviso.

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 set forth in an act entitled "An act concerning corporations," approved on the fourteenth day of February, one thousand eight hundred and fifty-six, so far as the same may be applicable.

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

Approved April 2, 1873.

CHAPTER CCCCXX.

An Act to incorporate the Washington Land Improvement and Building Company, of Warren county.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That William Sweeney, Jacob V. Carter, Joseph C. Stewart, William S. Doolittle, James Donnelly, and all such persons as may hereafter be associated with them, their successors and assigns, shall be and

Corporate name.

they are hereby constituted a body corporate and politic, in fact and in name, by the name of "The Washington Land Improvement and Building Company, of Warren county," and by that name shall be capable in law of purchasing, using, holding, letting, improving, manufacturing, selling and disposing of such real and personal estate, in the county of Warren, as may be necessary or expedient to the objects of this corporation, and may receive and make all deeds, transfers, covenants, conveyances, grants, contracts, agreements, and bargains whatsoever, necessary or useful for the purposes aforesaid.

Election of directors.

2. *And be it enacted*, That the stock, property, and concerns of the said corporation shall be managed and conducted by five directors, a majority of whom shall be residents of this state, all of whom shall be stockholders, and one of whom shall be president, who shall hold their offices respectively for one year and until others are elected; and that the said directors shall be chosen on the first Monday in May in every year, at such time and place as shall be provided for by the by-laws of said corporation, by such of the stockholders as shall attend for that purpose, either in person or by proxy, and notice of the time and place of such election shall be published not less than two weeks previous thereto, in a newspaper published in the county of Warren, and each stockholder shall be entitled to one vote for each share which he or she may hold in said corporation, and the persons having the greatest number of votes shall be directors; and the said directors may appoint such agents, officers and superintendents, and make such compensations, and assign such duties to said agents, officers and superintendents as they shall think fit; and if at any time it shall happen that any vacancy or vacancies occur, from any cause whatever, among the directors of said company, such vacancy or vacancies shall be filled by such person or persons as the remainder of the directors for the time, or a majority of them shall appoint; and, until other directors are chosen from the stockholders; the first directors shall be William Sweeney, Jacob V. Carter, Joseph C. Stewart, William S. Doolittle and James Donnelly, who shall hold their office until the first Monday in May next, or until others are legally chosen.

Names of first directors.

Capital sto

3. *And be it enacted*, That the capital stock of said corporation shall be one hundred thousand dollars, with the priv-

ilege of increasing it to three hundred thousand dollars, which shall be divided into shares of one hundred dollars each; and as soon as two hundred shares of the capital stock shall have been subscribed, and the sum of twenty dollars on each share so subscribed paid, or secured to be paid, it shall and may be lawful for said corporation to proceed to carry into effect the objects of said corporation; and it shall be lawful for the directors of said corporation to call and demand from the stockholders thereof, respectively, such installments, and at such times and in such proportions as they shall deem proper, not exceeding ten dollars on each share, at any one time, notice of which shall be published for at least thirty days, in a newspaper published in the county of Warren, or shall be given in writing to the stockholders for the like space of time before such installments are required to be paid; and in case of the failure of any stockholder to pay his or her installments 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 shares, and all previous payments thereon, for the use of the company; and the books of subscription for the stock of said corporation shall be opened at such time and place, and remain open such time, in the county of Warren, as the directors shall appoint, notice being given previous thereto for two weeks, in a newspaper published in said county; and the shares of the said capital stock shall be deemed personal property, and be transferable in such manner as the corporation, by their by-laws, shall direct.

Stock may be forfeited for non-payment.

4. *And be it enacted*, That the said company is hereby authorized to let, rent, lease, mortgage, sell and convey all such lands and real estate as they may have and hold from time to time, in whole or parcels, and to improve the same by grading, paving, curbing, guttering or flagging, or by constructing sewers or drains, subject to the regulations of any borough or township in which such improvements may be proposed; or by erecting, or causing to be erected thereon, buildings of any name, kind and description, and for all proper and legitimate uses and purposes, or by laying off said lands and real estate into lots, and to use the same for agricultural purposes, or any other way that the said corporation may deem necessary and advisable; and to purchase, make up and manufacture, sell and dispose of, all material pertaining to the erection of such buildings; and the said

Object, purpose and powers of the company.

company are authorized to issue their bonds, bearing interest not exceeding seven per centum per annum, and to sell and dispose of the same at market value, to secure the payment of such bonds; the said company shall have power to convey or pledge, by way of mortgage, trust or otherwise, such portion of the property of said company as the directors may deem necessary for the purpose; *provided*, that the amount of bonds issued shall not exceed two-thirds of the value of the real estate held by said company.

Proviso.

May make by-laws, rules, &c.

5. *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 the said corporation, and shall have power to make such by-laws, ordinances and regulations as shall seem necessary and convenient for the management or disposition of the stock, effects and concerns of the said corporation; *provided*, that the same are not contrary to the laws or constitution of the United States, or of this state.

Proviso.

Not to be dissolved by reason of failure to hold election.

6. *And be it enacted*, That in case it shall at any time happen that an election of directors shall not be made on 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 it shall and may be lawful to hold such election on such other day as the directors of said corporation shall direct.

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

Approved April 2, 1873.

CHAPTER CCCCXXI.

An Act to incorporate the Eagleswood Cranberry Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Joseph H. Thompson, Joseph R. Lippincott, Quinton Gibbon, William G. Woodnutt, Thomas Woodnutt, Thomas Hill, Frederick H. Knapp and Emmor Reeve, 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 "Eagleswood Cranberry Company."

Corporate name.

2. *And be it enacted*, That the amount of the capital stock of said company shall be fifty thousand dollars, with the privilege of increasing the same to one hundred thousand dollars, to be divided into shares of fifty dollars each, to be deemed personal property, and to be transferable only on the books of this corporation. 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, 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 three weeks' notice in some public newspaper printed and circulated in this state, of the installments to be paid in, and the time and place of payment, and by mailing a copy of said newspaper containing such notice, postage prepaid, with such notice plainly marked, directed to each stockholder, at his place of residence, as entered in the books of said company, at least ten days before the time of payment, and upon failure on the part of any stockholder to pay such installment, the directors shall have power to sell the said stock upon like notice as aforesaid, and after deducting from the proceeds of such sale the amount of such unpaid installment, and all expenses and charges due upon said stock, shall pay the surplus, if any there be, to the delinquent holder of said stock. Commissioners shall receive subscriptions to capital stock

4. *And be it enacted* That whenever ten thousand dollars of the aforesaid capital stock 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, 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 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 Election of directors.

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.

Treasurer shall give bond.

5. *And be it enacted*, That the treasurer of said company shall give bond, with sufficient security, to be approved by the said directors, in the sum of ten thousand dollars.

Object and powers of the company.

6. *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 cranberry vines, 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 doing no unnecessary damage to the same, for the benefit of their said lands.

May borrow money.

7. *And be it enacted*, That it shall be lawful for the directors of said company, from time to time, to borrow such sums 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.

Penalty for injury done to works.

8. *And be it enacted*, That if any person shall willfully impair, injure, destroy or obstruct any of the necessary works, or any drains or watercourses of the said company, such person or persons so offending, shall forfeit and pay to the said company the sum of twenty-five dollars, to be by them recovered in any court having competent jurisdiction, in an action of debt, and shall be further liable for all damages.

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

Approved April 2, 1873.

CHAPTER CCCCXXIII.

An Act to incorporate "The Female Charitable Society of Morristown."

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Mrs. George T. Cobb, Mrs. Jacob W. Miller, Mrs. Matthew Mitchell, Mrs. Richard W. Stevenson, Mrs. William N. Wood, Mrs. Lebbeus B. Ward, Mrs. David Gillespie, Mrs. Alfred Vail, Mrs. Alfred Erdman, Mrs. Eugene Ayers, Mrs. Samuel F. Headley, Mrs. Abel Minard and Mrs. Alanson A. Vance, and such other persons as now are or hereafter may be associated with them, and their successors, shall be and are hereby constituted a body corporate and politic, in fact and in law, by the name of "The Female Charitable Society of Morristown," and by that name shall have perpetual succession and have a common seal. Names of corporators. Corporate name.

2. *And be it enacted*, That the object of this association shall be the relief of the deserving poor of Morristown, the furnishing of them with employment, the maintenance and clothing of their children, and such other benevolent and charitable purposes as appertain to said association. Object.

3. *And be it enacted*, That said corporation shall have power to appoint such officers and managers as they shall deem necessary for conducting the business of the association, and shall from time to time make, ordain and establish such by-laws and regulations as they shall judge proper for the election of their officers, prescribing their respective duties, for regulating the times and places of meeting, and for the transacting, managing and directing the affairs of the corporation; *provided*, that such by-laws and regulations shall not be repugnant to the constitution or laws of this state, or of the United States. May make by-laws, rules and regulations. Proviso.

4. *And be it enacted*, That the said corporation may hold real and personal estate, either by purchase, devise or bequest. May hold real and personal estate.

5. *And be it enacted*, That the said corporation shall pos-

Restrictions and liabilities.

sess all the powers and privileges, and be subject to all the restrictions and liabilities contained in the act entitled "An act concerning corporations," approved February fourteenth, one thousand eight hundred and forty-six, and the several supplements thereto.

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

Approved April 2, 1873.

CHAPTER CCCCXXIV.

A Supplement to an act entitled "An Act to incorporate The Cape May Oil and Marine Phosphate Company," approved April fourth, one thousand eight hundred and seventy-one.

Repealer.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That so much of section sixth of said act as requires the principal office of said company to be held in the town of Dennisville, in the county of Cape May, be and the same is hereby repealed.

Location of principal office.

2. *And be it enacted*, That the principal office of said company, may by a vote of the majority of stockholders thereof, be held at any point or place in the counties of Cape May, Atlantic, Cumberland, Gloucester, Salem, Camden, Ocean or Monmouth, that they may by such vote direct, said vote to be taken under the rules and regulations now governing the company.

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

Approved April 2, 1873.

CHAPTER CCCCXXV.

An Act to incorporate the New Jersey Navigation Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That John B. Wood, Daniel J. Morrell, Randolph Wood, Alden C. Scovel, William J. Sewell, Lloyd D. Pierce, their associates and successors be and they are hereby declared to be a body politic and corporate in law, by the name of The New Jersey Navigation Company, and as such shall have perpetual succession and all the privileges and franchises belonging or incident to a corporation. Names of corporators. Corporate name.

2. *And be it enacted*, That the capital stock of said company shall be one hundred thousand dollars divided into shares of one hundred dollars each, which shall be subscribed to and paid in as the directors shall direct, and in case of failure of any stockholder to pay their installments within thirty days of the time appointed for the payment thereof, such stockholders shall incur a forfeiture of their share or shares to the company. Capital stock

3. *And be it enacted*, That the affairs of the company shall be managed by a president and not less than six nor more than twelve directors, to be chosen by the stockholders of said company at their annual meeting, to be held at the city of Trenton at such time and in such manner as the by-laws of the company may direct, said directors shall serve for one year or until others are chosen in their stead, said directors shall have power to make a common seal for said corporation, to appoint all such officers, agents, clerks, servants and employees of said company, to issue promissory notes, bills of exchange, to borrow such sum or sums of money as they may deem advisable from time to time, and to issue bonds, and to secure the same by mortgage or mortgages on the real or personal property of said company, and generally to direct, conduct and manage the affairs of said corporation as they deem best; *provided*, they are consistent with Election of directors. General powers. Proviso.

this act; the meetings of said directors may be held in this or any other state as said directors may order.

Who may vote.

4. *And be it enacted*, That at all elections of stockholders for officers of this company, and at all meetings of stockholders, and upon all questions submitted to them, each stockholder shall cast one vote for each and every share of stock standing upon the books of said company in his or her name, which vote may be cast either by said stockholder in person or by proxy.

First directors.

5. *And be it enacted*, That the first directors shall be John B. Wood, Daniel J. Morrell, Randolph Wood, Alden C. Scovel, William J. Sewell, Lloyd D. Pierce, and that they shall select a president of their number; that the principal office of said corporation shall be in the city of Philadelphia or in the city of New York, but said company may have offices and own real estate in any city of South America, China or Japan; and said company shall be and they are hereby authorized to build, equip, furnish, charter, own and sell vessels, or any share or shares of them, interest or interests herein, legal or equitable, whether they be propelled by steam, or in any other way, and for such purpose all necessary and incidental power is hereby granted to said corporation, as well as for carrying freight and passengers, and for transporting mails, for providing coals, materials, supplies, and for other business of the company.

May build and equip vessels, &c.

Capital stock may be increased.

6. *And be it enacted*, That the capital stock of said corporation may be increased from time to time, by a vote of the stockholders, to any amount not exceeding five millions of dollars, to be subscribed for and paid in, in the same manner as the original stock.

May receive subsidies from United States government.

7. *And be it enacted*, That it shall be lawful for this company to receive subsidies or assistance from the government of the United States, or from any foreign government, but it shall not receive any thing from this state except that said corporation shall be assessed and taxed upon the actual value of all their real and personal property only, and not upon the amount of capital stock paid in nor any bonds they may issue, and said corporation shall be entitled to all reductions for and in respect to debts owing them, in the same way and to the same extent as natural persons now are or hereafter may be under the laws of this state; *provided*, that the said company shall not be assessed and taxed in this state for or by reason of or of any interest in any

Proviso.

real or personal estate situate in any other state or place; *provided*, any increase of capital which may be made from time to time, and any money or moneys which they may receive from the sale of bonds shall be used for the building and equipping iron steamers of not less than five hundred tons measurement; *and also provided*, that said steamers are built in the state of New Jersey, by residents or a corporation or corporations chartered by this state. Proviso. Proviso.

8. *And be it enacted*, That the directors of this company shall divide the net profits of this company either by cash or stock dividends, and that this corporation shall possess the general powers set forth in the acts concerning corporations, except where they are inconsistent with this act. Dividends.

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

Approved April 2, 1873.

CHAPTER CCCCXXVI.

A Supplement to an act entitled "An Act to Incorporate the Palisade Land Company," approved March fourteenth, one thousand eight hundred and seventy-one.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the Palisade Land Company to sell its bonds, authorized by the act to which this is a supplement, at such rate as to the directors may seem expedient, and that the validity of said bonds, and of any sales thereof, shall not be affected by said sales having been made at a less rate or sum than the par value thereof. Authorized to sell bonds.

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

Approved April 2, 1873.

CHAPTER CCCCXXVII.

An Act to create "The Lafayette Masonic Hall Association," of Hudson County.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Isaac Van Saun, George R. Hillyer, James R. Hillyer, David Williams, George Burrill, Alexander Campbell, Jacob Hill, W. W. Edwards, J. E. Smith, J. W. Rapp, Cornelius Vreeland, H. Steffens, P. E. Stohrs, F. Storm, R. M. Gad, F. Clark and John E. Halladay, and their associates and their successors, be and they hereby are created a body corporate by the name of "The Lafayette Masonic Hall Association," for the purpose of building and maintaining a Masonic hall in the county of Hudson, to be known as "The Lafayette Masonic Hall," and that the aforesaid incorporators shall be the original trustees, with power to raise funds for the purchase of lands for the erection of said hall and building, either by stock, subscription or otherwise, not in contravention of the laws of this state; and that the capital of said corporation so as aforesaid shall be thirty thousand dollars, to be raised and created as the trustees by their by-laws, shall designate.

Corporate name and object.

Meetings of trustees.

2. *And be it enacted*, That the said trustees shall hold their meetings in the county of Hudson; and as soon as said hall shall be erected, at said hall.

Number of trustees may be increased.

3. *And be it enacted*, That they shall be empowered by their by-laws to increase the number of trustees, by adding thereto, and decrease the same for any failure on their part to comply with the commands and directions of said by-laws.

Limitation.

4. *And be it enacted*, That said incorporation shall be for thirty years, and that this act shall take effect immediately.

Approved April 2, 1873.

CHAPTER CCCCXXVIII.

An Act to incorporate "The Hudson County Iron Company."

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That George Richards, John McGregor, Richard George, David Anderson, Augustus C. Canfield, Edmund W. McClave and Herman Schalk, and their successors and assigns, be and they are hereby created a body politic and corporate by the name of "The Hudson County Iron Company," for the purpose of mining, melting, manufacturing, buying, selling ores, iron, steel, minerals, earth and metallic substances of every description, in the most advantageous manner, in the counties of Morris, Hudson, Sussex and Passaic, 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, Hudson, Sussex and Passaic, and goods and chattels 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 by that name they and their successors shall have all the powers conferred by an act entitled "An act concerning corporations," approved February fourteenth, one thousand eight hundred and forty-six, and the several supplements thereto. Names of corporators. Corporate name and object.

2. *And be it enacted*, That the capital stock of said company shall be two hundred and fifty thousand dollars, divided into shares of one hundred dollars each, which shall be deemed personal property, and it shall be lawful for said company to issue certificates in whole or in part payment for any real or personal estate purchased or leased by said company for the purpose of their business aforesaid. Capital stock.

3. *And be it enacted*, That the property and affairs of this company shall be managed by a board of directors, of not Affairs to be managed by a board of directors.

less than five nor more than nine stockholders, as the by-laws of said company shall prescribe, and the said board shall organize by appointing one of their number president, also by appointing a secretary and such other subordinate officers as they may deem necessary and proper.

Capital stock may be increased.

4. *And be it enacted*, That the amount of the capital stock may be increased from time to time by order of the board of directors, but shall at no time exceed the sum of one million dollars, and that the stock shall be transferable in such manner as the by-laws of the company shall direct, and that the directors and the president shall hold their respective offices for one year and until others are legally appointed in their stead.

Election of directors.

5. *And be it enacted*, That the election of directors shall be held at such place in the county of Hudson as the board of directors, or their by-laws, shall from time to time designate; that the first board of directors shall hold their office until the first day of January, one thousand eight hundred and seventy-four, or until others shall be chosen in their stead; and that George Richards, John McGregor, Richard George, David Anderson, Augustus C. Canfield, Edmund W. McClave, and Herman Schalk, shall be the first directors of said company, and that their principal office shall be in the county of Hudson.

Names of the first directors.

Commissioners shall receive subscriptions to the capital stock.

6. *And be it enacted*, That the persons above named shall be commissioners to receive subscriptions to said capital stock at such times and places in the county of Hudson as a majority of them shall appoint, giving ten days' previous notice to that effect in one or more of the newspapers published in said county, and when two hundred and fifty shares of said capital stock shall have been subscribed for and ten dollars on each share shall have been paid to said commissioners, they shall call a meeting of the stockholders of said stock for the purpose of organizing the company; and the said commissioners shall deliver to the president of said company all moneys, books and papers in their hands as such commissioners.

General powers of the directors.

7. *And be it enacted*, That a majority of the board of directors shall have power to transact all the business of said company, to call in installments on stock subscribed for, in such amounts, and at such times as they may direct, giving to each subscriber twenty days' notice thereof, either personally or by publication of such notice for ten

days in some one or more newspapers published in the county of Hudson; and also to forfeit to said company all shares upon which default in paying installments shall arise, and all previous payments thereon, whether the same be of the capital herein specified or the increased capital authorized by this act.

May erect wharves, piers and bulkheads.

8. *And be it enacted*, That the said The Hudson Iron Company be and the same are hereby authorized and empowered to erect and maintain all such wharves, piers and bulkheads in front of their lands on the Hackensack river, or Newark bay, in the township of Kearny, Hudson county, as may be necessary for the improvement of their property, or the benefit of commerce, and to collect wharfage for the use thereof, and to hold and enjoy the same to themselves, their successors and assigns; *provided, however*, that no such wharf, pier or bulkhead shall be erected on said river by virtue of this act in front of the land of any other person, and constructed as not to interfere with or obstruct the navigation of said river or bay.

Proviso.

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

Approved April 2, 1873.

CHAPTER CCCCXXX.

Supplement to an act entitled "An Act to incorporate a Company to Form an Artificial Navigation between the Passaic and Delaware Rivers," passed thirty-first of December, one thousand eight hundred and twenty-four.

May construct branch canal.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the Morris Canal and Banking Company, or their lessees, the Lehigh Valley Railroad Company, are hereby authorized and empowered to construct, operate, and maintain a branch canal with all necessary locks and planes, from a point in the main canal at or near Centerville, in Passaic county, to the Passaic river at

Dundee Lake, above the dam of the Dundee Water Power and Land Company.

May obtain right of way.

2. *And be it enacted*, That the Morris Canal and Banking Company, or their lessees, the Lehigh Valley Railroad Company, are hereby authorized and empowered to obtain the right of way for the construction of said canal, locks and planes respectively, in the same manner as provided for the Dundee Water Power and Land Company, to obtain the right of way for their branch road, as provided in an act entitled "A further supplement to the act entitled 'An act to incorporate the Dundee Manufacturing Company,'" approved March twentieth, one thousand eight hundred and seventy-two.

Approved April 2, 1873.

CHAPTER CCCCXXXI.

A Further Supplement to the act entitled "An Act to incorporate the Morris and Essex Railroad Company," passed January twenty-ninth, one thousand eight hundred and thirty-five.

May construct branch railroad or railroads.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the Morris and Essex Railroad Company be and hereby is authorized and empowered to locate and construct a branch railroad, or branch railroads, no one of which shall exceed four miles in length, from the main line of the Boonton branch of the Morris and Essex railroad, to such point or points within the limits of the county of Passaic as the directors of said company shall deem expedient; and for the purpose of locating, acquiring right of way for, constructing, maintaining and operating such branch railroad or railroads, the said company is hereby invested with and authorized to exercise and use all the rights, powers and privileges conferred upon and vested in said company by its original charter and the several supplements thereto, and, so far as applicable to said branch railroad or railroads, the said company is made liable and subject to all and every of the conditions, limitations and

obligations imposed upon it by its original charter and the several supplements thereto.

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

Approved April 2, 1873.

CHAPTER CCCCXXXII.

An Act to incorporate the Caledonian Club of Paterson.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That James Peacock, Alexander McDonald, P. G. S. McKenzie, Robert Bryan, and John C. Hendrie, and all such as may hereafter be associated with them, shall be and they are hereby created a body corporate by the name of the "Caledonian Club of Paterson," and by that name shall be capable by law to hold and dispose of property, to sue and be sued, to plead and be impleaded, in any court whatsoever, to make and use a common seal, to alter and renew the same at pleasure, to make and put in force all such by-laws and regulations necessary for promoting the interests of the said association; *provided*, the same are not contrary to the laws of the United States or of this state.

Corporate name.

Proviso.

Object.

2. *And be it enacted*, That the object of this corporation shall be the preservation of the ancient literature and costumes, and the encouragement and practice of the ancient games of Scotland, the establishment of a library and gymnasium, and employment of lecturers before the association, and "charity," which in its amount, character and mode of distribution, shall be dependent on the will of the majority of its members.

Election of members.

3. *And be it enacted*, That any person of unexceptionable moral character, complying with the requisition of the by-laws, shall be eligible to membership, and shall be elected as provided by the by-laws.

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

Approved April 2, 1873.

CHAPTER CCCCXXXIII.

An Act relating to the Real Estate held by the Roseville Methodist Episcopal Church at Roseville, of the City of Newark.

Preamble. WHEREAS, Frederick T. Frelinghuysen and Matilda E., his wife, did by deed, dated the first day of November, one thousand eight hundred and fifty-eight, convey to the trustees hereinafter named, a certain lot of land and premises situate in the city of Newark, in the county of Essex, to be held by said trustees, their successors and assigns, in trust, that they shall erect and build, or cause to be erected and built thereon a house or place of worship for the use of the members of the Methodist Episcopal Church, in the United States of America, according to the rules and discipline which from time to time may be agreed upon and adopted by the ministers and preachers of the said church at their general conference in the United States of America; and in the further trust and confidence that they shall at all times forever hereafter, permit such ministers and preachers belonging to the said church as shall from time to time be duly authorized by the general conference of the ministers and preachers of the said Methodist Episcopal Church, or by the annual conferences authorized by the said general conference, to preach and expound God's holy word therein; *and whereas*, the society holding said premises are duly incorporated under the laws of the state of New Jersey, by the style and name of The Roseville Methodist Episcopal Church of Newark; *and whereas*, said society, in the erection, alteration and remodeling of their house of worship, have contracted debts; *and whereas*, the said The Roseville Methodist Episcopal Church of Newark, before said church was legally incorporated, to raise the necessary money with which to satisfy said debts made, executed and delivered two mortgages on the said land and premises to the executors of Thomas P. Norris, deceased; one for one thousand dollars and the

other for five hundred dollars; *and whereas*, the said society have obtained the consent of said Frederick T. Frelinghuysen to mortgage, sell and convey the said premises or any part thereof; therefore,

Trusteesmay convey trust property.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That John Stites, Joseph O. Sipp, William Congar, John D. Huntington and Joshua Conklin, trustees, and if any one or more of them be dead, then the legal representative or representatives of such as are dead, be and they are hereby authorized and empowered to convey by deed said premises, so transferred and conveyed to them in trust as aforesaid, to the said The Roseville Methodist Episcopal Church of Newark, which deed, when duly executed, shall vest the title to the said land and premises in the said The Roseville Methodist Episcopal Church of Newark, in fee simple.

Corporation may sell and convey real estate.

2. *And be it enacted*, That when said premises shall have been conveyed to the said The Roseville Methodist Episcopal Church of Newark as aforesaid, the said corporation, or their successors in office, shall have the authority and are hereby empowered to mortgage, sell and convey the said land and premises, or any part thereof, with the appurtenances thereunto belonging or in anywise appertaining, and to make, execute and deliver good and sufficient deeds of conveyance and mortgages to the purchaser or purchasers or mortgagees thereof, and that such deeds of conveyance or mortgages shall be good and effectual in law.

Mortgages to be liens on present holders of land and premises.

3. *And be it enacted*, That the said two mortgages shall be deemed and taken to be good and sufficient liens and encumbrances in the hands of the present holder thereof and his assigns on the said lot of land and premises, as fully and completely in all respects as if the said land and premises was at the time of the execution and delivery of the said mortgages, held in fee simple by the said The Roseville Methodist Episcopal Church of Newark, and they only incorporated and legally authorized and empowered to execute said mortgages.

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

Approved April 2, 1873.

CHAPTER CCCCXXXIV.

An Act to incorporate the City Fire Insurance Company of Jersey City, in the State of New Jersey.

Corporate name and powers.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all such persons as shall become stockholders to the capital stock hereinafter mentioned, their successors and assigns, shall be and are hereby constituted and made a body politic and corporate, by the name and style of the "City Fire Insurance Company of Jersey City," and the office of the said company shall be located at Jersey City, in the county of Hudson, in this state; and by that name shall be known in law, and have power to sue and be sued, to defend and be defended, in all courts, whether in law or in equity; and by that name may also have, purchase, possess and enjoy, to them and their successors, lands, tenements and hereditaments, goods, chattels and effects, of what nature or kind soever, necessary for the purpose of this corporation, and grant, demise, alien and dispose of the same at pleasure, for the benefit of the said corporation; and may also have a common seal, and alter and renew the same at pleasure; and also create and establish such by-laws and regulations as shall seem necessary and expedient for the government of said corporation, and put the same into execution; *provided*, the same be not contrary to the laws of this state or of the United states.

Proviso.

Capital stock

2. *And be it enacted*, That the capital stock of said company shall be fifty thousand dollars, which shall be divided into shares of ten dollars each; and there shall be paid into the treasury of said corporation, by each subscriber of the capital stock at the time of subscribing, an installment of twenty-five per centum on the capital stock by him subscribed for, the remainder to be paid in in such installments at such times, and upon such notice, as the board of directors of said corporation may determine; and the said company shall not commence the business of insurance hereby

authorized until twenty-five thousand dollars of the capital herein authorized is actually paid into the treasury thereof.

Management to be in a board of directors.

3. *And be it enacted*, That the business, property and affairs of said company shall be managed and conducted by seven directors, elected for two years, a majority of whom shall be citizens of this state; *provided*, that at the first election the said directors shall be divided into two equal classes, the term of the first class to expire on the first Monday of January next ensuing, or as soon thereafter as others may be elected in their place; and the term of the second class to expire on the first Monday in January in the following year, or as soon thereafter as others may be elected in their place, so that one-half may be chosen every year.

Proviso.

Election of directors.

4. *And be it enacted*, That there shall be an annual election of directors on the first Monday in January in every year, to fill the vacancies of those whose term shall have expired, to be held at the office of the company, or such other place as a majority of the directors may designate, of which said election a public notice shall be given by the secretary, in two newspapers published in the city of Jersey City, at least two weeks previous to the time of holding the same; that such election shall be held under the direction of three stockholders appointed by the directors, shall be by ballot, by plurality of votes of the stockholders, 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 if any of the directors shall die or refuse to act for the space of three months successively, then, in every such case the remaining directors shall have power to fill such vacancy or vacancies for the unexpired term thereof; that in case it should happen an election for directors should not be held on the day when pursuant to this act it ought to have been held, the said corporation shall not for that cause be dissolved, but it shall and may be lawful to hold such election on any other day appointed by the board of directors, and that the office and records of the company shall be kept in the city of Jersey City, in the county of Hudson, in this state.

Commissioners shall receive subscriptions to the capital stock.

5. *And be it enacted*, That Garret S. Boice, Herbert R. Clarke, A. J. Dittmar, James Keary, Henry Traphagen shall be commissioners to receive subscriptions to the capital stock of said company, and when the said stock shall be subscribed for and paid in, as mentioned in the second section of this act, the commissioners shall call a meeting of the

stockholders by an advertisement published at least two weeks previously in two newspapers published in the city of Jersey City, stating the time and place at which such meeting of the stockholders shall be held, who shall, by ballot, elect the first directors of said company; said commissioners shall appoint three stockholders inspectors of said election; and should there be any deaths or resignations among the commissioners above appointed, then the remainder shall elect others to supply the vacancy or vacancies so occasioned.

Organization of the board of directors.

6. *And be it enacted*, That it shall be the duty of the directors, on organizing the company, and annually thereafter, to choose one of their number to be president, to serve for the ensuing year or until another shall be chosen; and in case of the death, resignation or inability to serve of the president, such vacancy may be filled by the board of directors for the remainder of the term; and in case of the absence of the president, the board of directors shall have power to appoint a president pro tempore, who shall exercise all such powers and duties as the president might exercise.

May appoint officers and fix compensation.

7. *And be it enacted*, That the board of directors for the time being shall have power to appoint, during their pleasure, a secretary and such other officers as they shall deem necessary for carrying on the business of the company, and allow them respectively such compensation for their services as may in their judgment be deemed reasonable.

May make insurance against loss or damage by fire, and insurance connected with marine risks.

8. *And be it enacted*, That said company shall have power: first, to make insurance upon vessels, freights, goods, wares and merchandize, and to make all and every insurance connected with marine risks and the risks of transportation and inland navigation; second, to make insurance upon dwelling-houses, stores, and all kinds of buildings, and upon household furniture, merchandize, and other property, against loss or damage by fire, upon such rates and conditions as shall be contained in the policy of insurance; third, to cause themselves to be insured when deemed expedient.

Mode of making policies.

9. *And be it enacted*, That all policies or contracts founded thereon, which shall be made or entered into by said company, may be made 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.

10. *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 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 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 stock and accumulating premiums from time to time in public stocks, bonds and mortgages, as the directors may approve; *provided*, nothing in this act contained shall authorize said company to use its funds for banking purposes. May purchase and hold real estate. Proviso.

11. *And be it enacted*, That the capital stock of said corporation shall be transferable, according to the rules and regulations prescribed by the directors; and in case a subscriber or stockholder of any share or shares of said stock shall fail or refuse to pay any installment on his or her stock when called in by the directors, and required to be paid pursuant to the provisions of this act, it shall and may be lawful for the directors of said company, and they are hereby authorized, to forfeit the shares of each and every person so failing to pay such installments or any of them, to and for the use of the company, or at their option, to sue for and recover the installment or installments so remaining unpaid of the person or persons in whose name such stock shall stand on the books of the company at the time of calling in such installments respectively. Capital stock transferable. Shares may be forfeited for non-payment.

12. *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, which dividends shall be paid to the parties entitled thereto, or their legal representatives. Dividends.

13. *And be it enacted*, That this act shall continue in force during the pleasure of the corporators; but the legislature may at any time modify, alter or repeal the same. Act to continue in force

Approved April 2, 1873.

CHAPTER CCCCXXXV.

An Act to incorporate the Hudson County Savings Institution.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Henry D. Van Nostrand, John Kennell, William Currie, Henry R. Vreeland, Matthew Armstrong, George Schmolze, F. M. Lockwood, Joseph N. Smith, Henry Lembeck, S. B. Vreeland, Michael Schultz, J. J. Detwiller and Charles Hunt and their successors, shall be and are hereby constituted a body corporate and politic, by the name of "The Hudson County Savings Institution," and by that name shall be capable of purchasing, taking, holding and enjoying to them and their successors any real estate, in fee simple or otherwise, and any goods, chattels or personal estate which shall be necessary for the purposes herein mentioned, and of selling, leasing or otherwise disposing of the said real estate or any part thereof at their pleasure; *provided always*, that the clear annual value of such real and personal estate, exclusive of the profits that may arise from the interest accruing upon investments or upon the sale of any investments in which the deposits may be made, shall not exceed the sum of ten thousand dollars.

Corporate name and powers.

Proviso.

Institution to be conducted by a board of managers.

2. *And be it enacted*, That the said institution shall be conducted by thirteen managers, ten of whom, at least, shall be residents of the city of Jersey City; five of the managers shall be a quorum to transact business, and the seat of any manager who shall have neglected to attend for four successive meetings may be vacated by the board; the persons mentioned in the first section of this act shall be the first managers of the institution; the managers shall annually, on the first Monday in May, 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 offices respectively, and shall give security, if required, for the faithful performance of the duties of their office, in such sum or sums and with such sureties as may be directed by the board of managers.

General powers.

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 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; and such by-laws and regulations shall be put up in some public and conspicuous place in the room where the business of the said institution shall be transacted; but shall not be altered so as to affect injuriously any one who may have been a depositor previous to such alteration.

Proviso.

May receive deposits.

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, which shall be invested accordingly, and shall be repaid to the depositor at such times and with such interest and under such regulations as the board of managers shall from time to time prescribe; and the said 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.

Managers to allow interest on deposits.

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

Proviso.

Compensation to officers to be allowed by board of managers.

6. *And be it enacted*, That the said institution shall not issue any notes or bills, nor shall any manager, officer, or agent of the said institution be allowed, directly or indirectly, to borrow any money from the said institutions, and all compensations to be allowed to managers shall be first determined upon by the board of managers.

Investments

7. *And be it enacted*, That the said institution may invest money in the stocks created under the laws of the United States, and in the stocks and bonds issued by the several states, and also in such bonds as may be issued by the several counties and cities and townships in the state of New York, New Jersey and Pennsylvania, under the laws thereof; and also, may make temporary loans upon personal securities, with pledges of collateral securities, at least double the value of the amount loaned; *provided*, that the amount thus loaned, shall at no time exceed twenty per centum of the whole amount of assets; and said institution shall loan no money on bonds and mortgages except on unincumbered real estate worth at least double the amount of the sum invested, nor in the stocks or loans of any incorporated company whatever.

Proviso.

Certificates of deposit.

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

Acquittance of minor to be legal and binding.

9. *And be it enacted*, That it shall be lawful for the institution at their discretion to pay to any depositor being a minor such sum as may be due to such depositor, not exceeding five hundred dollars; in case 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 deposit shall have been made personally by such minor and not by any other person for his 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 deposit shall not be subject to the control of the husband or liable for his debts; nor shall moneys deposited by a single woman be subject, in case of marriage, to the use or control nor liable for the debts of the future husband.

Proviso.

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. Depositor may appoint person to receive money.

11. *And be it enacted*, That the institution shall not be required to receive on deposit a less sum than twenty-five cents nor to allow interest on the fractional part of a dollar, nor shall the institution be required to allow interest on the fractional part of a month. Not required to allow interest on fractional part of a dollar.

12. *And be it enacted*, That all deposits and payments shall be regularly entered in the books of the institution and every person depositing 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. Book of deposits to be kept and duplicate made

13. *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 body or its officers, by a vote of a majority of the managers present. Vacancies, how filled.

14. *And be it enacted*, That it shall be the duty of the said institution to make an annual report to the comptroller of this state under the 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 such statement shall be published in the city of Jersey City. Annual report shall be made to the comptroller.

15. *And be it enacted*, That the office or place of business of the said institution shall be in the city of Jersey City, 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 of office.

16. *And be it enacted*, That this act shall be and is hereby 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, devise or other instrument or contract of conveyance, shall vitiate or defeat the same; *provided*, the institution shall be sufficiently described so as to ascertain the intention of the parties, *and provided also*, that the legislature may at any time hereafter amend or modify the act. Act, how construed. Proviso.

Interest to be allowed in discretion of managers.

17. *And be it enacted*, That whenever any person indebted to said institution shall deposit moneys therein for the purpose of raising a fund for the payment of such indebtedness, the managers shall have the power in their discretion to allow interest on such deposits from the time the same are made.

Limitation.

18. *And be it enacted*, That this act shall continue in force for twenty years.

Approved April 2, 1873.

CHAPTER CCCCLIII.

A Supplement to an act entitled "An Act to incorporate The Pequest and Wallkill Railroad Company," approved February twenty-third, eighteen hundred and sixty-six.

Time extended.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the time of construction of "The Pequest and Wallkill Railroad," be and hereby is extended until the first day of July, eighteen hundred and seventy-seven.

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

Approved April 2, 1873.

CHAPTER CCCCLV.

An Act to incorporate the Manhattan Bleaching and Dyeing Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Lyman B. Frieze, James B. Libby, Frank A. Rhodes, Dexter B. Lewis, George B. Holmes, J. Earle, and Augustus G. Richey, and their associates, be and they are hereby created a body politic and

corporate, in fact and in law, by the name and style of "The Manhattan Bleaching and Dyeing Company," for the purpose of manufacturing, printing, bleaching, dyeing and selling cotton, woolen and other textile fabrics; and for such purpose the said company shall or may raise by subscription, by opening books therefor, or otherwise, a capital stock of one hundred and fifty thousand dollars, to be divided into shares of one hundred dollars each, with the privilege of increasing the same from time to time, with the consent of a majority of the stockholders, to any sum not exceeding two hundred and fifty thousand dollars; and it shall be lawful for the said company to issue certificates of stock, in whole or part payment for any real or personal property, or any interest therein, purchased by said company for the purposes of their business aforesaid, and such purchase shall be a payment of the capital stock to the amount thereof.

Corporate name and object.

Capital stock

2. *And be it enacted*, That the said company shall have power to sue and be sued, complain and defend in any court of law and equity; to make and use a common seal, and alter the same at pleasure; to hold, purchase, mortgage, lease and convey such real and personal estate, in this state or elsewhere, as may be necessary for the purposes of the corporation; to appoint such subordinate officers and agents as the business of the corporation shall require, and to allow them a suitable compensation; to make by-laws, not inconsistent with the constitution or laws of the United States, or of this state, for the management of its property, the regulation of its affairs, and the transfer of its stock.

General powers.

3. *And be it enacted*, That the affairs and business of the said corporation shall be managed by not less than three and not more than seven directors, who shall elect one of their number 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 at such time and such place as the by-laws shall direct, and by ballot, or otherwise, as the by-laws may direct; and, until such annual election shall take place, James B. Libby, Lyman B. Frieze, Frank A. Rhodes, Dexter B. Lewis, and George B. Holmes, being stockholders, shall be directors of said corporation; a majority of the directors shall on all occasions, when assembled at such time

Election of directors.

Names of first directors.

and place as the by-laws shall prescribe, constitute a body competent to transact business, and all business before them shall be decided by a majority of votes; and in case a vacancy shall occur in the board of directors, by death, resignation, failure to elect, or otherwise, 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.

Not to be dissolved by failure to hold election

4. *And be it enacted*, That the said corporation shall not be deemed to be dissolved by failure to hold such annual meeting, or to elect directors on the day designated for that purpose; but the stockholders may hold an election for directors on any other day, ten days' notice being given of the time and place of such election, in such manner as the by-laws may prescribe.

Location of principal office.

5. *And be it enacted*, That the principal office of said company shall be at Lodi, in the county of Bergen; but the said company may have an office in the city of New York, and meetings of the said company, or its directors, may be held in the city of New York.

How dissolved.

6. *And be it enacted*, That the said corporation hereby created may be dissolved by a general meeting of the stockholders, especially 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 of them, or such persons as the stockholders may appoint, shall be trustees for settling all the affairs of the company, collecting and disposing of all its property and assets, paying its debts, and dividing its surplus among the stockholders, in proportion to their respective interest in the stock.

Proviso.

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

Approved April 2, 1873.

CHAPTER CCCCLV.

Supplement to an act entitled "An Act to incorporate the Free Press Printing Association," approved February twentieth, one thousand eight hundred and seventy-two.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That each stockholder shall be entitled to one vote for each share, either in person or by proxy, which he or she may hold in said association. Who may vote.

2. *And be it enacted*, That all parts of the act to which this is a supplement which are inconsistent herewith, be and are hereby repealed. Repealer.

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

Approved April 2, 1873.

CHAPTER CCCCLVI.

An Act to incorporate the Masonic Hall Association of the city of Camden.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Andrew B. Frazee, James M. Cassady, Jos. L. DeLacour, Thomas McDowell, James W. Wroth, George Shattuck, Marmaduke B. Taylor, John Lucas, William H. H. Waller, Frederick P. Pfeiffer, Gustave Grossman, D. G. Langendorf, John W. Rogers and their associates, Ancient, 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 fact and in law, by the name, style and title of "The Masonic Hall Association of the city of Camden," and by that name Names of corporators. Corporate name and powers.

shall be capable of purchasing and holding, mortgaging and conveying any lands, tenements, goods and chattels; said real estate and personal estate not to exceed one hundred and fifty thousand dollars, and have power to sue and be sued, plead and be impleaded, in all courts of law and equity, to make and use a common seal, and alter the same at pleasure, and to make by-laws not inconsistent with the constitution or laws of the United States, or of this state for the management of the property, the regulations of the affairs, and for the transfer of the stock of said corporation.

Object. 2. *And be it enacted*, That the general object of said corporation is declared to be the purchase of real estate in the city of Camden and state of New Jersey, and the improvement thereof, for the purpose of a Masonic hall, and for other purposes.

Capital stock 3. *And be it enacted*, That the capital stock of the said corporation shall be one hundred thousand dollars, with the privilege of increasing the same to one hundred and fifty thousand dollars, which shall be divided into shares of fifty dollars each, and which shall be subscribed and paid at such times, and in such manner, in such installments, and upon such notice as the directors of said corporation by their by-laws may direct and appoint, and in case of failure by any stockholder or stockholders, to pay his, her or their installment or installments at the time and place appointed by the said by-laws for the payment thereof, such stockholder or stockholders shall, at the option of the directors of the said corporation, incur a forfeiture of his, her or their shares, and of all previous payments thereon, for the use of the said corporation.

Stock, how transferred. 4. *And be it enacted*, That the capital stock of said corporation shall be deemed personal property, and the said shares shall be transferable only on the books of the said corporation, in such manner as the board of directors may by their said by-laws direct, and every share of said stock shall entitle the holder thereof to one vote, either in person or by proxy, if by proxy, the same shall be in writing.

Election of directors. 5. *And be it enacted*, That the management and disposition of the affairs and property of said corporation shall be vested in nine directors, who shall be stockholders of the said corporation and residents of the county of Camden, who shall be elected by the stockholders of said corporation yearly, at such times and in such manner as the said corpo

ration shall by their by-laws thereof provide, and who shall serve for one year and until others are elected in their stead; that the first election of directors shall be held on Monday, April the fourteenth, one thousand eight hundred and seventy-three, at the lodge room of "Camden Lodge, number fifteen," in the city of Camden, and thereafter as shall be provided in said by-laws; that the directors when elected shall choose from their own number a president and vice president, which said president, vice president and directors for the time being shall constitute the board of directors of the said corporation, and that a majority of the said board shall be a quorum for the transaction of business.

Penalties.

6. *And be it enacted*, That the said directors may make penalties for any breach of the by-laws of the said corporation, not exceeding two dollars.

When company may be organized.

7. *And be it enacted*, That when at least five hundred shares of the stock of said corporation shall be subscribed, the same may be organized and proceed to the first election of directors thereof at the time and place herein above stated.

How dissolved.

Proviso.

8. *And be it enacted*, That the said corporation may be dissolved at a general meeting of the stockholders 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 survivor or survivors of them, or such persons as the stockholders shall appoint, shall be trustees for settling all the affairs of the said corporation, 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.

May borrow money and issue bonds.

9. *And be it enacted*, That the said association shall have power to borrow money, not exceeding three-fourths of their capital stock paid in, and to secure the same by bonds or other evidences of debt, bearing interest not exceeding seven per centum per annum, and mortgage upon their property and franchises and privileges, and by such other assurances as they may deem expedient.

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

Approved April 3, 1873.

CHAPTER CCCCLVII.

An Act to incorporate The Williamstown Cemetery.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That William H. Bodine, Imlay Gifford, Joel A. Bodine, Thomas J. Campbell, John F. Bodine, Jacob R. Gifford, A. J. McKelway, M. D., J. W. Baker, M. D., H. R. Bugbee, M. M. Rickey, Charles Husted, Reverend W. S. Barnart, and Jacob W. Wilson, and such other persons as now are or shall hereafter become stockholders, their successors and assigns, be and are hereby named and created a body politic and corporate in law, under the name, style and title of the Williamstown Cemetery, in the county of Gloucester, and by that name shall have perpetual succession, and shall be able and capable in law to have and use a common seal, to sue and be sued, to plead and be impleaded, in all courts of law and equity, and to do all such other things as are incident to a corporation.

Corporate name.

May purchase and hold land for the purposes of a cemetery

2. *And be it enacted*, That the said association shall have power to purchase, to take and hold, in fee, a tract or tracts of land, not exceeding twenty acres, in the vicinity of Williamstown, in the township of Monroe, and county of Gloucester, for the use and purpose of a cemetery, and erect thereon such building and other accommodations as the directors may deem suitable and necessary; and may sell or otherwise dispose of the sub-lots or plats in the said cemetery, to the several purchasers or owners thereof, by a good and sufficient deed or deeds of conveyance, under the corporate seal of said association, and signed by the president and secretary thereof, to be used only as a cemetery, with the privilege of the several avenues, walks, passages, and other accommodations therein and thereto belonging, subject, however, to such regulations and restrictions as have been or may be established in relation thereto by any by-law or ordinance of said corporation; transfers of sub-lots or rights thereto may be made by the owner or owners thereof, by assignments annexed to said deed, but shall not

be valid until the assignment is recorded on the books of said association.

3. *And be it enacted*, That if any part of said lands conveyed to said corporation for the purpose aforesaid shall be unsuitable or unnecessary for the purpose of a cemetery, then it shall be lawful for said corporation to sell and dispose of such parts thereof as are unsuited or unnecessary therefor. May sell such land as is unsuited for the purpose of a cemetery.

4. *And be it enacted*, That the business of the said corporation shall be conducted and managed by a board of directors consisting of seven persons, who shall be elected annually, at such times and places as the by-laws may designate, a majority of whom shall constitute a quorum for the transaction of business; and the said directors shall elect from their number a president, and a secretary and treasurer, and such other officers and agents as they may deem expedient, and fix the compensation thereof; they shall have power to fill all vacancies in their own number until the annual meeting next ensuing; and the said board of directors shall have power to make all needful rules and regulations, consistent with the constitution and by-laws of said corporation, for their own government, and to affix from time to time to the several plats and lots, such prices as they shall deem reasonable and proper, and shall have sole charge, superintendence and control of said cemetery, and until the first election of directors the persons named in the first section of this act shall be the directors; and in case the stockholders should fail to elect a board of directors at their annual meeting, then the old board of directors shall continue to hold their office until others are chosen. Election of directors.

5. *And be it enacted*, That the sum which the said corporation may agree to pay for the tract or tracts of land hereinbefore mentioned, and the sums which shall be expended in embellishing, improving, erecting fences, building and other necessary accommodations shall be the capital stock of said association, and it shall be divided into shares of one hundred dollars each; and that not less than ten per centum of the net proceeds of all sales of lots, parcels and plats shall be appropriated or funded, and the income thereof shall be expended for the further embellishment and maintaining the improvements of said cemetery grounds, and the balance received shall belong to and be Capital stock

divided among the stockholders according to their several interests.

Payment of subscriptions to capital stock.

6. *And be it enacted*, That it shall be lawful for the directors or a majority of them to call in the subscriptions to the capital stock at such times and in such sums as they may deem reasonable, giving at least thirty days' notice, and a failure to comply with such notice on the part of any stockholders shall, at the option of the directors or a majority of them, be cause of forfeiture of all moneys thereon and all rights by virtue of his or her subscription to such stock.

Exemption from tax as individual proprietors but not as a corporation.

7. *And be it enacted*, That the corporation shall have, use and exercise all the rights and privileges incident to a corporation herein stated, and shall not be exempt from taxes, assessments and charges upon their capital stock and the property which they may acquire, hold or possess, and the real estate of said corporation, and the lots and parcels when conveyed by the said corporation or when sold to individual proprietors, shall be exempt from all taxation or assessment whatever, and shall not be liable to be sold in execution or subject to attachment or applied to the payment of debts by assignment under any insolvent or bankrupt laws, but may be conveyed under such regulation as the said directors may adopt.

Public road or street not to be opened without consent.

8. *And be it enacted*, That no public road or street shall hereafter be opened through the cemetery grounds without the consent of the said corporation.

Benevolent and religious societies may purchase and hold lots

9. *And be it enacted*, That any association of persons for benevolent purposes, and also any religious society may purchase and hold lots in said cemetery, adjacent to each other, in which they may bury agreeable to any peculiar rites or ceremonies of their own, subject only to the rules and regulations prescribed by said board of directors.

May take and hold property by grant, donation or bequest, upon trust.

10. *And be it enacted*, That the said corporation may take and hold any grant, donation or bequest of any property upon trust, to apply the same or income thereof under the direction of the board of directors, for the improvement of said cemetery, or for the erection, repair, preservation or removal of any tomb, monument, fence, railing or other erection, or for the planting and cultivation of trees, shrubs, flowers or plants, in and around any cemetery lot, or for the improving the said premises in any other manner or form consistent with the design and purpose of this act, according to the term of such grant, donation or bequest.

11. *And be it enacted*, That the provisions of the eighth section of the act entitled "An act authorizing the corporation of rural cemetery associations," approved March fourteenth, one thousand eight hundred and fifty-one, be and the same is hereby made part of this act. Provisions of general act to apply.

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

Approved April 3, 1873.

CHAPTER CCCCLVIII.

An Act to incorporate the Gloucester City Gas Light Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That David S. Brown, James P. Michellon, Henry N. Paul, Benjamin Chew, William Sexton, their associates and successors, be and they are hereby created and declared to be a body corporate and politic in law and in fact, by the name of the "Gloucester City Gas Light Company," and as such shall have perpetual succession and all the privileges and franchises belonging or incident to a corporation. Corporators. Corporate name.

2. *And be it enacted*, That the capital stock of the said corporation shall be fifty thousand dollars, with the privilege of increasing the same, divided into shares of fifty dollars each, which said capital stock shall be personal property, and be transferable on the books of the company in person or by attorney. 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 the said corporation, at such time and place as they may direct; and at the time of subscribing for said stock, such amount on each share subscribed for shall be paid, satisfied or satisfactorily secured to said commissioners as they, or a majority of them, shall direct, and the residue of the subscription shall be paid, satisfied or secured as the directors of the said corporation, when elected, shall from time to time direct, giving notice Commissioners to receive subscriptions the capital stock.

of such time and place in a newspaper printed and published in the city of Gloucester, for two weeks, at least once in each week; and upon the failure of any person or persons to pay, satisfy or secure the payment of such installment or installments, or any of them, as aforesaid, the directors shall be empowered to forfeit the share or shares of each and every person so failing, or any of them, to and for the use and benefit of said corporation; and any share or shares of stock forfeited as aforesaid may be held by the said corporation, or any person or persons for its benefit, and may at any time be sold or disposed of for the benefit of the said corporation, as said directors may determine, or may be divided proportionally 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.

Election of directors.

4. *And be it enacted*, That whenever twenty thousand dollars of the capital stock aforesaid shall have been subscribed, said 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 in the state of New Jersey as said commissioners may designate, to choose not less than three nor more than five directors, who shall hold their office for one year and until others are duly elected; and at such meeting of stockholders, convened as aforesaid, said stockholders shall prescribe the time and place for holding the annual elections and the number of directors of said corporation, which time, place and number of directors shall not be changed except at an annual election of said corporation; and the directors chosen at such meeting, or at the annual election of said corporation, shall, as soon as may be after their election, choose from their number a president of said corporation, 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, the vacancy thereby created in the board of directors may be filled by the board of stockholders, at a meeting properly convened, for the remainder of the then current year.

Vacancies, how filled.

Who may vote.

5. *And be it enacted*, That at all elections by stockholders for officers of said corporation, and at all meetings of stockholders, and upon all questions submitted to them, each

stockholder shall cast one vote for each and every share of stock standing upon the books of said corporation in his or her name, which vote may be cast either by said stockholder in person or by proxy.

General powers of the directors.

6. *And be it enacted*, That the board of directors of said corporation shall have power to make and adopt a common seal for said corporation, and the same to alter at pleasure; to appoint a treasurer, secretary, and such other officers, agents, clerks, servants and employees of said corporation as they may deem necessary, and to prescribe and regulate their duties, salaries and compensation; to prescribe the form of and to issue, or authorize to be issued, such promissory notes, bills of exchange and business paper of said corporation as they may determine; to borrow such sums of money from time to time as they may deem advisable for the purpose of said corporation, and to pledge the property and credit of said corporation for the payment thereof, or to issue the promissory notes or bonds of said corporation therefor, and to secure the payment of said promissory notes or bonds, either by mortgages on the real or personal property of the said corporation, wheresoever situate, or in such other ways as said directors may see fit; to make such by-laws, rules and regulations for the issuing and transfer of the stock and for the government of said corporation, its officers, clerks, agents and employees, as said directors may determine, and, generally, to direct, control and manage the business and affairs of said corporation in such manner, consistently with the provisions of this act, as they may think proper.

Authorized to purchase and hold real and personal property.

7. *And be it enacted*, That the said corporation shall be and they are hereby authorized to purchase, sell, mortgage, hold, use, lease, occupy, possess and enjoy such real or personal property, tools, machinery, fixtures and materials, as may be necessary or needful for the proper management or conduct of said business, and said corporation are hereby empowered to build such wharves, houses, buildings, structures and machinery as said corporation may require.

May make and sell gas, lay pipes, &c.

8. *And be it enacted*, That the said corporation are hereby authorized and empowered to make, manufacture and sell illuminating gas, to be made from coal, rosin or other materials, and also are hereby authorized and empowered to lay down their gas pipes, and to erect gas posts, burners and reflectors, in the streets, lanes, alleys, avenues or public grounds in the said city of Gloucester, in the county of Cam-

den, state of New Jersey, and to do all things necessary to light the same, and the dwellings, stores, buildings, churches, factories and other places situated therein, and for that purpose are hereby authorized to enter upon and make any and all necessary and proper excavations for the laying down of the gas pipes and conductors and lamp-posts as aforesaid.

Penalty for injury to works.

9. *And be it enacted*, That if any person or persons shall willfully injure any conduit, pipe, gasometer or other things appertaining to the works, or obstruct the same, the person or persons so offending, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by fine not exceeding five hundred dollars, or imprisonment not exceeding one year, or both; *provided*, no such criminal prosecution shall impair the right of the company for damages by a civil suit.

Annual statement shall be submitted to the stockholders

10. *And be it enacted*, That the directors of said corporation shall submit to the stockholders thereof, at their annual meeting, a statement in writing of the condition and affairs of said corporation; and said directors shall divide the net profits of the business of said corporation, or so much thereof as said directors may see fit, among the stockholders, in proportion to the amount of stock held by them respectively, at such time and in such manner as said directors shall determine.

Restrictions and liabilities.

11. *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 entitled "An Act concerning corporations," approved February fourteenth, one thousand eight hundred and forty-six, and the several supplements thereto, so far as the same are applicable.

Repealer.

12. *And be it enacted*, That any thing inconsistent with this act is hereby repealed, and that this act shall take effect immediately.

Approved April 3, 1873.

CHAPTER CCCCLIX.

An Act to incorporate the Newark Trust and Safe Deposit Company of New Jersey.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That James C. Ludlow, Samuel Atwater, John W. Campbell, John M. Littell, James L. Marvin, Henry D. Gould, Francis H. Dawes, and such other persons as may be associated with them, their successors and assigns, shall be and they are hereby constituted and declared to be a body politic and corporate, in fact and in law, by the name, style and title of "The Newark Trust and Safe Deposit Company of New Jersey," and by that name and style and title shall be capable of purchasing, holding, leasing, and conveying any lands, tenements, goods and chattels necessary or proper for the objects and actual use of the corporation hereby created, with power to have, use and adopt a common seal, and to alter and change the same at any time; and to sue and be sued, to defend and to be defended, in all courts of law and equity, with the power and privilege to receive and hold on deposit and in trust, moneys, goods and chattels, including the notes, bonds, obligations, bills of exchange, drafts and accounts of estates and individuals, and of companies and corporations, and the same to purchase, collect, adjust and settle, and also to sell and dispose thereof in any market in the United States or elsewhere, and to receive on deposit for safe keeping, stocks, United States bonds, jewelry, plate, money, and other valuable property of every kind, upon terms to be prescribed by the by-laws of said company; *provided*, said by-laws are not inconsistent with the laws of this state and of the United States, and to pay or deliver the same upon orders or checks drawn by the person or persons in whose name they are deposited or left, and to collect coupons of United States bonds, or interest due upon obligations, when authorized so to do by parties depositing the same.

Names of corporators.

Corporate name and powers.

Proviso.

Capital stock

2. *And be it enacted*, That the capital stock of said corporation shall be one hundred thousand dollars, with power to increase the same by a vote of the board of directors, to two hundred thousand dollars, to be divided into shares of one hundred dollars each, which shall be deemed personal property; and the said company may organize and commence business whenever one hundred thousand dollars shall have been subscribed, and twenty-five per centum thereof paid in, in cash; all stock subscribed shall be paid at such times and upon such notice as the board of directors of said company may direct.

Management to be in a board of directors.

3. *And be it enacted*, That the business of said corporation shall be managed and conducted by a board of directors, of not less than five nor more than nine in number, who shall be stockholders in said company, and at the first meeting after every election they shall elect one of their number president, and shall have power to appoint such other officers and agents as they may deem necessary; said board of directors shall hold their office for one year and until others are chosen in their place.

Election of directors.

4. *And be it enacted*, That the directors shall be elected at the annual meeting of the stockholders, which shall be held on the fourth Tuesday in May, in each and every year, at such hour and place as the by-laws of said company may direct, and until such annual election shall take place, the persons named in this act shall be the directors of said corporation, a majority of whom shall be competent to transact business.

All property of the corporation to be charged with the fulfillment of its trusts.

5. *And be it enacted*, That all the capital stock, property and estate of every description belonging to said company shall be and stand charged with the fulfillment of said trusts, and the payment of said deposits, trust and other funds as the first lien thereon, in case of the failure of said corporation, and said corporation shall at all times have a lien upon all the stock or property of its stockholders invested therein, for all debts due from them to said depositors.

Not to be dissolved by failure to hold election.

6. *And be it enacted*, That in case an election for directors shall not take place upon the day herein designated for that purpose, the corporation shall not be deemed dissolved, but the stockholders may proceed to hold an election on any other day, ten days' previous notice of the time and place of said election having been first given, at which election and all meetings of the company, each stockholder shall

be entitled to one vote, in person or by proxy, for each share of stock held, and that the principal office of said company shall be at the city of Newark, Essex county, New Jersey. Location of office.

7. *And be it enacted*, That the directors shall at the annual meeting of the stockholders for the election of officers, exhibit a full and complete statement of the affairs of the company during the preceeding year. Annual statement shall be made

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

Approved April 3, 1873.

CHAPTER CCCCLX.

An Act to incorporate "The Hackettstown Land and Improvement Company."

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Reading Bell, David M. Trimmer, William L. Johnson, Joshua H. Curtis, John Tims, Tobias S. Van Horn, Lewis C. Cook, George W. King, George W. Johnson, Thomas Shields, junior, and Jacob Welsh, and all such persons as may hereafter be associated with them, their successors and assigns, shall be and the same are hereby constituted and declared a body corporate and politic, in fact and in law, by the name of the "Hackettstown Land and Improvement Company," and by that name shall be capable in law of purchasing, leasing, holding, granting, conveying, improving, selling and disposing of any lands, tenements, hereditaments and appurtenances, thereto belonging, and personal estate, in the counties of Warren, Sussex and Morris, as may be necessary or expedient for to carry into effect the provisions of this act, also to mine and sell iron ore and other minerals found upon their lands or other land leased by the company, and may receive and make all deeds, transfers, grants, contracts, agreements and bargains whatever necessary for the accomplishing of the purposes authorized by this act. Names of corporators. Corporate name and powers.

2. *And be it enacted*, That the capital stock of said company shall be two hundred thousand dollars, and shall be Capital stock

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

Commissioners shall receive subscriptions to capital stock

3. *And be it enacted*, That the above named persons, or a majority of them, shall be commissioners to open books of subscription to the capital stock of said corporation, at such times and places in Hackettstown, Warren county, as they or a majority of them may think proper, giving notice thereof one week prior to the opening of said books, by publishing the same in one or more newspapers published in said town.

Election of directors.

4. *And be it enacted*, That when twenty thousand dollars of the capital stock shall be subscribed and ten per centum of the same paid in or secured to the commissioners receiving the subscriptions to the said stock, it shall be the duty of the persons named in the first section of this act, or a majority of them, to call a meeting of the stockholders to choose a board of directors; the election shall be held 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 any two of them, shall act as inspectors of said election; the first election of the directors shall be held at such time and place as the persons named as incorporators in this act shall direct, and as soon as the directors are elected and shall have subscribed to an oath for the faithful and honest performance of their duty, taken before a justice of the peace, or any other person duly authorized to administer the same, then it shall be the duty of the commissioners to deliver over to the directors the subscription books, and all moneys, papers and obligations, or property belonging to the corporation; the first board of directors shall serve until the time appointed for the annual election of directors, or until their successors are duly chosen.

General powers of the directors.

5. *And be it enacted*, That the affairs of the company shall be managed by not less than seven, nor more than nine directors, to be chosen by the stockholders from among their number annually, at such time and place in Hackettstown, and in such manner as the by-laws of the company shall direct, each share entitling the holder thereof to one vote, as stated in section four, and who shall serve for one year, and until others shall be chosen in their stead, said directors to subscribe to an oath, as stated in section four, before enter-

ing upon the duties of their office; notice of the election of directors shall be given previously for two weeks at least in one or more of the newspapers published in Hackettstown; that a majority of said board shall constitute a quorum to transact business; that the said directors shall from time to time elect from their number a president, and shall also elect and employ such other officers and agents as they may deem necessary; that said directors may fill vacancies occurring in said board until the next annual election; that the said directors shall have full power to call upon and require, if necessary, the stockholders to pay in to the company their subscriptions to the capital stock, upon ten days' notice given in writing by the secretary of the company, to the amount of fifty per centum of their shares; the remaining stock to be paid in by installments of twenty per centum each, upon the notice of the secretary, as above mentioned, said installments to be paid every two months if the directors require it, until the whole amount of the capital stock is paid, and in case of a 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 stockholders shall, if the by-laws of the company shall so direct, incur a forfeiture of his or her share or shares, and all previous payments made thereon for the use of the company; that the said directors shall have power to make and adopt such by-laws as they may deem necessary, fixing the time and place for the meetings of the company, for the payments of the installments, and for such other purposes that they may require for the management of the business of the company.

Vacancies, how filled.

6. *And be it enacted*, That in case it should happen that an election of directors should not be made during the day appointed for the same, the said corporation shall not for that cause be deemed dissolved, but such election may be held at any other time on notice as aforesaid.

Not to be dissolved by failure to hold an election.

7. *And be it enacted*, That the said company be and they are hereby empowered to improve all such lands as they are hereby authorized to own or purchase, by laying out the same into lots, streets and other divisions, of leveling and grading the same, or making thereon all such workshops, factories, stores, dwellings and such other buildings and improvements as may be found necessary, and to construct

May lay out and improve lands, &c.

on the lands of said company aqueducts or reserviors, for carrying, collecting and providing water, and to let, lease, mortgage, sell or change the same, or to use any lot or other portion of any of the said lands for depots and for agricultural or manufacturing purposes.

Books of account shall 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 and kept all the transactions of the said company, which books shall at all times be kept open for the inspection of the stockholders of the said company.

Transfer of stock.

9. *And be it enacted*, That no transfer of stock shall be valid or effectual until such transfer shall be recorded in the books of the company.

May issue bonds.

10. *And be it enacted*, That the said company shall have the power, and they are hereby authorized to issue bonds, and for the purpose of securing their payment may mortgage and pledge their real and personal estate, and to sell and negotiate the said bonds at a rate of interest not exceeding seven per cent.

Annual statement shall be made to stockholders.

11. *And be it enacted*, That the said directors shall submit to the stockholders at their annual meeting, a written statement of the affairs of the said corporation, setting forth the amount of the capital stock paid in, the amount of money due to and from the said corporation, and the amount of all assets and property belonging to the said company, as nearly as the same may be ascertained.

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

Approved April 3, 1873.

CHAPTER CCCCLXI.

An Act to incorporate the West Branch Fruit and Cranberry Company.

orporators

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That John S. Irick, Henry J. Irick, Samuel S. Irick, John B. Irick, Robert H. Irick, Alexander

Elwell and Stacy Haines, 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 "West Branch Fruit and Cranberry Company." Corporate name.

2. *And be it enacted*, That the amount of the capital stock of said company shall be twenty thousand dollars, with the privilege of increasing the same to fifty thousand dollars, to be divided into shares of one hundred dollars each, to be deemed personal property, and to be transferable only on the books of this corporation. 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, ten dollars on each share shall be paid to said commissioners, or shall be satisfactorily secured, 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 three weeks' notice in some public newspaper printed and circulated in this state, of the installments to be paid in, and the time and place of payment, and by mailing a copy of said newspaper containing such notice, postage prepaid, with such notice plainly marked, directed to each stockholder, at his place of residence, as entered in the books of said company, at least ten days before the time of payment, and upon failure on the part of any stockholder to pay such installment, the directors shall have power to sell the said stock, upon like notice as aforesaid, and after deducting from the proceeds of such sale the amount of such unpaid installment, and all expenses and charges due upon said stock, shall pay the surplus, if any there be, to the delinquent holder of said stock. Commissioners to receive subscriptions to capital stock

4. *And be it enacted*, That whenever ten thousand dollars of the aforesaid capital stock 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, 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, Election of directors.

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.

Treasurer shall give bonds.

5. *And be it enacted*, That the treasurer of said company shall give bond, with sufficient security, to be approved by the said directors, in the sum of five thousand dollars.

Object.

6. *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 county of Burlington, and to improve the same for the cultivation of cranberries and cranberry vines, 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, doing no unnecessary damage to the same, for the benefit of their said lands.

May borrow money.

7. *And be it enacted*, That it shall be lawful for the directors of said company, from time to time to borrow such sums 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.

Penalty for injury to property.

8. *And be it enacted*, That if any person shall willfully impair, injure, destroy or obstruct any of the necessary works, or any drains or watercourses of the said company, such person or persons so offending shall forfeit and pay to the said company the sum of twenty-five dollars, to be by them recovered in any court having competent jurisdiction, in an action of debt, and shall be further liable for all damages.

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

Approved April 3, 1873.

CHAPTER CCCCLXII.

A Supplement to an act entitled "An Act to authorize the Transfer of the Lodi Branch Railroad, and to incorporate the Lodi Branch Railroad Company," approved February sixteenth, one thousand eight hundred and seventy.

Capital stock may be increased.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the directors of the said "The Lodi Branch Railroad Company," be and they are hereby authorized and empowered to increase the capital stock of said company to any amount not exceeding seventy thousand dollars over and above the amount of thirty thousand dollars authorized by the said act, being one hundred thousand dollars in the whole, to be divided into shares of one hundred dollars each, as provided in the act to which this is a supplement.

May issue bonds.

2. *And be it enacted*, That the said company shall have power to issue bonds to an amount not exceeding fifty thousand dollars in the whole, said bonds to draw interest at a rate not greater than seven per centum per annum, and may secure the same by a mortgage or mortgages upon the railroad and other corporate property and franchises of the said company, 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 that may be instituted to enforce the payment of any bond or mortgage to be executed by the said company under the authority of this act.

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

Approved April 3, 1873.

CHAPTER CCCCLXVIII.

An Act to authorize the owners of land lying south of the lands occupied by Dialogue and Wood, and north of Little Newton Creek, in the Fifth Ward of the City of Camden, to build and maintain and keep in repair, Docks, Wharves and Piers, in front of their lands.

May build and maintain docks, wharves and piers.

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 owner or owners of any lands lying south of the lands occupied by Dialogue and Wood, and north of Little Newton creek, in the fifth ward of the city of Camden, his, her or their heirs and assigns, to build, maintain and keep in repair, docks, wharves and piers in front of his, her or their said land, and to extend the same into the river Delaware, and from time to time to rebuild and repair the same, and to take, receive and collect dockage and wharfage, for the use of such docks, wharves and piers; *provided*, that nothing in this act contained, shall be so construed as to authorize the extension of such docks, wharves or piers, into said river beyond the line of the bulkhead or solid filling and piers, recommended and reported to the legislature by the commissioners appointed under the act entitled "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, one thousand eight hundred and sixty-four, by report bearing date February first, one thousand eight hundred and sixty-five.

Proviso.

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

Approved April 3, 1873.

CHAPTER CCCCLXIX.

An Act to incorporate the "Mayeta Cranberry Company."

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Nathaniel H. Bishop, Samuel H. Shreve, John D. Gifford, junior, Josiah Sprague, George H. Sprague, and all such persons as may hereafter be associated with them, their successors and assigns, be and they are hereby constituted a body politic and corporate, in fact and in law, by the name of "Mayeta Cranberry Company," for the purpose of buying, holding, cultivating and improving lands in the county of Ocean, and for raising and selling cranberries and other fruit, and other produce of said lands, and carrying on the business connected therewith, and erecting such buildings and holding such personal property as may be necessary therefor; and that they and their successors, by the same name, may sell and dispose of the said lands, tenements and hereditaments, cranberries, produce, fruits, goods and chattels, or any part thereof, and may lay open, make and maintain ditches and embankments through their own lands, and may flood their own and adjoining lands as they may deem for the benefit of said lands, doing no unnecessary damage and subject to such compensation to be made therefor as hereinafter directed.

Names of corporators.

Corporate name and object.

2. *And be it enacted*, That this company shall have the right to carry on the business of milling and manufacturing, either in connection with or independent of cranberry culture; and for such purposes the said company shall or may raise by subscription by opening the books thereof, or otherwise, a capital stock of thirty thousand dollars, which shall be divided into shares of one hundred dollars each.

Capital stock

3. *And be it enacted*, That if said company or their agents cannot agree with the owner or owners of such required lands, for the use thereof, or when by reason of the legal incapacity or absence of such owner or owners no such agreement can be made, then the judge of the circuit court in the county of Ocean, shall on application of either party,

Proceedings when company and owners cannot agree as to lands required.

nominate and appoint three disinterested persons to examine such lands, and estimate the damage sustained thereby, who shall at the same time take into consideration all the benefits which the said owner or owners may derive from or in consideration of said improvement, and who shall after at least ten days' 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 of Ocean, and whenever such report shall be confirmed by the court aforesaid, the said company shall, within two months thereafter, pay to the said owner or owners, or such person or persons as the court may direct, the sum mentioned in said report in full compensation for the damages sustained, but if the person to whom such compensation shall be awarded is or the said company is dissatisfied with the amount thereof either party may appeal from the said adjudication to the circuit court of the county of Ocean, which is hereby given jurisdiction to rehear the said matter and to cause a proper issue to be framed to try the question of compensation and to have the same tried by jury as an issue out of the supreme court in a civil action but such appeal shall not restrain the said company from taking possession of such required lands, if the said compensation found by said appraisers shall have been tendered if the jury shall find more than the appraisers the costs of such appeal shall be paid by the company, but if the jury find less or confirm said amount the costs of appeal shall be paid by the owner or owners; in case any parties entitled to compensation cannot be found to whom to pay the same, or are unknown or labor under legal disabilities, payment of such compensation into the circuit court of the county of Ocean shall be equivalent to the payment of the parties entitled to the same.

General powers of the directors.

4. *And be it enacted*, That the affairs of said corporation shall be managed by a board of five directors, one of whom shall be president, and a majority of whom shall have all the powers of the board, and they shall hold their office for one year and until others are elected in their stead, and shall have power to make by-laws for the government and management of said corporation, and shall hold their meetings at such times and places in this state as the by-laws may provide; and that until an election for directors shall

be held, the persons named in the first section of this act shall be directors; and in case a vacancy shall occur in the board of directors by death, resignation or a 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.

Dividends.

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 be made to the stockholders except from the net profits of the corporation; and that regular books of accounts of the corporation shall be kept, to which every stockholder shall have access at reasonable times for the purpose of inspection, and that their principal office shall be in Stafford township, in this state.

How dissolved.

6. *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 survivor or survivors of them, or such person as the said stockholders shall appoint, shall be trustees for the settling of 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 stock.

Proviso.

May borrow money.

7. *And be it enacted*, That it shall be lawful for the directors of said company, from time to time, to borrow such sum or sums of money as may to them seem advisable for the purposes of their said business, and to secure the same by mortgage or mortgages on the lands or other property of said corporation.

Restrictions and liabilities.

8. *And be it enacted*, That the said corporation shall possess the general powers, and be subject to the general directions and liabilities set forth in "An act concerning corporations," approved February fourteenth, one thousand eight hundred and forty-six, so far as the same are applicable.

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

Approved April 3, 1873.

CHAPTER CCCCLXXXI.

A Supplement to an act entitled "An Act to incorporate the Safety Fund Insurance Company," approved March twenty-second, one thousand eight hundred and seventy-two.

Amendment

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the fourth section of said act be amended by striking out the words "one hundred," and inserting the word "fifty;" that the seventh section be amended by striking out the words "seventy-two," and inserting the words "seventy-three;" and that the eighth section be amended by striking out the words "seventy-three," and inserting the words "seventy-four;" and that the eighth section be further amended by striking out the words "one hundred," and inserting the word "fifty."

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

Approved April 3, 1873.

CHAPTER CCCCLXXXII.

Supplement to "An act to incorporate the Farmingdale Manufacturing Company."

Preamble.

WHEREAS, by inadvertence the state assessment on an act entitled "An act to incorporate the Farmingdale Manufacturing Company," approved March twenty-second, one thousand eight hundred and seventy-two, was not paid within the time prescribed by law, and thereby the said act became inoperative and void; *and whereas*, it is desirable that said act should be revived; therefore,

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, entitled "An act to incorporate the Farmingdale Manufacturing Company," approved March twenty-second, one thousand eight hundred and seventy-two, be and the same is hereby revived and declared to be operative, and to stand in full force and effect as if the said state assessment had been paid within the time required by law; *provided*, that the state assessment on said original act and on this supplement shall be paid before the first day of July next ensuing the passage of this act. Act revived. Proviso.

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

Approved April 3, 1873.

CHAPTER CCCCLXXXIII.

An Act to incorporate the "Newark Musical Union," of the city of Newark.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That William T. Mercer, Robert S. Swords, Caleb S. Titsworth, William H. Francis, Daniel Dodd, William H. McClave, Thomas B. Peddie, Francis Mackin, Samuel Atwater, Anthony Q. Keasbey, James L. Hays, Inslee A. Hopper, J. Clinton Walsh, Cortlandt L. Parker, James Roberts, Charles Tucker, John I. Young, George W. Nuttman, John N. Tuttle, Gifford F. Parker, William S. Hartshorne, Moses W. Crane and James D. Orton, and their associates, and all other persons who shall become subscribers and owners of the capital stock hereby created, shall be, and their successors are hereby made and declared to be a corporation and body politic, in fact and in law, by the name of "The Newark Musical Union," of the city of Newark, and by that name shall have power to lease, or purchase and hold real estate in the city of Newark, in the county of Essex, and state of New Jersey, and to erect thereon a hall and other improvements for the use of societies, lyceums, public meetings, concerts, exhibitions, Names of corporators. Corporate name and powers.

New Jersey State Library

and for other public uses, subject to the by-laws and regulations of said corporation.

Capital stock

2. *And be it enacted*, That the said corporation shall have power to raise by subscription, a capital stock of one hundred thousand dollars, with power to increase the same to one hundred and fifty thousand dollars.

Who may vote for directors, &c.

3. *And be it enacted*, That the capital stock of said corporation shall be divided into shares of fifty dollars each, and shall be transferable in such manner as the by-laws of such corporation may direct; and each stockholder shall be entitled to vote at all elections for directors or other officers, and cast one vote for every share of stock so held by him, which vote may be given in person or by proxy; every original subscriber of five hundred dollars and upwards, shall be entitled, under such regulations as may be established by the directors, to a free admission for every ten shares of stock so subscribed.

When company may go into operation.

4. *And be it enacted*, That the corporation shall not go into operation until twenty-five thousand dollars of the capital stock shall have been subscribed, and until a certificate, under oath, signed by at least three of the directors hereinafter named, that such subscription has been made, shall have been filed in the office of the clerk of the county of Essex.

Board of directors, how constituted.

5. *And be it enacted*, That the affairs of said corporation shall be managed by a board of directors consisting of twenty-three stockholders, and the persons named in section one of this act shall constitute the first board of directors, and shall hold their offices until the first election of directors, to be hereinafter held pursuant to the by-laws of said corporation, and until others are elected in their stead; and the said corporation shall have power by their by-laws to appoint the time and place for holding elections for directors, and to fix the term for which such directors shall hold their offices, and to prescribe the manner of filling vacancies in their body.

Payment of subscriptions to capital stock.

6. *And be it enacted*, That the directors may require payment of subscriptions to said capital stock at such times and in such proportions, under the penalty of forfeiting all stock and previous payments thereon as they may deem proper; *provided, however*, that four weeks' previous notice of such required payment thereon shall be published at least once a week for four weeks successively, in two daily papers in the city of

Proviso.

Newark; the persons who have heretofore become subscribers to the stock shall be liable to pay the amount of their subscriptions in the same manner as such who may subscribe after the passage of this act, and no part of the capital of said corporation shall at any time, or under any pretense, be refunded to the stockholders, until all the debts and liabilities of said corporation are fully paid.

Amount of debt which may be incurred.

7. *And be it enacted*, That the whole amount of indebtedness which said corporation shall at any time make, shall not in any case exceed the amount of the capital stock actually subscribed, and in no case shall such indebtedness exceed thirty-three per centum of the full amount of such stock actually paid in.

Location of office.

8. *And be it enacted*, That the office of said corporation, its books, records and papers, shall be kept in the city of Newark, and annually in the month of May, the directors shall submit to the stockholders a written statement of the capital stock paid in, and the amount of outstanding liabilities, and no dividend shall be declared or paid to the stockholders, except from the surplus income derived from the property of the company.

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

Approved April 3, 1873.

CHAPTER CCCCLXXXIV.

A Supplement to the act entitled "An Act to incorporate the Madison Aqueduct Company," approved March eighth, one thousand eight hundred and seventy-two.

Powers of original act extended.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the said company to extend all the powers and privileges of the original act to which this is a supplement, to any village, town or city in the counties of Morris and Essex, and for the purpose of more effectually increasing the supply of water, and of distributing the same to the said villages, towns or cities;

it shall and may be lawful for the said company from time to time to take and direct any spring or springs, stream or streams of water or lakes having their origin, running or being in the county of Morris; subject, however, to the provision of the sixth section of the act to which this is a supplement; *provided*, that it shall not be lawful for said company to extend or lay their water pipes into any of the streets of Morristown, in the county of Morris, for the purpose of supplying the residents thereof with water, and said company shall not supply such residents with water except in such streets or parts of streets of Morristown as "The Proprietors of the Morris Aqueduct" shall not have laid their water pipes, but said company shall have the right to lay pipes any conduits in the streets of Morristown for the purpose of transporting water across the town but for no other purpose except as above mentioned; *and provided*, that said company shall not be authorized to take, acquire, or divert any land, or spring, or stream of water lying, being or arising in the township of Morris, in the county of Morris, or so much of the township of Passaic in said county, as lies northwest of a straight line drawn on a course of northeast and southwest through the dwelling house of Charles Arrowsmith, about one mile north of the village of New Vernon, in said township of Passaic.

Proviso.

Proviso.

Additional directors.

2. *And be it enacted*, That it shall be lawful for the stockholders of said company at each annual meeting for the election of directors, in addition to the directors provided for by the said act, to choose three additional directors for every town, village or city to which the works of said company shall be extended and water distributed, which three additional directors shall be residents of such village, town or city.

Capital stock may be increased.

3. *And be it enacted*, That the capital stock of said company may be increased from time to time as the business of the company may require and the board of directors shall determine.

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

Approved April 3, 1873.

CHAPTER CCCCLXXXV.

An Act to incorporate the Raritan Boat Club.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Isaac L. Fisher, Arthur G. Ogilby, Andrew K. Cogswell, David A. Storer, Lewis D. Beck, Charles J. Rutgers, Francis L. Janeway, William E. Kelley, John Olendorf, junior, Dowd D. Williamson, George W. Herbert, Clinton De Witt and Charles M. Dayton, and such other persons as now are or hereafter may be associated with them and their successors, are hereby constituted a body corporate by the name of "The Raritan Boat Club," to be located at or near the city of New Brunswick, for the purpose of mental and physical improvement, by establishing club room and boat house, and such other means as shall be expedient and proper for such purpose.

Corporate name.

General powers.

2. *And be it enacted*, That such corporation shall have the power to make and adopt a constitution and by-laws and regulations for the admission, suspension and expulsion of its members and their government, the collection of fees and dues, the election of its officers and to define their duties, and for the safe keeping of its property and funds; and from time to time to alter and repeal such constitution and by-laws and regulations; and in the meantime the present constitution and by-laws and regulations of the said club shall be and continue in force, and the present officers shall hold their respective offices until others are elected in their place.

May have and hold real and personal estate.

3. *And be it enacted*, That said corporation shall have power to sue, and may be sued by their corporate name, and shall have power to take by purchase, lease, gift, grant, devise and bequest, any real or personal estate, and hold, convey and transfer the same; *provided*, that it does not hold at any time real property, the net income of which shall exceed five thousand dollars a year.

Proviso.

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

Approved April 3, 1873.

CHAPTER CCCCLXXXVI.

An Act to incorporate the Passaic Lumber and Building Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Benjamin Salter, Samuel Smith, Edward T. Bell, George E. Biddle and Isaac A. Lewis, and such persons as may be hereafter associated with them, and their successors and assigns shall be and hereby are constituted a body politic and corporate in law and in fact by the name of the Passaic Lumber and Building Company, and by that name shall have all the powers, privileges and franchises incident to a corporation for the purposes of this act.

Corporate name.

Capital stock

2. *And be it enacted*, That the capital stock of said company shall be fifty thousand dollars to be divided into shares of one hundred dollars each, which shares shall be considered personal property; which capital stock the said company shall have power to increase in such manner as they may deem proper to an amount not exceeding one hundred thousand dollars.

Election of directors.

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 company, and as soon as twenty thousand dollars of said stock shall be subscribed, such commissioners or a majority of them, shall appoint a time and place for holding a meeting, to choose five directors of said company; and at such time and place the said directors shall be chosen by such of the subscribers to said stock as may attend in person or by proxy, each share of said stock entitling the holder thereof to one vote, and at the said meeting, the said commissioners or any of them, shall act as inspectors of the election of directors there held, and shall certify under their hands and seals the names of the persons who may be chosen as said directors, and shall thereupon deliver over to said directors the subscription books and such moneys and property as may have

been received by them in trust for said corporation; and of the time and place of the aforesaid meeting, the said commissioners shall give at least ten days' notice in one of the newspapers printed at Paterson, or in stead of such published notice, a written notice may be served on each one of the subscribers to said capital stock, at least five days prior to the day of said meeting.

Vacancies, how filled.

4. *And be it enacted*, That the directors chosen as aforesaid shall as soon as may be after their election choose out of their own number a president who shall hold his office until a successor shall be elected, and in case of the death, disqualification or resignation of any director, the vacancy may be filled by the remaining directors for the remainder of the term of the said director; and said directors shall have power to appoint such other officers as they may deem proper for carrying on the business of said company.

Quorum.

5. *And be it enacted*, That three of the said directors shall be a quorum to transact all the business of said company, and the said directors shall have power to make such by-laws as they may deem proper touching the calling in of the capital stock and the forfeiture of shares on which default of payment may have arisen, and the management of the property and effects of said company and the election and duties of directors and officers of said company.

Business of the company

6. *And be it enacted*, That it shall be lawful for said company when duly organized, to purchase and receive by gift or devise, real estate, and to build upon and improve the same, and to convey, lease and mortgage the same, and to take, assign and purchase any mortgage or mortgages whatsoever, and to buy and sell all kinds of wood, lumber and building materials, and to manufacture of the same all kinds of articles, and to construct and repair all kinds of buildings and structures, and to make such contracts relating to real and personal property as the said directors may deem necessary or expedient for carrying out the purposes of this incorporation.

Location of principal office.

7. *And be it enacted*, That the principal office of said company shall be in the city of Paterson, in this state, where the elections of directors shall be held, and the books and papers of said company kept.

8. *And be it enacted*, That this act shall be deemed a public act, and shall go into effect immediately.

Approved April 3, 1873.

CHAPTER CCCCLXXXVII.

An Act to incorporate the Stephensburg Mining Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Joseph C. Stewart, Nathaniel Jennings, William F. Thompson, D. W. Trimmer and Samuel Lauterman be and they hereby are created a body politic and corporate, in fact and in law, under the name of "The Stephensburg Mining Company," for the purpose of mining iron and other ores and minerals, and manufacturing and using the same, and carrying on the business incident thereto; that for such purposes the said company shall or may raise by subscription, by opening books therefor, or otherwise, a capital stock of fifty thousand dollars, to be divided into shares of one hundred dollars each, with the privilege to the directors for the time being, of increasing the same from time to time to any amount not exceeding the sum of two hundred thousand dollars, if such increase shall be deemed necessary; that it shall be lawful for the said company to issue certificates of stock in whole or in part payment for any real or personal property purchased or leased by the said company for the purposes of their business aforesaid.

Corporate name and object.

Capital stock

May borrow money and issue bonds.

2. *And be it enacted*, That the said company may purchase, hold, use, sell, convey, mortgage, lease and dispose of such real and personal property as may be needful and proper for the purposes of said company and its business, or which may accrue to it in the course thereof; and that said company may borrow money and issue the bonds of said company therefor, to an amount not exceeding three-fourths of the paid in capital of said company.

Corporators to be first directors.

3. *And be it enacted*, That the affairs of said company shall be managed and conducted by a board of directors to be composed of not less than three, nor more than five directors being stockholders; one of which directors shall be president of said company, and that the persons named in the first section of this act shall be the first directors to

organize said company; to open subscription books for the stock thereof, and when twenty per centum thereof is paid in, then to manage the affairs of said company until the first day of July, one thousand eight hundred and seventy-three, or until others are regularly elected in their stead, at an election in pursuance of the by-laws of said company; that the by-laws of said company shall provide for the annual election of the directors thereof, who shall hold office for one year next ensuing their election, or until their successors are chosen.

Vacancies, how filled.

4. *And be it enacted*, That a majority of the directors shall on all occasions when assembled at such time and place as the by-laws shall prescribe, constitute a body competent to transact business, and all business matters before them shall be decided by a majority of votes; and in case a vacancy shall occur in said board by death, resignation or a failure of the stockholders to elect the full number authorized by the by-laws, the remaining directors for the time being, or a majority of them, shall have full power to fill such vacancy by the selection, as such director of any stockholder.

Not to be dissolved by failure to elect directors.

5. *And be it enacted*, That in case it shall happen that an election of directors shall not be had upon the day designated 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.

May enact by-laws, &c.

6. *And be it enacted*, That said company may have and use a common seal and may change and alter the same at pleasure, and may make such by-laws for the regulation and government of said company as may be deemed proper; *provided*, the same are not inconsistent with the constitution and laws of the United States or of this state; and that said company may sue or be sued in all courts of law or equity in this state.

Proviso.

Shall make annual statement to the stockholders.

7. *And be it enacted*, That the directors of said company shall prepare and submit to the stockholders, at their annual meetings, a written statement of the affairs of the said corporation, setting forth the amount of capital paid in, the amount of money due to and from said corporation, and the amount of all assets and property belonging to said company, as nearly as the same can be ascertained.

Regular books of account shall be kept.

8. *And be it enacted*, That the by-laws of said company shall prescribe the location of the principal office of said company, at which regular books of account shall be kept, to which any stockholder shall have full access at all reasonable times, for the purposes of inspection, and that books of transfer of the stock shall also be kept, which shall be evidence of the ownership of said stock in elections and other matters submitted to the decision of the stockholders of said corporation.

How dissolved.

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

Proviso.

Capital stock of subscribers forfeited by reason of non-payment.

10. *And be it enacted*, That the board of directors shall have power to demand from the subscribers to the capital stock of said corporation the money for such subscriptions, and for any subscriptions to the increase of its capital, and in case of the failure to pay such subscriptions, the said board may, after four weeks' notice in a newspaper published in Warren county, declare the said stock on which installments are due, and all previous payments thereon, forfeited to the corporation, and such stock, and all previous payments thereon, and all right to the same, shall thereby be forfeited and belong to said corporation.

Restrictions and liabilities.

11. *And be it enacted*, That the said corporation hereby created shall possess the general powers, and be subject to the restrictions contained in the act entitled "An Act concerning corporations," approved on the fourteenth day of February, one thousand eight hundred and forty-six, and the several acts amendatory thereof, or supplemental thereto, in so far as the same may be applicable.

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

Approved April 3, 1873.

CHAPTER CCCCLXXXVIII.

An Act to incorporate the New Jersey Crystal Lake Ice Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Robert S. Van Rensselaer, Benona S. Lent, William H. Gatzmer, and Algernon S. Dodge, and such other persons as may be hereafter associated with them, be and they hereby are created and declared to be a body corporate and politic in law, by the name of the "Crystal Lake Ice Company," for the purpose of erecting and constructing suitable buildings, ice houses, machinery, embankments, dams, and other necessary appurtenances at or near what is known as "Emley's Sluice," in the county of Burlington, with the privilege of purchasing and using for the transportation of ice from said buildings, such vessels propelled by steam or otherwise as they shall deem expedient or necessary, with authority to purchase and hold such real estate as they may deem necessary for the purposes of said company, and to mortgage, sell or dispose of the same as they shall deem best for the interests of the same.

Corporate name and object.

Capital stock

2. *And be it enacted*, That the capital stock of said company shall be fifty thousand dollars, with the privilege of increasing the same to seventy-five thousand dollars, divided into shares of one hundred dollars each, which shares shall be deemed personal property, and shall be transferable only on the books of the company, in such manner as the directors thereof by their by-laws or otherwise shall direct, each stockholder to have one vote, either in person or by proxy; said stock to be subscribed, called for, and paid in at such times and in such installments, and upon such notice as the directors may appoint.

Names of the first directors.

3. *And be it enacted*, That the property and affairs of said company shall be managed by a board of directors, not less than four nor more than nine, all of whom shall be shareholders in said company, and who shall be chosen at such

time and place, and upon such notice as the directors by their by-laws shall direct; and that the said Robert S. Van Rensselaer, Benona S. Lent, William H. Gatzmer, and Algernon S. Dodge shall be the first directors of said company, who shall, as soon as convenient after the passage of this act, assemble and organize said company, and shall continue in office until others are elected in their stead.

General powers of the corporation.

4. *And be it enacted*, That as soon as seven thousand dollars of the said capital stock shall have been subscribed, the said company shall be authorized to proceed to carry out the objects of said corporation; that the shareholders shall choose out of the board of directors a president, and the directors shall have power to appoint such officers, agents, clerks and other servants as they may deem expedient, and to fix their compensation; they shall have power to adopt such rules and regulations as they may deem necessary and convenient for the management of said company; to fill vacancies in their own board until the next annual election and until others are chosen in their stead; to declare stock forfeited for non-payment of any installment or installments, and to sell and issue stock in lieu thereof for the benefit of said company.

Not be be dissolved by failure to elect directors.

5. *And be it enacted*, That the first annual election shall be held on the first Tuesday in June next, or at such other time and at such place as the directors may appoint, and at such hour as shall be fixed by the by-laws, and that if it shall happen that an election of directors shall not take place on that day, or on any subsequent day appointed for that purpose, the said corporation shall not be dissolved, but an election shall be held subsequently in any such case, at such time and place as the directors may appoint.

Annual report shall be made.

6. *And be it enacted*, That the directors of said company shall make an annual report to the stockholders at their annual meeting of the condition and affairs of the said company, and no dividends shall be declared except from the actual and net profits of the company.

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

Approved April 3, 1873.

CHAPTER CCCCLXXXIX.

A Supplement to an act entitled "An Act to incorporate the Hardyston Lime Company, of the County of Sussex," approved February fifteenth, one thousand eight hundred and seventy.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the corporate name of the said Hardyston Lime Company, of the county of Sussex, be and the same is hereby changed to the name of "The Wallkill Cement and Lime Company," and by that name the said company shall possess and enjoy all the rights, privileges and franchises, and be subject to all the liabilities and limitations mentioned in the act to which this is a supplement. Corporate name.

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

Approved April 3, 1873.

CHAPTER DXIII.

A Supplement to an act entitled "An Act to incorporate the Belleville Trust Company," approved March seventh, one thousand eight hundred and seventy-one.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the name of "The Belleville Trust Company" be and the same is hereby changed to that of "The Union Trust Company," and that the business and corporate powers of said company, including all the powers conferred by the act to which this is a supplement, upon the commissioners and directors therein named, shall be exercised by a board of trustees and such officers and agents as Corporate name.

they shall appoint; said board of trustees shall consist of nine persons, who shall be chosen by a majority in interest of the stockholders from among their own number, and the first board shall consist of Hugh Holmes, Elias Osborn, Alfred Keen, John D. Mitchell, William N. Randall and Henry H. Jaques, and three others, to be chosen at the first annual meeting, and the six persons hereinbefore named shall, at a meeting called for that purpose, fix the time and place of said first meeting, and shall give the notice thereof hereinafter prescribed; the said board of trustees shall elect a president annually from their own body, and a majority of their number shall be a quorum for the transaction of business.

Names of first trustees.

Term of office of trustees.

2. *And be it enacted*, That the first board of trustees, upon the day of the first election, shall divide themselves by lot into three classes of three each; the term of office of the first class shall expire at the end of one year; that of the second class at the end of two years, and that of the third class at the end of three years; and at the expiration of the first year, and annually thereafter, three trustees shall be chosen, who shall hold office for three years, or until their successors are elected; trustees shall be eligible for re-election, and vacancies shall be filled for unexpired terms by a vote of a majority in number of the board.

Election of trustees to be held annually.

3. *And be it enacted*, That the election of trustees shall be held annually at the office of the company, and the board shall give at least ten days' notice thereof in two daily newspapers published in the county of Essex; and in case of a failure to elect on that day, the trustees whose terms have not expired shall proceed to elect by the vote of a majority of their number, three trustees, who shall thereupon become members of the board; every election of trustees shall be by ballot; three inspectors of election shall be appointed by the board of trustees from among the stockholders, and every shareholder shall be entitled, either in person or by proxy, to one vote for trustees for every share of capital stock standing in his name on the books of the company.

Investments of trust moneys.

4. *And be it enacted*, That the trustees shall have a discretionary power of investing the moneys received by them in trust, in public stocks or bonds of the United States, or any individual state, or in the bonds or stocks of any county, city, town or township in this state.

5. *And be it enacted*, That the capital of said company shall be invested in bonds and mortgages on unencumbered real estate worth double the amount loaned thereon, or in stocks or bonds of the United States, or of the state of New Jersey, or in stocks or bonds of any county, city, town or townships of the state authorized to be issued by the legislature. Investment of capital.

6. *And be it enacted*, That it shall be lawful for the said company to receive moneys on deposit, and allow such interest thereon as may be agreed upon with the depositors, not exceeding seven per centum per annum, and to accept and execute all such trusts of every description as may be committed to them, and any trust or business committed or transferred to them by any court of record or any officer of this or any other state. Interest tobe allowed on deposits.

7. *And be it enacted*, That the principal office of said company shall be situated at such place in the county of Essex as the board of trustees may determine. Location of principal office.

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

Approved April 3, 1873.

CHAPTER DXIV.

An Act to incorporate the German Society of Jersey City.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Adolph Kirsten, Johann Knoop, Heinrich A. Haase, and such other persons as now are or may hereafter be associated with them, and their successors, shall be and hereby are constituted a body corporate, by the name of "The German Society of Jersey City," in the county of Hudson, for the purpose of assisting German immigrants, and affording relief to distressed Germans and their descendants, and by that name may sue and be sued, plead and be impleaded unto in all courts of law and equity in this state, and may have and use a common seal, and alter the same at pleasure. Names of corporators. Corporate name and object.

2. *And be it enacted*, That said corporation shall have

May hold real and personal property.

power to purchase, take, hold and enjoy such real and personal property as may be necessary for the purpose of carrying into effect the object of its incorporation; *provided*, that no part of the funds or property of the said corporation shall be diverted from the purpose of its incorporation; *and provided further*, that the annual income of said corporation from its real and personal property shall not exceed the sum of five thousand dollars.

Proviso.

Proviso.

General powers.

3. *And be it enacted*, That the said corporation shall have power to make and adopt by-laws and regulations for the admission, suspension and expulsion of its members, the number and titles of its officers, the election of its officers and the prescribing of their respective functions, and the mode of discharging the same, and for the filling of vacancies, for regulating the times and place of meeting of said corporation, and for the general management of its affairs, and may from time to time alter or repeal the same at pleasure; *provided*, that such by-laws or regulations shall contain nothing repugnant to the constitution or laws of the United States or of this state.

Proviso.

Not to be dissolved by reason of failure to elect.

4. *And be it enacted*, That in case any election for officers shall not take place on the day appointed in the by-laws of said corporation for holding the same, the said corporation shall not for that reason be dissolved, but such election may be had at such other time as may be designated by said corporation for that purpose; and the officers chosen at any election shall hold their offices until their successors shall have been chosen, unless a vacancy shall happen through death, disqualification or expulsion; and thirteen members of said corporation assembled at the time and place appointed for that purpose by any by-law or regulations of said corporation, shall constitute a quorum for the transaction of the business of said corporation.

Annual statement shall be made.

5. *And be it enacted*, That at least once in each year the officers of said corporation shall at a meeting thereof exhibit an exact account of the receipts and disbursements of the preceding year.

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

Approved April 3, 1873.

CHAPTER DXV.

A Further Supplement to the act entitled "An Act to incorporate the Belvidere Manufacturing Company," passed the twenty-sixth day of February, one thousand eight hundred and twenty-eight.

Preamble. WHEREAS, the business of the said company has been greatly depressed during the last two years, and its property having depreciated in value; therefore,

May reduce capital stock 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said company may reduce the amount of the capital stock of said company now issued to the sum of forty thousand dollars; *provided*, three-fourths in value of the stockholders of said company shall first consent thereto in writing. Proviso.

May issue new certificates of stock 2. *And be it enacted*, That after three-fourths in value of the said stockholders shall have consented thereto as aforesaid, the board of directors of said company shall have power by resolution to call in the old certificates for shares of stock, and issue new certificates in their stead, to correspond with the reduction in value by this act authorized; and in case any stockholder shall not have the requisite number of shares of old stock to entitle him to have issued to him or her the full value of such old shares in new shares, such stockholder shall be entitled to have issued to him or her a stock scrip to represent such fractional part of new stock; and at any time when the holder of such stock scrip shall surrender the same to the proper officers of said company in amounts of fifty dollars, the said officer shall issue a share or shares of stock for the same, and cancel the said stock scrip.

May borrow money. 3. *And be it enacted*, That the said company have power to borrow such sum or sums of money from time to time as the board of directors shall deem necessary for the use of the company, and to secure the repayment thereof by bonds and mortgage on the property and franchises of the said

company, at a rate of interest not exceeding seven per centum per annum; *provided*, that the amount of such bonds shall not at any one time exceed the sum of twenty-five thousand dollars.

Proviso.

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

Approved April 3, 1873.

CHAPTER DXVI.

An Act to incorporate the Car Wheel and Manufacturing Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Abiezer Jameson, Tyler C. Morford, John S. Calkins, Thomas G. Chattle and W. P. Brooks, 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 Car Wheel and Manufacturing Company," to be located in Mercer, Ocean or Monmouth counties, for the purpose of carrying on the business of making car wheels and manufacturing, and for that purpose may hold such real estate, water privileges, machinery and effects, and personal property as may be needful to carry on the said business, as may accrue to them in the course thereof, and may sell, mortgage, lease, or otherwise dispose of the same.

Corporate name and object.

May build, own and run steam and sailing vessels.

2. *And be it enacted*, That the said company shall also have power to charter, buy or build, steam and sailing vessels, to run in connection with said company or otherwise, as the interests of said company require, and to transact all such business as may be incident or appertaining to the erecting, managing, furnishing, conducting or otherwise controlling and disposing of the same.

May construct a branch railroad.

3. *And be it enacted*, That said company shall have power to build, construct and maintain, a branch railroad, and to connect the same with any railroad or branch thereof, with all the rights and privileges usually granted to railroad companies, and not to exceed one and one-half miles in length, and to connect with said company's works.

Subscriptions to capital stock.

4. *And be it enacted*, That said corporation shall have power to raise by subscription a capital stock of two hundred thousand dollars, with liberty to increase the same to any sum not exceeding five hundred thousand dollars, which capital stock shall be divided into shares of one hundred dollars each; and each share of said capital stock shall entitle the bona fide owner thereof to one vote at all meetings of the said stockholders, which vote may be given either in person or by proxy.

Election of directors.

5. *And be it enacted*, That the persons named in the first section of this act, are hereby appointed commissioners to receive subscriptions to said capital stock at such time and place as a majority of them may appoint, giving previous notice thereof once in each week, for at least two weeks, in a newspaper printed and published in Ocean or Monmouth county, and as soon as twenty-five thousand dollars of said capital stock is subscribed for, said commissioners or a majority of them, shall call a meeting of the stockholders for the purpose of organizing said corporation and electing a board of directors by giving each stockholder a written or printed notice of at least five days previous to said meeting, and the remainder of the stock shall be disposed of under the direction of the board of directors or a majority of them.

Term of office

6. *And be it enacted*, That the business of said corporation shall be managed by not less than three directors, all of whom shall be stockholders, and one of whom shall be president, who shall hold their office for one year and until others shall be elected in their stead, and every year thereafter at such time and place and upon such notice as the by-laws may direct.

May make by-laws, &c

7. *And be it enacted*, That said directors shall have power to make by-laws for the government of said corporation 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.

Transfer of stock.

8. *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.

Books of account shall be kept.

9. *And be it enacted*, That the books of account of said company shall be kept in the office of said company, to which said books every stockholder shall have free access

at all reasonable times, for the purpose of inspecting the same.

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

Approved April 3, 1873.

CHAPTER DXVII.

An Act entitled a supplement to and amendatory to an act entitled "An Act to incorporate the Tuckerton and Atlantic Railroad Company," approved March twenty-third one thousand eight hundred and sixty-nine.

Names of additional incorporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the first section of the act to which this is a supplement, be amended by adding to the list of incorporators the following named persons, John W. Johnson, L. H. Ashley, John Collins, Lardner Clark, O. P. Hickman, S. H. Cavileer, Elias Wright, Lewis Kenhule, William H. Baltic and Henry Smitz.

May lay out and construct railroad.

2. *And be it enacted*, That the president and directors of the company organized under the act to which this is a supplement, 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, at or near Tuckerton, in the county of Burlington, to some suitable point hereafter to be designated on the line of the Camden and Atlantic Railroad, in the county of Atlantic, with the privilege of crossing the Mullica (or Little Egg Harbor river) at or near Chestnut Neck in the said county of Atlantic; *provided*, the said company or corporation shall provide a suitable draw of not less than thirty feet in width to be made over the said river.

Proviso.

Time extended.

3. *And be it enacted*, That the time limited for the expiration (in the sixteenth section) of the act to which this is a supplement, be extended five years from the date of the passage of this act.

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

Approved April 3, 1873.

CHAPTER DXVIII.

A Supplement to an act entitled "An Act to incorporate The Central Savings Bank of Jersey City," approved February fourteenth, one thousand eight hundred and seventy-one.

May invest in bonds, &c.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said bank may in addition to investing money upon the securities specified in the seventh section of the act to which this is a supplement, make investments of money upon the securities of any of the counties of this state, the issue of which is or shall be authorized by law, and also upon bonds secured by mortgages upon unencumbered real estate located in this state and worth at least double the amount or sum invested thereon.

Trustees shall be residents of Jersey City.

2. *And be it enacted*, That each of the trustees of said bank shall at the time of his election be a resident of Jersey City, but the subsequent removal from said city of any trustee shall not create a vacancy in his office.

Repealer.

3. *And be it enacted*, That all parts of the act to which this is a supplement which are inconsistent with the provisions of this act be and the same are hereby repealed, and that this act shall take effect immediately.

Approved April 3, 1873.

CHAPTER DXIX.

An Act to incorporate the Lambertville and Flemington Turnpike Company.

Names of persons to receive subscriptions to the capital stock.

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 Lambertville and Flemington Turnpike Company shall be opened by William H. Gandy, Richard McDowell, Gervas Ely, John Groman, William F. Holcombe, Charles A. Skillman, David Williamson, Amos Hart, John C. Hopewell, William Force, or a majority of them, who are hereby appointed to receive subscriptions to said stock, at such time and place 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 Hunterdon.

Capital stock

2. *And be it enacted*, That the capital stock of said company shall be forty thousand dollars, with the privilege of increasing it to seventy-five thousand dollars, and shall be divided into shares of twenty-five dollars each; and that when three hundred shares shall be subscribed and taken, the persons holding the same shall be and they are hereby incorporated into a company, by the name and title of the "Lambertville and Flemington 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.

Corporate name.

Payment of subscriptions to 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 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 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 said installments, or any of them, to and for the use of said company.

Act, how null and void.

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 three 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 residents 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.

Election 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 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.

General powers of the directors.

7. *And be it enacted*, That the said directors, or a majority of them, may supply any vacancy occurring in the interval between the annual elections by death, resignation, removal or refusal to act of any president or director, and may appoint a treasurer 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 ordinance 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*, that the same are not repugnant to the constitution and 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 complete statement of the affairs of the company during the said term.

Special meetings.

9. *And be it enacted*, That special meetings of the stockholders may be called by 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.

Not to be dissolved by reason of failure to hold election.

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 charter shall not be defeated nor avoided by reason of irregularity, or want of such election.

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

the said company to construct and make a turnpike road from Lambertville, in the county of Hunterdon to Flemington, in said county, by a route following on or near the old York road from Lambertville, through Ringoes to Pleasant Corner, and thence on or near the public road leading from Pleasant Corner to Flemington, which said turnpike road shall not exceed fifty feet in width, and at least sixteen feet thereof 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 it shall be so graded that in its progress no part of it shall rise above an angle of six 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 the 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; and the said company may, by its officers, agents, or other persons in their employ, enter from time to time and at all times, upon all lands for the purpose of making surveys, and to search for stone, gravel, or other material for improving said road as aforesaid, doing no unnecessary damage to said lands; *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 hereinafter provided for ascertaining and determining the damages which any land owner or owners may sustain by taking of stone, gravel, or other material from his lands for the construction or maintaining of said turnpike road.

May construct turnpike road.

Width of road.

Bridges to be constructed and kept in repair.

May enter upon lands and make surveys, &c.

Proviso.

12. *And be it enacted*, That if the owner or owners of any land on which said road shall be located, shall not be willing to give the same for such purpose, nor suffer the said company to take stone, gravel or other material from land adjacent, for the purpose of building said road, nor to enter adjacent land for the purpose of making such ditches or

Proceedings when company and owner or owners cannot agree as to land or materials required.

underdrains as may be necessary for properly draining such road, and the said company and such owner or owners cannot agree as to the amount of damage which said owner or owners will sustain by the taking of such land or materials, or by the making of such ditches, or when by the 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 Hunterdon, 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 time and place appointed, and to view and examine the land and materials, and make a just and equitable appraisement 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

Hunterdon, 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 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; and if either party shall feel aggrieved by the decision of such commissioners, the party so aggrieved may appeal to the circuit court of the county in which said land lies, at the first term after such decision of the commissioners, by proceeding in the form of a petition the said court with five days' notice, in writing to the opposite party of such appeal, which said proceeding shall vest in said court full right and power to hear and adjudge the same; and if required they shall award a venire in the common 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 amount of all damages sustained, and for that purpose to review the land or materials in question, if required by either party so to do, and if the said jury shall be demanded by the company, and they shall find a greater sum than the said commissioners, then judgment shall be given, with cost of suit, against said company, and execution issue 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 cost shall be paid by the owner or owners, and shall be deducted out of the said sum so awarded, or execution may issue therefor, as the court may direct; and upon payment of the sum so found by the commissioners or by the jury, with costs, if any, the said company shall be deemed to be seized and possessed of all such lands and materials so

Proceedings in case of appeal from decision of commissioners.

appraised as aforesaid, to have and to hold the same during the existence of said corporation; and in case any owner or owners of such land or materials shall be under age, non compos mentis, out of the state, or under any other legal disability which would prevent his, her or their agreement with said company, then it shall be the duty of the corporation to pay the amount of any award or report so made in behalf of any such person or persons, into the court of chancery, to the clerk thereof, subject to the orders of said court, for the use of said owner or owners, all which proceedings shall be at the proper costs and charges of the said corporation, except in cases of appeal as above provided for.

May use highway for location of road.

13. *And be it enacted*, That the said corporation may take and use so much of the highway or highways lying between the commencement and terminus of said proposed route, as may be deemed necessary and expedient by the said board of directors for the proper location of said turnpike road.

May erect gates and demand toll.

14. *And be it enacted*, That as soon as the said company shall have constructed the said turnpike road or any two continuous miles thereof, commencing at the city of Lambertville aforesaid, then according to the direction of this act, and the true intent and meaning thereof, it shall and may be lawful for said company to erect gates or turnpikes across the same and to demand and receive toll for traveling each mile and fractions of a mile of said road, not exceeding the following rates, to wit: for every carriage, sleigh or sled drawn by one beast, one and a half cents; for every additional beast, one and a half cents; for every horse and rider or led horse or mule, seven mills; for every dozen of calves, sheep or hogs, seven mills; for every dozen of horses, mules or cattle, three cents; and it shall be lawful for the toll gatherers to stop persons riding, leading or driving any horses, cattle, mules, calves, sheep, hogs, or carriages of burthen or pleasure from passing through the said gates or turnpikes until they shall have paid the toll as above specified; *provided*, that nothing in this act shall be construed so as to entitle the said company to demand or receive toll from any person passing to or from public worship, or to or from a funeral, or to or from such blacksmith shop as may be nearest to his place of residence, or any person passing to or from his common business on his farm or lands occupied by himself as a part of his farm.

Rates of toll.

Proviso.

Shall erect mile stones.

15. *And be it enacted*, That before the said company shall receive toll for traveling 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 the commencement of the said road in Lambertville; and shall cause to be fixed and always kept up at the gates or turnpikes aforesaid, in some conspicuous place, a 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 for defacingmile stones or injury to property.

16. *And be it enacted*, That if any person shall willfully break, throw down or deface any of the mile stones or posts, as 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 delaying traveler.

17. *And be it enacted*, That if any toll gatherer shall unnecessarily delay or hinder any traveler 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 obstructing road.

18. *And be it enacted*, That all the drivers of carriages, sleighs, or sleds, of any 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 damage for every such offence, to be recovered with costs of suit.

Proceedings when road or bridges are not kept in repair.

19. *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 freeholders 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 keeper shall, notwithstanding the order of the judge, refuse to open the said gate or turnpike, and exact toll of travelers, 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, fenders, 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 fee shall be allowed and paid as before directed; but if, upon 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.

20. *And be it enacted*, That the said corporation may use

any portion of 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 said public road or roads, or parts thereof, so taken on the route of said road or roads; 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. Proceedings for vacating roads.

21. *And be it enacted*, That if the said road be not commenced within three years, and at least six miles thereof completed within six years from the passage of this act, that then and in that case, this act shall be void. Time for the commencement and completion of road.

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

Approved April 3, 1873.

CHAPTER DXX.

An Act to repeal an act entitled "An Act to incorporate the Beverly and Charleston Turnpike Company," approved the second day of April, one thousand eight hundred and sixty-eight.

WHEREAS, the said turnpike has not been completed according to the provisions of said act, thereby rendering it not only difficult but dangerous to travel upon; *and whereas*, the stock of said turnpike having become worthless, it is the wish of the stockholders and the inhabitants of the townships through which said road is located, that the said charter be repealed, and the said turnpike declared to be a public road; therefore, Preamble.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the act to incorporate the Beverly and Charleston Turnpike Company, approved April second, one thousand eight hundred and sixty-eight, be and the same is hereby repealed, and that the said turnpike shall be deemed and taken to be a lawful public road, and shall be subject to the same penalties as other public roads are in the several townships through which the same may pass. Repealer.

To have immediate effect.

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 3, 1873.

CHAPTER DXXI.

An Act to incorporate the Widows' and Orphans' Friendly Society.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Allen L. Bassett, William Whitty, John Whitehead, John Korb, Peter Wilhelm, Henry Sauerbier and Jacob L. Sutphen, and their associates, successors and assigns shall be, and they are hereby created, a body politic and corporate, by the name of "The Widows' and Orphans' Friendly Society," and by that name shall be known in law, have power to sue and be sued, defend and be defended, in all courts of law or equity, and by that name may have, hold, purchase, possess and enjoy, to them and to their successors, estate real and personal whatever, necessary for the purposes of such corporation, and the same to grant, demise, alien and dispose of at pleasure, for the benefit of said corporation; and may also have a common seal, and alter or renew the same at pleasure.

Corporate name and powers.

Object.

2. *And be it enacted*, That the objects and purposes of said corporation shall be to assist sick, needy, or disabled members, to aid in defraying the funeral expenses of deceased members, and to provide for the wants of the widows and families of members after death.

Capital stock

3. *And be it enacted*, That the capital stock of said corporation shall be twenty-five thousand dollars, to be divided into shares of fifty dollars each, with the privilege of increasing the same to one hundred thousand dollars; each of said shares shall be deemed to be personal property, and may be transferred according to the by-laws of said corporation.

Commissioners to receive subscriptions to the capital stock.

4. *And be it enacted*, That the several persons named in the first section of this act be and they are hereby appointed commissioners to open the books for subscription to said capital stock, and whenever and so soon as said twenty-five

thousand dollars, capital stock, shall be subscribed, and five thousand dollars thereof paid in, then the said commissioners shall call a meeting of the stockholders, by advertising in some daily newspaper, published at the city of Newark, for ten days, a notice appointing a time and place of meeting for the election of directors.

Election of directors.

5. *And be it enacted*, That the property and affairs of such corporation shall be managed by a board of fifteen directors; the first board shall be elected at the meeting to be called by the commissioners, provided for in the fourth section of this act, and shall, immediately after their election, by lot, divide themselves into three classes equal in number, the first of which shall hold office until the day fixed by said board for the first annual election, the second shall hold office from one year from the day so fixed for the first annual election, and the third class for two years from that time; and as the terms of office of each class shall hereafter expire, successors shall be elected to hold for the term of three years each; said elections shall be by ballot; each stockholder shall be entitled to one vote for each share of stock by him held, and every member of the corporation, though not a stockholder, shall be entitled to one vote, and any director shall be eligible for re-election; should there be a failure in any of such elections the directors already elected shall hold office until others are elected; said directors shall have full power to make by-laws, rules and regulations, not inconsistent with the constitution and laws of the United States, or of the state of New Jersey; notice of such election, except the first, shall be given for thirty days in one or more newspapers published at the city of Newark, in this state.

Term of office

General powers.

6. *And be it enacted*, That it shall and may be lawful for the said directors to elect at each annual meeting, from their number, a president, one or more vice presidents, to select and employ such other officers, agents, and servants as may be necessary for the proper management of the affairs of said corporation.

May make contracts.

7. *And be it enacted*, That it shall and may be lawful for said corporation to make contracts with any person or persons for any of the objects or purposes of the said company, and that such contracts may be enforced against said corporation in any court of competent jurisdiction.

May purchase and hold real estate.

8. *And be it enacted*, That it shall and may be lawful for the said corporation to purchase and hold such real estate as

may be necessary and convenient for the transaction of its lawful business, and also to take and hold any real estate, or securities, mortgages, or pledges to said company, either at law or in equity, and also to purchase at sales made under judgments or decrees at law, or in equity, or in any other legal proceedings or otherwise; to take and receive any real or personal estate in payment or towards satisfaction of any debt previously contracted and due to the said company, and to hold the same until it can be conveniently sold or converted into money; and for the purposes of investing any part of their capital stock, funds or money, the said company may purchase and hold, sell and convey any bonds or public stock issued or created by this state, or by any of the incorporated cities or townships of this state, or by the United States, or by the states of New York, Massachusetts or Connecticut, or may invest the same in bonds secured by mortgages on unencumbered real estate within this state, worth double the invested or loaned.

Married woman may make contracts free from the control of her husband.

9. *And be it enacted*, That it shall and may be lawful for any married woman to make a contract or contracts with said corporation for any of its objects or purposes in her own name, or in the name of any other person as her trustee, with the assent of such person, and all benefit or benefits arising from any such contract or contracts shall enure to such married woman, or to such person or persons, as her trustee or trustees, as she may direct, free from and not subject to the control, management, conveyance, transfer, assignment, deeds or direction of her husband, and not liable for the payment of his debts; *provided, however*, that the amount of money required to be paid by married women, in accordance with the terms of such contract or contracts, shall not annually exceed the sum of dollars.

Proviso.

Persons making contracts to be members.

10. *And be it enacted*, That all persons making contracts with said corporation for any of its objects or purposes, shall become and be members of said corporation, subject, however, to all lawful by-laws, rules, and regulations which may be made or prescribed by said directors.

11. *And be it enacted*, That this act shall take effect immediately, and shall be deemed and taken to be a public act at all times and in all places.

Approved April 3, 1873.

CHAPTER DXXII.

A Supplement to an act entitled "An Act to incorporate the Newark and South Orange Horse Car Railroad Company," approved April sixth, one thousand eight hundred and sixty-five.

Authorized to survey, locate and build one or more branches.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That said Newark and South Orange Horse Car Railroad Company shall have authority and power to survey, locate and build one or more branches of their road from any point or points on South Orange avenue, in the townships of East Orange or South Orange, to any point or points on Main street, in the township of East Orange or the City of Orange, and to make connection or connections with the Orange and Newark Horse Car Railroad Company.

May build their branches over streets, avenues or roads. Proviso.

2. *And be it enacted*, That said company shall have power and authority to build said branch or branches over any of the streets, avenues or roads of said townships or city; *provided, nevertheless*, that the same shall not be built without authority first granted by the several township committees or city authorities; *and provided also*, that no such branch or branches shall be built on the northerly side of Main street or on Centre street, Harrison street, or Munn avenue in said city of Orange and township of East Orange.

Proviso.

May use dummy engines. Proviso.

3. *And be it enacted*, That said company may use dummy engines on their road; *provided*, that they obtain the consent of the municipal authorities and of the township committees of the cities and towns through which the road passes.

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

Approved April 3, 1873.

CHAPTER DXXIII.

A Supplement to the act entitled "An Act for the Relief of the Trustees of Immanuel Methodist Episcopal Church of Newark, in this State," approved March fourteenth, one thousand eight hundred and seventy-one.

Amendment

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said act shall be so amended that the corporate name of the corporation mentioned and referred to in said act shall read at all times and in all places "The Emanuel Methodist Episcopal Church," and that by that name the said corporation shall be called and known, and may make all deeds, and contracts or agreements necessary for carrying out the purposes of said corporation.

Corporate name.

Deeds to be valid and effectual in law.

2. *And be it enacted*, That any deed or deeds made, executed, and delivered by said corporation in pursuance of said act, whether given in the name of the Emanuel Methodist Episcopal Church, or by any other name, shall be valid and effectual in law, and binding upon said corporation to all intents and purpose, and shall convey in fee simple the land and premises mentioned and described in the said deed or deeds to the grantee or grantees therein named.

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

Approved April 3, 1873.

CHAPTER DXXIV.

An Act to incorporate the Shear Express Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Leroy N. Shear, G. W. Bentley, Whitelaw Reid, D. Nicholson, J. H. Desmases, Isaac

Chambers, T. J. Kearney, together with such other persons as shall subscribe to the stock hereinafter authorized, and their successors be and they hereby are constituted a body corporate in law, by the name of "The Shear Express Company," for the purpose of carrying on a general forwarding and express business in the transportation from place to place within the state of New Jersey, and from or to any place or places within said state to or from any place or places beyond the limits of said state, and between any places beyond the limits of said state, wherever the business of the company may require, of all goods, chattels, merchandise, bullion, specie, money, bills, notes, bonds, mortgages and other property which may be intrusted to said corporation for such purpose, and to do a general transportation, express and commission business over any railroad, steamboat route, ferry, highway, or other route or line of transportation; and also to do a general exchange, commission and collection business, and whatever other business ordinarily is or lawfully may be done by express and transportation companies; establishing an office therefor, wherever the business of said corporation may require; and by that name shall have all the rights and powers given to corporations in and by an act entitled "An act concerning Corporations," approved February fourteenth, eighteen hundred and forty-six, and the several supplements thereto; and also all the rights and powers necessary, appropriate and incident to the purposes hereinbefore expressed; and the principal office of said corporation shall be in Jersey City.

Corporate name and business.

General powers.

2. *And be it enacted*, That the capital stock of said corporation shall be two hundred thousand dollars, with power to increase the same by a vote of the board of directors, to any sum they may at any time deem necessary not exceeding five hundred thousand dollars, to be divided into shares of one hundred dollars each, which shall be deemed personal property, and shall be represented by certificates of stock, which the said corporation may issue in such form and amounts, and subject to such regulations as it may from time to time by its by-laws prescribe; and the board of directors may receive subscriptions to such stock, and prescribe the time and manner of the payment thereof, and may provide by its by-laws for the forfeiture of the said stock, and all part payments made thereon, for the use of said corporation upon non-compliance therewith.

Capital stock

When company may commence business.

3. *And be it enacted*, That the said corporation may commence business whenever twenty-five thousand dollars of the capital stock shall be subscribed for, and may receive in payment for any subscription to the stock, either money, or real or personal property necessary for the business of said corporation, at a price to be agreed upon; and the stock issued for such property shall be deemed full paid stock to the extent of such price.

Affairs to be managed by a board of directors.

4. *And be it enacted*, That the property and business of said corporation shall be managed and conducted, and the powers hereby granted to said corporation may be exercised as from time to time may be prescribed by the by-laws, by a board of not less than three nor more than seven directors, all of whom shall be stockholders of the corporation, and a majority of whom shall constitute a quorum for the transaction of business; they shall appoint a president, secretary, treasurer, and such other officers and agents as they shall see fit, in such manner as they shall by their by-laws prescribe; and the corporators named in the first section of this act, shall constitute the board of directors of the said corporation until the first election of directors made as hereinafter directed.

Election of directors.

5. *And be it enacted*, That on the first Monday of April, eighteen hundred and seventy-four, and annually thereafter, the stockholders of said corporation in the manner prescribed by the statutes of this state, respecting elections by incorporated companies, and the by-laws of the corporation, not inconsistent herewith, shall elect a new board of directors, who shall hold their office for one year, and until their successors are chosen; and in case an election of directors shall not be regularly held on any day specified therefor, this corporation shall not be dissolved, nor lose any rights by reason of the want of such election, or of any irregularity therein, but such election shall be held as soon thereafter, as under the provisions of said statutes and by-laws is practicable; any vacancy occurring in the board of directors by death, resignation, removal or disqualification may be filled by the remaining members of the board.

Railroad company may subscribe for stock.

6. *And be it enacted*, That any railroad company in the state of New Jersey, may subscribe for, pay and take any amount not exceeding one half of the said capital stock.

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

Approved April 3, 1873.

CHAPTER DXXV.

An Act to enable John C. Smallwood, administrator of Latitia Wollard, deceased, to pay over the balance of money remaining in his hands to certain persons therein mentioned.

Preamble. WHEREAS, John C. Smallwood, administrator of Latitia Wollard, deceased, by virtue of an order of the orphans' court of the county of Gloucester, to pay debts, recently sold all the real estate of said deceased, amounting to eight hundred and ten dollars; *and whereas*, after payment of said debts and expenses of the administration there will remain in the hands of the administrator the sum of three hundred dollars or thereabouts, and it is suggested that the said Latitia Wollard was an illegitimate child; therefore,

Administrator directed to settle the estate. 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said John C. Smallwood, administrator of the said Latitia Wollard, deceased, do proceed and settle the estate of said deceased, and pay the balance which may remain in his hands to those persons who would be the heirs-at-law of said deceased, in case she had been born in wedlock.

Approved April 3, 1873.

CHAPTER DXXVI.

An Act entitled An Act to incorporate Squan River Marl and Fertilizing Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Warren Leland, Austin H. Patterson, Charles Butcher, Oliver B. Kinne, G. W. Bentley, W. S. Sneden, Charles G. Bond, Samuel T. Williams, Charles H. Bond, William H. Degrott, James H Johnson, 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 Squan River Marl and Fertilizing Company," and the principal office of records of said company shall be kept in the town of Farmingdale, in Monmouth county, New Jersey.

Corporate name.

Capital stock

2. *And be it enacted*, That the amount of capital stock of said company shall be thirty thousand dollars, with privilege to increase it to two hundred and fifty thousand dollars, to be divided into shares of one hundred dollars each, to be deemed personal property, and shall be transferred only on the books of said corporation.

Commissioners to receive subscriptions to the 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 the said commissioners, or shall be satisfactorily secured; the residue of the subscription shall be paid in such installments, and at such times and places, and to such persons or persons as the directors of said company shall from time to time direct, by giving twenty days' notice in a newspaper printed and circulated in the counties of Monmouth, Ocean and Burlington, 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, for the use of said company, or, at

their option, to sue for and recover the installments due and unpaid; and when twenty-five thousand dollars of 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 seven directors, a majority of whom shall be residents of this state, 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, who shall be a resident of this state; and in case of the resignation, death or removal of the president, or any directors, such vacancy or vacancies may be filed for the remainder of the then current year by the said board of directors.

Election of directors.

4. *And be it enacted*, That the said company, when organized as aforesaid, shall be and they are hereby authorized and empowered to purchase, lease, have, hold, occupy and convey such and so many marl beds in the counties of Monmouth, Ocean and Burlington, as they deem necessary, and to open and work the same, and to mix any of the said marl, or to mix the same with any fertilizer or fertilizers, and to manufacture any fertilizers composed principally of the said marl or marls, and to transport the said marl or marls and fertilizers from place to place and to sell the same, and to purchase, hold and convey such other lands, and to erect such buildings therein as may be necessary or convenient for such business, and the lands necessary therefor, and to lay, keep and maintain drains through the contiguous and adjacent lands, for the benefit of their said marl beds or works, doing no unnecessary damage to said adjoining lands, or in anywise interfering with the drains, pits, or railroad of the marl companies now incorporated and in active operation in the counties aforesaid.

May own and work marl beds, &c.

5. *And be it enacted*, That the said corporation shall have power to make and use a common seal, and the same at pleasure to alter.

May have corporate seal.

6. *And be it enacted*, That the said corporation shall have

May borrow money.

power to borrow from time to time such sum or sums of money as shall be necessary to secure and obtain marl property, and furnish all the necessities for carrying out the objects of the said corporation, and to secure the repayment thereof by bond and mortgage, or otherwise, on the said property, franchises, and appurtenances of, or belonging to said corporation, at a rate of interest not exceeding seven per centum per annum.

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

Approved April 3, 1873.

CHAPTER DXXVII.

A Further Supplement to "An Act to incorporate the Guttenburg Ferry Company," approved March twenty-fifth, eighteen hundred and sixty-nine.

May enter upon lands and waters for the purpose of surveying or locating improvements.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said company be and they are hereby authorized, where it may be necessary, to take lands, rights and privileges for effectuating the purposes of the act to which this is a supplement and its several supplements, it shall be lawful for the said company by its agents, engineers, officers or other persons in their employment, to enter upon all lands, whether they may be covered with water or not, for the purpose of surveying or locating such improvements, doing no unnecessary damage to private property, and when the survey and location of said improvements or necessary works shall be determined, and the same deposited in the office of the clerk of the county of Hudson, it shall be lawful for the said company by any of its officers, agents, superintendents, engineers, contractors, workmen and other persons in their employ, to enter upon, take possession of, have, hold, use and occupy any such lands, and to make excavations and embankments, piers, wharves, and all other necessary works and structures which may be deemed expedient for the purposes of this act; *provided*, that where such lands are not purchased or given to said com-

Proviso.

pany, payment or tender of payment for the occupancy of said lands to be determined as hereinafter provided, shall be made before the said company shall enter upon or occupy said lands, except for the purpose of surveying the same as hereinbefore mentioned.

Proceedings if company and owner or owners of lands cannot agree as to purchase, &c.

2. *And be it enacted*, That if the said company, or its officers or agents, cannot agree with the owner or owners of any 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 lands or materials so required for the use of said company as the case will admit, shall be given in writing, under the oath or affirmation of some engineer or proper agent of said company, and also the name or names of the occupant or occupants, if any their 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 said corporation to give notice thereof to the persons interested, if known, and in this state, or if unknown or out of the 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 the notice aforesaid, he shall appoint, under his hand and seal, three judicious freeholders, residents in the county of Hudson, 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 said appointment; 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 the same, 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 the said land or materials, and to make a just and equitable estimate or appraisement of the value of the same, and assessment of damages, as shall be paid by the said company for such lands and 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 after

making the same, together with the aforesaid description of the land and the appointment and the oaths and affirmations aforesaid, in the clerk's office of the county of Hudson, to remain of record therein, which report, or a copy thereof, certified by the said clerk, shall at all times be considered as plenary evidence of the right of said company to have, hold, use, occupy 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 thirty 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 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 this act, as he shall think equitable and right, and to direct to whom the same shall be paid by the said corporation.

Proceedings in case of appeal.

3. *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 said commissioners, 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 the form of petition, which proceeding shall vest in said 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 issue to be tried in the next term of said 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 the said jury shall assess the value of said lands or materials and damages sustained; and if they shall find a greater sum than the said commissioners have awarded, in favor of 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 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 lands or materials upon the filing of the aforesaid report, the value or damages being first paid, or upon refusal to receive the same upon a tender thereof, or (the owner or owners being under any legal disability) the same being first paid into the said circuit court; *provided*, that nothing herein contained shall be construed as affecting or impairing the rights of the state to lands under water; *provided*, that the lands held and owned by the devisees of James G. King, deceased, and James Brown, or standing in their names, or either of their names, situated in the township of Weehawken, Hudson county, shall be and the same are hereby excepted and exempted from the provisions of this act and the original act and nothing in this act shall be so construed as to apply to said lands, or any part or portion thereof, or to authorize said ferry company to take the same in the manner and for the purposes provided for in this act or said original act; *and provided*, the condemnation herein provided for shall not apply to lands between the southerly line of the National Stock Yard Company and the dock of the Delaware and Hudson Canal Company. Proviso. Proviso. Proviso.

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

Approved April 3, 1873.

CHAPTER DXXVIII.

Supplement to an act entitled "An Act to incorporate the Irvington and South Orange Horse Car Railway Company," approved March thirty-first, one thousand eight hundred and sixty-nine.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for said railway to connect with any railroad in the city of Newark, May connect with any other railroad.

upon such terms, conditions and regulations as may be mutually agreed upon by the properly authorized officers of such roads respectively, subject however to the control and regulations of the mayor and common council of said city of Newark.

2. *And be it enacted*, That this act is hereby declared to be a public act and shall take effect immediately.

Approved April 3, 1873.

CHAPTER DXXIX.

A Supplement to an act entitled "An Act to incorporate the Hudson City Savings Bank," approved March twenty-seventh, one thousand eight hundred and sixty-eight.

Place of manager may be declared vacant.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That if any one or more of the board of managers of "The Hudson City Savings Bank" shall absent himself from three consecutive meetings of the said board, or shall absent himself from three consecutive meetings of any committee of said board of managers upon which he or they shall be appointed, or shall otherwise neglect the duties imposed upon him or them as a member or members of such board of managers or committee thereof, or who shall be guilty of any malfeasance or misconduct in his or their office, then in that case the board of managers of said bank at a meeting of said board, held for that purpose, of which at least five days' notice shall be given to each manager, and to the defaulting manager or managers as aforesaid, may declare the office of said manager or managers vacated; and said board shall then and there proceed to elect a manager or managers to fill the vacancy caused by the removal of such defaulting manager as aforesaid.

President to call meeting on request.

2. *And be it enacted*, That the president of said bank shall upon the written request of three of the said board of managers, call such meeting of the board of managers for the purposes contemplated in the first section of this act, and shall cause the notices as aforesaid to be given to each

one of the board of managers, including the defaulting manager or managers as aforesaid.

Board may adjourn from time to time.

3. *And be it enacted*, That said board when convened in meeting as aforesaid for the purpose of carrying out the provisions of this act, shall have power to adjourn such meeting called for the purposes aforesaid, from time to time as they may deem necessary or expedient.

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

Approved April 3, 1873.

CHAPTER DXL.

An Act to incorporate the Cape May Passenger Railway Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That William H. Wile, W. W. Audenried, Henry Carpenter, Charles Duffy, John S. Loomis, H. K. Hartzell, Richard T. Miller, R. R. Robb, Isaac Wood, John Lowrie, P. C. Brinck, S. P. Wolverton, and such other persons as may be hereafter associated with them, shall be, and they are hereby ordained constituted and declared to be a body corporate and politic in fact and in name, by the name of "The Cape May Passenger Railway Company," and shall be capable of purchasing, holding and conveying any lands, tenements, goods and chattels, whatsoever, necessary or expedient for the object of this corporation.

Corporate name.

Capital stock

2. *And be it enacted*, That the capital stock of said company shall be one hundred thousand dollars, with liberty to increase the same, as a majority of the stockholders may deem advisable, to any amount not exceeding five hundred thousand dollars, and shall be divided into shares of fifty dollars each, which shall be deemed personal property, and transferable in such manner as the said corporation shall by their by-laws direct.

3. *And be it enacted*, That the above named persons, or

Commissioners to receive subscriptions to the capital stock.

any five 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, giving at least two weeks' notice of the same in two of the newspapers published in this state, and that 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-five thousand dollars of the capital stock shall be subscribed, such commissioners shall give like notice for a meeting of the stockholders to choose not less than seven 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 proxy, each share of the capital stock entitling the holder thereof 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 persons duly elected, and deliver over the subscription books and money paid in, deducting all expenses previously incurred by 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 the corporation, shall, as soon as may be after every election, choose out of their own number a president; and in case of the death, resignation or removal of the president or any director, such vacancy or vacancies may be filled for the remainder of the year 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 powers and functions as the by-laws of the said corporation shall provide.

Election of directors.

Vacancies, how filled.

Not to be dissolved by failure to hold election.

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.

5. *And be it enacted*, That five directors of said corpora-

tion shall be competent to transact all business of said corporation, and shall have power to call in the capital stock of said company, by notice published in at least one of the newspapers published in said county, for a term of not less than two weeks; 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 such officers, clerks, agents and servants as to them shall seem meet, and to establish and fix such salaries to them, and also to the president, as to the said board shall appear proper.

Capital stock may be paid by installments.

6. *And be it enacted*, That the president and directors of the said company be and are authorized and invested with all the rights and powers necessary and expedient to survey, locate, construct and operate by horse, steam or other power a railroad from Decatur street, city of Cape May, along the shore front to the steamboat landing, at terminus of the turnpike road, with privilege of extending the same to Diamond Beach; and said company shall have power to run to the railroad depot, by horse power, through such streets as may be designated by the board of commissioners of the city of Cape May; and it shall and may be lawful for the said company through its directors, officers, engineers, agents or employees to enter at all times upon all lands or waters for the purpose of exploring, surveying, leveling or laying out the said route or routes of such 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 such road shall have been determined upon, and a survey of such route deposited in the office of the secretary of state, then it shall be lawful for the said company, by its officers, agents, engineers, contractors and employees, to enter upon, take possession of, hold, have, use, occupy and excavate any such lands, and to erect embankments, culverts, bridges, trestle and all other works, necessary to lay rails, and to do all other things which shall be suitable or necessary for the completion or repairs of the said road, subject to such compensation as is hereinafter provided;

May survey, lay out and construct railroad.

Route of road.

Proviso. *provided*, that the said road shall not exceed sixty feet in width, except in such places where, from the depth of the excavations or the height of the embankment or trestle, it is necessary to take more land for the slope and protection of the side banks of the said railroad, in which case so much land as will be necessary for the purpose, and no more, shall be taken, with as many sets of tracks and rails, as the company may deem necessary; *and provided always*, that the payment or tender of payment of all damages for the occupancy of lands through which the said railroad 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, unless the consent of the owner or owners of said land be first had and obtained.

Proviso.

Proceedings when company and owners cannot agree as to use or purchase of land or materials.

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 the said company in the construction of said road, shall be given in writing, under the oath or affirmation of some engineers 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 lands 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 or 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 or branch road, as the case may be, to the said owner or owners), and to make a just and equitable estimate or appraisement 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 lands or materials, and the appointment, and oath or affirmation aforesaid, in the clerk's office in the county in which the lands 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 lands 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 courts, 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 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 material may lie. Proviso.

Proceedings in case of 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 form of petition to said court, and filed with the clerk of said circuit court of the county wherein the land or materials appraised by the said commissioners shall be, and a 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 free 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 in 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 same court are tried; and it shall be the duty of the said jury to assess the value of 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 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 the costs to 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 aforesaid report;

Proviso.

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, then the amount which shall be found by the jury by whom the issue shall be tried; but in case the parties or party 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 where 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; *provided further*, that in case of appeal from the award of the commissioners by either party the said company, upon depositing the amount of said award in the said circuit court to abide the result of such appeals, may thereupon take actual possession of the lands for the purpose of constructing said railroad, or of otherwise appropriating the same to their use. Proviso.

Sufficient bridges shall be constructed and kept in repair.

9. *And be it enacted*, That it shall be the duty of said company to construct and keep in repair good and sufficient bridges or passages, at grade, over or under the said railroad where any public road shall intersect and cross the same, so that the passage of carriages, horses and cattle along said road shall not be obstructed; and likewise when the said railroad shall intersect any farms or lands of any individual, to provide and keep in repair suitable wagon ways over, at grade, or under the said road.

May purchase and hold real estate and erect warehouses, &c.

10. *And be it enacted*, That the said company may purchase, have and hold real estate at the commencement and termini of their railroads, and at any intermediate connection or depot, upon the line of the same, not exceeding six acres at each place, and may erect and build thereon houses, warehouses, stables, machine shops, and such other buildings and improvements as they may deem expedient for the safety of property, and the construction of cars, 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 over such rivers, creeks and streams as the road may cross, such piers, bridges and other facilities as they may think expedient and necessary for the full enjoyment of all the benefits conferred by this act; *provided*, said company whenever it may become necessary to cross any navigable river or creek with their road, shall construct a bridge or bridges, with suitable and sufficient draws, so as not to obstruct the navigation thereof. Proviso.

11. *And be it enacted*, That the president and directors

Dividends.

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.

May equip road.

12. *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 machines, engines, wagons, cars, carriages or other vehicles for the transportation of persons or any species of property on the railroad or roads as they may think fit, reasonable, expedient or right.

Maycontract with other corporations.

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 kind of goods, produce, merchandise, freight or passengers, and to enforce the fulfillment of such contract.

Penalty for injury to property.

14. *And be it enacted*, That if any person shall willfully impair, injure, destroy or obstruct the use of any railroads enjoyed under the provisions of this act, or of any of their necessary works, wharves, bridges, carriages, cars or machines, such person or persons so offending shall forfeit and pay to 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 consolidate withany other transportation company.

15. *And be it enacted*, That the said railroad company is hereby authorized to lease its railroad to (or consolidate with) any other railroad, steamship, steamboat or other transportation company, which is hereby authorized to take such lease and operate the same for such term or times and on such terms as the said parties may agree upon.

Bonds, how guaranteed.

16. *And be it enacted*, That any railroad, steamship, steamboat or other transportation company is hereby authorized to endorse or guarantee the bonds of the said Cape May Passenger Railway Company, and, in any other way which the parties may agree upon, aid the said company in construction and operation of its said railroad.

Statement of costs and expenses shall be made.

17. *And be it enacted*, That as soon as the said railroad, or any part of it, is in operation, the president of the said company shall make, under oath or affirmation, a statement of the amount of the cost of the said railroad, including equipments, appendages and all expenses, and file the same in the office of the secretary of state, and annually there-

after, on the first Monday of January of each year, he shall under oath or affirmation, make a statement to the secretary of state of the cost, equipments, appendages and expenses of said road; 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 cost, equipments and appendages of said road, to be paid annually thereafter on the first Monday in January, of each year, and such other taxes 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, and until the said railroad, or any part thereof, shall be in operation, the said corporation shall be regularly assessed and pay tax for the value of its real estate, including improvements thereon, and personal property as now taxed in the city or cities, township or townships wherein it lies, at the same time and rate, and in the same manner, for the same purposes, and by the same person or persons, as other taxes are assessed in said city or cities, towns or townships; *provided*, that no other tax or impost shall be levied or assessed upon said company. State tax. Proviso.

18. *And be it enacted*, That the said corporation shall have power to borrow such sum or sums of money from time to time, as shall be necessary to build, construct or repair said road, and furnish the said corporation with all the necessary engines, machinery and means of transportation for the uses and objects of said company, and to secure the payment thereof by bond and mortgage or otherwise, on the said road, lands, privileges, franchises, properties, earnings and appurtenances of or belonging to said corporation at a rate of interest not exceeding seven per centum per annum; *provided*, that it shall not be lawful for the 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. May borrow money. Proviso.

19. *And be it enacted*, That if the said railroad shall not be commenced within five years and be completed at the expiration of ten years from the first of July next, that then and in that case this act shall be void. Time for commencing and completing road.

20. *And be it enacted*, That the governor, the chancellor,

Who may ride free.

the justices of the supreme court, and the judges of the court of errors of this state, whilst traveling for the purpose of discharging the duties of their offices, and the members and officers of both houses of the legislature of this state, shall pass and repass on the railroad of said company, in their cars free of charge.

May cross other railroads.

21. *And be it enacted*, That the said railway company is empowered to connect with and to cross its tracks over, under or with any other railroad as provided in section six of this act.

When road may be operated.

22. *And be it enacted*, That when any part of the said railroad shall be completed, the said company may commence operating the same for the transportation of passengers and property, enjoying all the privileges and subject to the resolutions created by this act.

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

Approved April 3, 1873.

CHAPTER DXLIII.

An Act to incorporate the Oxy-Hydrogen Company of the United States.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Theodore Westen, Lemuel H. Davis, Benjamin G. Clark, John S. Irick, Samuel H. Grey, William J. Sewell, Daniel Dodd, and John C. Bullitt, and all and every person and persons who may become stockholders in the capital stock hereinafter mentioned, their successors and assigns, are hereby constituted and made a body politic and corporate, in fact and in law, by the name of the

Corporate name and powers.

Oxy-Hydrogen Company of the United States; and by that name shall have power to sue and to be sued, to plead and to be impleaded, to contract and to be contracted with, and to purchase, hold, lease, receive licenses, sell and dispose of any patent or patents for the manufacture of oxygen and hydrogen gas, or either of them, and their combinations with other gases, for illuminating, heating, and all other pur-

poses, and to issue its stock at par in payment for such purchase, lease or license, and to grant licenses under and dispose of said patents or rights under said patents within this state or elsewhere, and to make, manufacture, use and sell such gas, for the purpose of illuminating and heating, or for any other purpose or purposes, within the state of New Jersey or elsewhere, and, for the purposes aforesaid, to purchase, hold, sell, convey, mortgage, lease and otherwise dispose of personal or real estate; and that the said corporation is hereby empowered to lay pipes and conductors, with all appurtenances thereto, and erect the necessary posts and lights in any and all the roads, streets, highways and public grounds in the state of New Jersey, and do all things necessary for the purpose of lighting the same, and all dwellings, stores, mines, tunnels, and other places; *provided*, that public travel shall not be unreasonably and unnecessarily obstructed thereby, and that the said corporation shall put such streets, roads, highways and public grounds in as good condition as the same were before laying said pipes and erecting said posts. Proviso.

2. *And be it enacted*, That the capital stock of said company shall be fifty thousand dollars, with power to increase the same as a majority of stockholders may from time to time determine, divided into shares of one hundred dollars each, which shares shall be deemed personal property, and to be transferable in such manner as shall be prescribed from time to time by the by-laws of the company. Capital stock

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 seven in number, to be chosen annually, at the time and place appointed by the stockholder, or such stockholders as shall attend for that purpose, in person or by proxy, each share of the capital stock entitling the holder thereof to one vote; that said board shall organize by appointing one of their number to be president, and a suitable person to be secretary, and may appoint such officers and agents as they may deem necessary, and may fix their duties, powers and compensations; and that the persons named in the first section of this act, or a majority of them, may open books of subscription to the capital stock of said corporation at such time and place, in the state of New Jersey, as a majority of them may think proper; and whenever fifty thousand dollars of the stock shall have been sub- Election of directors.

scribed, and ten per centum thereof paid in, it shall be lawful for the said corporation to commence business, and the above named persons, or a majority of them, may give notice of a meeting of stockholders to elect directors of said company, who shall continue in office from the date of said election, and until others are elected in their stead.

May make by-laws, rules, &c.

4. *And be it enacted*, That the directors from time to time may make such by-laws, rules and regulations as they may 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.

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

Approved April 4, 1873.

CHAPTER DL.

An Act to incorporate the Hudson Towage Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Elijah L. Cook, James C. Chapman, Ambrose L. Secor, George A. Mandeville, Henry D. VanBrunt, James H. Marriott, Aaron G. Baldwin, Thomas Pearson and Isaac Wildrick, and such other persons as may hereafter be associated with them, and their successors and assigns, shall be and they are hereby constituted a body corporate, in fact and in law, by the name of the

Corporate name.

Hudson Towage Company, and may have, acquire, hold and convey all real and personal property, and do all other acts and things that may be proper for the objects of this incorporation.

Capital stock

2. *And be it enacted*, That the capital stock of said company shall be twenty-five thousand dollars, with power to increase the same from time to time as a majority of the directors may see fit, to the sum of two hundred and fifty thousand dollars, and shall be divided into shares of twenty-five dollars each, which shall be deemed personal property, and shall be subscribed and paid or forfeited and transferable

in such manner as the by-laws of said incorporation shall direct; but in no case shall this corporation issue any bonds or incur any obligation except contracts and engagements for transporting or carrying goods, produce, freight or passengers, as is provided in the tenth section of this act.

Affairs to be managed by a board of directors.

3. *And be it enacted*, That the stock, property, concerns and affairs of the said company shall be managed by a board of directors of not less than three nor more than nine, as may be prescribed by the by-laws, to be chosen at such time and in such manner as said by-laws may prescribe; *provided*, that no person shall be a director in said corporation who is not a stockholder; *and provided further*, that the first directors shall be Elijah L. Cook, James C. Chapman, Ambrose L. Secor, George A. Mandeville, Henry D. Van-Brunt, James H. Marriott, Thomas Pearson and Isaac Wildrick, who shall hold their offices for one year, and until others are elected in their place, and the principal office of said company shall be in Jersey City; the directors shall appoint one of their number to be president, and such subordinate officers and agents as they shall deem necessary; and in case of death, resignation or disqualification of any director, the vacancy may be filled by the remaining directors.

Proviso.

Proviso.

Not to be dissolved by failure to hold election

4. *And be it enacted*, That in case it shall happen that an election of directors shall not take place at the time when it should have been held, the said company shall not for that cause be deemed dissolved, but such election shall be held at such other time as the directors for the time being shall appoint; and such directors for the time being shall continue to hold their office until new ones shall be chosen in their place.

Object and business.

5. *And be it enacted*, That said company may engage in the general business of towage and towing vessels and boats within the jurisdiction and boundaries of this state, may build, purchase, have and own, use and transfer any boats or vessels for the transportation of freight or passengers, or tugging other boats or vessels carrying freight or passengers, and may construct, use and operate such water communications as may be adapted to their said business or profitable in the management of the same, and may have, hold and convey such property, real and personal, as they may require for the same, or any part thereof, and may construct such buildings and improvements as the board of directors may determine upon; *provided*, that before the said company

Proviso.

shall have, hold, or use any of the lands of the state, lying under tidal waters, the said company shall pay, or cause to be paid to the state of New Jersey for such land under tidal waters, such sum of money or compensation as shall be fixed and determined by the commissioners appointed under the act entitled "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," approved April eleventh, one thousand eight hundred and sixty-four, and the several supplements thereto; and if said company shall establish any ferry, they shall pay such annual compensation to the state as shall be fixed and determined by the commissioners appointed under the act last aforesaid.

General powers.

6. *And be it enacted*, That the said company may build any vessels or boats necessary to its business within this state, and shall possess all the rights and powers and be subject to the restrictions and liabilities contained in an act entitled "An act concerning corporations," approved February fourteenth, one thousand eight hundred and forty-six, and the several supplements thereto, so far as the same are applicable and not inconsistent with this act; and this company shall have full power to have any part of its work and materials done and furnished by others whenever the directors thereof deem it advantageous.

May enter upon lands for purpose of surveying, &c.

7. *And be it enacted*, That it shall be lawful for said president and directors, their agents and others in their employ to enter at all times upon all lands and waters for the purpose of surveying for the business and buildings aforesaid, and of locating the same, and to do and erect all proper works, structures and appendages thereof, doing no unnecessary damage; and when a survey of the same shall have been deposited in the office of the secretary of state then it shall be lawful for said company, by its officers, agents and other persons in their employ, to enter upon, take possession of, hold, have, use and occupy any such lands, and to erect embankments, make excavations, construct such works and do all other things that shall be suitable or necessary for the construction, completion and repair of each and all of the same, including the water communications, subject to such compensation as is hereinafter provided; *provided always*, that the payment, or tender of the payment, of all damages for the occupation of land or use of property be made, and if the owner or owners of said property shall not see fit to

Proviso.

receive such award, the amount of such award shall be paid into the circuit court of the county where such property may be before the said company or any person under their direction or in their employ shall enter upon or use the same, except for the purpose of surveying, unless the consent of the owner or owners be first had or obtained.

Proceedings when company and owners cannot agree as to purchase or use of property required.

8. *And be it enacted*, That when said company cannot agree with the owner or owners for the use or purchase of the said property, or when by the legal incapacity or absence of such owner or owners no such agreement can be made, a particular description of the property so required for the use of said company in the business and constructions aforesaid, 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 the 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 mentioned at which time upon satisfactory evidence to him of the service or publication of such notice, he shall appoint under his hand and seal, three disinterested, impartial and judicious freeholders, residents in the county where the property in controversy may be or the owners reside, commissioners to examine and appraise the same, 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 twenty days; and it shall be the duty of said commissioners, having first taken and subscribed 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 time and place appointed and proceed to view and examine said property, and to make a just and equitable estimate and appraisement of the value of the same, and assessment of damages as shall be paid by the said company for such property and damages aforesaid; which report shall be made in writing, under the hands and seals of said commisssoners or any two of them, and filed

within ten days thereafter, together with the aforesaid description and the appointment and oaths and affirmations aforesaid, in the clerk's office of the county in which the property is situate, to remain of record therein, which report or a copy thereof, certified by the clerk of said county shall at 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 property, 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 refuse or neglect to pay the same for twenty days after demand made upon 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 o 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 duties prescribed in this section, as they or he shall think equitable and right, which shall be paid by the company.

Proceedings in case of appeal.

9. *And be it enacted*, That in case the said corporation, or owner or owners of the said lands or property, 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 property in controversy may be, at the first or second term after the filing of said report, by proceeding in form of petition to said court, which proceeding shall vest in the said circuit court full right and power to hear and adjudicate 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 property to be had, and the said issue to be tried at the next term of 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 said jury to assess the value of said lands or property, and damages sustained, and if they shall find a greater sum than the said commissioners have awarded in favor of 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 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 court shall direct, but such application shall not prevent the company from taking the said lands or property on the filing of the report aforesaid, 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; *provided*, that in no case shall this company be authorized to condemn or take possession of the land or property of any other corporation existing under the laws of this state, but shall have the right of access across the same, doing no unnecessary damage to the lands of such corporation or interference with the business thereof, and such damage, if any, shall be ascertained and paid in the manner hereinbefore provided. Proviso.

10. *And be it enacted*, That it shall be lawful for the said corporation to make contracts and engagements with any other corporation, or with individuals, for transporting or carrying any kind of goods, produce, merchandize, freight or passengers, and to enforce the fulfillment of such contract. May contract with any other corporation.

11. *And be it enacted*, That if any person or persons shall willfully or maliciously injure the said works or constructions, or any buildings, wharves, carriages, machinery, or any other works or property of said corporation, 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 said corporation, with costs of suit, in any court having cognizance thereof. Penalty for injury to works or buildings &c.

12. *And be it enacted*, That as soon as the said business, water communications and improvements are in operation, the president of said company shall file, under oath or affirmation, a statement of the amount of the costs of the same, including equipments, appendages and expenses of said constructions; and after the same shall be in operation, the said corporation shall pay to the treasurer of this state a tax of one-half of one per centum upon the cost, equipments and appendages of said works, to be paid annually thereafter on the first Monday in January in each year, and Statement of costs and expenses shall be made. Payment of state tax.

such other taxes as may be assessed from time to time by a general law applicable to railroads over which the legislature shall have power for that purpose at the time of the passage of such law or laws; and until the works or any part thereof shall be in operation, the said corporation shall be regularly assessed, and pay tax for the value of its real estate, including improvements thereon and personal property as now taxed in the city or cities, township or townships wherein it lies or may be, at the same time and rate, and in the same manner, for the same purpose, and by the same person or persons, as other taxes are assessed in said city or cities, township or townships; *provided*, that no other tax or impost shall be levied or assessed upon said property.

Proviso.

When company may commence business.

13. *And be it enacted*, That when any portion of said structures shall be completed the said company may commence operations, and may tug or tow, or transport passengers and freight, enjoying all the privileges, and subject to the restrictions created by this act.

May make by-laws, &c.

14. *And be it enacted*, That the board of directors may make such by-laws and appoint such officers as they may think proper to carry out the objects of the incorporation; *provided*, such by-laws do not conflict with the laws of this state or the constitution of the United States.

Proviso.

May consolidate with other corporations.

15. *And be it enacted*, That in payment for any property purchased by said company, or labor done for the same, if those who may have sold property or done the said work so elect, the directors of this company may issue and deliver to them the stock of this company; and may make and operate connections and consolidations with other corporations.

Confined to certain boundaries.

16. *And be it enacted*, That the rights and privileges hereby granted to said company and the business and operations thereof, shall be confined to the waters and shores of the Hudson river and New York bay; except that portion of Hudson county, south of the southern boundary of the township of Weehawken, and in a line with said southern boundary to the western limit of said county; any provision herein contained to the contrary notwithstanding.

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

Approved April 4, 1873.

CHAPTER DLI.

An Act to incorporate the "Union 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 of the "Union Insurance Company," to be located in the city of Newark, in the county of Essex, and state of New Jersey.

Capital stock

2. *And be it enacted*, That the said capital stock of said company shall be one hundred thousand dollars, to be divided into shares of one hundred dollars each, with the privilege of increasing said capital stock from time to time, as a majority of the board of directors hereinafter constituted may by resolution determine at any meeting called for that purpose, until said capital stock shall be one million dollars, and whenever an increase of capital stock is made, it shall be divided into shares of one hundred dollars each and distributed to the stockholders registered in the books of the company at the time said increase is made, in proportion as the number of new shares issued bears to the number held by each stockholder, respectively, or in such other manner as the board of directors may determine to be for the best interest of all stockholders.

Management to be in a board of directors.

3. *And be it enacted*, That the business, property and affairs of said company shall be managed and conducted by a board of directors, not less than nine nor more than fifteen in number (a majority of whom shall constitute a quorum at any meeting), who shall hold their office for one year and until others shall be chosen in their places at an election held at the office of said company, public notice of which election shall be given for one week previous thereto in a newspaper in the city of Newark, and at such election each share of stock shall entitle its owner to one vote, which may be given either in person or by proxy.

4. *And be it enacted*, That the board of directors shall

General powers. have power to appoint a president, vice president, secretary, and such other officers and agents as they may deem necessary for carrying on the business of the company, and to allow them such compensation for their services as they may deem reasonable.

Commissioners to receive subscriptions to capital stock 5. *And be it enacted*, That William P. Parker, Anthony Q. Keasbey, J. Wyman Jones, Jacob L. Halsey and Edward A. Walton, are hereby appointed to receive subscriptions to the capital stock of said company, and as soon as one thousand shares are subscribed and paid in cash, the commissioners, or a majority of them, shall, by public notice given for one week in a newspaper published in the city of Newark, call a meeting of the stockholders for the purpose of choosing the first board of directors.

May make insurance. 6. *And be it enacted*, That it shall and may be lawful for the said company to insure upon such terms and conditions as shall be contained in the policy of insurance, all kinds of rights, interests, buildings, vessels, goods, wares, merchandise and property of every name and description against loss or damage by fire; also to re-insure other companies, and also may cause themselves to be re-insured when deemed expedient.

Policies, how issued. 7. *And be it enacted*, That all policies, or contracts and agreements which shall be made and entered into by said company, may be made under or without the seal thereof, and shall be subscribed by the president or vice president, or by such other officer or agent 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 said company, according to the tenor and conditions thereof.

May purchase and hold real estate. 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 deemed necessary for convenient accommodation in the transaction of their business, and also to take and hold any real estate, bona fide mortgages, stocks, bonds or other securities which may be pledged to said company to secure the payment of money loaned by them, or of any debt which may be contracted with them; and also to proceed either at law or in equity on said real estate, mortgages, stocks, bonds, or other securities, for the recovery of the moneys or debts thereby secured, and to purchase any of the same at sales made under such proceedings; and said

company may loan their capital, accumulating premiums, and other funds in the stocks created under the laws of the United States, and in the stocks and bonds issued by the several states, and also in such bonds as may be issued by the several counties, cities and townships in the different states, and upon bonds and mortgages on property worth at least double the amount loaned, and may pledge said mortgages, stocks, bonds, or other securities, to secure any debt contracted by them, or may sell the same, as may be deemed expedient; and also to mortgage, sell, exchange or otherwise dispose of any of the real estate herein authorized to be purchased or taken. Investments

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. Transfer of stock.

10. *And be it enacted*, That it shall be lawful for the directors to make dividends among the stockholders of so much of the profits of the company as shall appear advisable, in cash, which dividends shall be distributed to the stockholders registered as such on the books of the company at the time the dividend is declared, or to their legal representatives. Dividends.

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

Approved April 4, 1873.

CHAPTER DLII.

An Act to incorporate the Hackensack Savings Bank.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Garrit A. Lydecker, Abraham Collerd, John H. Banta, Jefferson T. Beckwith, Charles H. Voorhis, Isaac D. Demarest, Edward A. Walton, Cornelius Lydecker, Henry H. Voorhis and Jacob P. Westervelt, and their successors, shall be and are hereby constituted a Names of corporators.

Corporate name.

body corporate and politic, by the name of "The Hackensack Savings Bank," to be located in Hackensack, in the county of Bergen.

Capital stock

2. *And be it enacted*, That for the better security of depositors, there shall be a capital stock of one hundred thousand dollars, divided into one thousand shares of one hundred dollars each; and the persons herein first named, or a majority of them, are hereby appointed commissioners to receive subscriptions to said capital stock, at such place in Hackensack as they may appoint, giving at least ten days' notice in a newspaper published in the county of Bergen; and when the whole of said stock shall have been subscribed, and at least ten per centum of the same paid to said corporation in cash, the said commissioners, or a majority of them, shall call a meeting of said stockholders, by like publication, to elect a board of not less than seven directors, and annually, after said first election, there shall

Election of directors.

be an election for not less than seven directors, and the directors so chosen shall manage and conduct the affairs of said corporation; a majority of them shall be a quorum; every stockholder shall be entitled to one vote for each share of stock held, and the directors so elected shall hold their offices for one year and until their successors are elected, and any vacancies caused by death, resignation or otherwise may be filled by the directors at any regular meeting; every director shall own, in his own right, at least ten shares of said stock; the capital stock of said corporation shall be deemed personal property, and transferable in such manner as the by-laws of said corporation may prescribe, and each stockholder shall be individually responsible, equally and ratably, and not one for another, for all debts and engagements of the corporation, to the full amount of his stock therein.

General powers of the directors.

3. *And be it enacted*, That the said directors shall elect one of their number president and also two vice presidents, and may elect or appoint such other officers, agents and clerks, and fix or pay such compensations and assign such duties to such officers, agents and clerks as the said directors shall deem necessary for the proper and successful management of the said corporation, and all the officers and directors of said corporation shall be sworn to do their duties fairly and honestly, and such of their officers as shall have the control, custody or management of the money or prop-

erty of the corporation shall be required to give bonds with such securities as the board of directors shall prescribe.

May make by-laws, &c.

4. *And be it enacted*, That the board of directors shall from time to time have power to make, ordain and establish such by-laws and regulations as they may judge proper for prescribing the duties of their respective offices and for regulating the times and places of meeting of the officers and directors, and for the transacting, managing and directing the affairs of the corporation; *provided*, such by-laws and regulations shall not be repugnant to the constitution and laws of this state or of the United States; and it shall be lawful for the said directors to call and demand from the stockholders of said corporation respectively, such installments and at such times, and in such proportions as they shall deem proper, not exceeding ten dollars on each share at any one time, notice of which shall be published at least two weeks in a newspaper published at Hackensack, or shall be given in writing to each stockholder for a like space of time before such installments are required to be paid in; and in case of the refusal or failure of any stockholder to pay his or her installment at the time and place appointed for the payment thereof, such stockholders shall incur a forfeiture of his or her shares, and all previous payments thereon for the use of said corporation, but shall not be by such forfeiture released from his or her personal liability on his or her first subscription in case of loss or deficiency.

Proviso.

May receive deposits.

5. *And be it enacted*, That said corporation may receive on deposit all sums of money that may be offered therefor, in such amounts and at such times, and upon such terms, as the by-laws shall prescribe, which money shall be invested in the manner hereinafter directed, and be repaid to the depositors, or their legal representatives, at such times and with such interest, and under such regulations, as the board of directors may from time order; and said corporation may accept and execute all such trusts, of every kind, as may be committed to them by any person or persons whomsoever, by will or otherwise, or be transferred to them by order of any court.

Investment of deposits.

6. *And be it enacted*, That said corporation may invest the money left with them on deposit in such of the public stocks or bonds as are created and issued by the United States, or by the several states of the Union, or by the several counties and cities in this state, under the laws thereof, and upon

bond and mortgage on unincumbered real estate worth at least double the amount invested; *provided, however*, said corporation may make temporary loans upon securities or obligations, with pledges of collateral securities, worth at least twenty per centum more than the amount loaned.

Proviso.

Interest to be allowed the depositors.

7. *And be it enacted*, That it shall be the duty of the board of directors to regulate the rate of interest allowed to depositors, so that they shall receive a just proportion of the profits upon the business of said corporation, after deducting therefrom all necessary expenses and a reasonable surplus or contingent fund; *provided*, that said rate of interest may, at the discretion of the directors, be so regulated as that the interest allowed any depositor having more than five hundred dollars on deposit, shall be at least one per cent. less than the rate allowed to other depositors whose deposits shall not amount to said sum; *and provided also*, that said corporation shall not be required to allow interest upon any deposit under the amount of five dollars, nor upon the fractional part of five dollars, nor upon the fractional parts of a month, and that no interest or dividend on account of any surplus or contingent fund shall be allowed for the moneys which have been withdrawn from deposit.

Proviso.

Proviso.

Acquittance of minor to be valid.

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

Proviso.

Married women may deposit money freefrom control of husband.

9. *And be it enacted*, That in case said corporation shall receive any deposit or deposits from any married woman, or from any single woman who may afterwards marry, it shall be lawful for the said corporation to hold the same, together with the interest or dividend which may accrue thereon, as the sole and separate property of such woman, as though she were single, not subject to the control nor liable for the debts of her husband, and to repay the same and interest and dividend, or any part thereof, upon her check, order or receipt, or demand, without the concurrence of her husband;

and such payment shall exonerate and discharge said corporation from any further liability by reason thereof.

May purchase and hold real estate.

10. *And be it enacted*, That said corporation may purchase and hold in fee simple or otherwise any real estate or personal property required for its use, or what it may buy upon sales for the foreclosure of mortgages, or for the satisfaction of judgments to which said corporation is a party, or in which it is interested; and said corporation may sell, lease or otherwise dispose of the said real estate or personal property, or any part thereof, at their will and pleasure; *provided*, that no purchase or sale of real estate shall be made without the consent of a majority of all the directors.

Proviso.

Annual report shall be made.

11. *And be it enacted*, That it shall be the duty of said corporation to make an annual report of its affairs and the state of its funds to the secretary of state of the state of New Jersey, which report shall be verified by the oaths or affirmations of the president, secretary and treasurer of said corporation.

Certificates of deposit.

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

May return deposits on notice.

13. *And be it enacted*, That the directors shall be at liberty at any time to refuse deposits, and on giving one month's notice to return such as have been made, with interest thereon to date of payment.

Duplicate account to be furnished depositors.

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

Capital stock not to be impaired.

15. *And be it enacted*, That the board of directors shall not at any time withdraw or permit to be withdrawn any portion of the capital paid in during the existence of the corporation, and if from any cause losses shall happen no dividend shall ever be made until the same shall be made good, so that the capital stock shall always remain unimpaired.

Location of business.

16. *And be it enacted*, That the office or place of business of said corporation shall be in Hackensack, and that the books of said corporation shall be at all times open to such person or persons as the legislature may from time to time delegate for inspection and examination.

Not to be dissolved by failure to hold election.

17. *And be it enacted*, That in case it shall at any time happen that an election of directors shall not be made on the day when pursuant to this act it ought to have been made, 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 as the directors of said corporation shall direct.

Act to be favorably construed.

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

Proviso.

Proviso.

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

Approved April 4, 1873.

CHAPTER DLXXI.

A Further Supplement to the act entitled "An Act to incorporate the Jersey City and Bergen Railroad Company," which said act was approved March fifteenth, one thousand eight hundred and fifty-nine.

May survey, lay out and construct connecting railroads and establish ferry.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the said company to survey and lay out a railroad to connect with the tracks of the railroad known as The New Jersey Railroad and Transportation Company, at or near the place known as the Bergen Cut, in Jersey City, and to be operated in connection therewith, and to extend the railroad hereby authorized, through the county of Hudson to some point on the Kill Von Kull at Bergen Point, to establish a ferry across the Kill Von Kull to Staten Island; and there

to connect with any other railroad now built or hereafter to be built; the said company shall also have the power to survey and lay out a railroad from the tracks of the railroad known as the New Jersey Railroad and Transportation Company, and to be operated in connection therewith, and to connect therewith, or from the railroad hereby authorized, and to extend the same in said county of Hudson, to such cattle depot in the said county of Hudson as is now established or shall hereafter be established, thereby to facilitate the transportation and discharge of cattle; and at or near such cattle depot to connect with any other railroad; and said company can enter on lands for the purpose of making such surveys; after said company shall have surveyed the route or routes for said road or roads, and shall have established the same, a survey thereof, or of one of them as the case may be, shall be made and filed in the office of the secretary of state of this state; after such survey shall have been filed as aforesaid, it shall be lawful for the said company to construct said railroad, or either of them, on the line or lines so surveyed, and to occupy ground not to exceed one hundred feet in width for one or more railroad tracks, whereon the said company can operate a railroad or railroads with locomotive engines by steam, and transport thereon goods, wares, merchandize, property and passengers; for the purposes herein set forth the company shall have power to condemn lands in the manner set forth in the original charter and in this supplement; and after compensation shall be made or tendered to the land owners, an estate in fee shall be vested in the said company in the land condemned, to enable this company without hindrance to accomplish and carry into effect the powers herein contained, the provisos in the sixth section of the charter of the said company shall not in anywise be applicable to this supplement and the powers herein contained; the said company can use the tracks now laid down by it in the construction of the said railroad or railroads, where the same shall be expedient so to do, on the routes aforesaid; *provided further*, that in case said road or the branches thereof shall cross any street or avenue in Jersey City or the city of Bayonne, wherever feasible it shall be either above or below the grade thereof at such distance as shall not interfere with the free and uninterrupted use of such street or avenue; *and*

Survey to be filed with secretary of state.

Proviso.

Proviso. *provided*, nothing in this act contained shall be construed to authorize the said company to construct any road on which steam power may be used at any point in said city of Jersey City east of West Side avenue north of Communipaw avenue; *provided, also*, that at the present intersection of said road with Oakland avenue, in the city of Bayonne, the road shall take a northerly course, and west of avenue D to Morris canal, and from the Morris canal west of Old Bergen road to Communipaw avenue.

Proviso.

Statement of the cost and expenses shall be made

2. *And be it enacted*, That the said company shall make and file a statement of the cost of the road or roads authorized by the act, in the manner prescribed by the fourteenth section of the original charter of this company, and shall pay to the treasurer of this state a tax of one-half of one per centum on the amount expended by said company therefor, and the said corporation shall be regularly assessed and pay tax for the value of its real estate, improvements thereon, and personal property, as now taxed in the city or cities, township or townships wherein it lies, at the same time and rate, and in the same manner, for the same purpose, and by the same person or persons as the other taxes assessed in said city or cities, township or townships.

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

Approved April 4, 1873.

CHAPTER DLXXII.

An Act to incorporate the Camden Insurance Safe Deposit and Trust Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That John F. Starr, Lemuel Davis, Rudolphus Bingham, Patrick Byrne, William J. Sewell, Charles P. Stratton, John Hood, Thomas McKeen, Samuel H. Grey, William Scull, and their successors be and they are hereby constituted a body corporate and politic, by the name of "The Camden Insurance Safe Deposit and Trust Company," and by that name shall be capable of purchasing,

Corporate name.

holding, leasing, selling, transferring or conveying real and personal property of every description, necessary or proper for the objects of the corporation hereby created, to make and use a common seal, to alter and change the same at pleasure, to sue and be sued, defend and be defended in all courts of law and equity.

Capital stock

2. *And be it enacted*, That the capital stock of said corporation shall be one hundred thousand dollars, to be divided into shares of twenty-five dollars each, which shall be deemed personal property, transferable upon the books of said corporation only; *provided*, that said corporation shall not organize or commence business until twenty thousand dollars shall have been subscribed and paid in, in cash.

Proviso.

Election of directors.

3. *And be it enacted*, That the affairs of said corporation shall be managed and conducted by a board of thirteen directors, who shall be stockholders in said company, and shall be elected by the stockholders thereof annually; *provided*, that the persons named in the first section of this act shall be directors of said company until others are elected in their stead.

Proviso.

Commissioners shall open books and receive subscriptions to capital stock.

4. *And be it enacted*, That the persons named in the first section of this act be and they are hereby appointed commissioners to open books for subscription to the capital stock of said company, at such time and place as they or a majority of them shall deem proper, giving at least twenty days' notice of the time and place for receiving subscriptions in two of the newspapers printed and published at Camden, in this state.

General powers of the directors.

5. *And be it enacted*, That the directors of said corporation, or a majority of them, when met together for that purpose, shall have power to appoint a president, secretary, treasurer, solicitor, and such other officers as shall appear to them necessary for conducting the business of said corporation, which officers so appointed shall continue in office for one year, and until others are appointed in their stead, and all officers of said corporation before entering upon the duties of their respective offices shall take or subscribe an oath or affirmation in writing before any person authorized to administer the same, faithfully and honestly to perform all the duties of their offices respectively, and shall, if required so to do by the directors of said corporation, enter into bonds to said corporation in such sum or sums, and with such sureties as said board of directors may from time

to time require, conditioned for the faithful performance of the duties of their offices respectively.

May make by-laws and rules.

6. *And be it enacted*, That the directors of said corporation shall from time to time have power to make, ordain, and establish such by-laws, rules and regulations as they may deem proper, for the election of officers, for prescribing their duties, for regulating the time and place of meeting of the directors of said corporation, and for the general management and direction of the affairs of said corporation; Proviso. *provided*, that such by-laws, rules, and regulations shall not be repugnant to the constitution and laws of this state or of the United States, and such by-laws, rules and regulations, shall be printed and put up in some public and conspicuous place in the room where the business of such corporation shall be transacted.

May receive deposits of money.

7. *And be it enacted*, That said corporation may receive on deposit all sums of money not less in amount than ten cents, which may be offered for the purpose of being invested, at such times and upon such terms as the by-laws, rules, and regulations of said association shall prescribe, which sums of money so received shall be invested by said corporation, and repaid to the depositors thereof at such times and with such interest as the board of directors may Proviso. from time to time prescribe; *provided*, that said corporation shall not be required to allow interest on any deposit until it amounts to the sum of one dollar, nor to allow interest on fractional parts of one dollar, nor to allow interest for Proviso. the fractional parts of one month; *and provided further*, that it shall be the duty of the directors of said corporation to regulate the amount of interest to be paid 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, but no interest or dividend on account of said surplus fund shall be allowed for money which shall have been withdrawn from deposit.

Receipt of minor to be valid.

8. *And be it enacted*, That it shall be lawful for said corporation to pay any depositor, being a minor, such sum as may be due to such depositor, not exceeding five hundred dollars, in all cases where no guardian shall have been appointed for such depositor, and the receipt of such minor shall be as valid and effectual in law as if the same had been

given by a guardian of such minor duly appointed; *provided*, such deposit shall have been made by such minor. Proviso.

9. *And be it enacted*, That it shall be lawful for married women to make deposits with said corporation in their own names, and to take any interest or dividend thereon, and to receive and withdraw such deposits, or any part thereof at pleasure, subject to the by-laws, rules and regulations of said corporation, and such deposits shall not be subject to the control of the husband of the person making them, nor shall they be liable for his debts, nor shall moneys deposited by single women with said corporation be subject in case of marriage to the use or control or liable for the debts of their husbands. Married women may deposit money free from control of husband.

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

11. *And be it enacted*, That a book shall be kept at the office or place of business of said corporation, in which any depositor or depositors shall be at liberty to designate and appoint in writing, under his or her hand, a person or persons to whom in the event of his or her death, the money standing to his or her credit upon the books of said corporation shall be paid; and if such money be not otherwise disposed of by the last will and testament of the person or persons so making such appointment, the same shall be paid by said corporation, after the death of such person or persons so making such appointment, to the person or persons so appointed, and all payments so made and receipted for by such person or persons so appointed, shall be a full acquittance and discharge of said corporation from any liability therefor. Depositor may appoint person to receive money.

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

13. *And be it enacted*, That said corporation shall have power to accept and execute any and all trusts that may be committed to it whether by will or by the order of any court, to act as administrator of any estate, executor of any will or guardian of the person or estates of any infant or infants, and to receive and take such compensation therefor Corporation may accept and execute trusts, &c.

as would be allowed or paid for the same services, to any other person acting as such trustee, administrator, executor or guardian; to insure the fidelity of persons holding offices, or places of trust or responsibility; to act as agent for the negotiation or purchase of any loans and to receive and manage any sinking fund therefor upon such terms as may be agreed upon; to become sole security in any case where by law one or more sureties are required, for the faithful performance of any trust or the duties of any office, and to receive and take such indemnity therefor from the person or persons for whom such suretyship may be entered into as said corporation may see fit; to receive into its custody and care upon storage, deposit or otherwise, any goods, chattels, choses in action, or personal property of any description for safe keeping, and to collect and pay over to the owner or owners thereof any interest, dividends or profits arising therefrom, upon such terms and conditions as the directors of said corporation may prescribe.

Capital stock and assets to be considered as security for trust funds.

14. *And be it enacted*, That it shall not be necessary for said corporation in the event of its acting as trustee, executor, administrator, guardian or surety hereinbefore provided, to give any security therefor, but the capital stock and assets of said company shall be taken and considered as security for the faithful performance of its duties in the matters aforesaid, and in case of any default by said corporation in the performance of any of the duties by it assumed in the matters aforesaid, said capital stock and assets shall be liable in the first instance and before the payment of any other liability, debt, claim or demand whatever against said corporation for any loss or damage resulting from or by reason of any such default; and it shall be lawful for the court of chancery at any time, upon the application of any person interested to designate and appoint any special master of said court to examine into the business, condition and management of said corporation and make a report thereof under oath or affirmation to said court, and the expenses of making such examination and of such proceeding in the court of chancery shall be paid by said corporation, or by the person making such application, as said court shall direct.

Loans and investments

15. *And be it enacted*, That said corporation may make loans, and investments upon the securities of real or personal property either in New Jersey or elsewhere, and may

charge such commissions as may be agreed upon with the borrowers without being in any way liable to any loss or penalty for taking excessive interest.

Capital stock and assets to be taxed.

16. *And be it enacted*, That said corporation shall be assessed and taxed upon the actual value of its capital stock and assets over and above and after deducting all its just debts and liabilities.

Location of principal office.

17. *And be it enacted*, That the principal office or place of business of said corporation shall be in the city of Camden, and the books of said corporation shall be open at all times to the inspection and examination of such person or persons as the legislature or the court of chancery may from time to time appoint for that purpose ; *provided*, that the directors, under such rules and regulations as they may prescribe may establish branch offices or agencies elsewhere in the state of New Jersey.

Proviso.

Act, how construed.

18. *And be it enacted*, That this act shall be deemed a public act, and shall be liberally construed for the purpose of carrying into effect the objects of this act, and that no misnomer of the corporation hereby created, in any deed, grant, devise, bequest, or other instrument of contract or conveyance, made to or for the benefit of said corporation, shall vitiate or defeat the same; and that this act shall take effect immediately.

Approved April 4, 1873.

CHAPTER DLXXIII.

An Act to incorporate the Locust Hill Cemetery Company of Trenton.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Philip Light, Peter Perrine, Spencer Emmons, William Conover, Maxwell Frost, and Samuel Anderson, and such others as shall become associated with them, shall be and are hereby created, declared and constituted a body politic and corporate, by the name of "The Locust Hill Cemetery Company of Trenton," with the general powers and privileges of a corporation.

Corporate name.

2. *And be it enacted*, That the said association shall be

composed only of such persons as are and shall be owners of lots in said cemetery; and that the said corporation shall have the power to purchase, to take, and hold in fee, a tract or tracts of land situate in the county of Mercer, and state of New Jersey, not to exceed ten acres, for the use and purpose of a cemetery; and to lay out and divide the same into sub-lots, and to sell and dispose thereof for the purposes of burial, subject to such conditions, regulations and restrictions as may be established by said corporation.

May purchase and hold land for cemetery purposes.

3. *And be it enacted*, That the business and concerns of the said corporation shall be conducted and managed by a board of directors, consisting of six persons, who shall be elected annually, at such time and place as the by-laws may direct, at which election every person of full age, who shall be proprietor of a lot, may give one vote for each lot owned by him; and the said directors shall elect one of their number president, and shall appoint such other officers and agents as they may deem expedient, and fix the compensation to be paid them; they shall have power to fill all vacancies in their own number until the annual meeting next ensuing; and the said board of directors shall have power to make and establish all needful rules, regulations and by-laws, and affix from time to time to the several lots such prices as they shall deem reasonable and proper; and shall have the sole charge, control, and superintendence of said cemetery.

Business to be managed by a board of directors.

May make by-laws, &c.

4. *And be it enacted*, That until the first election of directors, the persons named in the first section of this act shall be the directors, and shall act as such until others are chosen in their stead; and in case it should happen that an election of directors should not be made during the day fixed by the by-laws, the said corporation shall not for that cause be deemed to be dissolved, but such election may be held at any other time upon due notice being given by the directors; and the directors for the time being shall continue to hold their office until others are chosen.

Corporation not to be dissolved by failure to elect.

5. *And be it enacted*, That the sub-lots shall be conveyed to the respective purchasers thereof in fee, by and under the corporate seal of said corporation, signed by the president and secretary thereof, and the proceeds of such sales shall be applied by the board of directors for the purpose of improving and keeping in repair the fences, avenues, walks, and other fixtures of said cemetery, and for meeting such other expenses as may accrue.

Proceeds of sale, how applied.

6. *And be it enacted*, That the provisions of the eighth, ninth, and tenth sections of "An act authorizing the incorporation of rural cemetery associations," approved March fourteenth, one thousand eight hundred and fifty-one, be and the same are hereby made a part of this act. Provisions of general act to apply.

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

Approved April 4, 1873.

CHAPTER DLXXIV.

An Act to authorize the Trustees of the Mount Zion African Methodist Episcopal Church, of Trenton, to sell a certain lot of land.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the trustees of the Mount Zion African Methodist Episcopal Church of Trenton, or their successors in office, or a majority of them, be and they are hereby authorized to sell and convey to the Locust Hill Cemetery Company of Trenton, a certain lot of land in Trenton aforesaid, now used as a burial ground, the said lot of land to be used by the said Locust Hill Cemetery Company solely for the purposes of a burial ground. May sell and convey certain land.

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

Approved April 4, 1873.

CHAPTER DLXXV.

An Act to incorporate The States Express Company.

Corporators

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Joseph Letson, John Hood, William Sweeney, Z. K. Pangborn, Ezra A. Carman, or a majority of them, together with such persons as shall subscribe to the stock hereby authorized, and their successors, be and are hereby constituted a body corporate and politic in law, by the name of the States Express Company, and by that name shall have power to use a common seal, to sue and be sued, to defend and be defended in all courts of law and equity, for the purpose of carrying on a general forwarding and express business in the transportation of all kinds of goods, chattels, merchandise, bullion, specie, money and other articles, from and to and between various posts and places in this state, and beyond the limits thereof, and to do all such things as are incident to a corporation and necessary for the purposes of this act.

Corporate name and powers.

Capital stock

2. *And be it enacted*, That the capital stock of said corporation shall be fifty thousand dollars, and shall be divided into shares of twenty-five dollars each, and the said company may organize and commence operations whenever ten thousand dollars shall have been subscribed to said stock; and the said stock shall be deemed personal property, transferable only on the books of said corporation, and shall be paid in at such times, in such manner, and upon such notice as the directors of the corporation may appoint.

May purchase and hold real estate.

3. *And be it enacted*, That for carrying out the purposes mentioned in the first section, the said company may from time to time procure, hold and use such vehicles, crates, cars, horses, and such other personal property as may be needed by them for carrying on their business as aforesaid and may also purchase, hold and convey so much real estate as may be considered necessary for the proper transaction of their business.

4. *And be it enacted*, That 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 paid in, and secure the same by bond, mortgage, pledge or otherwise; and any corporation engaged in the transportation of goods, merchandise, moneys, or property of any kind, shall be authorized to subscribe for any part of the capital stock of said company, not exceeding, however, the one-quarter of the whole amount issued. May borrow money.

5. *And be it enacted*, That the said company are empowered to build, equip, purchase, charter and own vessels, boats, or tugs, 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 navigation to and from Jersey City, in this state, and the city of New York, or elsewhere, as the business of the company may require, with power to hold or construct storehouses, warehouses, or other places of deposit, to charge for the storage and transportation of goods and all kinds of property, and also to purchase, hold and convey such real estate, docks, wharves and piers as may be necessary to enable them to carry on their business. May build, equip and own vessels for purposes of navigation.

6. *And be it enacted*, That the principal office of the said company shall be located in Jersey City, and the business of said corporation shall be managed by not less than five nor more than nine directors, one of whom shall be president, and said board of directors shall have power to appoint such officers, servants and agents, and to regulate their compensation, as they may deem necessary; the said directors shall hold their office one year and until others are elected in their stead; the election for directors shall be held annually at such time and place as the by-laws of the corporation shall provide, at which each stockholder shall be entitled to one vote, in person or by proxy, for each share of stock held. Location of principal office.

7. *And be it enacted*, That at the annual meeting of the stockholders for the election of directors, the directors shall exhibit a full and complete statement of the affairs of the said company during the preceding year; and no dividends shall be declared upon the stock of said corporation except from the net profits thereof; and this act shall continue in force thirty years. Annual statement shall be made

Dividends.

8. *And be it enacted*, That this corporation shall not erect

Rights of the state to be protected.

any wharves in front of their lands which shall in any way affect the rights of the state to lands under water, without first obtaining the consent of the riparian commissioners.

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

Approved April 4, 1873.

CHAPTER DLXXVI.

An Act to incorporate "The Phœnix Iron Company."

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That John K. Large, Charles Conover, Frederick A. Potts, Peter F. Huffman, John McCloughan, Benjamin E. Young, and N. W. Voorhees, and their associates, be and they are hereby created a body politic and corporate, in fact and in law, by the name and style of "The Phœnix Iron Company," for the purpose of mining and smelting iron and other ores, manufacturing and working iron and steel, and other metals, and carrying on the business incident thereto, and in dealing in and making all materials used in said business; and for such purpose the said company shall or may raise by subscription, by opening the books therefor, or otherwise, a capital stock of fifty thousand dollars, to be divided into shares of one hundred dollars each, with the privilege of increasing the same from time to time to any sum not exceeding three hundred thousand dollars, and it shall be lawful for said company to issue certificates of stock, in whole or in part payment for any real and personal property purchased or leased by said company for the purpose of their business aforesaid.

Corporate name and purpose.

Capital stock

General powers.

2. *And be it enacted*, That the said corporation may purchase, use, hold, possess and enjoy such real estate as may be necessary or expedient for the purposes of said corporation, and may sell, mortgage, lease or otherwise dispose of the same at pleasure, and may borrow money and issue bonds therefor to an amount not exceeding, at any one time, one-half of their paid up capital stock, and may sue or be sued in all courts of law or equity, and may have and use a

common seal, and may change and 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 or laws of the United States or of this state. Proviso.

3. *And be it enacted*, That the affairs and business of said corporation shall be managed by not less than three nor more than seven directors, who shall elect one of their number president; and said directors shall be stockholders in said corporation, and shall hold their offices 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 such day, 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 of directors shall take place, John K. Large, Charles Conover, Frederick A. Potts, Peter F. Huffman, John McCloughan, Benjamin E. Young, and N. W. Voorhees, being stockholders, shall be 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 a body competent to transact business; and all business matters before them shall be decided by a majority of votes; and in case a vacancy shall occur in the board of directors by death, resignation, or a 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 stockholders. Election of directors. Names of first directors.

4. *And be it enacted*, That in case it shall happen that an election of directors shall not be made upon the day designated 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. Not to be dissolved for failure to elect directors.

5. *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 said corporation, and the amount of all assets and property belonging to the said corporation, as nearly as the same can be ascertained. Annual statement shall be made.

6. *And be it enacted*, That the principal office of said company shall be at Annandale, in the county of Hunterdon, Location of principal office.

where regular books of account shall be kept, to which any stockholder shall have free access at all reasonable times, for the purpose of inspection; and that books of transfer of stock shall also be kept, and shall be evidence of the ownership of said stock in all elections and other matters submitted to the decision of the stockholders of said corporation.

How dissolved.

7. *And be it enacted*, That the said corporation hereby created, may be dissolved by a general meeting of the stockholders of the same, specially called for that purpose; Proviso. *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 of them, or such persons as the stockholders shall appoint, shall be trustees for the settling all the affairs of the company, collecting and disposing of all its property and assets, paying its debts, and dividing its surplus among the stockholders, in proportion to their respective interests in the stock.

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 set forth in an act entitled "An act concerning corporations," approved on the fourteenth day of February, one thousand eight hundred and forty-six, so far as the same may be applicable.

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

Approved April 4, 1873.

CHAPTER DLXXVII.

An Act entitled an act to change the name of Village Church of Freehold, New Jersey.

Name changed.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the name of the Village Church of Freehold, New Jersey is hereby changed to the First Presbyterian Church of Freehold.

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

Approved April 4, 1873.

CHAPTER DLXXVIII.

An Act to incorporate the German, English and French Academy of the city of Hoboken.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Charles F. Mattlage, Frederick H. W. Schlosier, Frederick L. Schmersahl, and George H. Schmedes, and their associates and successors, be and they are hereby constituted a body politic and corporate in law, by the name of "The German, English and French Academy of the city of Hoboken," for the purpose of establishing, maintaining and conducting an institution for the education of youth in the German, French and English languages and in other studies, to be located in the city of Hoboken, in the county of Hudson, and that for the purpose aforesaid, the said corporation may purchase or hire, hold or receive real and personal property, and may mortgage, sell or let, and dispose of the same in any manner not inconsistent with the laws and constitution of this state and of the United States; *provided*, that the real estate of the said corporation shall not at any time exceed in value the sum of twenty-five thousand dollars.

Names of corporators.

Corporate name and purpose.

Proviso.

2. *And be it enacted*, That for the purposes of this act, the persons named in the first section hereof, or a majority of them, 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 a newspaper published in the said city of Hoboken, and when five thousand dollars of said stock is subscribed for, the said corporation may organize and proceed with the business hereby authorized, and that all subscriptions for said stock shall be paid at such time or times, and in such manner as the directors of said corporation may deem proper, and that the said persons named in the first section of this act and the survivors of them, shall constitute the first board of directors of said corporation, and shall hold their offices until the first Mon-

Commissioners to open books and receive subscriptions to capital stock.

day of May next succeeding such organization, and until others are duly elected in their stead.

Capital stock

3. *And be it enacted*, That the capital stock of said corporation shall be thirty thousand dollars, which shall be divided into shares of one hundred dollars each, and shall be considered personal property, and transferred as the by-laws of said corporation may direct; but no transfer shall be lawful until the same shall be entered upon the books of said corporation; and that at all meetings of the stockholders of said corportion, each stockholder shall be entitled to one vote for every share of stock held by him, to be cast in person or by proxy, and a majority of all the votes cast, shall decide all elections and questions at issue in such meetings,

Election of directors.

4. *And be it enacted*, That the business and affairs of said corporation shall be managed by a board of four directors, all of whom shall be stockholders of said corporation and residents of the state of New Jersey, who shall hold their offices for one year, and until others are duly elected in their stead; and that the said directors shall be chosen on the first Monday of May in every year, at a meeting of the stockholders held for that purpose, at such time and place, and upon such notice as the by-laws of said corporation shall prescribe.

General powers of the directors.

5. *And be it enacted*, That a majority of said directors shall constitute a quorum for the transaction of business, and shall choose, from among their own number, a president of said board, and appoint a secretary and a treasurer, and such other officers as they may deem necessary; and shall have power to make by-laws for their own government and for the management of the affairs of the said corporation: to fill all vacancies occurring in said board; to appoint and employ all necessary professors, teachers and other officers, and to fix their salaries, to establish, regulate and prescribe the course of studies to be taught and pursued in the said academy, and to fix the rates of tuition therefor; and to make all needful rules and regulations for the maintenance and proper conduct of said academy.

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

Approved April 4, 1873.

CHAPTER DCVIII.

A Supplement to an act entitled "An Act to change the name and the organization of the Hudson County Mutual Insurance Company, and to incorporate the Hudson Insurance Company, and to devolve upon the last named company the obligations and to vest it with the assets of the first named company," approved March sixteenth, one thousand eight hundred and seventy.

Policyholder eligible to office of director.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That any person holding a policy of insurance in said company shall be eligible to the office of director of said company; *provided*, the unanimous consent of the stockholders of said company be first obtained thereto.

Proviso.

Policies how issued.

2. *And be it enacted*, That all policies of insurance hereafter issued by said company may be stipulated to be with or without participation by the insured in the profits of the company; *provided*, two-thirds of the whole board of directors at a regular meeting of said board, and a majority of the stockholders of said company at a meeting called for that purpose shall first vote in favor thereof; and two weeks' notice of such meeting of stockholders, and of the object thereof, shall have been first given to each stockholder.

Proviso.

May insure live stock, &c

3. *And be it enacted*, That said company shall have power to insure horses, beeves and milch cows against death or damage by lightning while in and upon the lands and premises owned or leased by the owner or owners of such horses, beeves and milch cows; and shall also have power to guarantee the payment, punctual performance and collection of promissory notes, bills of exchange, contracts, bonds, accounts, claims, rents, annuities, mortgages, choses in action, evidences of debt, certificates of property or value and the titles to real and personal property, to receive upon storage, deposit or otherwise, merchandise, bullion, specie, plate, stocks, bonds, promissory notes, certificates and evidences of

May receive on deposit.

debt, contracts or other property (except household furniture and wearing apparel) to take the management, custody and charge of real and personal property and to advance money, security and credit upon property real and personal, upon such terms and for such compensation as may be agreed upon between the parties to such transactions; and that the capital stock and funds of said corporation may be invested and re-invested and loans made on bonds and mortgages on real estate and the bonds and stocks of the United States and of this state, and upon such other security as the board of directors may see proper, and may receive legal interest for any loan made by it, together with such other compensation as may be agreed upon between the parties.

Approved April 4, 1873.

CHAPTER DCX.

A Supplement to an act entitled "An Act to incorporate Segur's Bank," approved March twenty-first, one thousand eight hundred and seventy-one.

Corporate name.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the corporate name of Segur's Bank is hereby changed to Dover Bank; *provided*, that a majority of the stockholders of said Segur's Bank so elect to change said name.

Proviso.

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

Approved April 4, 1873.

CHAPTER DCXII.

An Act to incorporate the Enterprise Land Company of New Jersey.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Imlah Moore, John H. Stewart, Clark Fisher, Eckford Moore and Augustus G. Richey, and all such persons as may be hereafter associated with them, their successors and assigns, shall be and they are hereby constituted a body corporate and politic in fact and in name, by the name of "The Enterprise Land Company of New Jersey," and by that name shall be capable in law of purchasing, using, holding, letting, improving, manufacturing, selling and disposing of such real and personal estate in the county of Mercer, as may be necessary or expedient to the objects of this incorporation, and may receive and make all deeds, transfers, covenants, conveyances grants, contracts, agreements and bargains whatsoever necessary or useful for the purposes aforesaid.

Corporate name and powers.

Election of directors.

2. *And be it enacted*, That the stock, property and concerns of the said corporation shall be managed and conducted by not less than three, nor more than five directors. a majority of whom shall be residents of this state, all of whom shall be stockholders, and one of whom shall be president, who shall hold their offices respectively for one year, and until others are elected; and that the said directors shall be chosen at such time and place as shall be provided for by the by-laws of said corporation, by such of the stockholders as shall attend for that purpose, either in person or by proxy; and notice of the time and place of such election shall be published not less than two weeks previous thereto, in a newspaper published in the county of Mercer, and each stockholder shall be entitled to one vote for each share he or she may hold in said corporation; and the persons having the greatest number of votes shall be directors, and the said directors may appoint such agents, officers and superintendents, and make such compensation and assign such

duties to said agents, officers and superintendents as they shall think fit; and if at any time it shall happen that any vacancy or vacancies occur, from any cause whatever among the directors of said company, 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.

Capital stock

3. *And be it enacted*, That the capital stock of said corporation shall be thirty thousand dollars, with the privilege of increasing it to two hundred thousand dollars, which shall be divided into shares of one hundred dollars each, and as soon as five hundred shares of the capital stock shall have been subscribed and the sum of ten dollars on each share so subscribed paid, or secured to be paid, it shall and may be lawful for said corporation to proceed to carry into effect the objects of said corporation; and it shall be lawful for the directors of said corporation to call and demand from the stockholders thereof respectively such installments, at such times and in such proportions as they shall deem proper, not exceeding twenty dollars on each share at any one time, notice of which shall be published for at least thirty days in a newspaper in the county of Mercer, or shall be given in writing to the stockholders for the like space of time before such installments are required to be paid; and in case of failure of any stockholder to pay his or her installments at the time and place appointed for the payment thereof, or within thirty days thereafter, such stockholders shall incur a forfeiture of his or her share or shares, and all previous payments thereon, for the use of the company; and it shall be lawful for the said company to issue certificates of stock in whole or in part payment for any real estate purchased by said company.

Shares of stock may be forfeited for non-payment.

May sell and convey real estate, &c.

4. *And be it enacted*, That the said company are hereby authorized to let, rent, lease, mortgage, sell and convey all such lands and real estate as they may have and hold from time to time, in whole or in parcels, and to improve the same by erecting or causing to be erected thereon buildings of every name, kind and description, and for all proper and legitimate uses and purposes, or by laying off said lands and real estate into lots: and to use the same for agricultural purposes or in any other lawful way that the said corporation may deem necessary and advisable; and to purchase,

make up, manufacture, sell and dispose of all materials pertaining to the erection of such buildings

May make by-laws, &c

5. *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 the said corporation, and shall have power to make such by-laws, ordinances and regulations as shall seem necessary and convenient for the management or disposition of the stock, effects and concerns of the said corporation; *provided*, that the same are not contrary to the laws or constitution of the United States or of this state.

Proviso.

Not be be dissolved by failure to hold election.

6. *And be it enacted*, That in case it shall at any time happen that an election of directors shall not be made on 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 it shall and may be lawful to hold such election on such other day as the directors of the said corporation shall direct.

How dissolved.

7. *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 survivor or survivors of them or such persons as the stockholders shall appoint shall be trustees for the 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.

Proviso.

Restrictions and liabilities.

8. *And be it enacted*, That this act shall take effect immediately, and that it shall possess the general power, and be subject to the restrictions and liabilities set forth in an act entitled, "An Act concerning corporations." approved February eighteenth, eighteen hundred and forty-six, and the several supplements thereto, so far as the same are applicable.

9. *And be it enacted*, That the legislature shall have power to repeal, alter and amend the said act whenever they shall deem it necessary so to do.

Approved April 4, 1873.

CHAPTER DCXIV.

A Supplement to the act entitled "An Act to incorporate the Continental Steam Boiler Insurance Company of Newark, New Jersey," approved February fifteenth, one thousand eight hundred and seventy-two.

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 incorporated by the act which this is a supplement be and the same is hereby changed to, and shall henceforth be known as "The Continental Steam Boiler Fire and Marine Insurance Company," and that, by that name, it shall have all the rights, powers, and privileges, and be subject to all the restrictions, conferred and imposed by the act to which this is a supplement.

May insure against loss or damage by fire.

2. *And be it enacted*, That it shall and may be lawful for said company to insure houses and other buildings, and personal property of all kinds, against loss, or damage by fire, upon such rates and conditions as shall be contained and stated 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.

3. *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, 1873.

CHAPTER DCXXIV.

An Act to incorporate The Washington Building Loan and Savings Bank, of Washington, New Jersey.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Selden T. Scranton, Joseph B. Cornish, James K. Swayze, Joseph Anderson, James H. Groff, Peter T. B. Van Doren, Jacob V. Carter, Wm. Sweeney, Joseph C. Stewart and Philip H. Hann, and their successors, shall be and are hereby constituted and declared a body corporate and politic, in law and fact, by the name of The Washington Building Loan and Savings Bank, of Washington, New Jersey, to be located at Washington, in the county of Warren, in said state, and by that name, style and title shall have continued succession, and shall be capable of purchasing, leasing, mortgaging and conveying any lands, tenements, goods and chattels, and to let money at interest, and to secure the payment thereof as hereinafter provided, and to do all things necessary to carry out the objects of said corporation hereby created. Names of corporators. Corporate name and powers.

2. *And be it enacted*, That the capital stock of said association shall be one hundred and fifty thousand dollars, with the privilege of increasing the same from time to time to any sum not exceeding three hundred 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 said stock, which shall be deemed personal property, and transferable on the books of the association only; that five dollars on each share of stock shall be paid into the association each and every month until the full amount of stock subscribed shall be fully paid in, at such time and place as the directors shall appoint, and that notice of said time and place of meeting shall be published in one newspaper published in the county of Warren, at least one week previous to the time of said meeting; *provided*, that any stockholder may fully pay up his or her full Capital stock Proviso.

amount of stock subscribed for, at any time that the directors may agree to receive the same.

Election of directors.

3. *And be it enacted*, That the property and business of said association shall be managed and directed by a board of directors, who shall be stockholders in said association, and shall be chosen annually, at such time and place in the county of Warren, in such manner and upon such notice as the by-laws of said association shall direct, who shall serve for one year and until others are elected; that the persons named in the first section of this act and their successors, shall appoint three judges or tellers to receive the votes for the first directors of this association under this charter; that the board of directors shall not be less than three nor more than nine directors; that the directors of said association shall choose one of their number president, and may appoint such other officers and agents as they shall deem expedient, fill vacancies in their own board until the next annual election, make by-laws, collect installments on stock, let money on interest to members and other persons of said association offering the highest premium, and declare dividends to stockholders entitled to receive them.

Mode of conducting the election.

Initiation fee.

4. *And be it enacted*, That each member of said association shall pay the sum of one dollar initiation fee upon each share of stock taken in said association, that if any member owning stock in said association shall neglect or refuse to pay his or her installments, at the time and place appointed by the directors for the payment thereof, said members so neglecting shall pay a fine to said association of twenty-five cents on each share owned in said association by said delinquent, and in case any member of said association shall neglect or refuse to pay any installment for the space of six months after the same shall have become due, such delinquent shall forfeit to said association all profits on his or her stock during the time such member shall so neglect to make such payment, that any person may become a member of said association for the purpose of obtaining a loan, by paying to said association the sum of one dollar initiation fee for every loan of one hundred dollars obtained from said association, that no person shall be entitled to vote in said association, or to any profits or dividends except upon stock owned by him or her upon which there has been no loan obtained from the association.

Who may vote.

5. *And be it enacted*, That the directors shall at all times

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

6. *And be it enacted*, That the said institution may or may not, as the majority of directors may decide, receive as deposits, all such sums of money which may be offered for the purposes of being invested, in such amounts and at such times and on such terms as the by-laws shall prescribe, which shall be invested accordingly, and shall be repaid to the depositors at such times, and with such interest, and under such regulations as the board of managers shall from time to time prescribe, and the said institution may accept and execute all such trusts, of every description, as may be committed to them by any person or persons whatever, by will or otherwise, or transferred to them by the order of any court. May receive money on deposit.

7. *And be it enacte*d, That the institution shall not be required to allow interest on any deposit until it amounts to five dollars, nor to allow interest on the fractional part of one dollar, nor shall the institution be required to allow interest on the fractional parts of a month. When interest may be allowed.

8. *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 shall be regularly entered as soon as made. Depositor to have duplicate of his account.

9. *And be it enacted*, That the said institution may invest money in the stocks created under the laws of the United States, and in the stocks and bonds issued by the several states, and also in such bonds as may be issued by the several counties and cities and townships in the different states under the laws thereof, and also upon bonds and mortgages. Investments

10. *And be it enacted*, That this act shall be and is hereby declared to be a public act.

11. *And be it enacted*, That the said association may be dissolved at any time at a general meeting of the stock- How dissolved.

Proviso. holders specially called for that purpose: *provided*, that the stockholders of said corporation representing at least two-thirds in value of the capital stock concur therein; and upon such dissolution, the directors for the time being, and the survivors of them, or such other persons as the stockholders shall appoint, shall be trustees for settling all the affairs of the association, 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.

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

Approved April 4, 1873.

CHAPTER DCXXV.

An Act to incorporate the State Loan and Trust Company.

Names of corporators. 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Frederick Frelinghuysen, Henry M. Alexander, Henry R. Remson, William R. Travers, Ludlow Patton, Samuel Borrowe, E. C. Fisher, E. Boudinot Colt and their associates and successors, be and they hereby are constituted a body corporate, in fact and in law, under

Corporate name. the name of the "State Loan and Trust Company," and under that name may sue and be sued, plead and be impleaded, may have a common seal and may alter and change the same at pleasure, and by the said name may exercise and enjoy all the rights and powers granted by this act.

Capital stock 2. *And be it enacted*, That the capital stock of the said company shall be one hundred thousand dollars, and as soon as fifty thousand dollars shall have been subscribed and twenty per centum of the same paid in cash, it shall be lawful for said company to organize and proceed to business as provided for in the third section of this act; and the capital stock of said company shall be divided into shares of one hundred dollars each, which shall be deemed personal property, and shall be transferable in such manner as shall be provided in the by-laws.

3. *And be it enacted*, That the stock, property and affairs of said company shall be managed and controlled by a board of trustees; five trustees shall constitute a quorum for the transaction of all business; the persons named in the first section of this act shall constitute the board of trustees, and as soon as the requirements of the second section of this act are complied with the said trustees may meet to organize the said company by the appointment of officers, the adoption of such by-laws as they may deem proper and proceed to business under this act; and the said board of trustees may, from time to time, fix the number of trustees; *provided*, the same shall not be less than seven, and the said board of trustees may fill any vacancy in their number arising from death or any other cause. Affairs to be managed by trustees. Proviso.

4. *And be it enacted*, That the said board of trustees shall appoint one of their number to be president, and may appoint an executive committee, who shall, when the board of trustees are not in session, have, possess and enjoy all the powers and duties of the board of trustees, and may appoint and at their pleasure remove such other officers and agents as they may deem necessary for the transaction of the business of the company, and may declare and pay to the stockholders dividends from the profits of the company, and they may, from time to time, make and establish such by-laws, rules and regulations as they shall deem expedient, touching the government of said company, the management of its property and effects, the transfer of shares of its capital stock, the duties and conduct of its officers and agents and their salaries and compensations, the place and time of the meetings of the trustees and executive committee, and all matters which may appertain to the concerns, property, business and welfare of said company; *provided*, the said by-laws shall not conflict with the constitution or with the laws of this state or with the provisions of this act; and the said trustees may receive subscriptions to the capital stock of said company, and may require payment of the same at such times and in such installments as they may deem proper, and the amount of the capital stock of said company may be increased, from time to time, by a vote of the board of trustees. General powers of the trustees. Proviso.

5. *And be it enacted*, That it shall be lawful for said company to receive moneys, securities, evidences of debt and all other property, real or personal, in trust, and to accumu- May receive money, &c., in trust, and allow interest.

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late the same at such rates of interest as may be obtained or agreed upon, or to allow such interest thereon as may be agreed upon, not exceeding in either case the legal rate.

May execute trusts ordered by court, &c.

6. *And be it enacted*, That it shall be lawful for the said company to accept and execute all trusts of every description as may be committed to them by any person or persons whatsoever, or by any corporation, or may be committed or transferred to them by order of any court of record or any officer of this or any other state.

May receive deposits.

7. *And be it enacted*, That it shall be lawful for the said company to receive moneys on deposit and allow such interest thereon, not exceeding the legal rate, as may be agreed upon with the depositors; and the said company may, from time to time, borrow such sums of money as may be necessary to carry out the purposes of this act, and may issue and dispose of their promissory notes or bonds for the amounts so borrowed, and they may mortgage any part of their property or franchise to secure the payment of such bonds, and it shall be lawful for any fire or life insurance company, or any other corporation, to purchase and hold such bonds; *provided*, that no defence of usury shall at any time be interposed by the corporation hereby created.

Proviso.

May guarantee payment of notes, &c.

8. *And be it enacted*, That it shall be lawful for the said company to guarantee the payment, punctual performance, and collection of promissory notes, bills of exchange, contracts, bonds, accounts, claims, rents, freights, annuities, mortgages, choses in action, evidences of debt, and certificates of value, and for such guarantee may charge and receive interest not exceeding the legal rate, in addition to such commissions and charges as may be agreed upon in writing between the parties; and the said company may receive upon storage, deposit, pledge or otherwise, merchandize, money, bullion, specie, plate, stock, bonds, mortgages, promissory notes, bills of exchange, certificates and evidences of debt or value, warehouse receipts, bills of lading or of freight, policies of insurance, contracts, or any other property, and to take the management, custody and charge of the same and of all other real or personal property and estate, and to advance moneys, securities and credits upon the same, and for such advance they may charge and receive legal interest in addition to such commissions and charges as may be contracted for between the parties in writing,

and the said company may make, execute and issue in the transaction of their business, all necessary receipts, contracts, certificates and instruments, either with or without their corporate seal, and the same shall be signed by such officer or officers of the company as shall be prescribed by the by-laws.

May sell at auction or private sale for non-fulfilment of contract.

9. *And be it enacted*, That it shall be lawful for the said company to sell at public auction or at private sale, as may be specified in any contract between the parties, all property of what kind soever mentioned or affected by such contracts after one month shall have elapsed from the time of the maturity of any obligations under such contracts (or immediately upon the discovery of any fraud, misrepresentation or concealment in regard to the ownership or character of property mentioned in or affected by such contract), and reimburse themselves out of the proceeds of such sale for the moneys, interests and costs due them, in addition to the commissions agreed upon in the contract; *provided, however*, that nothing in this section contained shall be construed to prevent the said company from making any such sale at such earlier time and in such manner as may be provided for in any contract or agreement made by any person, persons or corporation with the said company.

Proviso.

Notice to be given to depositor of decrease in value of property.

10. *And be it enacted*, That it shall be lawful for said company in case any property deposited with them upon which any advance shall have been made by them shall before maturity of the contract from any cause decrease in value from the price originally fixed, to give notice in writing to the depositor, or his agent, to perform the conditions of the contract, or make good the deficiency caused by such decrease in value within thirty days, and in default thereof may sell and dispose of such property at public or private sale, and out of the proceeds thereof may reimburse themselves for the moneys, interest and costs due them, in addition to the commissions agreed upon in such contract; *provided, however*, that nothing in this act contained shall be held or construed to limit or affect the liability or obligations of the company hereby created, as the same is fixed by common law or by statute, any further than the same is limited or affected by the express terms of the contract in this section mentioned, or to prevent said company from selling such property in such manner and on such notice as may be agreed upon in such contract, and that such notice

may be given personally or by mailing the same prepaid, directed to the depositor or his agent at his usual or last known residence or place of business.

May purchase and hold real estate.

11. *And be it enacted*, That it shall be lawful for the said company to lease, purchase, hold, mortgage or convey all such real or personal property or estate as may be necessary to carry on their business, as well as such real or personal property or estate as they may deem it necessary to acquire in the enforcement or settlement of any claim or demand arising out of their business transactions, and they may sell or exchange the same for other property as they may determine that the interests of the said company may require.

Shall not issue bills for circulation as money.

12. *And be it enacted*, That nothing in this act contained shall be construed to authorize the said company to issue any notes or bills for circulation as money.

Location of principal office.

13. *And be it enacted*, That the said corporation shall have their principal office in the county of Hudson, in this state, and they may have offices for the transaction of business elsewhere.

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

Approved April 4, 1873.

CHAPTER DCXXVI.

An Act for the relief of Mary Fee.

Preamble.

WHEREAS, Matthew Fee, late of the city of Newark, Essex county, New Jersey, departed this life on the tenth day of April, one thousand eight hundred and sixty-eight, intestate and without issue, leaving Mary Fee his widow, and no lawful heir who can inherit the estate of which he died possessed, being a small house and lot in said city of Newark; *and whereas*, the said widow, Mary Fee, by her labor and industry accumulated a considerable portion of the money which was used in the purchase of said house and lot, and in reduction of the encumbrances thereon and the interest upon the same, and being advanced in life and infirm in health is dependent upon the small income arising therefrom for her support; therefore,

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That all the estate, right, title and interest of the said Matthew Fee, deceased, at the time of his death of, in and to the following described lot of land and premises situate in the city of Newark, Essex county, New Jersey: beginning on the northerly line of Marshall street at a point fifty-seven feet easterly from the northeast corner of Marshall and West street; thence (one) running easterly along the line of Marshall street twenty-five feet; thence (two) northerly and at right angles with Marshall street fifty-eight feet more or less to a point half the way between Marshall and Scribers' street; thence (three) westerly and parallel with Marshall street twenty-seven feet more or less, to lot number 35 as laid down on a map of Bellevue place; thence (four) southerly along the line of said lot fifty-eight feet more or less to the place of beginning; and all the right, title, interest and estate of the state of New Jersey of, in and to the said lot of land and appurtenances, be and the same is hereby vested in the said Mary Fee, her heirs and assigns, to her and their proper use, benefit and behoof forever. Title to certain land vested in Mary Fee.

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

Approved April 4, 1873.

CHAPTER DCXXVII.

An Act to incorporate the Groux Soap Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That George Christie, Louis Groux, Charles L. Christie, James Bell and John R. Daggers, 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 Groux Soap Company," for the purpose of manufacturing and selling all kinds of soap and washing crystals and liquids used for washing and other purposes, and for Names of corporators. Corporate name.

that purpose may purchase and hold all real and personal estate necessary for the conducting of said business, and may sell, mortgage, lease or otherwise dispose of the same.

Capital stock

2. *And be it enacted*, That the capital stock of said company shall be fifty thousand dollars, which shall be divided into shares of one hundred dollars each, and shall be transferable in such manner as the by-laws of said corporation shall direct.

Commissioners to receive subscriptions to the capital stock.

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 such corporation at such time and place in the city of Paterson as they may deem proper, giving notice thereof for at least ten days in some newspaper published in said city of Paterson, and that as soon as ten thousand dollars of such stock is subscribed and paid, or satisfactorily secured to be paid, the commissioners shall then give the stockholders notice that a meeting will be held for the purpose of organizing the said company.

Election of directors.

4. *And be it enacted*, That the business of the said corporation shall be managed by not more than seven directors or less than three, all of whom shall be stockholders, and 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.

General powers.

5. *And be it enacted*, That the directors of said corporation shall have power to make by-laws for the management and government of said corporation, and may appoint such subordinate officers as the business of the said corporation may require.

Books of account to be open to inspection.

6. *And be it enacted*, That the regular books of account of said corporation shall be kept in the office of said corporation, in the city of Paterson, 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, one thousand eight hundred and forty-six, so far as the same are applicable.

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

Approved April 4, 1873.

CHAPTER DCXXVIII.

Supplement to an act to incorporate the Union Hall Association of Barnegat, New Jersey, approved March eighth, one thousand eight hundred and seventy-two.

WHEREAS, through inadvertance the state assessment on the act to which this is a supplement was not paid within the time required by the act entitled "An Act to increase the revenue of the state of New Jersey," by which inadvertance and non-payment of said state assessment the said act became void; *and whereas*, it is desirable that this act should be revived; therefore, Preamble.

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 Union Hall Association of Barnegat, New Jersey," approved March eighth, one thousand eight hundred and seventy-two be and the same is hereby revived, and shall stand in full force and effect the same as if the state assessment, required to be paid by the act entitled "An Act to increase the revenue of the state of New Jersey," had been paid within the time prescribed by law; *provided*, that the state assessments on the said original act of incorporation and on this supplement be paid before the first day of July next ensuing the passage of this supplement. Original act revived. Proviso.

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

Approved April 4, 1873.

CHAPTER DCXXIX.

An Act to incorporate the Methodist Episcopal Church Cemetery Association, of Tabernacle, Shamong township, Burlington county, New Jersey.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Chalkly Willitts, Richard Haines, Joseph B. Woolman, Eli Cramer, Samuel Brown, Isaac L. Alloway, Richard H. Brown, John Willitts and Edward H. Warwick, and such others as shall become associated with them, shall be and are hereby created, declared and constituted a body corporate and politic, by the name of "The Tabernacle Cemetery Association," with general powers and privileges of a corporation.

Corporate name.

Election of managers.

2. *And be it enacted*, That the affairs of the said corporation shall be managed by a board of five managers, who shall be elected on the second Tuesday in April of each year, at such time and place as may be prescribed by the by-laws of said association.

Lands not liable to be sold for debt.

3. *And be it enacted*, That the lands and property of said corporation, and the burial lots of the persons holding the same, shall not be liable to be seized or sold on execution, or be subject to the payment of debts due from individual proprietors, but such proprietors, their heirs, devisees or assigns, may hold the same exempt therefrom, so long as the said lots shall remain dedicated to the purposes of a cemetery.

May make by-laws, &c.

4. *And be it enacted*, That the said association, through its board of managers, shall have power to prescribe by-laws for the regulation and management of its affairs, the burial of the dead, the sales of lots, and to purchase and increase its grounds; *provided*, said grounds shall never exceed twenty acres; and to provide all such other matters as may be necessary for carrying the provisions of this act into effect.

Proviso.

5. *And be it enacted*, That the property of the said "The Tabernacle Cemetery Association" shall not be taxable either for state or township purposes, and that this act shall take effect immediately. Exemption from tax.

Approved April 4, 1873.

CHAPTER DCXXX.

An Act to incorporate the Alpine Hotel and Improvement Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Charles Nordhoff, Sweeting Miles, William S. Stryker, Fanning P. Albert and J. C. Cady, and their associates, and all other persons who shall become subscribers to and owners of the capital stock of the corporation hereby created, shall be and they and their successors are hereby made and declared a body corporate and politic, in fact and in law, by the name of "The Alpine Hotel and Improvement Company;" and by that name shall have perpetual succession and shall have power to have, hold, lease, purchase, sell and convey such real estate in the county of Bergen as may be necessary and proper for the erection and operation of a public hall, of a hotel or hotels for the accommodation of the public, and a livery stable or stables therewith, and such other buildings and improvements as may be adapted to and connected with the same, or necessary and expedient for the management of and maintaining the same; and they shall have all such powers and authority as shall be necessary to transact all business that may be incident and appertaining to the erecting, furnishing, managing or conducting of such premises, with the buildings and improvements, or any of them thereon, and of the other real and personal property of said corporation; and may receive and make all deeds, transfers, conveyances, covenants, grants, contracts, agreements and bargains whatsoever necessary or useful for the purposes aforesaid; and may improve any such lands and real estate of which they may become possessed by laying out the same in lots, plots or parcels, by erecting Names of corporators. Corporate name and object.

buildings of every kind and description thereon, and by opening, laying out and grading roads, streets and alleys therein, and may otherwise improve and beautify the same.

Capital stock

2. *And be it enacted*, That the capital stock of said corporation shall be one hundred thousand dollars, with the privilege of increasing the same at any time by a vote of a majority of the board of directors, to any sum not exceeding five hundred thousand dollars; and said stock shall be deemed personal property, and shall be divided into shares of one hundred dollars each, to be transferable only on the books of the company, and in such manner as shall be prescribed by the by-laws of said incorporation; and each share of stock shall entitle the bona fide holder thereof to one vote, to be given either in person or by proxy, at any regular meeting of the stockholders.

Commissioners to receive subscriptions to the capital stock.

3. *And be it enacted*, That the persons mentioned in the first section of this act, or a majority of them, are hereby constituted commissioners to open books of subscription to the said capital stock, at such time and place or times and places as they shall designate, by a notice to be published for at least one week in some newspaper published and circulating in Bergen county; and that when twenty-five thousand dollars of the said capital stock shall have been subscribed and paid, the said commissioners, or a majority of them, shall call a meeting of the subscribers, giving at least ten days' notice of the time and place of such meeting in manner aforesaid, and when so met the said subscribers shall have power to choose from their own number, by ballot and by a majority of votes, a board of seven directors, to continue in office until the first Monday in May then next ensuing, or until others shall be chosen in their stead.

General powers.

4. *And be it enacted*, That a majority of said directors shall constitute a quorum for the transaction of business, and that the board of directors shall choose from their own number a president and such other officers as shall be advisable, and shall have full power to make, alter and repeal all necessary by-laws, rules and regulations for the transaction of the business of said corporation, and to prescribe the way the subscriptions to the capital stock shall be paid, and to impose penalties, including the forfeiture of stock, for the non-payment of any installment or for neglect to make the payment in the way prescribed; and to choose and appoint such officers and agents as may be requisite for

the proper management of the affairs of the said corporation, and such officers and agents at pleasure to remove.

Vacancies, how filled.

5. *And be it enacted*, That the annual election of directors of the said corporation shall be held on the first Monday in May in each year, at such time and place in the county of Bergen as the directors shall appoint, by notice given at least ten days previously in some newspaper published and circulating in said county; and in case of vacancy or vacancies occurring by death or otherwise the remaining directors shall have power to fill the same until the next annual election.

Capital not to be impaired.

6. *And be it enacted*, That the said capital stock shall not nor any part thereof be withdrawn from the legitimate business of the said corporation, or refunded to the stockholders or any of them, until all the debts and liabilities of the said incorporation shall have been paid and discharged.

May borrow money and issue bonds.

7. *And be it enacted*, That the said corporation by the action of its board of directors, when they deem it necessary for the purposes of the company, shall have power to borrow money from time to time, and make and deliver the bonds of the company executed as the directors may direct, bearing interest as therein or in coupons 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 a manner as they shall direct, the total amount of the bonds not to exceed eighty per cent. of the capital, and they may secure the same by mortgage or mortgages of the company, which shall be and remain a lien for the amount secured thereby on any property real or personal, and upon the chartered or other rights of the company therein and thereby mortgaged until the same be paid; and the registry thereof in the office of the clerk of the county of Bergen, shall be notice to all parties interested, and the same shall be recorded by said clerk in the record of mortgages in his office; and it shall be lawful for said directors, 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, at a rate to be fixed by the said board of directors at a meeting called for that purpose.

Location of principal office.

8. *And be it enacted*, That the place of business and principal office of said incorporation shall be at or near Alpine, in the county of Bergen, and that annually at the meeting of the stockholders to be held as aforesaid on the first Monday

of May, or on any properly adjourned day thereof in each year, the board of directors of said corporation for the time being, shall submit to the stockholders a written statement of the condition of the affairs of said corporation, including the amount of capital stock paid in, the amount of all debts existing against the corporation, specifying to whom such debts are due, the receipts and credits of the corporation, which statement shall be verified by the affidavit of the treasurer, and the same shall be filed in the office of the secretary of state.

Dividends.

9. *And be it enacted*, That no dividend shall be paid to the stockholders except only from and out of the surplus profits arising from the business of said corporation.

May lease and dispose of real and personal property.

10. *And be it enacted*, That the said company is hereby authorized to lease or dispose of to any person or persons, company or companies of such premises, with the buildings and improvements or any of them thereon, and of the other real and personal property of said corporation, as they may deem necessary or expedient.

Restrictions and liabilities.

11. *And be it enacted*, 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 the acts supplementary thereto and amendatory thereof, so far as the same are applicable.

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

Approved April 4, 1873.

CHAPTER DCXXXI.

An Act to incorporate the Newton Stone and Slate Quarry Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That William M. Babbitt, Daniel S. Anderson, Augustus Zabriskie, Jenkins Van Schaick, and Henry M. Ward, and such other persons as may be or become associated with them, and their successors shall be, and are hereby incorporated and made a body politic and

corporate, in fact and in law, by the name of "The Newton Stone and Slate Quarry Company," with power to have, use and alter a common seal, and by that name sue and be sued, defend, plead, answer, and be impleaded in any court of law or equity, and with all other powers of a corporation for the purpose of quarrying, working, manufacturing, and transporting stone, slate, and other minerals, ores, earths, and metallic substances, and of buying, selling, and disposing of the same, and of all articles manufactured or in process of manufacture, or for manufacturing purposes, and all other articles necessary to be used in the prosecution of their business, and of general merchandize, with power to possess, own, and dispose of machinery, implements, and personal property necessary or proper to construct and erect quarrying and other works; also to take and hold water power and privileges, and establish, maintain, and use the same, and to take and hold, dispose of, or convey by renting, lease, or any conveyance any quarries, mining or mineral rights and real estate, or any part thereof, or any estate or interest therein, and to take, retain or reserve rents, royalties, or other interest in any property, and to take, hold, own, possess and enjoy by agreement to pay rent or royalty, or otherwise any property, and to manage, control, and dispose of any property or rights they may have or be entitled to, or be interested in by agreement or otherwise, and to mortgage, pledge or hypothecate the same, or any parts or part thereof, and their franchises and privileges. Corporate name and powers.

2. *And be it enacted*, That the capital stock of the company shall be fifty thousand dollars with the privilege of increasing the same from time to time to any sum not exceeding five hundred thousand dollars, which stock shall be divided into shares of one hundred dollars each; that all or any part thereof which shall be subscribed for shall be paid in at such times, upon such notice and in such manner and installments as the directors of the company by by-laws or otherwise may direct; that said stock or any of it may be subscribed for or disposed of, may be in money, in quarries or mining property, or may be in land or real estate in the counties of Sussex, Warren and Morris, in this state, or in any right or interest therein, or in personal or other property, or in either, any or all of said modes of payment, and the value of any property other than money taken for stock shall be appraised by the board of directors; in case of fail- Capital stock. Payment of installments.

ure by any of the stockholders to pay either of his, her or their installments, or to make any payment for stock agreed to be paid at the place, and within thirty days after the time appointed or agreed upon for payment, the stock of such stockholder or stockholders on which he, she or they failed to make payment as aforesaid, and all previous payments made thereon, may be at any time by the board of directors declared forfeited; and when such declaration is entered in the books of the company the said stock and all previous payments thereon shall be forfeited to the use of the company, but the board of directors may at their option before or after such forfeiture remit the same, or issue stock equivalent at par to the amount paid, or make such adjustment with any whose stock has been forfeited, or their legal representatives, as the board of directors may deem best.

Who may vote.

3. *And be it enacted*, That the capital stock of the company shall be deemed personal property, and the shares thereof shall be transferable only on the books of the company, in such manner as may be directed by the board of directors, and every share shall entitle the holder to one vote, either in person or by proxy; that dividends on the stock may be made of the proceeds of the business of the company.

Election of directors.

4. *And be it enacted*, That the affairs of the company shall be managed, after the first election, by five directors, to be chosen by a plurality of legal votes cast by the stockholders annually, at such time and in such manner as the by-laws of the company may direct, who shall serve one year and until the directors elected at an election by the stockholders shall organize; notice of which election shall be previously given for two weeks in a newspaper published in each of the counties of Sussex, Warren and Morris, in this state; but should an election not be held on the day specified by the by-laws the same may be held afterwards, on such day as the directors shall designate, of which election the like notice shall be given; the directors shall from time to time elect a president and such other officers as may be convenient or necessary, and fix their compensation; any vacancy or vacancies that may occur in the board of directors by failure to elect the full number by the stockholders, or for any other cause, may be filled by the remaining directors for the time being, or a majority of them, until the directors elected at a subsequent election for a full board of directors

May fill vacancies.

shall organize; no one elected a director shall act as such who is not a stockholder; the directors may, if a majority in interest of stockholders so determine, be increased to any number not exceeding nine in all; a majority of directors may act with power to do all business.

Names of first directors.

5. *And be it enacted*, That William M. Babbitt, Daniel S. Anderson, Augustus Zabriskie, Jenkins Van Schaick, Henry M. Ward, shall be the first board of directors of the company, a majority of whom shall, as soon as convenient after the passage of this act, assemble and organize the company, and they shall continue in office and manage all the affairs and business of the company until the directors elected at the first election of the directors by the stockholders shall organize, and vacancies before then may be filled by the remainder, or a majority of them; meetings of the directors may be held out of this state.

May sell, lease and convey lands, quarries, &c.

6. *And be it enacted*, That as soon as the company shall be organized as provided in the next preceding section, the company shall be and are hereby authorized to receive conveyances for the lands, quarries, mines and property in the counties of Sussex, Warren and Morris, in this state, or for any part, share or portion thereof, owned by the corporators named in the first section of this act, or any or either of them or their associates, and for such estate, right, title and interest in any property in the counties of Sussex, Warren and Morris in which said corporators, or any of them, are interested as at the time of the passage of this act, or afterwards, shall belong to any other person or persons who are willing to sell and convey the same to the company, and also to receive conveyances for or take other property in the possession of said corporators connected with or which pertains to the business which the corporators have heretofore carried on without being incorporated, the company paying for property taken by them as may be agreed on, and to receive, enter into, make and execute all agreements, mortgages, conveyances and other instruments necessary or proper in the purchase and sale of any property, or any part, share or portion thereof, or any estate, right or interest therein, or in any part thereof, or in the management of the same, and to pay for the whole or any part of any property purchased in whole or in part with the shares of its capital stock, at not less than the par value of said stock with bonds

of said company, by mortgage or otherwise, or by either or any of such modes of payment.

May issue bonds.

7. *And be it enacted*, That the company shall have the power, and are hereby authorized, in case two-thirds in interest of the stockholders consent thereto, either in writing or by a vote at any meeting of the stockholders, to make their bonds from time to time to such amount as they may deem expedient, not exceeding in the aggregate the capital stock; any portion or all of which bonds may if the board of directors so determine, be made convertible into capital stock of said company, at the option of the holder, when and on such terms as may be therein stated, and they or any of them may be registered under such regulations as the directors may adopt; they may be coupon or other bonds, and be payable with any rate of interest not exceeding seven per centum per annum on the principal sum named therein; and the company may sell or negotiate, or may use in the purchase of property such bonds at such rate of discount or less than par as they may deem for the interest of the company, without the invalidation thereof or of any part thereof, and such bonds as shall be sold, negotiated or used at a rate less than par shall be valid and binding at law or in equity for the whole amount of principal named therein and accruing interest on said principal, and upon any recovery thereon or in any proceedings to recover the same principal or interest, or upon any instrument, mortgage or trust deed to secure the same at law or in equity, there shall be no forfeiture or abatement of any part of the principal or interest, or of costs, by reason of such sale, negotiation, or use of said bonds; and for securing the payment of said bonds, full power and authority are hereby granted to said company, to pledge or hypothecate by way of mortgage, trust, or otherwise, the whole or any part of the property, and the franchises, and chartered rights, powers and privileges of the company; and such pledge, hypothecation, mortgage and trust shall be valid at law and in equity to secure the whole principal sum of money named in said bonds, and all interest on said sum; and the registry and recording of any mortgage or trust deed made by said company, in the county or counties where any bonds or real estate embraced in said mortgage or trust deed shall be situated, shall make the said mortgage or trust deed a lien not only on the lands and real estate embraced therein, but also

on all other property, as well chattels as other property, franchises, rights and privileges mentioned and described therein, as mortgaged or conveyed in trust, without filing said mortgage or trust deed, or any copy thereof, or any statement relative thereto, at any time.

Transfer of stock.

8. *And be it enacted*, That any of the capital stock or bonds of the company may be taken, held, transferred and disposed of by any other incorporated company, and that stock held by any other incorporated company (except incorporated banks, which may take the same only as collateral,) may be voted on by any person or persons designated by the corporations holding such stock; and the company incorporated by this act may, when it is necessary or for the interest of the company, take, hold, transfer and dispose of any stock in any other incorporated company, and that such stock when held (except the stock of incorporated banks, which can be taken only as collateral) may be voted on by any person or persons designated by the company incorporated by this act.

How dissolved.

9. *And be it enacted*, That the company may be dissolved by vote at any general meeting of the stockholders, of which two weeks' notice in a newspaper printed in each of the counties of Sussex, Warren and Morris, has been given by the president or secretary, and of which notice shall be sent by mail addressed to the stockholders stating that at such a meeting the dissolution of the company will be considered or acted on; *provided*, that at least two-thirds in value of the stock shall be represented by the stockholders, or by persons holding proxies of the stockholders authorizing the representatives to vote on such dissolution present at such meeting; and upon such and so many of the then directors as shall be present at such meeting and consent in writing to act, and if none consent so to act, then or in case of the death of the survivor, or he shall cease to act, three persons chosen by a majority in interest of the stockholders present at such or any meeting shall be trustees, who, or the survivors or survivor as trustees or trustee shall settle all the affairs of the corporation, dispose of its effects, with power to make any agreements relative to any property or business, or conveyance of any of the property of the company, sue for and recover all debts and demands, submit differences to the award of arbitrators, make compromises and do or cause to be done whatever they, the survivors or

Proviso.

survivor, may deem necessary; and after applying the proceeds of the property and effects of the company, over and above the payment of expenses incident to the settlement, to the payment of debts of the corporation, to divide the surplus, all of which shall be deemed personal estate, among the stockholders in proportion to their respective interests in the stock; and in any agreement, conveyance or business, a majority of the trustees shall have power to act, and their acts or the act of the survivor of the trustees shall be valid, and have full force and effect; and they, the survivors or survivor, may use the corporate name and seal of the company in any business transaction by them, the survivors or survivor, and may represent the company, and use the corporate name and seal as may be necessary in all suits or proceedings at law or in equity.

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

Approved April 4, 1873.

CHAPTER DCXXXII.

An Act to incorporate the Memorial Hospital and Dispensary.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Edward Austen, Thomas Fenner, Austin L. Knight, Dwight M. Babcock, William Pierson, jr., William Redmond, David N. Ropes, Lowell Mason, Gardiner R. Colby, Samuel Colgate, Francis L. B. Mayhew, Henry A. Page, John L. Blake, Elias O. Doremus, George H. Brewer, George I. Ferry, Aaron Carter, junior, George B. Bacon, James B. Hixon, John M. Randall, Charles A. Lighthipe, Albert P. Condit, George P. Kingsley, Charles F. McKim, Viner J. Hedden, Henry M. Matthews, William A. Brewer, junior, John Van Vechten, Aaron B. Baldwin, Henry A. Howe, William J. Chandler, William P. Kittredge, Robert C. Wetmore, L. L. Frost, John G. Vose and such other persons as may hereafter be associated with them, in such manner and on such terms as shall be speci-

fied by their by-laws, be and hereby are constituted a body corporate and politic, in fact and in law, under and by the name of "The Memorial Hospital and Dispensary;" and by that name may sue or be sued in any court of law or equity, and shall be capable of taking by purchase, devise, bequest or otherwise, and of holding, granting, conveying, mortgaging, leasing or otherwise disposing of any real and personal estate of every kind whatsoever, for the uses and purposes of such corporation; *provided*, that the net annual income of such real estate shall not exceed twenty-five thousand dollars. Corporate name and powers. Proviso.

2. *And be it enacted*, That the objects of said corporation are to establish and maintain, in or near to the city of Orange, in the county of Essex, a hospital for the reception and treatment of such persons as may require medical or surgical treatment, and a dispensary for supplying medicines and other articles for the aid and comfort of the sick and suffering, under such rules, restrictions and regulations as may be prescribed by the by-laws of said corporation. Objects.

3. *And be it enacted*, That the members of said corporation, at its annual meetings, to be held at the time and place to be provided for by its said by-laws, shall elect from their own number by ballot, a board of managers, who shall hold office for one year and until their successors shall have been elected and organized by the election of officers as provided in the sixth section of this act; *provided, however*, that only such members as shall have contributed at least fifty dollars to the fund, and none others shall have the right to vote at such election; the number of managers constituting the said board shall be fixed by the said by-laws; and a majority of all votes cast at any election shall be necessary to the choice of any member of the board. Election of managers. Proviso.

4. *And be it enacted*, That the regular meetings of said corporation shall be held in each year, at the times and places to be appointed by the said by-laws; and for the purposes of this incorporation, the persons named in the first section of this act shall constitute the first board of managers, and shall hold office until the first annual meeting, which shall be held at such place as they shall appoint, and until their sucessors shall have been elected; *provided*, that the secretary hereinafter named shall at any time at the direction of the board of managers call a special meeting of the members of said corporation, by giving suitable written or First board of managers. Proviso.

printed notice thereof to such members, at least five days before such meeting.

Not to be dissolved by reason of failure to hold an election.

5. *And be it enacted*, That in case an election shall not be made on the day appointed for said annual meeting, the corporation shall not for that cause be deemed to be dissolved, or be rendered inoperative, but in such case it shall and may be lawful to hold such election, at a special meeting, on some subsequent day, to be held in accordance with said by-laws.

Election of officers.

6. *And be it enacted*, That the board of managers shall elect from their own number, as soon as convenient after each annual election, a president, a vice-president, a secretary, and a treasurer, who shall severally hold office for one year, and until their respective successors shall have been elected; and they shall have such powers and perform such duties, not inconsistent with this act, as may be assigned to them by said by-laws, or by said managers in pursuance thereof.

Power to appoint and remove physicians and surgeons.

7. *And be it enacted*, That the said board shall also from time to time elect or appoint, remove or discharge, such and so many physicians, surgeons, and other subordinate officers and servants, as they shall deem necessary to conduct and carry out the objects of the incorporation; but such physicians, surgeons, and other subordinate officers and servants, shall always be subject to the by-laws and regulations to be from time to time made and adopted by the board of managers, and may be temporarily suspended from the discharge of their duties by the president or vice-president, who shall report the cause of such suspension at the next meeting of the board.

General powers.

8. *And be it enacted*, That the board of managers shall be empowered to transact all the business of the corporation: to fill vacancies in their own number, until the next annual election; and to make by-laws for the government of their own proceedings, and of said corporation, the management and disposition of its property and concerns, the admission of patients, the distribution of the benefits and charities of said corporation, the admission of members, and for the appointment and removal of such officers, physicians, surgeons, assistants and servants, as they may deem necessary, and in general for regulating and managing all the affairs of the corporation: and said board may also delegate these

powers or any of them to their officers or subordinates as they may deem expedient.

Business meetings.

9. *And be it enacted*, That a majority of those present shall be competent to transact the ordinary business at any meeting of the board; *provided*, that such meeting shall be either a regular meeting according to said by-laws, or a meeting called by a written or printed notice, which shall have been previously mailed to each member, or left at his residence or ordinary place of business; but for the discharge of any elected officers, physician or surgeon, the approval of a majority of all the members of the board shall be necessary; and for the sale, alienation, mortgaging or leasing for a term of more than one year, of the real property of said corporation, or any part thereof, the written consent of five-sixths of all the members of said board shall be necessary and shall be sufficient.

Proviso.

Exemption from tax.

10. *And be it enacted*, That the property and effects of said corporation shall not be liable to the imposition of any state, county, or local taxes.

Act to be favorably construed.

11. *And be it enacted*, That this act shall be deemed a public act, and shall be construed in all cases most favorably, and for the best interest and advantage of said corporation, and shall take effect immediately.

Approved April 4, 1873.

CHAPTER DCXXXIII.

An Act to incorporate "The Argonauta Rowing Association," of Bergen Point.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That A. R. Warner, Solon Humphreys, O. F. Brockway, E. W. Humphreys, S. T. Brown, R. L. Anderton and H. T. Malcomson and such other persons as now are or hereafter may be associated with them and their successors, shall be and are hereby constituted a body corporate by the name of "The Argonauta Rowing Association," of Bergen Point, in the county of Hudson, for the

Corporate name.

purpose of engaging in and promoting rowing and other athletic exercises; the principal office of said corporation to be located in the city of Bayonne, in said county.

May purchase and hold real estate.

2. *And be it enacted*, That the said corporation is hereby authorized to receive by donation, purchase or otherwise, and to hold and possess such real and personal estate as it shall deem necessary for the purposes of said corporation, and the same or any part thereof to sell, mortgage, lease or otherwise dispose of at pleasure.

General powers.

3. *And be it enacted*, That the said corporation shall have power to make and adopt such constitution, by-laws and regulations for the admission, suspension and expulsion of its members, the election of its officers, and to define their duties, and for the general management of its affairs as they may see fit, and from time to time may alter or repeal the same, to adopt a corporate seal and to change the same at pleasure, and in its corporate name may be sued, and may institute suits both in law and equity for the recovery of all fines, debts, fees, dues, and arrearages due the said corporation and for all other causes of action.

Liable to taxation.

4. *And be it enacted*, That all the real and personal property of said corporation shall be taxed the same as real and personal property of an individual and not otherwise.

Rights of the state not to be affected.

5. *And be it enacted*, That the said corporation shall not be authorized to build any wharves wherein the riparian rights may be affected without the consent of the riparian commissioners of the state.

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

Approved April 4, 1873.

CHAPTER DCXXXIV.

An Act to incorporate "Sobriety Council, Number Sixty, Order of United American Mechanics, in the Town of Union, Hudson County."

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Peter J. Van Skiver, William H. Everson, Abram D. Greenleaf, Theodore Weismann,

Jesse B. Morton, George W. Eckersen, William Ludlow, John B. Van Skiver, Henry Post, Rodney V. Brockway, their successors and associates, be and they are hereby constituted and declared a body corporate and politic, in fact and in law, by the name and style of "Sobriety Council, Number Sixty, Order of United American Mechanics, Town of Union, Hudson County," with power to have a common seal, and to use and change the same at pleasure; and with power and authority to purchase and to hold real and personal estate to an amount not in excess of fifty thousand dollars. Corporate name and powers.

2. *And be it enacted*, That the objects and purposes of this incorporation shall be to create and establish a fund to be used for the benefit, relief and assistance of such of its members as shall by sickness, casualty, or other cause, be rendered incapable of attending to their usual occupation or calling, by furnishing for them either partial or entire support, according to their necessities, and for the purpose of mutual protection, benefit and advantage. Objects.

3. *And be it enacted*, That the management and disposition of the affairs and property of said incorporation shall be vested in such officers to be elected at such time and such manner as the said incorporation shall by its laws provide; *provided*, such by-laws shall not conflict with the constitution and laws of this state or of the United States. Management, how vested. Proviso.

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

Approved April 4, 1873.

CHAPTER DCXXXV.

A Supplement to the act entitled "An Act to incorporate The People's Savings Institution of the City of Newark, to be located north of Bridge street in said city," approved March fourteenth, one thousand eight hundred and seventy-one.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said institution incorporated by the act to which this is a supplement, may invest Investment of funds.

money in the stocks created under the laws of the United States, and in the stocks and bonds issued by the several states, and also in such bonds as may be issued by the several counties, cities and townships in the different states under the laws thereof; and also may make temporary loans upon personal securities, with pledges of collateral securities at least equal to the amount loaned; *provided*, said amount loaned shall not at any time exceed twenty per centum of the whole amount of assets of said institution; and said institution shall loan no money upon bonds and mortgages except upon unincumbered real estate worth at least double the amount of the sum invested, nor in the stock or loans of any incorporated company whatever.

Proviso.

2. *And be it enacted*, That the seventh section of the act to which this is a supplement, and all acts and parts of acts inconsistent with this act, be and the same are hereby repealed, and that this act shall take effect immediately.

Repealer.

Approved April 4, 1873.

CHAPTER DCXXXVI.

A Supplement to an act entitled "An Act to incorporate The Spottswood and Old Bridge Turnpike Company," approved February twenty-fifth, one thousand eight hundred and sixty-seven.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the time within which the road authorized to be built by the act to which this is a supplement, be extended three years from the date of the passage of said supplement.

Time for building road extended.

2. *And be it enacted*, That the following named persons, to wit: Andrew J. Disbrow, John Perrine, George Devoe, Azariah Dunham and Edward Ernest, be appointed directors of the said "Spottswood and Old Bridge Turnpike Company."

Names of directors.

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

Approved April 4, 1873.

CHAPTER DCXXXVII.

An Act to incorporate the People's Association of Montclair.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That S. D. Crosby, W. L. Ely, Amzi Zigler, C. K. Wilmer, J. W. Hughes, E. M. Harrison, D. T. Warren, William Jacobus, J. H. Hayden, S. C. Hubbard, William Zigler, Samuel Wilde, jr., James Robley, I. C. Shafer, William Corley, Alfred Taylor, Clark W. Mills, E. J. Heustis, S. W. Tubbs, Thomas Porter, Jesse Lockwood, P. H. Van Riper, R. M, Hening, M. McDonald, Amos Broduax, A. D. Dickinson, J. W. Pinkham, C. R. Parsons, T. R. Carter, G. S. Merriam, Joseph Lux, N. O. Pilsbury, Joseph Doremus, Joseph Van Vleck, G. R. Milligan, I. H. Parsons, S. W. Cary, T. H. Bowden, G. Cruttenden, jr., James Crane, Joseph F. Munn, E. P. Hatch, W. E. Ferguson, W. I. Adams, I. G. Crane, I. H. Love, George H. Francis, and their associates and successors, are hereby constituted a body corporate in fact and in title by the name of "The People's Association of Montclair," and shall have all the powers and privileges vested by the laws of the state in corporations. Names of corporators. Corporate name.

2. *And be it enacted*, That the object of said corporation shall be the social, intellectual and moral improvement of its members and the community especially, by providing a place or places of common resort or entertainment, at which no intoxicating beverages shall be kept or sold, and where no social, political or sectarian distinctions shall be recognized. Object.

3. *And be it enacted*, That the capital stock of such corporation shall be fifteen thousand dollars, divided into fifteen thousand shares of one dollar each, with power to increase the capital stock, upon vote of two-thirds of the owners in amount of the original capital stock, to an amount not exceeding fifty thousand dollars; the members of the corporation shall be entitled to one vote for every share held by hem. Capital stock

Commissioners to receive subscriptions to capital stock

4. *And be it enacted*, That the persons above named are appointed commissioners to open books for subscription to such stock, and when three thousand dollars of the stock shall have been subscribed for in good faith the said corporation is empowered to organize, and may provide for the number and duties of its officers, and the times and manner of their election, providing that they shall be chosen as often at least as once in each year; and said corporation may then make or adopt such constitution and by-laws as they shall deem best, not inconsistent with the provisions of this act, or the constitution of the state or the United States, and may at any time alter or amend the same.

May purchase and hold real estate, &c.

5. *And be it enacted*, That the said corporation may take and hold, either through grant, gift, purchase or devise, real and personal property, such as may be necessary for the purposes of the association, and may convey the same.

Stockholders not liable.

6. *And be it enacted*, That the stockholders of said corporation shall not be personally liable for any of the debts thereof.

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

Approved April 4, 1873.

CHAPTER DCXXXVIII.

An Act to authorize Captain William M. Lenox, David W. Lenox and Doctor Joseph P. Turner, to build wharves, piers and bulkheads in front of their lands, on the Delaware river, in the Sixth Ward, City of Trenton, County of Mercer.

Authorized to build wharves, &c.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Captain William M. Lenox, David W. Lenox and Doctor Joseph P. Turner, be and are hereby authorized and empowered to erect and maintain all such wharves, piers and bulkheads in front of their lands on the Delaware river, in the sixth ward, city of Trenton, county of Mercer, as they may deem proper and necessary

for the improvement of their property or for the benefit of commerce, and to collect wharfage for the use thereof; and to hold, use and enjoy the same, to them, their heirs and assigns; *provided, however*, that no such pier or bulkhead shall be erected or built by virtue of this act for a greater distance than one hundred feet beyond low water mark, nor in front of the lands of any other persons; *provided, further*, that nothing in this act shall affect the rights of the state, to lands lying under water. Proviso. Proviso.

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

Approved April 4, 1873.

CHAPTER DCXXXIX.

An Act for the Protection of the Morrisville Water Power.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Andrew K. Rowan and William C. Vansant, the present owners of the Morrisville Water Power, their heirs and assigns, are hereby authorized to build and maintain a wing dam, commencing on the New Jersey shore, at the wing wall of the Delaware bridge, at Calhoun street, in the city of Trenton, and extending down the Delaware river to the entrance rock in the falls, at the channel of said river Delaware; the dam to be so constructed as not to conflict with or damage the water-works of the city of Trenton; *provided nevertheless*, that nothing in this act contained shall authorize or empower any person or persons whomsoever, in any way manner or degree, to interfere and conflict with or encroach upon the rights, franchises and works of the Trenton Water Works and the Trenton Water Power Company, or to lessen, or in any wise interrupt or diminish the supply of water flowing in said river Delaware, and necessary for the uses and purposes of said water works or into the raceway of the said Trenton Water Power Company at Scudder's Falls; *and provided further*, that this act shall not take effect until the legislature of the state of Pennsylvania by statute shall have Authorized to build a wing dam. Proviso. Proviso.

duly authorized, empowered, and required the said The Trenton Water Power Company to maintain and protect the dam now in said Delaware river at Scudder's Falls, but until then this act shall be inoperative and void.

Approved April 4, 1873.

CHAPTER DCXL.

An Act to incorporate the Car Wheel and Manufacturing Company of Farmingdale.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Charles Butcher, G. W. Bentley, Charles G. Bond, William S. Sneden, Samuel T. Williams, and the 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 a body corporate and politic, in fact and in law,

Corporate name and purpose.

by the name and style of "The Car Wheel and Manufacturing Company of Farmingdale," for the purpose of carrying on a general foundry and machine business, including the manufacturing of car wheels, car axles, general foundry, including the building of locomotives, engines, cars, trucks, stove castings, and any and every branch of the foundry business; also, the manufacturing of any kind of work that is proper under the title of the car wheel and manufacturing company, with the privilege of building spurs or tracks to connect the said works with any railroad or railroads in said town of Farmingdale, in the county of Monmouth, in this state, and disposing of the same; and by that name they and their successors shall have succession and continue a body corporate and politic, and be capable of contracting and being contracted with, suing, pleading, defending, answering, being sued, impleaded, defended and answered unto in all courts and places whatsoever, in all manner of actions, suits, complaints, matters and causes whatsoever, and of doing and causing to be done all acts needful for the proper management of the funds and property of said corporation, and carrying on the business for which the said corporation is created; and they and their successors may

acquire, purchase, lease, receive, have, hold, enjoy and sell, or otherwise dispose of such personal and real estate as may be necessary or useful for the said corporation to carry on the foundry, manufacturing and machine business authorized by this act.

Election of directors.

2. *And be it enacted*, That the stock, property and concerns of said corporation shall be managed and conducted by five directors, being stockholders, a majority of whom shall be residents of this state, one of whom shall be president, who shall hold their offices for one year, and until others are elected or appointed in their stead; and the said directors shall be chosen on the first Tuesday in February in every year, at such time and place as shall be directed by the by-laws of the said corporation; and public notice shall be given of the time and place of holding every such election, not less than ten days previously, in one or more newspapers printed and published in said county of Monmouth; and each stockholder, at such election, shall be entitled, in person or by proxy, to as many votes as he or she shall hold shares of the capital stock of said corporation; and the persons having or receiving at such election the greatest number of votes, and being stockholders, shall be directors; and the directors so chosen, or a majority of them, may appoint such agents, clerks and superintendents, and assign such compensation as they shall think fit; and all vacancies occurring by death, resignation or otherwise among the directors named in this act or those hereafter to be chosen, 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 for that purpose; and that the said Charles Butcher, G. W. Bentley, Charles G. Bond, William S. Sneden, Samuel T. Williams, and the survivors of them, shall be the first directors of the said corporation, and shall hold their offices until the first Tuesday of February, anno domini eighteen hundred and seventy-four, and until others are legally chosen.

Names of the first directors.

Capital stock

3. *And be it enacted*, That the capital stock of said corporation shall not exceed the sum of fifty thousand dollars, with liberty to increase the same to two hundred and fifty thousand dollars, which shall be divided into shares of one hundred dollars each; but so soon as ten thousand dollars of the said capital stock shall have been subscribed, and twenty per cent. thereof, making two thousand dollars,

paid in, it shall be lawful for the said corporation to commence their business, or any part of it, and with that capital to carry it on until they shall deem it expedient to extend the same; and it shall be lawful for the directors of said corporation, 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 amounts as they shall deem proper not exceeding fifteen per cent. of the capital stock by them subscribed, at any one time, under penalty of forfeiting the shares of said stockholders and all previous payments thereon, if such payment shall not be made within thirty days after the day fixed for that purpose by public notice previously published for the space of three weeks in one or more newspapers printed and published in the said county of Monmouth, designating the proportion of such payment per share, and the time and place, when and where, and the officers to whom the same shall be required to be made.

Transfer of stock.

4. *And be it enacted*, That the stock and property of the said corporation, of whatsoever nature or kind, shall be deemed personal estate, and 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 and out of the actual net profits of said corporation, except upon a dissolution of the said corporation.

Proviso.

Not to be dissolved by failure to hold election.

5. *And be it enacted*, That in case it should at any time happen that an election shall not be made upon the day designated by this act for that purpose, the said corporation shall not for that cause be deemed to be dissolved, but it shall be lawful to hold such election on such other day as shall be prescribed by the by-laws of the said corporation.

General powers.

6. *And be it enacted*, That a majority of the directors for the time being shall form a board for transacting the business of the said corporation, and shall have power to make and enforce such by-laws and regulations as they shall deem expedient for the government, management, and disposition of the stock, effects, profits, property and concerns of the said corporation; *provided*, that the same are not contrary to the constitution or laws of the United States or of this state.

Proviso.

7. *And be it enacted*, That the directors shall at all times

keep, or cause to be kept, proper books, in which shall be regularly entered all the transactions and business of the said corporation, which shall at all times be open to the inspection of the stockholders; and further, that no transfer of stock shall be valid or effectual until such transfer shall be entered or registered in the book or books to be kept by the president and directors for that purpose. Books of account to be open to the inspection of stockholders.

8. *And be it enacted*, That the said corporation may be dissolved at and by a general meeting of the stockholders, specially summoned 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 of them, shall be trustees for settling all the affairs of the said corporation, disposing of its effects and property, recovering its claims and paying its debts, and dividing its surplus among the stockholders in proportion to their respective interest in the stock, unless the stockholders at such general meeting shall appoint other persons, not less than three nor more than five in number, for such purpose, in which case the persons so appointed and the survivors of them shall be trustees for the purpose aforesaid. How dissolved. Proviso.

9. *And be it enacted*, That this act shall, unless the corporation be dissolved as above provided for, continue in force for the term of thirty years from the time of its passage. Limitation.

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

Approved April 4, 1873.

CHAPTER DCXLI.

An Act to incorporte the Dover Printing Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That James H. Simpson, William H. Lambert, William H. McDavit, Robert Richards and William T. Leport, and their associates and successors, shall be and they are hereby incorporated and made a body Names of corporators.

Corporate name and business.

politic, by the name and style of "The Dover Printing Company," for the purpose of carrying on the business of printing and publishing books, newspapers and all other kinds of printed matter, and shall be capable of purchasing, holding and conveying any lands, tenements, goods and chattels necessary or proper for the objects of this corporation; the capital stock of said company shall be ten thousand dollars, with the privilege to raise the same to twenty thousand dollars; the affairs of said company shall be managed by not less than three directors who shall be stockholders; that as soon as five thousand dollars of stock shall be subscribed for and paid in, in cash or its equivalent, the said company may commence business; that the above named corporators, or a majority of them, shall be commissioners to open books of subscription, and when five thousand dollars is subscribed, may call a meeting of the stockholders, who may elect directors for the ensuing year; that the election for directors shall be held annually on such day as the by-laws may fix.

Capital stock

Restrictions and liabilities.

2. *And be it enacted*, That the said corporation shall enjoy the same privileges and be subject to the same restrictions contained in "An act concerning corporations," approved February fourteenth, one thousand eight hundred and forty-six.

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

Approved April 4, 1873.

CHAPTER DCXLII.

An Act to incorporate the Mutual Gas Company of the City of Elizabeth.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Alfred Dewitt, Amos Clark, junior, William A. Coursen, John McCandless, Abram S. Mitchell, William F. Proctor, John M. Pruden, John Brooks, William D. Bruen, William A. Morrell, William McKinlay, Joseph H. Gray, John Secchi and John A. Wil-

son, and all persons who may become subscribers according to the mode hereinafter prescribed, and their successors, be and the same are hereby created a body politic and corporate, in fact and in law, by the name of the "Mutual Gas Company of Elizabeth," and by that name the said corporation shall have power to sue and be sued, plead and be impleaded, contract and be contracted with, to have and use a common seal, and the same to alter at pleasure. Corporate name.

2. *And be it enacted*, That the said corporation shall have power to manufacture and sell illuminating gas, made from coal, from oil or from any other materials, for the purpose of lighting buildings, streets, alleys, highways, parks and public places in the city of Elizabeth, and in any of the territory contiguous thereto; and the said corporation is hereby invested with all the rights, powers and franchises granted to other gas companies by the laws of the state, to enable them to carry out fully the objects of their incorporation; and the said corporation shall further be authorized to purchase and hold such real estate as may be needed in the regular conduct of their said business; and may also buy, use and sell any patent rights and processes for new or improved modes of manufacturing gas for heat or illumination. Object and business of the company

3. *And be it enacted*, That the said corporation shall have power to lay down their gas pipes and erect gas posts, burners, lamps and reflectors in the streets, alleys, lanes, avenues, roads, squares, highways, public parks and places in the city of Elizabeth, and in any territory or township adjacent thereto, and to do all things necessary to light the same, and the dwellings, stores, buildings, factories and other places situated therein; *provided*, that the public travel shall not be unnecessarily impeded by the laying of said pipes; and the streets, alleys, lanes, avenues, roads, squares, highways and public grounds shall not be injured, but left in as good condition as before the laying of said pipes. May lay gas pipes, erect posts, burners, &c. Proviso.

4. *And be it enacted*, That the capital stock of said corporation shall be three hundred thousand dollars, divided in shares of fifty dollars each, and the same may be increased from time to time in the manner hereinafter provided; and the stock shall be transferable according to the rules and by-laws of the corporation, and shall be considered personal Capital stock

property, and the stock and transfer books shall at all times be open to the inspection of the stockholders.

Commissioners to receive subscriptions to the capital stock.

5. *And be it enacted*, That the corporators named in the first section of this act, or a majority of them, are hereby authorized to open books for subscription of stock to this corporation, at such times and places as they may set, first giving two weeks' notice of such opening in a newspaper published in the city of Elizabeth, and they may close and re-open said books, in the same manner, and with like notice, until at least one hundred thousand dollars of stock has been subscribed, and ten per centum thereon paid into such depository as the corporators, or a majority thereof, may have designated; and whenever one hundred thousand dollars have been subscribed as aforesaid, and ten per centum thereon paid, the corporators shall forthwith call a meeting of the subscribers to elect a board of thirteen directors, who shall take charge of the subscription books, and the money paid in, and thenceforth manage and direct the affairs of said corporation.

Time of holding annual election.

6. *And be it enacted*, That after the election of the first board of directors as above prescribed, there shall be an election on the first Monday in June, in each and every year thereafter for their successors in office; *provided, however*, that if an election be not held on the day herein appointed, the corporation shall not be therefore dissolved, but the election may be held at a subsequent day within the year, to be fixed by the board in office, who shall continue to serve until their successors are duly elected.

Proviso.

General powers of the directors.

7. *And be it enacted*, That the board of directors shall elect one of their number to be president, and they shall elect a secretary, treasurer, and all other officers needed in the transaction of their business, and shall fix their compensation; a majority of the board shall constitute a quorum, and in case of vacancy in the board, the remaining members may, by election, fill the same until the next annual election by the stockholders, the directors may adopt such rules, regulations or by-laws for the conduct of the business of the corporation as they may deem proper, but the stockholders in annual meeting may have the revision of such by-laws, and may alter or abrogate any of them at pleasure; the board of directors, within the laws of the state and the by-laws of the corporation, shall have complete control and management of all the property and business of the corpo-

ration; *provided*, that they shall have no power to consolidate with, or sell, lease or convey the franchises of this corporation to any other gas company, and any director voting for any such consolidation, lease or sale, shall be deemed guilty of a misdemeanor, punishable by fine and imprisonment not exceeding one year, at the discretion of the court, and the pretended consolidation, sale or lease, if made, shall be unsupported by law, and void. Proviso.

City of Elizabeth may subscribe for stock and issue bonds therefor.

8. *And be it enacted*, That it shall be lawful for the city of Elizabeth to subscribe for not exceeding two hundred thousand dollars of stock of this corporation, and may issue bonds to that amount in payment of the same, or for any less amount that may be subscribed; and it may be lawful for the city council of Elizabeth, at any time within seven years after the passage of this act, to pass an ordinance for submitting the question at a general election to the voters of Elizabeth, whether or not the city shall subscribe for the amount of stock in said corporation to be named in said ordinance; and if a majority of the voters voting on said question shall vote in favor of the same, then the subscription shall be made by the mayor in behalf of the city, and paid for as the council shall provide, in pursuance of this section; and said subscription shall be in addition to the three hundred thousand dollars of capital stock hereinbefore authorized.

Capital stock may be increased.

9. *And be it enacted*, That the capital stock of this corporation, except as provided in the preceding section, shall only be increased on the assent of two-thirds of the stockholding interest at the time such increase may be ordered; and installments on all subscriptions shall be paid, at such times and at such rate as the board of directors may require by public notice in at least two newspapers published in the city of Elizabeth; and on failure of subscribers to pay their installments as called for, their subscriptions may be cancelled and all previous payments thereon forfeited to the company; *provided*, that it shall be lawful for the directors to issue full paid certificates of stock in payment for any real estate, gas works and machinery used in the manufacture of gas, and for purchase of any patents and processes used in the generation of gas, but all such issues of stock shall, in all official reports of the corporation as well as on the books of the company, be classed and described according to the fact and circumstances of issue, so as to be dis- Proviso.

tinguished from the stock subscribed and paid for in the regular way.

Dividends.

10. *And be it enacted*, That whenever the profits which shall be earned by this corporation after deducting all expenses and necessary outlays in carrying on said business, shall exceed in any one year the sum of ten per centum on the whole capital stock of said company, then and in that event the excess over said dividend of ten per centum shall be divided, the one-half of such excess, pro rata, between the consumers of the gas furnished by said company, according to the amount consumed by each respectively; the other half shall be paid as a dividend on the stock of such owners or holders of stock who are also consumers of the gas furnished by said company; *provided*, that no individual owner or holder of said stock shall be entitled to or shall receive such dividends upon more than thirty shares of said stock; but the city of Elizabeth, if a stockholder, shall receive such dividend on all the shares subscribed and paid for on behalf of the city.

Proviso.

Penalty for injury to property.

11. *And be it enacted*, That if any person or persons shall willfully do, or cause to be done, any act or acts whatever, with intent to injure any conduit, pipe, cock, machine, post or structure, or anything appertaining to the works of said corporation, the person or persons so offending shall be considered guilty of a misdemeanor, and on being thereof convicted shall be punished by a fine not exceeding three hundred dollars, or by imprisonment not exceeding two years, or both, and shall also be liable to a civil action by the corporation for the damages sustained,

May borrow money.

12. *And be it enacted*, That the said corporation shall be authorized to borrow money, at any time, not exceeding two-thirds of the amount of their capital stock, and may secure the same by bond or bonds, or other evidences of debt, bearing not exceeding seven per centum interest, and by mortgage of the property, rights and franchises of the corporation.

Time within which the company may organize.

13. *And be it enacted*, That the corporation hereby chartered shall have three years within which to organize, and shall have perpetual succession while it obeys the laws of the state and subserves the objects of its incorporation.

Location of office.

14. *And be it enacted*, That subscribers to the stock of this corporation shall not be individually liable, except for

the full payment of the shares of stock they shall respectively subscribe; and the office of the company shall be kept in the city of Elizabeth.

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

Approved April 4, 1873.

CHAPTER DCXLIII.

An Act to incorporate the Washington Hotel Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Richard A. Robertson, James C. Haselton and Frederick Steinle and their associates, and all other persons who shall become subscribers to and owners of the capital stock of the corporation hereby created, shall be and they and their successors are hereby made and declared a body corporate and politic in fact and in law, by the name of the Washington Hotel Company, and by that name shall have perpetual succession, and shall have power to have, hold, lease, purchase, sell and convey such real estate in the township of Ridgefield, in the county of Bergen, as may be necessary and proper for the erection and operation of a hotel for the accommodation of the public, and a livery stable therewith, and such other buildings and improvements as may be adapted to and connected with the same or necessary and expedient for the management of and maintaining the same; and they shall have all such powers and authority as shall be necessary to transact all business that may be incident to and appertain to the erecting, furnishing, managing, conducting, leasing or otherwise disposing of such premises with the buildings and improvements or any of them thereon, and of the other real and personal property of said corporation. Names of corporators. Corporate name and object.

2. *And be it enacted*, That the capital stock of said corporation shall be one hundred thousand dollars which shall be deemed personal property and divided into shares of one hundred dollars each, transferable only on the books of the Capital stock

company, and in such manner as shall be prescribed by its by-laws, and each share shall entitle the holder thereof to one vote, either in person or by proxy, at any meeting of the stockholders.

Commissioners to receive subscriptions to capital stock

3. *And be it enacted*, That the said Richard A. Robertson, James C. Haselton and Frederick Steinle, or a majority of them, are hereby constituted commissioners to open books of subscription to said capital stock, at such time and place in said county of Bergen as they shall designate by a notice published at least one week in a newspaper published at Hackensack, in said county, and that when twenty-five thousand dollars of said stock shall have been subscribed said commissioners, or a majority of them, shall on like notice call a meeting of the subscribers to choose from their own number, by ballot and majority of votes, five directors, to continue in office till the first day of February next thereafter, and until others are chosen in their stead.

General powers of the directors.

4. *And be it enacted*, That a majority of said directors shall constitute a quorum, and the board shall choose from their own number a president, and may choose such other officers as they shall deem advisable, and shall have power to make, alter and repeal all necessary by-laws, rules and regulations for the transaction of the business of said corporation, and to prescribe the way in which the subscriptions to the capital stock shall be paid, and to impose penalties, including the forfeiture of stock, for the non-payment of any installment, or for neglect to make the payments in the way prescribed, and to choose and appoint such officers and agents as may be requisite for the proper management of the affairs of said corporation, and such officers and agents at pleasure to remove.

Vacancies, how filled.

5. *And be it enacted*, That annually after said first day of February, on like notice, the election for five directors shall be held, and in case a vacancy occurs by death or otherwise, the remaining directors may fill the vacancy till the next annual meeting.

Liabilities not to exceed amount of capital paid in.

6. *And be it enacted*, That the whole amount of the debts which said corporation shall owe at any one time shall not exceed the amount of capital stock paid in, and the value of its property; and said corporation may issue bonds, mortgages, and other obligations, not exceeding in amount, at any one time, the capital stock paid in and the actual value or consideration of any property owned by said incorporation.

7. *And be it enacted*, That 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 the acts supplementary thereto and amendatory thereof, so far as the same are applicable. Restrictions and liabilities.

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

Approved April 4, 1873.

CHAPTER DCXLIV.

An Act to incorporate the Tranquility Cemetery Association of Tranquility, New Jersey.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That George W. Kennedy, Edgar V. Kennedy, Hezekiah Drake, George Armstrong, John H. Ayers, William A. Vought and John Labar, and their associates be and they are hereby made a body politic and corporate in law by the name of "The Tranquility Cemetery Association of New Jersey;" to make and use a common seal, alter and change the same at pleasure; to sue and be sued in all courts of law and of equity; to purchase, hold and enjoy, sell, or otherwise dispose of any real estate, goods, chattels or personal estate which may be necessary for the purposes herein mentioned. Names of corporators. Corporate name and powers.

2. *And be it enacted*, That said corporation shall be composed of such persons who are or shall be owners of stock in said association, and that the said corporation shall have power to purchase and hold in fee any tract of land, improved or unimproved, situated at or near the village of Tranquility, in the county of Sussex, New Jersey, or so much thereof as they may deem necessary for the purpose of a cemetery, and that the said corporation may hold such tract of land for the uses hereinafter mentioned: May purchase and hold land for the purpose of a cemetery.

First—The corporation may sell or dispose of the sub-lots in said cemetery, to be used for the burial places of deceased persons, with the use and privileges of the several avenues, walks and passages, and may erect upon such tracts such May sell sub-lots, &c.

buildings and accomodations as they may deem suitable and necessary for the benefit of the association;

Sub-lots to be conveyed on payment of purchase money.

Second—The sub-lots shall be conveyed to the respective purchasers in fee on the payment of the purchase money, and that the exclusive use and occupation of the sub-lot or lots so conveyed shall be for the interment of deceased persons, subject however to such rules and regulations as may be established by said association for the care and improvement of the grounds, digging of graves, building vaults, enclosing and ornamenting said sub-lot or lots.

Election of directors.

3. *And be it enacted*, That the affairs of said corporation shall be managed by a board of seven directors elected by and from the stockholders, and the persons named in the first section of this act shall be the first board of directors; said election shall be held annually on the first Tuesday of the month of May at the office of said association, and at which time the board of directors so elected shall elect from their number a president, vice president, secretary and treasurer, said board of directors shall have power to fill vacancies in their own number, and shall have sole charge, superintendence and control of the cemetery and the property belonging thereto; that five members of the said board of directors shall constitute a quorum for the transaction of business, and they shall have full power to make such by-laws, rules and regulations not repugnant to the laws or constitution of this state or of the United States, which shall appear to them needful or expedient for the good government of the said corporation and the protection of their property.

Not to be dissolved by failure to elect directors.

4. *And be it enacted*, That in case an election shall not be held on the day named in this act, the corporation for this cause shall not be dissolved, but they may order an election on any subsequent day, upon giving two weeks' notice of the day on which said election is intended to be held, to a majority of the stockholders of said association.

Capital stock how divided.

5. *And be it enacted*, That the sum of money which the corporation may agree to pay for the tract of land to be used and occupied as before mentioned, and the sums of money which may be expended in embellishing, improving, beautifying, erecting fences and buildings, and in making all needful repairs, shall be the capital stock of said association, and shall be divided into shares of ten dollars each,

and that the net proceeds of all lots sold shall be appropriated to pay the purchase money for the land conveyed to the association, and that after the purchase money shall have been fully paid and satisfied, then one-half of the net proceeds of all lots sold thereafter shall be appropriated or funded, for the purpose of maintaining all improvements made or to be made, and the building or repairing of all houses or buildings erected upon the lands of the said association, and the balance of the proceeds of such sales shall belong to and be divided among the stockholders according to their several interests, and all sums funded as aforesaid shall be free from all taxes or assessments, and no taxes shall be imposed on lot owners therefor.

Property to be conveyed by deed.

6. *And be it enacted*, That the rights of individual lot owners shall be created by deed signed by the president, or in his absence by the vice president, under the corporate seal of said association, and the transfer of such rights may be made among individuals by an assignment on the deed or deeds conveying the same; but no such assignment shall be valid until it is recorded in full upon the books of said association.

Benevolent and religious societies may hold lots.

7. *And be it enacted*, That any association of persons for benevolent purposes, or any religious society, may purchase and hold lots in said cemetery, subject to all regulations and rules as individual lot owners are subject to.

Provisions of general act to apply.

8. *And be it enacted*, That the provisions of the eighth and tenth sections of an act entitled "An act authorizing the incorporation of rural cemeteries," be and the same are hereby made a part of this act.

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

Approved April 4, 1873.

CHAPTER DCXLV.

An Act to incorporate the Point Pleasant Land and Improvement Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That John Arnold, William Curtis, Charles W. Maxon, John G. W. Havens, William R. Schultze, Samuel S. Osborn, Sidney Forman, and such other persons as they may hereafter associate with them be, and they are hereby constituted and declared a body corporate and politic, with perpetual succession in fact and in law, by the name of the Point Pleasant Land and Improvement Company, to have a corporate seal, and alter the same at pleasure, to sue and be sued by their corporate name, to purchase and hold real and personal property, and sell, lease and convey the same, and to acquire such lands in the counties of Ocean and Monmouth, state of New Jersey, in fee simple or otherwise, and on such terms as they may deem desirable and necessary for the purposes and objects of the aforesaid company.

Corporate name and powers.

Capital stock

2. *And be it enacted*, That the capital stock of said company shall consist of one thousand shares of one hundred dollars each, with the liberty to increase the same from time to time, not exceeding five thousand shares, which shall be deemed personal property, and transferable in such manner as the company may by their by-laws direct.

Management to be in a board of directors.

3. *And be it enacted*, That the property and affairs of the said company shall be managed and conducted by a board of seven directors, shareholders in said company, who shall be chosen annually, and at such place and at such times, and in such manner, and upon such notice as the by-laws of said company shall direct, each share of the capital stock entitling the holder to one vote, either in person or by proxy.

Term of office

4. *And be it enacted*, That the directors shall hold office for one year, and until others are elected or appointed in their stead, and they shall have power to fill any vacancy

which at any time may exist in the board by death or otherwise, until the next succeeding annual election; a majority of them shall constitute a quorum competent to transact all business, and shall choose one of their number to be president, and one to be vice-president, and may appoint such other officers and agents as they may deem expedient. Vacancies, how filled.

5. *And be it enacted*, That it shall be lawful for said company to construct and provide all necessary works to supply water and artificial light, and all other improvements which they may deem necessary for the comfort and convenience of the inhabitants that may reside upon the premises owned by them. May construct water and gas works.

6. *And be it enacted*, That said company shall have power to improve and develop their lands by sub-dividing and laying out the same in lots, streets, avenues, alleys and parks, and erecting buildings for private and public use, selling and leasing their lots and grounds, and doing all things that are judicious and necessary to encourage a vigorous growth of their enterprise. May lay out streets, &c.

7. *And be it enacted*, That any conveyance, deed, lease, agreement, or other instruments, signed by the president and secretary of said company, and duly acknowledged according to the laws of the state of New Jersey, shall have full force and effect to bind said company to all the covenants and conditions therein contained. Instruments of writing signed by president and secretary shall bind company.

8. *And be it enacted*, That for the purpose of restricting nuisances and of compelling a uniform system of improvements, the said company are hereby authorized and invested with full power to incorporate into any deed of conveyance made by them, whether fee simple or otherwise, a clause or condition for withholding the sale upon the premises so conveyed by said company, of any spirituous or intoxicating liquors, and forbidding any nuisance which the said company may deem detrimental to the interests and prosperity of said settlement, and to require a guarantee of said company to make and maintain such style and character of improvements on said lots so conveyed, or on the streets fronting thereon, as to the company may seem most expedient for securing a uniform system of development and improvements through the said settlement. May prohibit sale of spirituous liquors and forbid nuisances.

9. *And be it enacted*, That for the purpose of enforcing the provisions of the last section, the said company are hereby authorized and invested with power to attach to said

Company may recover for non-compliance with agreement, &c.

clause to restrict nuisances and regulate improvements, a penal sum which said grantee shall forfeit upon any non-fulfillment or non-compliance therewith, and said sum the said company may recover in any court of record having competent jurisdiction in actions of debts.

Dividends.

10. *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 profits of said company.

May borrow money.

11. *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 carry out the 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 the said lands, privileges, franchises and appurtenances of and belonging to said company.

Election of directors.

12. *And be it enacted*, That after the passage of this act, any four of the aforesaid corporators may give ten days' notice of the time and place for opening books, for the space of ten days, to receive subscriptions to the capital stock of said company, and as soon as two hundred and fifty shares have been subscribed under direction and to satisfaction of the parties having in charge the books aforesaid, they shall give ten days' notice for the election of directors to be chosen by ballot; that each share of stock shall entitle the holder thereof to one vote, either in person or by proxy, said directors when elected, shall meet at Point Pleasant, as soon after their election as practicable and organize by electing a president, and appoint such other officers and agents as they may deem necessary and expedient; they may also adopt such by-laws, not inconsistent with this act, as they may deem judicious and expedient for the future management of the company, subject to alteration and amendments at any subsequent period by a quorum of the board, notice having been given at a previous meeting; the directors so elected shall hold their office for one year, and until others are elected in their stead.

Restrictions and liabilities.

13. *And be it enacted*, That this act shall take effect immediately, and that the corporation shall possess the general powers and be subject to the restrictions set forth in an act entitled "An act concerning corporations," and the several supplements thereto.

Approved April 4, 1873.

CHAPTER DCXLVI.

A Further Supplement to the act entitled "A Supplement to the act entitled 'An Act to incorporate the South River and Freehold Plank Road Company,'" approved February nineteenth, one thousand eight hundred and fifty.

Amendment

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the words between the word "points," in the fourth line, section first, of the supplement to which this is a supplement, and the word "as" in the fifth line of the same section, be stricken out.

May extend road.

2. *And be it enacted*, That the said company shall have power to extend the said road to some point on the East Brunswick and New Brunswick turnpike, and connect therewith.

May fill vacancy in board of directors.

3. *And be it enacted*, That in case of vacancy in the board of directors by death or resignation, then the president shall have power to fill such vacancy until the next regular election.

When toll may be demanded.

4. *And be it enacted*, That whenever the said company shall have completed any three consecutive miles of said road, it shall be lawful for said company to demand and receive toll over the same.

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

Approved April 4, 1873.

CHAPTER DCXLVII.

An Act to incorporate the Franklin Building and Loan Savings Bank of Metuchen.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That John M. Board, John Hampton, William A. Lane, John D. Board, Gilman T. Cummings, Manning Daniels, 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 law and fact by the name of the Franklin Building and Loan Savings Bank of Metuchen, to be located in said village, and by that name, style and title, shall have continued succession, and shall be capable of purchasing, leasing, mortgaging and conveying any lands, tenements, goods and chattels, and to let money at interest, and to secure the payment thereof as hereinafter provided, and to do all things necessary to carry out the objects of said corporation hereby created.

Corporate name and powers.

Capital stock

2. *And be it enacted*, That the capital stock of said association shall be one hundred thousand dollars, with the privilege of increasing the same from time to time to any sum not exceeding five hundred thousand dollars, divided into shares of two hundred dollars each, each stockholder being entitled in person or by proxy to as many votes as he or she holds shares of said stock, which shall be deemed personal property, and transferable on the books of the association only; one dollar on each share of stock shall be paid into the association each and every month until the full amount of stock subscribed shall be fully paid up at such time and place as the directors shall appoint, and public notice shall be given by posting of at least ten printed notices, put up in the most public places in said village at least one week previous to the time of said meeting; *provided*, that any stockholder may fully pay up his or her full amount of stock subscribed for, at any time the directors may agree to receive the same, and each stockholder shall be personally liable to double the amount of the par value of their stock.

Proviso.

3. *And be it enacted*, That the property and business of said association shall be managed and controlled by a board of six or more directors, who shall be stockholders in said association, and shall be chosen annually at such time and in such manner and upon such notice as the by-laws of said association shall direct, which directors shall serve for one year, and until others are elected in their stead, and the persons named in the first section of this act, shall constitute the first board of directors, and shall hold their position until the first day of August next, and 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, make by-laws, collect installments on stock, let money on interest to members and other persons of said association offering the highest premium, and declare dividends to stockholders entitled to receive them. Election of directors.

4. *And be it enacted*, That each member of said association shall pay such initiation fee on each share of stock taken as the board of directors shall determine, and if any member owning stock in said association shall neglect or refuse to pay his or her installments at the time or place appointed, said member so neglecting shall pay a fine to said association of ten cents on each share owned in said association by said delinquent, and in case any member shall neglect or refuse to pay any installments for the space of six months after the same shall have become due, such delinquent shall forfeit to said association all profits on his or her stock during the time such member shall neglect to make such payment. Payment of stock by installments.

5. *And be it enacted*, That any person may become a member of said association for the purpose of obtaining a loan by paying to the said association the initiation fee for each share of stock demanded by the board of directors, together with the installments necessary to make such shares equal in value to the payments which may have been required by the directors to have been paid on the other shares of said stock up to that date; and no person shall be entitled to vote in said association, or to any profits or dividends except upon stock owned by him or her upon which there has been no loan obtained from the association. Who may vote.

6. *And be it enacted*, That the directors shall keep, or cause to be kept, proper books of account, in which shall be entered all transactions of said association, also books for Annual report shall be made.

the transfer of stock of the association, and which shall at all times, at reasonable hours, be open for the inspection of the stockholders of said association; the directors shall make an annual report of the affairs of the association, including the amount of stock actually paid in, and also the assets and debts of the association; and no dividends shall be declared except upon the actual showing of profits over and above all expenditures made by the association during the current year.

May receive money on deposit.

7. *And be it enacted*, That said association may receive, on deposit, all such sums of money as 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 shall be repaid to the depositors at such times, with such interest, and under such regulations as the board of directors shall from time to time determine, and the said institution may accept and execute all such trusts, of every description, as may be committed to it by any person or persons whatsoever, by will or otherwise, or transferred to it by order of any court.

Duplicate of account shall be furnished depositor.

8. *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 shall be entered as soon as made, but the directors shall not be required to allow interest on any deposit or deposits until they amount to the sum of five dollars, nor allow fractional interest on a part of a dollar, nor for any term less than three months.

Investments

9. *And be it enacted*, That the said institution may invest money in the stocks created under the laws of the United States and of this state, also in such bonds as may be issued by the several counties, cities and townships, under the laws of this state, and also upon bonds and mortgages upon real estate worth at least double the amount loaned.

How dissolved.

10. *And be it enacted*, That the said association may be dissolved at any time at a general meeting of the stockholders especially called for that purpose, provided that the parties representing at least two-thirds in value of the capital stock concur therein, and upon such dissolution the directors for the time being shall be trustees for settling the affairs of the said association, disposing of its property, col-

lecting its assets, paying its debts, and dividing the surplus among the stockholders in proportion to their respective interest in the stock.

11. *And be it enacted*, That this act shall be and is hereby declared to be a public act, and shall be construed in all courts favorably for the beneficial purposes therein expressed, and shall take effect immediately. Act, how construed.

Approved April 4, 1873.

CHAPTER DCXLVIII.

A Supplement to an act entitled "An Act to incorporate the Toms River and Waretown Railroad Company, of Ocean County, New Jersey," approved March seventeenth, one thousand eight hundred and seventy.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be lawful for the said railroad company to purchase, have and hold such land or lands on the line of its railroad, branches or ferries, as may be necessary for the use and purposes of said railroad company, on such terms as the parties to such purchase may agree upon; and the said railroad company is hereby authorized and empowered to establish, own or control, and operate, any ferry that its railroad or branches may connect with, anything to the contrary notwithstanding. May purchase and hold lands and operate a ferry.

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

Approved April 4, 1873.

CHAPTER DCXLIX.

A Supplement to an act entitled "An Act to incorporate the Long Branch Gas Light Company," approved March fifteenth, one thousand eight hundred and sixty-four.

Capital stock may be increased.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the directors of the said company be and they are hereby authorized and empowered to increase the capital stock of said company to any amount not exceeding one hundred and fifty thousand dollars, divided into shares of twenty dollars each, as in the act to which this is a supplement is provided.

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

Approved April 4, 1873.

CHAPTER DCL.

An Act to incorporate the Montclair Loan and Trust Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Robert N. Hening, Philip Doremus, Jonathan Provost, William Jacobus, Nathan T. Porter, Joseph Wilde, Samuel Wilde, Charles A. Hopkins, John J. H. Love, Jacob C. Brantigam, Hiram B. Littell, Joseph B. Beadle and Peter H. VanRiper, and all others who may become associated with them as stockholders as hereinafter provided, their successors and assigns forever, be, and they hereby are created and made a body corporate and politic by the name of the "Montclair Loan and Trust Company," and by that name shall be and hereby are

Corporate name and powers.

empowered to purchase, have, hold, possess and enjoy to themselves and their successors, such lands, tenements, hereditaments, goods, chattels and effects of every kind as may be necessary to the transaction of the business of said company, 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 renew and change at pleasure, and to ordain and put in 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; *always provided*, they be not repugnant to the laws of this state or of the United States, or to the provisions of this act of incorporation. Proviso.

2. *And be it enacted*, That the capital stock of said company shall be one hundred thousand dollars, divided into shares of one hundred dollars each, but when one hundred thousand dollars shall have been actually subscribed, and twenty-five thousand dollars paid in cash, the said company may organize and proceed to business under this act. Capital stock

3. *And be it enacted* That the capital stock of said corporation shall be transferable according to the rules and regulations of the company to be expressed in their by-laws, and if any subscriber of any share or shares of said stock shall, after the payment of his subscription installment as hereinafter provided for, neglect or refuse to pay for, or to secure the payment of, the residue of the stock by him subscribed for the space of sixty days after the same shall become due or required, and after he shall have been notified thereof, the stock of such negligent stockholder shall be sold by the trustees at public auction, giving at least twenty days' notice thereof in some newspaper printed in Essex county, New Jersey; said notice to be printed at least once in each week during said period of twenty days; and the proceeds of such sale be first applied in payment of the installment called for, if the whole be not due, and in payment of the expense of such 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. Subscriptions to capital stock may be paid in by installments

4. *And be it enacted*, That the business and the corporate powers of said company shall be exercised by a board of trustees, and such officers and agents as they shall appoint; Affairs shall be managed by a board of trustees.

said board of trustees shall consist of such number of persons not less than nine nor more than fifteen, as may be prescribed by the by-laws of said company; the trustees shall be stockholders, and shall be elected annually in whole or in part, as their terms of office may expire, by a majority in interest of the stockholders voting at an election to be held at such time and place as may be prescribed by the by-laws of said company; they shall elect a president and a vice president annually from their own body, and shall have power to declare by a by-law, what number of trustees shall constitute a quorum for the transaction of business; the persons named in the first section of this act shall constitute the first board of trustees.

Commissioners to receive subscriptions to capital stock.

5. *And be it enacted*, That to carry out the provisions of this act, and to organize the said corporation, Philip Doremus, William Jacobus, and Joseph B. Beadle be, and they hereby are appointed commissioners for the purpose of receiving subscriptions to the capital stock thereof, and the first installment thereon, and as such are hereby authorized to receive such subscriptions, and to close the subscription books of said company when the said capital stock shall be fully subscribed, or in case the capital stock shall be oversubscribed, to distribute and apportion the same among subscribers as the said commissioners shall deem proper; and each subscriber, at the time of his subscribing, shall pay to the said commissioners ten per centum of the entire amount of his subscription, and the residue shall become due at such times, and in such sums or installments, as the board of trustees shall determine.

General powers of the company.

6. *And be it enacted*, That the said company shall have power to guarantee the payment, punctual performance, and collection of promissory notes, bills of exchange, contracts, bonds, accounts, claims, rents, annuities, mortgages, choses in action, evidences of debt, and certificates of property or value, and the titles to property, real or personal; to receive upon storage, deposit, or otherwise, merchandize, bullion, specie, plate, stocks, bonds, promissory notes, certificates, and evidences of debt, contracts or other property, except household furniture and wearing apparel, and to take the management, custody and charge of real and personal estate and property, and to advance moneys, securities and credits, upon any property, real or personal; and that the capital stock and funds of said corporation shall be invested and

re-invested in, and loans made upon, bonds and mortgages on real estate within the state of New Jersey, and the bonds and stocks of said state, and of the United States.

Location of principal office.

7. *And be it enacted*, That the principal office of said company shall be in Montclair, and that it shall be lawful for said company, in addition to their principal office in this state, to establish an office or agency in the city of New York, and in the transaction of their business, to execute all necessary receipts, obligations and certificates, signed by such officer or officers of the company as shall be designated by the by-laws of said company for that purpose.

Capital stock may be increased.

8. *And be it enacted*, That it shall be lawful for said company to increase the amount of its capital stock, in the manner provided in and by an act entitled "An act to authorize the establishment and to prescribe the duties of companies for manufacturing and other purposes," approved March second, one thousand eight hundred and forty-nine, and by the fourteenth section thereof, and by the supplement or supplements to said act.

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

Approved April 4, 1873.

CHAPTER DCLI.

An Act to incorporate the Summit and New Providence Horse Railroad Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Jedediah B. Bassenger, John R. Burnett, Nathaniel Bonnell, John W. Buchanan, Thomas McKirgan, Augustavus Thebaud, George Manly, Francis W. Munn, Amos Clark, junior, and Jacob Davis and such other persons as may hereafter be associated with them, shall be and are hereby made, constituted and declared a body politic and corporate in fact and in law, by the name of "The Summit and New Providence Horse Railroad Company," and by that name shall be capable of purchasing, holding

Corporate name and powers.

and conveying lands, tenements, real estate, goods and chattles necessary or proper for the object of said corporation.

Capital stock

2. *And be it enacted*, That the amount of the capital stock of said corporation shall be one hundred thousand dollars, with the privilege of increasing the same to two hundred and fifty thousand dollars, and shall be divided into shares of fifty dollars each, which shall be deemed personal property and transferable in such manner as the said corporation shall by their by-laws direct.

Location of office of company.

3. *And be it enacted*, That the office of said company shall be in the village of New Providence, and 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 in the office of said company, at such time or times as they or a majority of them think proper, giving at least twenty days' notice of the same in one newspaper published in the county of Union; and at the time of subscription ten per centum of the value of each share subscribed shall be paid to the commissioners or one of them, and as soon as thirty thousand dollars of the capital stock shall be subscribed, said commissioners shall give like notice for a meeting of the stockholders to choose seven directors, a majority of whom shall be residents of this state and citizens thereof, and such election shall be made at the time and place appointed by such of the stockholders as shall attend for the 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 the said corporation, and shall certify under their hands the names of the persons duly elected, and deliver over the subscription books and all moneys paid in (after deducting all expenses previously incurred) to such directors so elected; and annually after said first election of directors, at a time and place to be fixed by the by-laws of said corporation, there shall be a meeting of the stockholders to choose seven directors a majority of whom shall be citizens of this state, which election shall be conducted in accordance with the rules fixed by the by-laws of said corporation and which directors shall hold their office for one year after their being chosen.

Election of directors.

Not to be dissolved by failure to hold election

4. *And be it enacted*, That in case it shall happen that an election of directors should not be held upon the day when pursuant to this act it ought to be made, the said corpora-

tion shall not for that cause be deemed to be dissolved, but such election may be held at any other time, giving ten days' notice in the manner provided by law, and the directors for the time being shall continue in office until others shall have been chosen in their place; and in case of the death, resignation or removal of any director during the year for which he may have been chosen, such vacancy may be filled by the remaining directors or a majority of them.

General powers of the directors.

5. *And be it enacted*, That four 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 corporation, to be paid 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, or, at their option, to sue for and recover the installments due and unpaid; to make such by-laws, rules and regulations as shall appear proper concerning the business of said corporation, and to appoint such officers, clerks and servants, and fix for them such salaries and wages as to them shall seem proper.

May construct railroad.

6. *And be it enacted*, That said corporation shall have power and authority to lay down and construct a railroad, with the necessary turnouts and switches, upon and along any streets or roads now opened, or hereafter to be opened, in the townships of Summit and New Providence, in the county of Union, from some point at or near the railroad station at the village of Summit to some point in the village of New Providence; *provided*, that the right to construct the said railroad through any of the streets or roads within the said townships shall not vest in the said corporation until the consent of the said townships shall be first had and obtained of the township committees.

Proviso.

May hold real estate and erect depots, &c.

7. *And be it enacted*, That the said corporation may purchase, have and hold real estate at each terminus of said road, and at such places along the line of said road as they may desire, and may erect and build thereon houses, depots, warehouses, stables, machine shops, and such other buildings and improvements as may be necessary for carrying out the objects of the said corporation.

Dividends.

8. *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.

May equip road.

9. *And be it enacted*, That the president and directors of said corporation shall have power to purchase or to have constructed, with the funds of said corporation, all such machinery, cars, wagons, carriages or other vehicles for the transportation of persons or property on their railroad as they may think fit, expedient or right, and also to purchase such horses or mules as they shall deem fit for the purpose of said corporation; *provided*, *however*, that no steam power shall be used as a motive power upon said railroad, except that known as the dummy engines, and that they are hereby authorized to demand and receive such sum or sums of money for the transfer of persons or property upon said railroad as they shall think reasonable and proper.

Proviso.

Penalty for injury to property.

10. *And be it enacted*, That if any person or persons shall willfully or maliciously impair, injure, destroy or obstruct said railroad, or any of its works, turnouts, switches, carriages, animals or machines, such person or persons shall forfeit and pay therefor to said corporation three times the amount of damage sustained by means of such injury, to be recovered in the name of said corporation, with costs of suit, in any court having cognizance of the same.

May borrow money.

11. *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 and mortgage or otherwise on the said railroad, lands, privileges, franchises and appurtenances of the said corporation, at a rate of interest not exceeding seven per centum per annum.

May contract with other corporations

12. *And be it enacted*, That it shall be lawful for said corporation, at any time, to make contracts and engagements with any other corporation, or with individuals for operating said railroad for transporting or conveying any kind of goods, merchandize, freight or passengers, and to enforce the fulfillment of such contracts, and to demand and receive for such transportation by them carried over the road of any other company such rates as they shall agree upon by contract, and also to connect with any railroad or railroads in said townships of Summit and New Providence now incorporated, or hereafter to be incorporated, upon such terms and conditions as may be agreed upon between them, and not inconsistent with their respective charters.

13. *And be it enacted*, That as soon as the said railroad, or any part of it, is in operation, the president of the said company shall make, under oath or affirmation, a statement of the amount of the cost of the said railroad, including equipments, appendages and all expenses, and file the same in the office of the secretary of state, and annually thereafter, on the first Monday of January of each year, he shall under oath or affirmation, make a statement to the secretary of state of the cost, equipments, appendages and expenses of said road; 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 cost, equipments and appendages of said road, to be paid annually thereafter on the first Monday in January of each year, and such other taxes 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; and until the said railroad, or any part thereof, shall be in operation, the said corporation shall be regularly assessed and pay tax for the value of its real estate, including improvements thereon, and personal property as now taxed in the city or cities, township or townships wherein it lies, at the same time and rate, and in the same manner, for the same purposes, and by the same person or persons, as other taxes are assessed in said city or cities, town or townships; *provided*, that no other tax or impost shall be levied or assessed upon said company.

Statement of costs and expenses shall be made.

Taxes.

14. *And be it enacted*, That if the said railroad shall not be commenced within three years and completed at the expiration of five years from the first day of April next ensuing, then and in that case this act shall be null and void.

Time for commencing and completing road.

15. *And be it enacted*, That the governor, chancellor, judges of the supreme court and members and officers of the legislature be entitled to ride free on said road.

Who may ride free.

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

Approved April 4, 1873.

CHAPTER DCLII.

A Supplement to the act entitled "An Act to incorporate the Paterson and Pompton Railway Company," approved February twentieth, one thousand eight hundred and sixty-eight.

Time extended.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the time mentioned in the eighteenth section of the act to which this is a supplement, for the completion of the said railroad, be extended for three years after the time limited in the said act.

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

Approved April 4, 1873.

CHAPTER DCLIII.

An Act to incorporate the Citizens Savings Bank of Carlstadt.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Lewis Foth, Francis A. Gunz, Theodore Nadernau, Henry Gerecke, John H. Broking, James J. Brinkerhoff, Joseph Fortenbach, Frederick Kohbertz, John O. Grode, Joseph Fritsch, Jacob G. Van Riper, Valentine Gramlich, Frederick Stahl, Peter Zimmermann, John D. Smith, Ferdinand Brunner, Henry Frey, Samuel A. Canfield, E. Charles Gaus, and such other persons as are, or may be hereafter associated with them, and their successors, shall be and are hereby constituted a body corporate and politic, by the name of "Citizens' Savings Bank of Carlstadt," to be located in the village of Carlstadt, in the county of Bergen.

Corporate name.

2. *And be it enacted*, That for the better security of depositors, there shall be a capital stock of fifty thousand dollars, divided into five hundred shares of one hundred dollars each, and the persons herein first named, or a majority of them, are hereby appointed commissioners to receive subscriptions to said capital stock, at such place in the village of Carlstadt, as they may appoint, giving at least ten days' notice in the newspapers published in said village or its immediate vicinity, and when the whole of said stock shall have been subscribed for, and at least ten per centum of the same paid to the said corporation in cash, the said commissioners or a majority of them shall call a meeting of the said stockholders, by publication at least five days previous in the newspapers published in said village of Carlstadt or its immediate vicinity for the purpose of electing a board of directors, as in the next following section provided, whose duty it shall be to manage and conduct the affairs of the said corporation, and who shall hold their office until the second Monday in January, in the year one thousand eight hundred and seventy-four. Capital stock

3. *And be it enacted*, That the affairs of said corporation shall be conducted by not less than nine directors, who shall be elected on the second Monday in January in each year, except the year one thousand eight hundred and seventy-three, when the election shall be held as stated in the preceding section; every stockholder shall be entitled to one vote for each share of stock held, and the directors so elected shall hold their offices for one year, and until their successors are elected, and each director shall own in his own right at least five shares of the capital stock of the corporation, and any vacancies caused by death, resignation or otherwise may be filled by the directors at any regular meeting; the stock of the corporation shall be deemed personal property and transferable in such manner as the by-laws of said corporation may prescribe, and each stockholder shall be individually responsible, equally and ratably, and not one for another, for all debts and engagements of the corporation to the full amount of his whole stock therein at the par value thereof. Election of directors.

4. *And be it enacted*, That after the election of the board of directors as authorized in section two, and upon the organization thereof the said directors shall proceed to elect by ballot, one of their own number to be president, and also Organization of the board of directors.

two vice presidents, and may elect or appoint in any other manner, such other officers, agents and clerks, and fix or pay such compensations, and assign such duties to such officers, agents and clerks, as they, the said directors shall deem necessary for the proper and successful management of the said corporation, and all the officers and directors of said corporation shall be sworn to do their duties fairly and honestly, and such of their officers as shall have the control, custody or management of the moneys or property of the said corporation shall be required to give bond with such securities as the board of directors shall prescribe.

General powers.

5. *And be it enacted*, That the board of directors shall have power from time to time to make, ordain and establish such by-laws and regulations as they may judge proper for prescribing the duties of their respective offices, and for regulating the times and places of meeting of the officers and directors, and for the transacting, managing and directing the affairs of the corporation; *provided*, such by-laws and regulations shall not be repugnant to the constitution and laws of this state or of the United States; and it shall be lawful for the said directors to call and demand from the stockholders of said corporation respectively, such installments, and at such times, and in such proportion as they may deem proper, not exceeding, however, ten dollars on each share at any one time, notice of which shall be published at least ten days previous, in the newspapers published in the village of Carlstadt or its immediate vicinity, or shall be given in writing to each stockholder, for a like space of time before such installments are required to be paid in, and in case of the refusal or failure of any stockholder to pay his or her installments at the time and place appointed for the payment thereof, such stockholder shall incur a forfeiture of his or her shares, and all previous payments thereon, for the use of said corporation, but shall not be by such forfeiture released from his or her personal liability on his or her first subscription, in case of loss or deficiency.

Proviso.

May receive money on deposit and allow interest thereon.

6. *And be it enacted*, That the said corporation may receive on deposit all sums of money that may be offered therefor, in such amounts and at such times, and upon such terms as the by-laws shall prescribe, which money shall be invested in the manner hereinafter directed, and be repaid to the depositors or their legal representatives, at such

times, and with such interest, and under such regulations as the board of directors may from time to time order; and the said corporation may accept and execute all such trusts of every kind as may be committed to them by any person or persons whosoever, by will or otherwise, or be transferred to them by order of any court.

Investments

7. *And be it enacted*, That the said corporation may invest the money left with them on deposit, in such of the public stocks or bonds as are created and issued by the United States, or of the state of New Jersey, or by the several counties, cities, villages and townships in this state, under the laws thereof, and upon bond and mortgage upon unincumbered real estate, worth at least double the amount invested.

Rate of interest to be regulated by the directors

8. *And be it enacted*, That it shall be the duty of the board of directors to regulate the rate of interest allowed to depositors, so that they shall receive a just proportion of the profits upon the business of the said corporation after deducting therefrom all necessary expenses, and a reasonable surplus or contingent fund; *provided*, that the said rate of interest may, at the discretion of the directors, be so regulated, that the interest allowed to depositors may be less on large sums than that allowed on small sums; *and provided also*, that said corporation shall not be required to receive on deposit a less sum than one dime, nor to allow interest on the fractional part of a dollar, nor for the fractional part of a month; and that no interest or dividends on account of any surplus or contingent fund shall be allowed for moneys which have been withdrawn from deposit.

Proviso.

Proviso.

Acquittance of minor to be valid.

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

Proviso.

Married women may deposit money free from the control of husband.

10. *And be it enacted*, That in case said corporation shall receive any deposit or deposits from any married woman, or from any single woman who may afterwards marry, it shall be lawful for the said corporation to hold the same, together with the interest or dividends which may accrue thereon, as

the sole and separate property of such woman, as though she were single, not subject to the control nor liable for the debts of her husband; and to repay the same and interest and dividends, or any part thereof, upon her check, order, receipt or demand, without the concurrence of her husband; and such payment shall exonerate and discharge the said corporation from any further liability by reason thereof.

May agree with borrower for payment of taxes.

11. *And be it enacted*, That it shall and may be lawful for the said corporation, and the borrowers or lenders of any money secured by mortgage or other security upon personal or real estate, to enter into a contract or agreement whereby the borrower shall pay any part or all of national, state, county or township taxes which may be assessed upon the money so lent, or to be loaned, and the securities for the payment thereof; and all such contracts and agreements are hereby made and declared to be valid and effectual in law, and no such mortgage or other security shall be held, deemed or taken in any court of this state to be usurious or invalidated by reason of any such contracts or agreements, anything in any existing law of this state to the contrary notwithstanding.

May purchase and hold real estate.

12. *And be it enacted*, That the said corporation may purchase and hold in fee simple or otherwise, any real estate or personal property required for its actual use and occupation, or which it may buy upon sales for the foreclosure of mortgages, or for the satisfaction of judgments to which the said corporation is a party or in which it is interested, and the said corporation may sell, lease or otherwise dispose of the said real estate or personal property or any part thereof, at their will and pleasure; *provided*, that no purchase or sale of real estate shall be made without the consent of a majority of all the directors.

Proviso.

Annual report shall be made to the comptroller.

13. *And be it enacted*, That it shall be the duty of the said corporation to make an annual report of its affairs and the state of its funds to the comptroller of the state of New Jersey, which report shall be verified by the oaths or affirmations of the president and secretary or treasurer of said corporation.

Certificates of deposit.

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

15. *And be it enacted*, That the directors shall be at liberty at any time to refuse deposits, and on giving one month's notice, to return such as have been made, with interest thereon to the date of payment. May refuse deposits.

16. *And be it enacted*, That a book shall be kept at the office of the corporation, in which any depositor shall be at liberty to appoint any 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 corporation. Depositor may appoint person to receive money due.

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

18. *And be it enacted*, That the board of directors shall not at any time, withdraw, or permit to be withdrawn, any portion of the capital paid in during the existence of the corporation, and if from any cause, losses shall happen, no dividends shall ever be made until the same shall be made good, so that the capital stock shall always remain unimpaired. Capital stock shall not be impaired.

19. *And be it enacted*, That the office or place of business of said corporation shall be in the village of Carsltadt, in the county of Bergen; and that the books of said corporation shall at all times be open to such person or persons as the legislature may from time to time delegate, for inspection and examination. Location of office.

20. *And be it enacted*, That in case it shall at any time happen that an election of directors shall not be held on the day when, pursuant to this act, it ought to have been held, 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 as the directors of said corporation shall direct. Not to be dissolved for failure to hold an election.

21. *And be it enacted*, That this act is hereby declared to be a public act, and that the same shall be construed in all courts favorably and benignly, and for every beneficial purpose therein intended, and that no misnomer of the said corporation in any deed, gift, grant or demise, or other instrument of contract or conveyance, shall vitiate or Act to be favorably construed.

Proviso. defeat the same; *provided*, the corporation shall be sufficiently described to ascertain the intention of the parties;

Proviso. *provided also*, the legislature may at any time hereafter amend, alter or repeal this act.

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

Approved April 4, 1873.

CHAPTER DCLIV.

An Act to incorporate the Villaton Hotel and Improvement Company, of Middlesex County.

Names of corporators. 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That John M. Board, John J. Sloat, Charles Chamberlain, John D. Board, John Hampton, and all such persons as may be hereafter associated with them, their successors and assigns, shall be and they are hereby constituted a body corporate, in fact and in law, by

Corporate name and powers. the name of "The Villaton Hotel and Improvement Company," and by that name shall have power to lease, purchase, hold, sell, let or dispose of as they may see fit, any real estate in the county of Middlesex, and to erect thereon, or on any part thereof, hotels and other buildings and improvements, and to mortgage said real estate, with the appurtenances or any part thereof, and, upon selling the same, to take mortgages upon all or any part of said real estate to secure part of the purchase money therefor, and to transact all such business as may be incident or appertaining to the managing, erecting, furnishing, conducting, leasing, acquiring, holding, selling or mortgaging of said premises, real estate, hotels, buildings and improvements, or any part thereof, or otherwise controlling or disposing of the same.

Capital stock 2. *And be it enacted*, That the said corporation shall have power to raise by subscription a capital stock of two hundred thousand dollars, divided into shares of fifty dollars each, and said stock may be paid for in money, or by the conveyance to the company of real and personal property, as may be agreed between the corporation and the sub-

scribing stockholders, which capital stock shall be personal property, and shall be transferable in such manner as the by-laws of said corporation shall direct; and each share of the capital stock shall entitle the bona fide owner thereof to one vote at all meetings of the stockholders, which vote may be given in person or by proxy.

Commissioners to receive subscriptions to capital stock

3. *And be it enacted*, That the persons named in the first section of this act are hereby appointed commissioners to receive subscriptions to said capital stock, at such places and time in the said county of Middlesex as a majority of them may appoint, giving previous notice thereof in a newspaper published in the city of New Brunswick, for at least two weeks previous, and as soon as fifty thousand dollars of said capital stock is subscribed for, the commissioners, or a majority of them, shall call a meeting of the stockholders for the purpose of organizing said corporation and electing directors, giving notice thereof in a newspaper published in the city of New Brunswick.

Election of directors.

4. *And be it enacted*, That the directors shall be elected from among the stockholders, and shall be seven in number, and a majority shall be residents of this state, who shall hold their offices until others are duly 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 the power to fill such vacancy, and any election or elections of directors, after the first election aforesaid, shall be held at such time and manner as the by-laws of such corporation shall provide; a president shall be elected by the directors, and shall hold his office for such time as the by-laws prescribe, and until a successor is appointed in his place.

General powers of the directors.

5. *And be it enacted*, That the board of directors shall have the management of the property and affairs of said corporation, a majority of whom shall constitute a quorum for the transaction of business, and who, in addition to the powers conferred by "An Act concerning corporations," said board shall prescribe the time and mode of payment of subscriptions to the capital stock, and to forfeit the same for neglect to make such payments in the mode prescribed, to remove any of their officers or agents at pleasure, to increase the capital stock to any amount not exceeding the sum of five hundred thousand dollars, with power to dispose of the same as a majority of them may determine.

May borrow money and issue bonds.

6. *And be it enacted*, That the said corporation by the action of its board of directors shall have power to borrow money from time to time, and to make and deliver the bonds of the company, when properly executed, bearing interest as therein, or in coupons, shall be expressed, not exceeding seven per centum per annum, the principal and interest payable at such times or places in this state and in such manner as they may direct; the total amount of such bonds not to exceed at any time two-thirds of the capital stock actually paid in, and they may secure the same by a mortgage or mortgages of the company, which shall be and remain a lien for the amount secured thereby, on any property real or personal, and upon the chartered or other rights of the company therein and thereby mortgaged, until the same be paid; 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, at such rate as shall be fixed by the board of directors at a meeting called for that purpose.

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

Approved April 4, 1873.

CHAPTER DCLV.

An Act to incorporate "The Hackettstown Iron Company."

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Robert Rusling, Caleb H. Valentine, William McCracken, James J. Rusling, Robert A. Cole, Tobias S. Van Horn, Nelson H. Dikeman, Thomas Bull, William J. Rusling, Reuben M. Rishell, Silas M. McClallen and Robert S. Price, and their associates be and they are hereby created a body politic and corporate, in fact and in law, by the name and style of "The Hackettstown Iron Company," for the purpose of mining, selling and dealing in iron ores and other minerals, and smelting, manufacturing and selling the same, and carrying on the business incident thereto, in the counties of Warren, Morris or Sussex, and for such purposes the said company shall or

Corporate name and object.

may raise by subscription, by opening the books therefor or otherwise, a capital stock of two hundred thousand dollars, with the privilege of increasing the same to five hundred thousand dollars, the said capital stock to be divided into shares of one hundred dollars each, and it shall be lawful for said company to issue certificates of stock, in whole or in part payment, for any real or personal property purchased or leased by said company for the purpose of their business aforesaid. Capital stock

2. *And be it enacted*, That it shall be lawful for the said corporation to commence business as soon as ten thousand dollars of the capital stock is subscribed, and may purchase, use, hold, possess, and enjoy such real and personal estate as may be necessary or expedient for the purposes of the said corporation; and may sell, mortgage, lease or otherwise dispose of the same at pleasure, and may borrow money, and issue bonds therefor, to such amount as they may deem expedient, and to sell or negotiate the same at such rate of interest or discount as they may deem best for the interest of the company, without invalidation thereof, by virtue of any statute of this state. When company may commence business.

3. *And be it enacted*, That the business of the said corporation shall be managed by not less than nine directors, who shall elect one of their number president, and said directors shall be elected from the stockholders in said corporation, and the president, directors, and other officers of the company shall hold their office for one year, or until their successors are appointed; said directors shall be elected at the annual meeting of the stockholders, to be held at such time and place as the by-laws of the corporation shall direct, and each share of the stock shall entitle the holder thereof to one vote; *provided*, that no stockholder shall be entitled to cast more than ten votes, a majority of the directors shall on all occasions, when assembled at such time and place as the by-laws shall prescribe, constitute a body competent to transact business, and all business matters before them shall be decided by a majority of the votes present; and in case a vacancy shall occur in the board of directors by death, resignation, or a failure of the stockholders to elect the full number authorized by this act, the remaining directors for the time being shall have power to fill such vacancy by the appointment of any stockholders, the said directors shall have power to appoint a secretary, Election of directors. Proviso.

and employ such other officers and agents as they may desire for the management of the affairs of the said corporation.

Payment of capital stock

4. *And be it enacted*, That the capital stock of the said company shall be paid in at such times and in such a manner as the by-laws of the company shall direct; *provided*, that in no case shall the stockholders be required to pay in more than ten per centum of their stock at one time, and such stock not to be demanded at a less period than thirty days between the payments.

Proviso.

Not to be dissolved by reason of failure to elect directors.

5. *And be it enacted*, That in case the directors should not be elected at the regular meeting called for that purpose the said corporation shall not be deemed to be dissolved, but the stockholders shall proceed to hold an election as soon as they can conveniently do so, by giving due notice thereof; all meetings for the election of directors or for the payment of installments to the capital stock shall be advertised, giving the time and place of such meeting, for at least ten days in one or more of the newspapers published in the town of Hackettstown.

May improve lands, &c.

6. *And be it enacted*, That the said company be and they are hereby empowered to improve all such lands as they are hereby authorized to own, purchase or lease by mining minerals upon the same or by building thereon all such workshops, factories, warehouses, stores, dwellings and such other buildings and improvements as may be found necessary or convenient; and to construct on their lands aqueducts, pipes or reservoirs for carrying and providing water, or to use any lot or other portion of any lands owned by them for depots and for agriculture or manufacturing purposes, and to build such railroad tracks from their works to their mines in the vicinity thereof, and to build all such roads upon their own lands as may be necessary to carry on the business of said company.

Books to be open to the inspection of stockholders

7. *And be it enacted*, That the directors of the said company shall cause to be kept at all times proper books of account in which shall be entered in a plain manner all the transactions of the company, which books shall at all times be kept open to the inspection of the stockholders of the company; and that no transfer of stock shall be valid until such transfer shall be regularly entered in the books of the company kept for that purpose; and the said directors shall submit to the stockholders at their annual meeting a written statement of the affairs of the corporation, setting forth the

amount of the capital stock paid in, the amount of all the assets and liabilities of the said corporation, as nearly as the same may be ascertained.

Location of office.

8. *And be it enacted*, That the office of the company where the meetings of the directors shall be held and the capital stock paid in and the other meetings of the company convened, shall be at such place in the town of Hackettstown as the directors or a majority of them shall direct.

How dissolved.

9. *And be it enacted*, That the said corporation hereby created may be dissolved by a general meeting of stockholders called for that purpose; *provided*, that upon a ballot being taken on the question to dissolve the company, three-fourths of the ballots cast shall be in favor of the same, and upon the dissolution of the company the directors for the time being shall have power to settle up the affairs of the corporation, and divide the surplus if any remain after paying all debts and liabilities of the company, between the stockholders in proportion to their respective shares or interest in the capital stock.

Proviso.

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

Approved April 4. 1873.

CHAPTER DCLVI.

An Act for the relief of "The Trustees of the Methodist Episcopal Church of Oxford," in the County of Warren.

Preamble.

WHEREAS, the "Trustees of the Methodist Episcopal Church of Oxford," in the county of Warren, have erected a building for the worship of Almighty God, according to the discipline of the Methodist Episcopal Church; *and whereas*, they have incurred a debt of two thousand five hundred dollars, which remains unpaid, and is a lien upon the said building, and the lot or curtilage whereon the same is erected, and in order to secure the payment of the said sum of two thousand five hundred dollars, they did execute a mortgage upon the said build-

ing and lot to Philip H. Hann, of the borough of Washington, in the county of Warren, as trustee, to secure to the holders of certain promissory notes made and to be made by the said "The Trustees of the Methodist Episcopal Church of Oxford," for money borrowed, and to be borrowed by them, to pay the said debt, which mortgage was signed by Baxter Booth, president of the board of said trustees, and properly acknowledged before Oscar Jeffery, a master in chancery of New Jersey.

Mortgage to be valid and binding.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said mortgage shall be valid and binding, and have full force and effect, for the purposes therein expressed, and that all person or persons who have loaned or who shall loan money to the said "The Trustees of the Methodist Episcopal Church of Oxford," for the purpose of paying off and discharging the said debt of two thousand five hundred dollars, shall have the benefit of said mortgage to the amount of the money so loaned by them, upon default of the payment of said note or notes.

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

Approved April 4, 1873.

CHAPTER DCLVII.

A Supplement to an act entitled "An Act to incorporate the Citizens Insurance Company," approved February twenty-eighth, one thousand eight hundred and seventy-one.

May increase capital stock

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the capital stock of the said company may be increased to any sum not exceeding five hundred thousand dollars, to be divided into shares of one hundred dollars each.

Number of directors may be increased.

2. *And be it enacted*, That the number of directors of the said company may be increased to sixteen, who shall be elected and classified as in the third section of the act to which this is a supplement it is provided.

3. *And be it enacted*, That all acts and parts of acts inconsistent with the provisions of this act be and they are hereby repealed, and that this act shall take effect immediately. Repealer.

Approved April 4, 1873.

CHAPTER DCLVIII.

An Act to incorporate "The Wheatland Manufacturing Company," of Ocean County.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Daniel Townsend, Amos Falkenberg, Job H. Falkinburgh, Ebenezer N. Townsend, and Jesse L. Townsend, and their associates, be and they are hereby created a body politic and corporate, in fact and in law, by the name and style of "The Wheatland Manufacturing Company," of Ocean county, for the purpose of manufacturing and selling terra cotta ware, and other goods, and carrying on business incident thereto; and for such purpose the company shall or may raise by subscription, by opening the books therefor, or otherwise, a capital stock of fifty thousand dollars, to be divided into shares of one hundred dollars each, with the privilege of increasing the same to any sum not exceeding two hundred thousand dollars; and it shall be lawful for said company to issue certificates of stock, in whole or in part payment for any real or personal property purchased or leased by said company, for the purpose of their business aforesaid. Names of corporators. Corporate name and object. Capital stock

2. *And be it enacted*, That said corporation may purchase, use, hold, possess and enjoy such real estate as may be necessary or expedient, for the purposes of said corporation; and may sell, mortgage, lease, or otherwise dispose of the same at pleasure; and may borrow money and issue bonds therefor, to an amount not exceeding, at any one time, one-half of their paid up capital stock; and may sue and be sued, in all courts of law or equity, and may have and use a common seal, and may change and alter the same at pleasure, and may make such by-laws for their regulation and government May purchase and hold real estate.

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Proviso. as they may deem proper; *provided*, the same are not inconsistent with the constitution or laws of the United States, or of this state.

Election of directors. 3. *And be it enacted*, That the affairs and business of the said corporation shall be managed by not less than three nor more than five directors, who shall elect one of their number president, and said directors shall be stockholders in said corporation, and shall hold their offices 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 such day, at such hour of the day, and at such place as the by-laws of the said corporation shall direct; a majority of the directors shall on all occasions, when assembled at such place as the by-laws of the said corporation shall direct, constitute a body competent to transact business; and all business matters before them shall be decided by a majority of votes; and in case a vacancy shall occur in the board of directors by death, resignation, or a 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 vacancies by the appointment of any stockholder.

Not to be dissolved for failure to hold an election. 4. *And be it enacted*, That in case it shall happen that an election of directors shall not be made upon the day designated 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.

Annual statement to be made. 5. *And be it enacted*, That the said directors shall submit to the stockholders, at their annual meeting, a written statement of the affairs of the said corporation, setting forth the amount of the capital stock paid in, the amount of money due to and from the said corporation, and the amount of all assets and property belonging to said corporation, as nearly as the same can be ascertained.

Location of principal office. 6. *And be it enacted*, That the principal office of said company shall be in the county of Ocean, where regular books of account shall be kept, to which any stockholder shall have free access at all reasonable times, for the purpose of inspection, and that books of transfer of the stock shall also be kept, and shall be evidence of the ownership of said stock in all elections and other matters submitted to the decision of the stockholders of said corporation.

7. *And be it enacted*, That the said corporation hereby created may be dissolved by a general meeting of the stockholders of the same, 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 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 all its property and assets, paying its debts and dividing its surplus among the stockholders, in proportion to their respective interests in the stock. How dissolved. Proviso.

8. *And be it enacted*, That the corporation hereby created shall possess the power and be subject to the general restrictions set forth in an act entitled "An act concerning corporations," approved on the fourteenth day of February, one thousand eight hundred and forty-six, so far as the same may be applicable. Restrictions and liabilities.

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

Approved April 4, 1873.

CHAPTER DCLIX.

An Act to incorporate the Madison Savings Bank.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That James A. Webb, Henry F. Reddish, Ambrose F. Kitchell, Francis S. Lathrop, George Chapman, Horatio N. Peters, Stephen Paulmier, Jonathan Dwight, Joseph C. Potts and Jeremiah Baker, be and are hereby constituted a body corporate and politic by the name of "The Madison Savings Bank," and by that name shall be capable of purchasing, taking, holding and enjoying, to them and their successors any real estate, in fee simple or otherwise, and any goods, chattels or personal estate which shall be necessary for the purposes herein mentioned, and of selling, leasing or otherwise disposing of said real and personal estate, or any part thereof at their will and pleasure; Names of corporators. Corporate name.

Proviso. *provided always*, that the clear annual value of such real and personal estate, exclusive of the profits which may arise from any investments in which the deposits may be made, shall not exceed thirty thousand dollars.

Election of managers. 2. *And be it enacted*, That the said institution shall be conducted by five managers, elected by ballot from among the number of the above named incorporators, three of whom shall be a quorum to transact business, and at least three shall be residents of the township of Chatham, and the seat of any manager who shall have neglected to attend for four consecutive meetings may be vacated by the board; the managers shall meet annually on the second Monday in May, 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, or until others are chosen; and all officers so chosen shall be under oath for the faithful performance of the duties of their offices, respectively, and shall give security, if required, for the faithful execution of the duties of their offices, in such sum or sums, and such securities as may be directed by the board of managers.

May make by-laws, &c. 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;

Proviso. *provided*, that such by-laws and regulations shall not be repugnant to the constitution and laws of this state and of the United States.

May receive money on deposit. 4. *And be it enacted*, That the said institution may receive as deposits, all sums of money which may be offered in such amounts and at such times and on such terms as the by-laws shall prescribe, which shall be repaid to the depositor at such times and with such interest, and under such regulations 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 whatever, by will or otherwise, or transferred to them by the order of any court.

Rate of interest to be allowed depositors. 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 there-

from all necessary expenses and a reasonable surplus or contingent fund; *provided*, that said rates of interest may at the discretion of the managers be so regulated as that the interest allowed to depositors having over one thousand dollars deposited, shall be at least at the rate of one per centum per annum less than the interest allowed to other depositors. Proviso.

6. *And be it enacted*, That no emoluments whatever shall directly or indirectly, be received by the managers or either of them for their services as such, nor shall any officer of the institution be allowed, directly or indirectly to borrow any money from said institution, or to use the same.

7. *And be it enacted*, That the said corporation may invest the money left with them on deposit in public stocks or bonds created and issued by the United States, and by the several states and by the several counties and cities in this state, under the laws thereof, and upon bond and mortgage on unincumbered real estate, worth double the amount invested. Investment of deposits.

8. *And be it enacted*, That it shall be lawful for the said institution, at their discretion, to pay any depositor, being a minor, such sum as may be due to such depositor, not exceeding one thousand 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 was executed by a guardian of such minor duly appointed; *provided*, such deposit 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 their interest and dividends thereon, and receive and withdraw the same; and such deposits shall not be subject to the control of the husband nor liable for his debts, nor shall moneys deposited by single women be subject, in case of marriage, to the use or control, nor liable for the debts of the future husband. Receipt of minor to be valid. Proviso.

9. *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 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 of said institution. May appoint person to receive money due.

10. *And be it enacted*, That the institution shall not be

Interest not allowed.

required to allow interest on a deposit until it amounts to five dollars, nor to allow interest on the fractional parts of five dollars, nor shall the institution be required to allow interest for the fractional parts of a month.

Duplicate of account to be furnished depositor.

11. *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.

Annual report shall be made.

12. *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.

Vacancies, how filled.

13. *And be it enacted*, That the managers shall have power to fill up by ballot, at a regular meeting, after notice of one month, any vacancies which may occur in their own body or officers, by a vote of a majority of the managers present.

Location of office.

14. *And be it enacted*, That the office or place of business of the said institution, shall be in the village of Madison, in the county of Morris, 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.

15. *And be it enacted*, That this act shall be and is hereby declared to be a public act, and shall take effect immediately.

Approved April 4, 1873.

CHAPTER DCLX.

An Act of incorporation of Christ Church Hospital, Elizabeth, Union County, New Jersey.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Stevens Parker, Robert Hoy, William P. Barber, George Reton, Charles A. Hoppin, and Mordecai Lewis, and their successors, being members and communicants of the Protestant Episcopal Church in the

United States, and residents of the city of Elizabeth, Union county, New Jersey, be and they are hereby constituted and made a body politic and corporate, in fact and in law, by the name of "Christ Church Hospital," and by that name they and their successors shall have perpetual succession, and power to sue and be sued, plead and be impleaded, answer and be answered unto, in all courts and places whatever, to make and use a common seal, and the same to change at pleasure, and to purchase, take, have, hold, receive and enjoy any lands, tenements or hereditaments in fee simple or otherwise, and any goods, chattels, or property of any description, real or personal, and whether acquired by gift, grant or devise, bequest or otherwise, and the same to grant, convey, lease, assign, sell or otherwise dispose of for the purposes of the said corporation. Corporate name and powers.

2. *And be it enacted*, That the object of said corporation shall be the care, nurture and maintenance of sick, infirm, aged and indigent persons, and of orphan, half-orphan, and destitute children; the providing for the temporal and spiritual welfare, and the procuring or erecting a suitable building or buildings. Object.

3. *And be it enacted*, That the affairs and management of the property and concerns of the said corporation shall be conducted by, and the corporate powers granted by this act are hereby vested in a board of trustees, consisting of not less than five persons, nor more than ten, a majority of whom shall constitute a quorum for the transaction of any business; the first board of trustees shall be composed of the persons named in the first section of this act, and the said board of trustees shall have power from time to time to make and adopt such by-laws, rules, regulations, and other measures for the said corporation as to them shall seem expedient, and not inconsistent with the laws of this state or of the United States, and to appoint one or more superintendents, and such other agents and officers as shall in their judgment tend to promote the welfare of said institution, and to prescribe their respective duties; and the said board shall have power to fill all vacancies that shall hereafter occur therein, by a vote of a majority of the members thereof; *provided always*, that the rector of Christ Church, Elizabeth, shall always be one of the said board, and the president and chaplain thereof. Management to be in a board of trustees. Proviso.

4. *And be it enacted*, That the president of the said board

Meetings may be held at the call of the president

shall fix the time and place of the first meeting of the said trustees; and subsequent meetings of the said board may be held at the call of the said president, or of such number of said trustees, at such time and place, and upon such notice as the by-laws of said corporation shall prescribe.

Exemption from tax.

5. *And be it enacted*, That the property and effects of said corporation shall not be liable to the imposition of any tax.

6. *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, 1873.

CHAPTER DCLXI.

A Supplement to an act entitled "An Act to incorporate the Franklin Iron Company," approved March fourteenth, eighteen hundred and seventy-one.

Proceedings for acquiring and possessing lands.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said company shall have power and authority, in constructing the railroad or roads authorized by the original act, to run into the county of Passaic, and to transport minerals and other freight by contract or otherwise for other parties; and if, for any reason, it shall be necessary to lay out said railroad or roads across the land of any individual, or of any corporation, public or private, as to the price of which the said company shall be unable to agree with the owner or owners, it shall be lawful for the said company to appoint a commissioner, who shall confer with another commissioner, to be appointed by the owner (and in case of disagreement between them, they two shall appoint a third), whose decision shall be binding upon all parties interested; it shall be the duty of the said commissioners to examine the land taken, or desired to be taken as aforesaid by the said company, and to determine the value thereof, and the amount of damage justly to be paid therefor, and immediately upon the finding of an award by said commissioners, and upon the compliance therewith on the part of said company, so far as the said award shall have appointed any act to be done or complied with by said com-

pany, the said company shall immediately thereupon to be held to have acquired free, continuous and uninterrupted possession of the lands so examined as aforesaid, not to exceed in any point one hundred feet in width, with due allowance in addition thereto for the necessary slope of cuts and fills; and in case any land owner, corporate or private, as aforesaid, shall refuse or neglect to appoint a commissioner as aforesaid, for the space of fifteen days after having been notified so to do, then and in such case the commissioner who may have been appointed by the said company shall proceed to determine the damage, if any, which would be done to the property of such owner by the building of said railroad, and the determination or award of said commissioner, setting forth the facts as herein specified, and duly attested by his signature and oath or affirmation, shall be filed in the clerk's office for the county in which the land shall lie, and shall forever operate as a bar to any action for damage, trespass or ejectment which may at any time thereafter be brought against said company by said owner, whether corporate or private; but if either party shall feel aggrieved by the decision and award of said commissioners, the party so aggrieved may appeal to the circuit court, at the next term after said decision and award, by proceeding in the form of petition to said court, with five days' notice, in writing, to the opposite party of such appeal; which proceeding shall vest in the said circuit court 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 land and all damages sustained; and if the said jury shall be demanded by the said company, and they shall find a greater sum than the said commissioners, then judgment shall be given, with costs, against the said company, and execution issue if need be; but if the said jury shall be demanded by the owner or owners of the land, and shall find the same or a less sum than the commissioners awarded, then costs shall be paid by the owner or owners, and shall be deducted out of the said sum found by the said jury, on execution issued therefor, as may be directed by the said court; and upon payment or tender of the sum so found by the said commissioners or by the jury, with costs, if any, the said company shall be deemed to be seized and possessed, in fee simple, of all such

Proceedings when parties areaggrieved by decision and award.

lands and real estate appraised as aforesaid; it being always provided that the owner of the land shall not be entitled to appeal, if he has neglected or refused to appoint a commissioner within the fifteen days provided in this act.

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

Approved April 4, 1873.

CHAPTER DCLXII.

An Act to incorporate the Washington Horse Railroad Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Cornelius S. Van Liew, William Sweeney, Abraham B. Stewart, Jacob V. Carter, Joseph B. Cornish, Joseph C. Stewart, Philip Hann, and such other persons as may hereafter be associated with them, shall be and are hereby made, constituted and declared a body politic and corporate, in fact and in law, by the name of

Corporate name.

"The Washington Horse Railroad Company," and by that name shall be capable of purchasing, holding and conveying any lands, tenements, real estate, goods and chattels, necessary or proper for the purposes of said corporation.

Capital stock

2. *And be it enacted*, That the amount of the capital stock of said corporation shall be fifty thousand dollars, with the privilege of increasing the same to one 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 by-laws direct.

Commissioners to receive subscriptions to capital stock.

3. *And be it enacted*, That the above named persons, or a majority of them, shall be commissioned to open books to receive subscriptions to the capital stock of said corporation, at such time and place in the borough of Washington, or elsewhere, at their discretion, as they or a majority of them think proper, giving at least twenty days' notice of the same in the newspapers published in the borough of Washington; and at subscribing, ten per centum shall be paid for

each share subscribed for, to the commissioners, or some one of them, and as soon as five thousand dollars of the capital stock shall be subscribed, said commissioners shall give like notice for a meeting of the stockholders to choose not less than five nor more than seven directors, a majority of whom shall be residents of this state, and citizens thereof, 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 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 the persons duly elected, and deliver over the subscription books and all moneys paid in, after deducting all expenses previously incurred, to such directors so elected, 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 this state, and in case of the death, resignation or removal of the president or any directors, 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.

Election of directors.

4. *And be it enacted*, That in case it shall happen that an election shall 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 offices until others shall have been chosen in their places.

Not to be dissolved for failure to elect.

5. *And be it enacted*, That a majority of the 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 the said company by such installments and at such times as they may direct, and to make and prescribe

Capital stock may be paid by installments.

such by-laws, rules and regulations as to them shall appear needful and proper, touching the management and regulations of the stock, property, estate and effects of the said corporation, and shall also 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 said board shall appear proper.

May construct railroad.

6. *And be it enacted*, That the said corporation shall have power and authority to lay down and construct a railroad with the necessary turnouts and switches, beginning at a point on Lackawana avenue, at or near the junction of the Delaware and Lackawana and Western Railroad with the Morris and Essex Railroad, thence along Lackawana avenue, Washington avenue, Belvidere avenue, Water street to Washington avenue, along said Washington avenue and Lackawana avenue to the point of beginning, and such other branches in the streets of said borough of Washington as may be deemed necessary; *provided*, the said railroad shall not be constructed through any streets excepting the above named, without the consent of the common council of the borough of Washington first be obtained in writing.

Route of road.

Proviso.

Width of track.

7. *And be it enacted*, That the track laid by the said corporation shall be of the same width as the wagon track now established by law, and the same shall in all cases be laid level with the surface of the streets through which the same may pass, and in conformity with the grades of such streets as now, or hereafter may be established in the borough of Washington, and so as to present no unnecessary obstructions to, or in any way interfere with the wagons or other vehicles turning in or crossing said streets through which said road or its turnouts or switches may be laid.

May have and hold real estate.

8. *And be it enacted*, That the said corporation may purchase, have and hold real estate at each terminus of said road, at such places not exceeding two, along the line of said road, as they may desire, not, however, exceeding three acres at each place, or twelve acres in the aggregate, and may erect and build thereon houses, depots, warehouses, stables, machine shops and such other buildings and improvements as may be necessary for carrying out the objects of the said corporation.

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 of the net profits of the said railroad.

Equipment of railroad.

10. *And be it enacted*, That the president and directors of said corporation shall have power to purchase, or to have constructed with the funds of the said corporation all machinery, cars, wagons, carriages or other vehicles for transportation of persons or property on their railroad as they may think fit, expedient or right, and also to purchase horses or mules as they shall deem fit for the purpose of said corporation; *provided*, *however*, that no steam power shall be used as a motive power upon said railroad except that known as the dummy engine, and they are hereby authorized to demand and receive such sum or sums of money for the transfer of persons or property upon said railroad as they shall think reasonable and proper.

Proviso.

Penalty for injury to property.

11. *And be it enacted*, That if any person or persons shall willfully or maliciously impair, injure or destroy, or obstruct said railroad or any of its works, turnouts, switches, carriages, animals or machines, such person or persons shall forfeit and pay therefor to the said corporation three times the amount of damage sustained by means of such injury, to be recovered in the name of said corporation, with costs of suit, in any court having cognizance of the same.

May borrow money.

12. *And be it enacted*, That the said corporation shall have power to borrow such 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 and mortgage, or otherwise, on the said railroad, lands, privileges, franchises and appurtenances of said corporation, at the rate of interest not exceeding seven per centum per annum.

Statement of costs and expenses shall be made.

13. *And be it enacted*, That as soon as the railroad is finished, the president of the company shall file, under oath or affirmation, a statement of the amount of the cost of the railroad, inclusive of 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 the state of the proceeds and expenses of said road, the said company shall pay to the treasurer of this state a tax of one-half of one per centum on the costs 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.

Taxes.

Proviso.

Right of way and use of streets.

14. *And be it enacted*, That no damages or compensation shall be demanded or recovered from said company for the use of said streets, or the right of way through the same, either by the town or the land owners along said streets; *provided*, that the said company shall be liable, as in other cases, for all damages done by them to private property.

Proviso.

May connect with other horse railroad.

15. *And be it enacted*, That said company shall have power to connect with any other horse railroad that may hereafter be built and established by any company or incorporation, and to make contracts and engagements with them, or with individuals, for operating such railroad, upon such terms and conditions as shall be agreed between them, not inconsistent with this charter.

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

Approved April 4, 1873.

CHAPTER DCLXIII.

An Act to change the name of Martha Elizabeth Martin to Martha Elizabeth Smith.

Name changed.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the name of Martha Elizabeth Martin, of the county of Hudson, of this state, be and the same is hereby changed to Martha Elizabeth Smith, and by that name she shall possess and enjoy all the rights, powers and privileges which she would have possessed and enjoyed had she retained her original name of Martha Elizabeth Martin.

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

Approved April 4, 1873.

CHAPTER DCLXIV.

An Act to authorize "The Ramapo Hunting and Villa Park Association in the County of Rockland" to hold property in the State of New Jersey.

Empowered to hold lands in this state.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the "Ramapo Hunting and Villa Park Association in the county of Rockland," a corporation existing under and by virtue of the laws of the state of New York, is hereby authorized and empowered to purchase, lease, hold, possess, improve and convey lands in the counties of Passaic and Bergen in this state adjacent to the lands owned or possessed now or hereafter by the said corporation in the county of Rockland, in the state of New York, under the conditions and with the powers, rights and privileges which are hereinafter specifically set forth.

Property of corporation to be liable for its debts.

2. *And be it enacted*, That the said corporation may sell or set off to each share, or to each member, holder of a share of said corporation, a villa site within the boundaries of said park of not exceeding two acres each, but the aggregate of such villa sites shall not be more than one acre in twenty of the land owned by the corporation; such villa sites shall not be liable in any way for the debts of the corporation; there shall be no personal responsibility for the debt or other liabilities of said corporation on the part of the shareholders or officers thereof, but the whole property of the corporation shall be liable for its debts in the same manner and to the same extent as the property of private persons.

May issue licences and enact game laws.

3. *And be it enacted*, That the said corporation may issue licenses to any persons to hunt, fish, shoot or take game, or to go upon its property at such times and under such regulation as may be prescribed by its by-laws; it may through its board of directors, make its own game and fishing laws, and prescribe the penalties for their violation, or any of them, and may add to, repeal or change the same from time

to time; such game laws shall be applicable only to the land or water actually owned or leased by said corporation; it may declare forfeited the interest of, and expel from the corporation any member for willful infraction of its by-laws, rules and regulations.

Game keepers to have the powers of deputy sheriffs or constables.

4. *And be it enacted*, That the said corporation shall have the right to select among its game-keepers any number, not exceeding ten, who shall be provided with an appropriate badge, and who shall have all the right and authority of a deputy sheriff, or a constable, within the limits of the property owned or leased by the corporation, and shall have the same power and authority within the limits of the county wherein its property is situated, in all matters touching the rights of the corporation, trespasses upon its real property, or interference with its game laws, or other rules and regulations; and it shall be the duty of the sheriff of the county to deputize such game-keepers, not exceeding the number aforesaid, as deputy sheriffs; their appointments to continue so long as they shall be employed by said corporation and no longer; such deputy sheriffs shall be entitled to no fees or reward, except such as shall be paid them by the corporation, and the corporation shall pay the sheriff of the county five dollars for each deputy sheriff so appointed.

Penalty for entering upon lands.

5. *And be it enacted*, That all persons are forbidden to enter in or upon, or to hunt, shoot, or fish in or upon the lands or waters owned or leased by said corporation, unless authorized to do so by said corporation, and any person who shall be found guilty of violating the provisions of this section, shall be deemed guilty of a misdemeanor, and shall be fined not less than ten dollars or more than fifty dollars, in the discretion of the judge, court or magistrate before whom he or she shall be tried, for the first offence, and shall be fined not less than twenty dollars, and not more than one hundred dollars for each additional offence.

Penalties for certain offences.

6. *And be it enacted*, That in addition to the penalties provided in the last section, the following penalties are imposed for the following offences:

I. Any person who shall, without permission of the corporation, enter into or upon any portion of the lands or waters which it owns or leases; *provided*, such lands or waters are inclosed in a substantial fence; *and provided*, there are signs or placards near such fence, and not more than one-half mile apart, warning trespassers against enter-

Proviso.

Proviso.

ing, shall upon conviction forfeit the sum of twenty dollars for each additional offence;

For hunting or fishing.

II. Any person who shall without permission as aforesaid shoot, fish, hunt or attempt to shoot, fish or hunt upon the lands owned or leased by said corporation inclosed as aforesaid, or who shall be found therein with any line, rod, reel, net, gun or any implement, weapon, tool or engine intended or used for the killing or taking of fish or game, shall upon first conviction thereof forfeit the sum of thirty dollars, and upon any subsequent conviction the sum of sixty dollars;

For killing deer, &c.

III. Any person who shall without permission as aforesaid, kill any deer or four-footed other animals (except hares and rabbits, and other smaller animals) upon the property owned or leased by said corporation, shall forfeit the sum of forty dollars for each offence;

For killing game birds.

IV. Any person who shall without permission of said corporation, kill any wild turkey or other game bird of a species of which the average weight, at full growth is two pounds or upwards, upon the property owned as aforesaid shall forfeit the sum of ten dollars for each offence;

For killing rabbits, &c.

V. Any person who shall without permission as aforesaid, kill any game bird of a species of which the average weight, at full growth is less than two pounds, or any hare or rabbit or other smaller animal, upon the property owned or leased by the corporation, shall forfeit the sum of five dollars for each offence;

Penalty for catching or killing or taking fish where signs are erected.

VI. Any person who shall without permission as aforesaid, catch, kill or take fish upon the property owned or leased by said corporation, and upon which there shall be signs or placards notifying the trespassers as aforesaid, shall forfeit the sum of two dollars for each fish, and an additional fine of five dollars for each and every pound of fish so caught, killed or taken.

Penalty for injury to property.

7. *And be it enacted*, That any person who shall willfully injure or destroy any fence, building or other property of the corporation (other than game birds, animals and fish as aforesaid) or shall set fire to any woods owned or leased by it, shall, upon conviction, forfeit a sum not less than one hundred dollars, and not more than one thousand dollars, at the discretion of the tribunal before whom he or she may be tried; any person who shall permit any dog belonging to him, or over which he has control, to be in or upon the

property owned or leased by said corporation, unless by permission of said corporation, shall, upon conviction, forfeit the sum of twenty dollars; and the officer, agent or employe of the corporation may seize any dog found upon the premises, and detain it until the fine aforesaid is paid, or may destroy any dog found therein.

When liable under state laws.

8. *And be it enacted*, That the laws of the state relating to fish or wild animals shall not be applicable to any of the territory owned or leased by said corporation, except that any person not authorized by said corporation to take game or fish within its boundaries, who shall do so contrary to the laws of this state, shall be liable to the penalties provided by the laws of this state.

Rules, &c., to be in force.

9. *And be it enacted*, That all the rules, regulations and by-laws adopted by the said corporation for the management, disposal or government of its property in the said county of Rockland, in the state of New York, shall be and remain in full force and effect in respect to the lands purchased or held by said corporation in this state; *provided*, that the said rules, regulations and by-laws do not in anywise conflict with the constitution and laws of this state or of the United States.

Proviso.

Person charged with offence, how tried.

10. *And be it enacted*, That any person charged with any offence aforesaid, or any violation of the by-laws, rules or regulations of the corporation, may be tried before any justice, magistrate, or other court having jurisdiction of criminal offences within the county, and, upon conviction, shall be fined to the extra prescribed by this act, with the costs, and shall be committed to the county jail until the fine be paid, the time of such imprisonment, however, not to exceed one day for each dollar of fine unpaid; in case he or she pays the fine, one-half thereof shall be paid to the informer, and the balance to the treasurer of the county to the use of said county; and in all cases of prosecution under this act, the party making complaint, or the informer, shall be a competent witness of the trial.

Civil action for damage may be brought.

11. *And be it enacted*, That nothing herein contained shall limit or abridge the rights of said corporation to bring civil action for damage done to any fence, building or animal, or any property of the corporation, the damage shall not be confined to the actual damage of the property injured or destroyed, but if such damage is willful or malicious, triple

damage shall be awarded, and the jury may also award such damages they may deem proper.

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

Approved April 4, 1873.

CHAPTER DCLXV.

A Supplement to an act entitled "An Act to incorporate the Trenton Gold and Silver Mining Company," approved April the sixth, one thousand eight hundred and sixty-six.

WHEREAS, The said company have sold most of their property, and desire to surrender their charter; therefore, Preamble.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said corporation may be dissolved at any time by a general meeting of the stockholders, specially summoned for that purpose by the president of said corporation by the direction of the board of directors or a majority of them; *provided*, that at least three-fourths in value of the stock be represented therein; and upon such dissolution the directors for the time being, or the survivors or survivor of them, shall be trustees for settling all the affairs of said corporation and dividing the surplus among the stockholders in proportion to their respective interests therein, unless the stockholders at such meeting shall appoint one or more persons for such purpose, in which case the person so appointed shall be trustee for the purpose aforesaid; and shall file in the office of the secretary of state a copy of the resolution dissolving said company. How dissolved. Proviso.

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

Approved April 4, 1873.

CHAPTER DCLXVI.

An Act to incorporate the Smith and Garvin Manufacturing Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Thomas B. Hull, I. A. Van Hise, W. J. Johnson, Thomas Bromell, Benjamin B. Carpenter, and their associates, shall be and they hereby are declared to be a body corporate and politic, in fact and in law, by the name of The Smith and Garvin Manufacturing Company, for the purpose of carrying on the business of machinist tool manufacturing, 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.

Corporate name and object.

Capital stock

2. *And be it enacted*, That the capital stock of the company shall be two hundred thousand dollars, divided into shares of one hundred dollars each; and the persons named in the first section of this act are hereby appointed commissioners to receive subscriptions to said capital stock, at such place in the village of Bricksburg, as a majority of them may appoint, giving at least five days' notice in the newspapers published in said village; and as soon as twenty-five thousand dollars 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 directors.

3. *And be it enacted*, That the business of the said corporation shall be managed by not less than three 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 shall be 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 of the United States, and may appoint such subordinate officers as the business of the corporation may require. May make by-laws, &c.

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

6. *And be it enacted*, That regular books of account shall be kept in the office of said company, to which books every stockholder shall have free access, at all reasonable times, for the purpose of inspection, Books to be open to stockholders

7. *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 February fourteenth, one thousand eight hundred and forty-six, as far as the same are applicable, and the legislature may at any time hereafter modify or repeal the same. Restrictions and liabilities.

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

Approved April 4, 1873.

CHAPTER DCLXVII.

An Act to incorporate the Hunterdon and Warren Iron Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That James H. Sullivan, Edward Humphrey, Philip Johnston, Thomas Banghart, Eli W. Young, John Gardner, David H. Banghart, Joseph Anderson, Joseph B. Cornish, and George Richards, and all such persons as may hereafter be associated with them, their successors and assigns, shall and the same are hereby constituted and declared a body corporate and politic, in fact and in law, by the name of the Hunterdon and Warren Iron Company, and by that name shall be capable in law of having and enjoying all the rights, privileges and franchises belonging to or incident to a corporation. Names of corporators. Corporate name.

Capital stock

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 one hundred dollars each, which shall be personal property, and be transferable on the books of the company according to the provisions of the by-laws of the said company.

Commissioners to receive subscriptions to 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 or place or places in the counties of Hunterdon and Warren, and upon such notice as they shall direct; and at the time of subscribing for said stock, such an amount on each share shall be paid, satisfied or 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 shall determine, in such installments, at such times and places, and in such manner, and to such person and persons, as said directors may direct; due notice of the time, place and person to whom the same must be paid being given by notices published in one newspaper printed and circulated in the county of Hunterdon, and in a newspaper printed and circulated in the county of Warren, for two weeks, at least once in each week; and upon 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 the 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, or any person or persons, for its benefit, and may sell or dispose of the same for the benefit of the said corporation, as said directors may direct, or the same may be divided proportionately among the remaining stockholders, to be by them held, enjoyed, transferred or sold, with all the rights and benefits incident thereto, as if it were original share or shares by them subscribed; and any real estate, mineral rights, interest or minerals used in the business of the corporation, received in payment or satisfaction of subscription for stock, shall be taken at a valuation approved by a majority of the directors or commissioners.

Shares of stock, how forfeited.

When the company may organize

4. *And be it enacted*, That whenever ten thousand dollars of the capital stock aforesaid shall be paid or satisfactorily secured to be paid, the above named corporators, or a majority of them, shall, as by like notice as before directed,

call the first meeting of the stockholders for the purpose of organizing the company and electing directors, and upon the election of such directors the duties and powers of the said commissioners shall cease.

Election of directors.

5. *And be it enacted*, That the affairs of the said company shall be managed by a board of not less than five nor more than nine directors, to be chosen by the stockholders annually, at such time and place, and in such manner as the by-laws of said company may direct, and who shall serve for one year and until others shall be chosen in their stead, notice of which election shall be given previously, for two weeks at least, in a newspaper published in the county where said election is to be held; that a majority of said board shall be a quorum to transact business, and shall elect a president out of their body, and shall employ such other officers as they may deem necessary; that the said directors shall fill all vacancies in said board next to the annual election; and in case it shall at any time happen that an election of directors shall not be held on the day when required by this act it ought to have been held, the said corporation shall not for that cause be claimed to be dissolved, but it shall and may be lawful to hold such election on such other day as the directors of said corporation shall direct.

May purchase and hold real estate.

6. *And be it enacted*, That the said company may purchase, use, possess, hold and enjoy such real estate as may be necessary or expedient for the purposes of said corporation; may sell, mortgage, lease, or otherwise dispose of the same at pleasure; may borrow money, issue bonds therefor, not to exceed, at any time, one-half of their capital stock; may sue or be sued in all courts of law or equity; may have a common seal, and change or alter the same at pleasure; may make such by-laws and regulations as shall be for the best interests of the company; may establish and carry on the business of developing mineral lands, lodes or veins, digging, excavating or tunneling mines, veins or drifts, raising, removing and carrying away any minerals mined or removed from the earth, by any way, means or vehicles as may be expedient for the interests of the corporation; and may build and operate a blast furnace or foundry, for the purpose of smelting iron ore or manufacturing iron; to acquire, receive, have, hold or enjoy any lands, tenements, hereditaments within said counties, goods and chattels of whatsoever kind and quality necessary for the purpose of

carrying on the rights and privileges hereby granted; with authority to lease, demise, or contract to work or explore any mine or mines now developed or being developed, worked or owned, by corporations, or individuals in private capacity, for any term of years under such agreements, contracts, covenants or stipulations as shall be entered into by the said board of managers, or a majority of them.

Limitation.

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

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

Approved April 4, 1873.

CHAPTER DCLXVIII.

An Act empowering the Perth Amboy and Woodbridge Railroad Company to condemn lands for the use of depots, switches, and side tracks.

Proceedings when company and owners cannot agree as to use or purchase of lands required.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That if the said company or its agents cannot agree with the owner or owners of any lands which may be required by said company for depots, or for any other purposes, 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, 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 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 freeholders, residents of the county in which the lands in controversy lie, commissioners to examine and appraise the said lands, and to assess the damages, upon such notice, not less than twenty 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 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, and 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 lands, 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 land and damages aforesaid; which report shall be made in writing under the hands and seals of 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 or affirmations aforesaid, in the clerk's office of the said supreme court, to remain of record therein; which report or a copy thereof certified by the clerk of 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 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 upon reasonable notice to the other, 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 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, feel himself, herself or themselves aggrieved by the decision of the commissioners aforesaid, he, she or they may appeal to the next circuit court of the county wherein the said land may lie.

Proviso.

Proceedings in case of appeal.

2. *And be it enacted*, That every appeal from the decision of commissioners appointed under preceding section, shall be made in writing and in form of petition to said court, and filed with the clerk of said circuit court of the county wherein the lands appraised by the said commissioners shall lie, and notice in writing of such appeal shall be given to the opposite party within ten days of the filing thereof; which proceeding shall vest in said circuit court full right and power to hear and adjudge the same, and 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 issue to be tried at the next term of 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 land 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 therein, 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 said company shall have offered or said commissioners awarded, then said costs to be paid by said applicant or applicants, and either deducted out of the said sum found by said jury or execution awarded therefor, as the said court shall direct; but such application shall not prevent the said company from taking the said land, upon filing the aforesaid report; *provided* that in no case whatever shall the said company enter upon or take possession of any lands of any person or persons for the purpose aforesaid, or making any erections or improvements whatever, or otherwise appropriating said lands to use of said company until they have paid to the party or parties entitled to receive the same the amount assessed by said commissioners as the value of such lands and damages, in case the report of the commissioners is not appealed from or if said report is appealed from then the amount which shall be

Proviso.

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, and in case of an appeal the amount found by the jury 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 where the said lands shall lie shall be deemed a legal and valid payment; *and further*, that the said party or parties entitled to receive the amount assessed by the commissioners, may, under tender thereof being made, receive the same without being barred thereby from his or their appeal from the report of the commissioners. Proviso.

3. *And be it enacted*, That the said company may purchase, have and hold real estate at the commencement and terminus of their railroad, and at any intermediate point upon the line of the same, not exceeding six acres at each place, and may erect and build thereon houses, warehouses, stables, machine shops, and such other buildings as they may deem necessary for the safety of property and construction of carriages, and may take and receive rents, profits and emoluments therefor. May have and hold real estate.

4. *And be it enacted*, That this act shall not be construed to authorize the said Perth Amboy and Woodbridge Railroad Company to condemn the lands of any other railroad corporation. May not condemn lands of other railroads.

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

Approved April 4, 1873.

CHAPTER DCLXIX.

An Act to incorporate "The New Jersey Atmospheric Railway Company."

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That James M. Tower, William R. Osborn, Charles M. Harker, Robert S. Green, Charles M. Perveil, G. V. R. Simmons, and their associates, successors Names of corporaters.

or assigns, or a majority of the same, are hereby constituted and declared to be a body corporate and politic in fact and in law by the name of "The New Jersey Atmospheric Railway Company," and as such shall have succession, and may have a common seal, and may alter or change the same at pleasure, may sue and be sued, plead and be impleaded unto, in any court of competent jurisdiction, may buy and hold any land or right of way or other property, real, personal or mixed, necessary and proper to hold for the purpose, and may do and perform the business contemplated to be done under the provisions of this act.

Corporate name.

Capital stock

2. *And be it enacted*, That the capital stock of the said company shall be five hundred thousand dollars, in five thousand shares of one hundred dollars each, which said shares shall be deemed to be personal property, and may be transferred under such rules and regulations as the said company may prescribe.

Affairs to be managed by a board of directors.

3. *And be it enacted*, That the said company shall manage its affairs by a board of directors, who shall be stockholders at the time of their election, and a majority of whom shall be residents of this state, which board of directors shall not be less than five nor more than thirteen persons, and the said directors may appoint their president, secretary, treasurer, engineers and other officers and servants necessary and proper to survey, make out, locate, build, construct, care for, operate, maintain and keep in repair one or more lines of atmospheric railway pipes in this state, and shall have their principal office in Jersey City, in this state.

May purchase and hold real estate.

4. *And be it enacted*, That the said company may take by purchase or gift, any strip of land not exceeding four rods in width, and may hold the same in fee, or may rent the same for a term of years, and in case the said company are unable to obtain such strip of land four rods in width, as they may require, or less in width if the same may be found sufficient, including the necessary lands for depots, stations, storehouses and warehouses, and the erection thereof.

May survey and lay out land and construct atmospheric pipes.

5. *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 power necessary and expedient to survey and lay out such strip of land, not exceeding four rods in width, and said company are invested with all powers necessary or convenient to survey, locate and construct and maintain said atmospheric pipes, and it shall

be lawful for the said president and directors, their agents, engineers, superintendents and others in their employ, to enter at all times upon all lands and waters, for the purpose of exploring, surveying, leveling and laying out the route of such pipes, and locating the same, doing no unnecessary injury to private property, and when the route and location of said pipes shall be determined upon, and a survey thereof deposited in the office of the secretary of state, then it shall be lawful for the said company by its officers, 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, bridges and other necessary works thereon, and to lay pipes, and to do all other things which may be suitable or necessary for the completion and repairs of said pipes, and to carry into full effect the objects of this act, subject to such compensation and upon such terms as are hereafter provided for.

Proceedings when company and owners cannot agree.

6. *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 the said company in the construction of said pipes 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, to make publication thereof as he shall direct, for any term not less than six days, and to assign a particular time and place for the appointment of the commissioners hereinafter named, at which time, upon satisfactory evidence to him of the service and publication of such notice aforesaid, he shall appoint under his hand and seal three disinterested, impartial and judicious freeholders, resident in the county in which the lands or materials in controversy lie, or the owners reside, commissioners to examine and appraise the said land or materials, and to assess the damages, upon such notice to be given to the persons interested as shall be

directed by the justice making such appointment, to be expressed therein, not less than six days, and it shall be the duty of 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 matters in question, and to make a true report according to the best of their skill and understanding) to meet at the time and place appointed, and proceed to view and examine the said land and materials, and to make a just and equitable estimate or appraisement of the value of the same and assessment of damages aforesaid, which report shall be made in writing, under the hands and seals of such commissioners, or any two of them, and filed within ten days thereafter, together with the aforesaid description of the lands or materials, and the appointment and oaths or affirmation 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 or occupy, possess and enjoy the said land, and either of the justices of the said court shall, on application of either party, and on reasonable notice to the other, tax and allow such costs, fees and expenses to the justices, 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.

Proceedings when company or owners are dissatisfied with report.

7. *And be it enacted*, That in case the said company, or owner or owners of the said land or materials shall be dissatisfied with the report made by the commissioners named in the preceding section, the party so aggrieved may appeal to the circuit court of the county in which the lands or materials lie, at the first term after the filing of said report by proceeding in form of petition to said court, which proceeding shall vest in said 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 impanelled and sworn as in other cases, and a view of the premises, 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 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 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 owner or owners, then judgment thereon, with costs, shall be entered against the said company and execution awarded thereon; and if 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 court shall direct, and the sum awarded by the commissioners, or in case of an appeal from the award of commissioners, then the sum assessed by the jury, and such costs as the court shall direct, shall be paid by the company to the owner or owners of the land in controversy; but such application shall not prevent the company from taking the said land, upon filing the aforesaid report, the value and damages being first paid, or upon a refusal to receive the same upon a tender thereof, or, the owner or owners thereof being under legal disability, the same being first paid into the court of chancery.

May erect store and warehouses.

8. *And be it enacted*, That the said company may erect such necessary and proper storehouses and warehouses in which to receive such goods and merchandize for transportation or otherwise, as may be delivered to them, and for which they may by their proper officers or agents issue warehouse or transportation receipts, which goods and merchandize may be insured by said company, in any solvent insurance company chartered by this state, for the benefit of the owners of said goods.

May charge for transportation.

9. *And be it enacted*, That the said company may charge, and by any usual process in law collect, such proper and reasonable charges as may be established by the by-laws of said company for transporting passengers, packages, parcels and merchandize; and may contract with the United States for carrying the mails, on such terms as they may see fit.

Navigation not to be impeded.

10. *And be it enacted*, That the said company may lay their pipes across any navigable stream of this state, but they shall in nowise impede the navigation by so doing.

Act, when void.

11. *And be it enacted*, That in case the said company shall not construct at least ten miles of their said atmospheric pipes within five years from the date hereof, this act shall be null and void and of no effect whatever.

Tax to be paid to the state.

12. *And be it enacted*, That the said company shall once in each year, and before they make any dividend to their shareholders, pay into the treasury of this state one dollar of every one hundred dollars of their net earnings over and above their expenses of maintaining and operating said atmospheric pipes.

May cross highways.

13. *And be it enacted*, That the said company shall have the right to cross any road or highway of this state with the said atmospheric pipe or pipes; *provided*, *however*, that they shall so cross over or under said highway as not to obstruct the same; *and provided further*, that before they enter upon said road or highway to construct their said pipes or works, they shall file a map showing the location of the same with the county clerk of the county in which said road or highway is, which said map shall be certified to by the engineers or other proper officer of said company.

Proviso.

Proviso.

May contract with other corporations

14. *And be it enacted*, That the said company may bargain with any railroad, turnpike or bridge company to construct said atmospheric pipe along such turnpike, or by the side of the track of any railroad, or over any bridge, and any railroad, turnpike or bridge company of this state may make any proper bargain for the right of way of said pipes of the said The New Jersey Atmospheric Railway Company.

State tax.

15. *And be it enacted*, That the said company shall pay into the treasury of this state annually, the sum of one-half of one per cent. upon the cost of the same, and all improvements thereon; and shall also pay county and municipal tax on all their property, in each county, town or city, in which said property may be located.

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

Approved April 4, 1873.

CHAPTER DCLXX.

An Act to incorporate "The Delaware River Land and Improvement Company."

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That James P. Michelen, Benjamin F. Archer, M. S. McCullough, John Hood, Jacob Yocum, W. H. B. Thomas, William Moore, junior, William Sexton, Jacob Collings and James E. Hays and such other persons, their successors and assigns, as may associate with them, shall and they are hereby incorporated and made a body politic by the name of the Delaware River Land and Improvement Company. Names of corporators. Corporate name.

2. *And be it enacted*, That the capital stock of the said company shall be one hundred thousand dollars with the privilege of increasing the same to the sum of two hundred thousand dollars divided into shares of one hundred dollars each, which shall be subscribed and paid in at such times, upon such notice and in such manner and installments as the directors of the said company by their by-laws or otherwise may direct; that such payment shall be made either in money or in land, and in case such payment shall be made in land, the value of said land shall be appraised by the board of directors; and that in case of failure of any stockholder to pay his or her installments at the place and within thirty days of the time appointed for the payment thereof, such stockholders shall incur a forfeiture of his or her shares and of all previous payments thereon for the use of said company. Capital stock

3. *And be it enacted*, That the capital stock of the said company shall be deemed personal property and the shares shall 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 shall entitle the holder to a vote either in person or by proxy. Transfer of stock.

4. *And be it enacted*, That the affairs of the company shall be managed by five directors, to be chosen by the stock- Election of directors.

holders of the said company annually at such times and in such manner as the by-laws of the company may direct, who shall serve for one year, and until others are chosen in their stead, notice of which said election shall be previously given for two weeks in the newspaper published in the county of Camden, the said directors shall from time to time elect a president from their number, and shall also elect and employ such other officer as may be convenient or necessary, who shall receive such compensation as the by-laws may direct.

Names of the first directors.

5. *And be it enacted*, That James P. Michelon, Benjamin F. Archer, M. S. McCullough, John Hood, Jacob Yocum, W. H. B. Thomas, William Sexton, William Moore, junior, Jacob Collings and James E. Hays, shall be the first directors of said company, a majority of whom shall as soon as convenient after the passage of this act, assemble and organize such company, and shall continue in office until others as hereinbefore directed shall be chosen in their stead.

May purchase and hold land and real estate, &c.

6. *And be it enacted*, That as soon as the said company shall be organized, it shall be authorized to receive conveyances for any property in the city of Camden, in this state, lying between the middle lines of Lemon and Jefferson streets, on the Delaware river, and between lines of that width in a northeastwardly direction to Cooper's creek, and to purchase and hold such other land adjoining or near the same in said city, which they may deem necessary for the improvement of their property, and to pay for all lands in the shares of the capital stock, at not less than their par value; and for the improvement of said lands the said company may construct a canal or artificial navigation, commencing at or near the mouth of the stream known as Line Ditch, on the Delaware river, between Lemon and Jefferson streets as aforesaid, and running thence in a northeastwardly direction along said stream as practicable, to the most convenient point on Cooper's creek, as the company may deem most advantageous; and said canal or artificial navigation shall be of such width and depth as the said company shall determine upon, and may construct said canal or artificial navigation with such tow-paths, locks, bridges, basins, wharves, pilings, and all other works, devices, toll houses and offices, and all appurtenances which may be necessary and expedient for the carrying out the purposes of this act; and it shall and may be lawful for the said company, their agents and employees, to enter at all times on

all lands and all waters for the purposes of exploring, surveying, and laying out the route of said canal or artificial navigation, and of locating the same.

May erect buildings, wharves, &c.

7. *And be it enacted*, That the said company may further improve all lands and lands under water, which shall be purchased or held by them on the said Delaware river, between Lemon and Jefferson streets as aforesaid, and between lines of that width in a northeastwardly direction to Cooper's creek, by erecting buildings thereon and laying out said lands into blocks, lots, squares and streets, or other divisions; and shall have liberty to fill up, raise, occupy, possess and enjoy as their own property, all lands covered with water which they may hold or purchase, or which may be in front of lands along any shore which they may hold or purchase; and they may build, enlarge, and improve on such lands any docks, wharves, piers or other structures which they may deem necessary for commercial or other purposes; *provided*, that in carrying out the provisions of this section they shall not injure the navigation of the Delaware river, and shall not interfere with legal rights or privileges of others, or fill in or reclaim any lands under water, except in front of the lands which they may purchase or hold along the shore; *and provided further*, that nothing in this act contained, shall be so construed as to authorize the extension of such docks, wharves or piers, into said river beyond the line of the bulkhead or solid filling and piers, recommended and reported to the legislature by the commissioners appointed under the act entitled "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, one thousand eight hundred and sixty-four, by report bearing date February first, one thousand eight hundred and sixty-five.

Proviso.

Proviso.

Sufficient bridges to be maintained.

8. *And be it enacted*, That when the said canal shall cross any public road or the railroad track or tracks of any incorporated company, it shall be the duty of the said company hereby incorporated, at their proper expense to make good and sufficient bridges across said canal and railroads, to keep the same in repair so as to prevent any unnecessary inconvenience in the usage of such road or railroad by reason of the said canal crossing the same.

Dividends.

9. *And be it enacted*, That the directors of said company may declare and make such dividends as they may deem

expedient and proper from time to time, out of the profits of said company.

May purchase and own tow-boats, &c.

10. *And be it enacted*, That the president and directors of said company shall have power to purchase all tow boats, barges or other vessels, for the transportation of any species of property on said canal, and for towing vessels through the same as they may deem expedient and proper, and to make contracts and engagements with any other corporation or with individuals for transporting or conveying any kind of goods, produce, merchandize or freight, and for towing boats through and on said canal, and to enforce the fulfillment of such contracts.

May charge and collect tolls.

11. *And be it enacted*, That such corporators shall have power to charge and collect tolls and rates for the passage of all boats and vessels upon the said canal and for towing all boats and vessels upon the same, and to make, enact, and at pleasure to change and re-enact such tolls and rates, and also all necessary rules and regulations for the collection and levying the same as to them may seem proper, and for the good conduct and operation of said canal.

May issue bonds.

12. *And be it enacted*, That for the purpose of improving their property and to enable them to raise money to carry into effect the object of this act, the said "Delaware River Land and Improvement Company" are authorized to issue their bonds to the amount of two thirds of their capital paid in, bearing an interest not exceeding seven per centum per annum, and to sell and dispose of the same at any rate not less than ninety per centum of their value, without the same being invalidated thereby or any person being liable to any penalty therefor; and to secure the payments 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 and chartered rights of said company, and such conveyances, pledges or any foreclosure sale, or lawful sale by virtue thereof, shall fully and completely transfer to and vest in the grantee or purchaser all the property, franchises and chartered rights of said "The Delaware River Land and Improvement Company," free from all encumbrances and debts that were not liens on such property prior to the recording or registry of said mortgage.

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

Approved April 4, 1873.

CHAPTER DCXCVIII.

An Act to authorize the Trustees of the Methodist Episcopal Church at Mannahawken, in the County of Ocean, to sell real estate.

Empowered to sell and convey certain premises

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the trustees of the Methodist Episcopal Church or society of Mannahawken, Ocean county, or their successors in office, be and they are hereby authorized and empowered to sell and convey a certain building lot of land situate in or near the village of Mannahawken, Ocean county, and which property is now occupied by, and vested in said church or society by any deed or deeds whatsoever, and the said trustees or their successors are hereby authorized to make a deed to the purchaser of said property, which, when made and duly executed by said trustees, shall be valid and effectual in law, and shall convey to and vest in the said purchaser thereof, his, her or their heirs and assigns, all the estate, right, title and interest of the said church or society in and to the said property hereby authorized to be sold.

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

Approved April 4, 1873.

CHAPTER DCXCIX.

An Act to incorporate the Hudson Land and Manufacturing Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Eugene Vanderpool, Frederick A. Demott, Joseph W. Ballentine, Edward S. Moffat,

Francis A. Page, and all such persons as may hereafter be associated with them, their successors and assigns, shall be and they are hereby constituted a body corporate and politic in fact and in name, by the name of "The Hudson Land and Manufacturing Company," and by that name shall be capable in law of purchasing, using, holding, letting, improving, manufacturing, selling and disposing of such real and personal estate in the county of Hudson, as may be necessary or expedient for the objects of this corporation, and may receive and make all deeds, transfers, covenants, conveyances, grants, contracts, agreements and bargains whatsoever necessary or useful for the purposes aforesaid.

Corporate name.

Capital stock

2. *And be it enacted*, That the capital stock of said company shall be one hundred thousand dollars, with power to increase the same to a million 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 by-laws of the said corporation shall direct.

Commissioners to receive subscriptions to the capital stock.

3. *And be it enacted*, That the above named persons or a majority of them, shall be commissioners to open books of subscription to the capital stock of said corporation, at such times and places as they or a majority of them may think proper, giving notice thereof one week prior to the opening of said books, by publishing the same in one newspaper published in said county.

Election of directors.

4. *And be it enacted*, That at the time of subscribing for said stock, five dollars shall be paid upon each share subscribed for to the said commissioners, and when one thousand shares of the capital stock shall have been subscribed for, it shall be the duty of the persons named in the first section of this act or a majority of them, to call a meeting of the stockholders to choose five directors; the election shall be held in this state 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 persons having the highest number of votes shall be directors, and the said above named persons, or any two of them, shall be inspectors of said election, and shall certify under their hands the names of the directors duly elected, and deliver over to them the subscription books and money paid in, and that annually thereafter, upon like notice being given by the directors for the time being, the stockholders shall in the same manner,

elect the same number of directors, and the time and place of holding the first meeting of directors shall be fixed by the persons named in the first section of this act, or a majority of them; and the directors chosen at any of the elections of said corporation shall as soon as may be after every election, choose out of their own number a president and in case of the death, resignation, removal, or inability to attend, of the president or any director such vacancy or vacancies may be filled for the remainder of the year, wherein they may occur, or for the time being, by the said board of directors or a majority of them.

Not to be dissolved by failure to elect.

5. *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 cause be deemed dissolved, but such election shall be held at any other time on notice as aforesaid, and the directors for the time being, shall continue in office until others be elected in their places.

Shares may be forfeited for non-payment.

6. *And be it enacted*, That three directors of said corporation shall be competent to transact all business thereof, and they shall have power to call in the remainder of the capital stock by installments not to exceed twenty-five dollars on each share at any one time, and in case of non-payment of said installments, or any of them, to forfeit the share or shares upon which such default shall arise.

General powers.

7. *And be it enacted*, That the said company be and they are hereby empowered to improve all such lands as they are hereby authorized to own or purchase, by laying out the same into lots, streets, squares, lanes, alleys and other divisions; of leveling, raising and grading the same or making thereon all such workshops, factories, warehouses, stores, dwellings, and such other buildings and improvements as may be found or deemed necessary, ornamental or convenient; and to construct on the lands of said company aqueducts or reservoirs for carrying, collecting and providing water, and to let, rent, lease, mortgage, sell or change the same, or use any lot or other portion of any of the said lands for depots, and for agricultural, mining or manufacturing purposes.

Books of account to be open to the inspection of stockholders.

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 and kept all the transactions of

said company; which books shall at all times be open to the inspection of the stockholders of the said company.

Transfer of stock.

9. *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.

Company may subscribe for stock of other corporations

10. *And be it enacted*, That the said company shall be at liberty to subscribe for and take stock in any canal, railroad, turnpike or other highway that now is or hereafter may be incorporated or established by the legislature of this state, which shall lead to or pass through any lands that may be owned by the said company; and also that said company may subscribe for or take stock in any manufacturing, mining or other company that now is or hereafter may be incorporated or established by the laws of this state.

May issue bonds.

11. *And be it enacted*, That the said company shall have the power, and they are hereby authorized to make their bonds, and for the purpose of securing their payment to mortgage their real and personal estate, and all the appurtenances, franchises, powers, privileges and rights thereto belonging which they may possess under their act of incorporation, to such amount as they may deem expedient, and to sell or negotiate the same at such rate of interest or discount as they may deem best for the interest of the company, without invalidation thereof by virtue of any statute of this state; and the said bonds and mortgages so sold or negotiated shall be valid and binding in law and equity, and the purchaser or purchasers under a decree in equity or foreclosure founded on any such land or mortgage, shall be invested with all the estate, rights, franchises, powers and privileges which are or may be conferred upon or possessed by the said company under or by virtue of their act of incorporation, subject, nevertheless, to all the restrictions, conditions and limitations therein contained.

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

Approved April 4, 1873.

CHAPTER DCC.

An Act to authorize "The Trustees of the West Side Avenue Methodist Episcopal Church of Jersey City" to mortgage certain church property.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That "The Trustees of the West Side Avenue Methodist Episcopal Church of Jersey City," and their successors in office, be and the same are hereby authorized and empowered to raise money by obtaining a loan or loans, to be secured by mortgage or mortgages on their church edifice, land and premises, situate in Jersey City, in the county of Hudson, now held by them in trust as the property, or for the use and benefit of the ministry and membership of the Methodist Episcopal Church in the United States of America, by virtue of a deed made to the said trustees by William Clarke and Horatio N. Ege, and Margaret his wife, bearing date the twelfth day of June, anno domini one thousand eight hundred and seventy-one, and for that purpose to make, execute and deliver a good and sufficient indenture of mortgage or mortgages therefor to the person or persons making such loan or loans aforesaid as the mortgagee or mortgagees therein, and that such indenture of mortgage or mortgages shall be good and effectual in law. May borrow money on mortgage, &c

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

Approved April 4, 1873.

CHAPTER DCCI.

An Act to incorporate the West Hoboken Roadway Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Willard T. Eddy, Jonah Fulcher, Jonas H. Platt, Thomas W. Moore, Frederick J. Bantz, Nathan T. Madden, Andrew Anderson, Andrew J. Barret, William T. Hoffman, Willard T. Eddy, junior, Watson Sanford, D. McLean Shaw, Samuel Overton, and William West, and such other persons as may be hereafter associated with them, shall be and they are hereby ordained, constituted and declared to be a body corporate and politic, in fact and in name, by the name of West Hoboken Roadway Company, and shall be capable of purchasing, holding and conveying any lands, tenements, goods and chattels whatsoever necessary and expedient for the object of this company.

Corporate name.

Capital stock

2. *And be it enacted*, That the capital stock of the said company shall be one hundred thousand dollars, with liberty to increase it to five hundred thousand dollars, which shall be divided into shares of one hundred dollars each, which shall be deemed personal property, and transferable in such a manner as the corporation shall by their by-laws direct.

Commissioners to receive subscriptions to capital stock

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 time and place as they or a majority of them may think proper, giving at least ten days' notice in a newspaper published in West Hoboken, or in any paper published in the county of Hudson; and, at the time of subscribing, five per centum shall be paid in on each share subscribed to the commissioners, or to a person whom a majority of the said commissioners may appoint to receive it; and when twenty thousand dollars are subscribed to the capital stock of the said corporation by at least seven different individuals, the persons holding the same shall be and they are

hereby incorporated into a company, and the commissioners can subscribe individually for any amount of stock they may wish, but before they transfer the powers given them in this act, they shall give like notice for a meeting of the stockholders, to choose not less than seven persons 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 inspectors of the first election of directors of the said corporation, and shall certify under their own hands the names of those persons duly elected.

Election of directors.

4. *And be it enacted*, That the directors chosen at such a meeting shall, as soon as may be after their 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 the board, by death or otherwise, until the next succeeding annual election.

Vacancies, how filled.

5. *And be it enacted*, That the annual election for directors shall be held at such times and places as the board of directors shall hereafter direct, of which election public notice shall be given in a newspaper published in Hudson county ten days at least before the election; and in case it shall happen that an election of the board 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 said election shall be held as soon thereafter as possible, and the directors hold over until said election, but all elections of directors, or meetings of stockholders, must have a public notice as before directed; five directors shall be a quorum to transact all business of said corporation, 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 the said corporation, and also to appoint such officers, clerks and servants as to them shall be meet, and to establish and affix such salaries to them, and also for the president, as to the said directors shall appear proper; the directors are also authorized to call in the remaining capital stock of the said company at such time and places as they may direct,

Not be be dissolved by failure to hold election.

also to receive new subscriptions for capital stock; after the first payments are made, not over five dollars on a share can be called in per month, and in case of non-payment of the said installments or any one of them, they shall have power to forfeit such share or shares upon which said default shall arise to and for use of the said corporation.

Shares of stock may be forfeited for non-payment.

May survey, lay out and construct a roadway.

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 roadway from some point in the town of Weehawken to be connected with one or more of the streets in the said town, said roadway, to be not less than thirty feet wide, or over two hundred feet in width, and the said roadway is to be parallel or as near as may be to the streets that take a westerly course from the Hudson river, within the said town of Weehawken, and it shall be lawful for the said president and directors, their agents, surveyors, and employees, to cause said roadway to be constructed through the town of West Hoboken, in a westerly direction, but as near as may be parallel with the streets of the said town that go across the ridge of rocks known as the Palisades, and the said roadway can be continued in the town of North Bergen, until it reaches the Hackensack river or Paterson avenue extension, if needful, with a branch connecting with some of the streets of the township of West Hoboken, on the easterly side of the Palisades.

Route of road.

May construct roadway through the Palisades and under streets, &c.

7. *And be it enacted*, That the president and directors, agents, superintendents, engineers, contractors and laborers of the said company, are authorized to construct the said roadway with an easy grade through the said Palisades and under the streets of the town of West Hoboken; that the said roadway may pass under the rock on which such streets are made, can be tunnelled under the said streets, but if the rock is all taken out, and the deep cut is formed for the said roadway, then the company must build a substantial bridge for the said streets over the cut made for the roadway of the said company; and in no case can the travel for teams on the said street be stopped for over ten days, unless by the consent of the township committees of said townships; *and it is also provided, always*, that the payment or the tender of payment of all damages for the occupation of land through which said roadway may be laid out, be made

Proviso.

before the said company, or any person under their direction or employ, shall enter upon or break ground in the premises, except for the purposes of surveying and laying out the said roadway, or unless the consent of the owners of such land be first had or obtained where private property shall be taken.

Bridges shall be kept in repair.

8. *And be it enacted*, That it shall be the duty of the said company to keep in repair all bridges necessary for the streets over the said roadway, and if the said roadway should cross over any railroad or common road or roads built by a corporate company, it can and shall have the right of way to cross the said railroads or common roads and roads built by a corporate company by a bridge or an even grade with said roads.

May purchase lands, &c.

9. *And be it enacted*, That the president and directors of the said company or their agents, can purchase other lands in the towns of Weehawken, West Hoboken or North Bergen, called swamp lands, than is required for the roadway of the said company, the said land can be purchased with the consent of the owner or owners, and the purchase money to be paid as agreed by the said owner or owners and the said company; these lands are to be purchased for the purpose of being filled up with the debris from the roadway of the said company, and the said company can sell the land or lots after they have been filled up to the desirable grade, and they also can contract for grading or filling up lots of land and docks owned by other parties, also can by purchase own any lands that they may think necessary to be used in filling up swamp lands owned by the said company.

Proceedings when company and owner cannot agree.

10. *And be it enacted*, That when the said company or its agents cannot agree with the owner or owners of such required lands, for the use of the said roadway or 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 so required for the use of the said company in the construction of the roadway shall be given in writing, under the oath or affirmation of some engineer or proper agent of the company, and also the name or names of the occupant or occupants if any there be, and of the owner or owners if known, and their residence, if the same can be ascertained, to one of the justices of the supreme court of this state, who shall cause the said company to give notice thereof to the persons

interested if known, and in this state, or if unknown, or out of the state, to make publication thereof as he shall direct for any time not less than six days, and to assign a particular time and place for the appointment of the commissioners hereafter named, at which time upon satisfactory evidence to him of the service or publication of such notice aforesaid, he shall appoint under his hand and seal, three disinterested, impartial and judicious freeholders, not residents in the town in which the land in controversy lies, or the owners reside, commissioners to examine and appraise said lands, and to assess the damages upon such notice to be given to the persons interested as shall be directed by the justice making such appointment, to be expressed therein not less than six days; and it shall be the duty of 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 a place and time appointed, and to proceed to view and examine the said land, and to make a just and equitable estimate or appraisement of the value of the same, as shall be paid by the said company for such lands; 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 or affirmations aforesaid, in the clerk's office of the county of Hudson, to remain of record therein, which report or a copy thereof certified by the clerk of the said county, shall at all times be considered as plenary evidence of the right of the said company to have, hold, use, occupy, possess, and enjoy the said land of the said owner or owners, to recover the amount of the 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 said company if they shall neglect or fail, or refuse to pay the same for twenty days after demand made of their treasurer, and shall from time to time constitute a lien upon the property of the company in the nature of a mortgage, and the said justice of the supreme court shall on application of either party, and on reasonable notice to the others, tax and allow such costs, fees, and expenses to the justice of the supreme court, commissioners, clerks, and other persons

performing any of the duties prescribed in this section, as they or he shall think equitable and right, which shall be paid by said company.

Proceedings if company or owners are dissatisfied with report of commissioners.

11. *And be it enacted*, That in case the said company or the owner or owners of the said lands shall be dissatisfied with the report of the said commissioners named in the preceding section, and shall apply to the justices of the supreme court at the next term after the filing of the said report, the court shall have the power, upon good cause shown, to set the same aside, and thereupon to direct a proper issue for a 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 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 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 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 company shall have offered or the said commissioners awarded, then the said costs shall be paid by said applicant or applicants, and either deducted out of the sum found by the said jury or execution awarded therefor, as the court shall direct; but such application shall not prevent the company from taking the said land upon filing the aforesaid report, the value and damages being first paid, or upon the 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 wherein the said justice presides, who appointed the said commissioners.

Rates of toll.

12. *And be it enacted*, That the president and directors of the said company can collect tolls of teams passing over the roadway of the said company, which tolls are not to exceed five cents per animal in a team, they can also lease or sell a part of the roadway to any railroad company to be used as a passage through the Palisades.

Dividends.

13. *And be it enacted*, That the president and directors shall declare and make such dividends of the net profits

thereof, as they may deem proper and prudent from time to time.

commencement and completi n of roadway.

14. *And be it enacted*, That if the said roadway shall not be commenced within five years and completed within ten years from the date of this charter, then and in that case this act shall be void.

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

Approved April 4, 1873.

CHAPTER DCCIX.

An Act to incorporate the Raritan, Somerville and Bound Brook Horse Railroad Company.

Names of corporators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Theodore W. Frech, John Frech, Peter V. Staats, James H. Smith, Job C. Kinyon, Andrew J. Farrand, Culver Barcalow, and such other persons as may hereafter be associated with them, shall be and are hereby made, constituted and declared a body politic and corporate, in fact and in law, by the name of "The Raritan, Somerville and Bound Brook Horse Railroad Company," and by that name shall be capable of purchasing, holding and conveying any lands, tenements, and real estate, goods and chattels, necessary or proper for the purposes of said corporation.

Corporate name.

Capital stock

2. *And be it enacted*, That the amount of the capital stock of said corporation shall be fifteen thousand dollars, with the privilege of increasing the same to fifty thousand dollars, and shall be divided into shares of fifty dollars each, which shall be deemed personal property and transferable in such manner as the said corporation shall by their by-laws direct.

Commissioners to receive subscriptions to the capital stock.

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, in Somerville or Raritan, or elsewhere, at their discretion, as they or a majority of them think proper, giving at least thirty days'

notice of the same in the newspapers published in the village of Somerville, and at subscribing, twenty-five per centum shall be paid for each share subscribed for, to the commissioners, or some one of them, and as soon as five thousand dollars of the capital stock shall be subscribed, said commissioners shall give like notice for a meeting of the stockholders to choose not less than six nor more than seven directors, a majority of whom shall be residents of Somerset county and citizens thereof, 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 persons, or any of them, shall be inspectors of the first election of directors of the said corporation, and shall certify under their hands the names of the persons duly elected, and deliver over the subscription books and all moneys paid in (after deducting all expenses previously incurred) to such directors so elected; 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 Somerset county; 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.

Election of directors.

4. *And be it enacted*, That in case it shall happen than an election of directors shall 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 offices until others shall have been chosen in their places.

Not to be dissolved for failure to hold an election.

5. *And be it enacted*, That a majority of the directors of said corporation shall be competent to transact all business

General powers of the directors.

of the 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 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, effects and estate of the said corporation, and shall also 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 said board shall appear proper.

May construct a railroad.

6. *And be it enacted*, That the said corporation shall have power and authority to lay down and construct a railroad, with the necessary turnouts and switches, beginning at the upper or western end of Main street in the village of Raritan; thence along said Main street, through Somerset street and Main street, in the village of Somerville, with the privilege of continuing the same along the road, formerly the New Jersey turnpike road, to the village of Bound Brook, terminating at or near the depot of the Central Railroad of New Jersey, returning by the said formerly New Jersey turnpike road and Main streets to the place of beginning, with the privilege of constructing a branch from such point and along such street or streets as may be deemed advisable, to the depot of the Central Railroad of New Jersey, in the villages of Somerville and Raritan.

Route.

Width of track.

7. *And be it enacted*, That the track laid by the said corporation shall be of the same width as the wagon track now established by law, and the same shall in all cases be laid level with the surface of the streets through which the same may pass, and in conformity with the grades of such streets as now or hereafter may be established in either of the said villages of Raritan, Somerville or Bound Brook, and so as to present no unnecessary obstructions to or in any way interfere with the wagons or other vehicles, turning in or crossing said streets or roads through which said road or its turnouts or switches may be laid.

May purchase and hold real estate.

8. *And be it enacted*, That the said corporation may purchase, have and hold real estate at each terminus of said road, and at such places not exceeding one acre, along the line of said road as they may desire, not, however, exceeding five thousand dollars or twenty thousand dollars in the aggregate, and may erect and build thereon houses, stables, depots, warehouses, machine shops and such other buildings

and improvements as may be necessary for carrying out the objects of the said corporation.

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.

May equip road and charge for transportation.

10 *And be it enacted*, That the president and directors of said corporation shall have power to purchase or to have constructed, with the funds of said corporation, all such machinery, cars, wagons, carriages or other vehicles for the transportation of persons or property on the railroad as they may think fit, expedient or right; and also to purchase such horses or mules as they shall deem fit for the purpose of said corporation; *provided, however*, that no steam power shall be used as a motive power upon said railroad, except that known as the dummy engine; and that they are hereby authorized to demand and receive such sum or sums of money for the transportation of persons or property upon said railroad as they shall think reasonable and fit.

Proviso.

Penalty for injury to property.

11. *And be it enacted*, That if any person or persons shall willfully or maliciously impair, injure, destroy, or obstruct said railroad, or any of its works, turnouts, switches, carriages, animals, or machines, such person or persons shall forfeit and pay therefor to said corporation three times the amount of damage sustained by means of such injury, to be recovered in the name of said corporation, with costs of suit, in any court having cognizance of the same.

May borrow money.

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 and mortgage or otherwise, on the said railroad, lands, privileges, franchises, and appurtenances of the said corporation, at a rate of interest not exceeding seven per centum per annum.

Limitation.

13. *And be it enacted*, That if the said railroad shall not be completed within ten years of the date of the approval of this bill, then and in that case so much of the railroad as remains unbuilt, shall not come under the provisions of this act; or if so much of the said railroad as is hereby authorized to be laid, as shall extend from the place of beginning to the court house in Somerville, remains unbuilt at the expiration of five years from the date of the approval of

this act, then and in that case the provisions of this act shall not extend to such portion thereof as shall remain unbuilt.

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

Approved April 4, 1873.

CHAPTER DCCX.

A Supplement to an act entitled "An Act to enable the owners of meadow and low lands along the Assiscunk creek, in the County of Burlington, to effectually drain, and to secure the same from the overflow of tides from the River Delaware," approved March twenty-fifth, one thousand eight hundred and seventy-one.

Preamble. WHEREAS, the owners of the meadow and low lands along the Assiscunk creek, in the county of Burlington, over which the tide-water of the Delaware river flows, were incorporated by the legislature of this state at the session of one thousand eight hundred and seventy-one, to enable said owners to drain the said lands, and to secure the same from the overflow of tides of said river; *and whereas*, there are other lands lying adjacent to said meadow and low lands, not included in said act of incorporation, which would be made more productive by the improvement contemplated by said act; *and whereas*, the said act empowered said company to borrow money to carry out the object of said act and to secure the payment thereof by bond and mortgage, or otherwise, upon the meadow and low lands included within said company; *and whereas*, the said meadow and low lands in their present condition are not considered a sufficient security; *and whereas*, the construction of the works authorized, and the improvement contemplated by said company, will greatly enhance in value all other lands lying contiguous to said meadow and low lands, and will improve the general health of the community;

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the lands to be included in the Assiscunk Creek Meadow Company, upon which assessments are to be made for the purpose of the improvements contemplated by the act to which this is a supplement, shall be all such lands along said creek as will be made more productive by the erection of a dam and the carrying out of the system of drainage provided for by said act; and such lands shall be divided into two divisions; the first division shall include all such lands as shall be subject to the overflow of tides and unproductive, and may be reclaimed, and the assessments upon such lands in the first division shall be ratably; the second division shall include all other such lands lying along said creek or contiguous to such lands in the first division, as will be made more productive by the erection of the dam and the carrying out of the system of drainage provided for by said act, to which this is a supplement, and the assessments upon such lands in the second division shall be in accordance with the benefit received in proportion to the land of the first division.

Lands to be assessed shall be divided into two divisions.

First division.

Second division.

2. *And be it enacted*, That it shall be lawful for the commissioners hereinafter provided for, immediately after the passage of this act, to make or cause to be made a survey of the lands to be included in said company, and a map or chart of the same in the manner and form as is provided for in the second section of the act to which this is a supplement, so far as said second section does not conflict with this supplement.

Survey and map to be made.

3. *And be it enacted*, That the survey made by Alfred Carty, esquire, under the supervision of the commissioners appointed by the act, to which this is a supplement, and upon file in the clerks office of the county of Burlington, shall be used as far as practical by the commissioners as herein provided for, in making said map or chart of the lands to be included in the "Assiscunk Creek Meadow Company," by this supplement to said act; and it shall be lawful for said commissioners to include such lands surveyed by said Carty as aforesaid, in the "first" or "second divisions" as in their judgment is just and right, with power to add other lands to the "first division" if in their judgment such lan ls should be placed in the "first division" and the lands in the second division shall be designated upon the said map or chart by distinct lines from the lands in the first division;

Former survey and map to be used as far as practicable.

and the several acres of land held by each person respectively, in the "second division" shall be designated by such fractional parts as the commissioners shall agree, will be benefited in proportion to the lands in the "first division:" and such fractional parts of each owner's share shall be computed into whole numbers if sufficient, and for all necessary purposes of this supplement; and the act to which this is a supplement, such fractional parts of the second division so computed shall be considered as so many acres or parts of acres.

Map or chart and certificate to be filed.

4. *And be it enacted*, That immediately upon filing the said map or chart with the certificate as aforesaid, the said several owners of meadow and low lands named in the same with their successors, shall constitute the Assiscunk Creek Meadow Company and it shall be lawful for any three of the members of said company to proceed as is provided for in the fourth section of the act to which this is a supplement; *provided, however*, it shall require but a majority of the number of acres of said company to be represented to organize and to transact any business of the said company.

Proviso.

May borrow money and issue bonds.

5. *And be it enacted*, That it shall and may be lawful for the managers of said company and they are hereby empowered to borrow any sum or sums of money necessary for the erection and construction of said dam or other water works, the same not to exceed the sum of twenty thousand dollars, and may issue bonds of said company therefor, and for the security of the payment thereof, the several messuages, farms, tracts or pieces of land and the improvements thereon, of which the said lands included in either division shall be a part or parcel thereof, as well as the lands in said divisions, shall be a pledge for the payment of its respective share, into whose hands the same may come; and all moneys expended or to be expended in and about the construction of necessary works to prevent the tide water of the Delaware from flowing in upon said lands, as well as all other moneys raised by authority of this supplement and the act to which this is a supplement, shall be and remain a lien upon said messuages, farms, tracts or pieces of land and the improvements thereon, of which the said lands included in either division shall be a part or parcel thereof at the time or times when the work is done, as well as the lands in said divisions, until the same shall be fully paid and satisfied.

notwithstanding any subsequent descent, devise, alienation, mortgage or other incumbrance thereon.

Repealer.

6. *And be it enacted*, That so much of the sixth section of the act to which this is a supplement, as provides for making an estimation and assessment, be and the same is hereby repealed; and it shall be the duty of the president and managers of said company, after they have constructed the said works so determined upon, to call a meeting of the said company, and to report to said meeting the costs and all moneys expended by them in and about the construction of the said works; and it shall be their duty to make a just assessment upon the several owners of the meadow and low lands in the Assiscunk Creek Meadow Company, of the sums of money which each shall pay of the aforesaid expenditures, such assessments to be set forth and specified in a duplicate made and signed by said president and managers or a majority of them, containing the names of the owners, the number of acres and parts of acres assessable held by each, the sums assessed on them severally; the said duplicate to be filed with the map or chart as aforesaid in the clerk's office of the county of Burlington, and the same shall be a sufficient notice of the lien upon the said lands, tenements and real estate.

Report of costs and expenses shall be made.

Assessments for redemption of bonds &c.

7. *And be it enacted*, That it shall be lawful for the managers of the said company after they have filed the original assessment, as provided for in the seventh section of this supplement, yearly and every year, to make an assessment or assessments of such sum or sums of money as they may deem necessary to be raised to redeem and cancel the bonds of the said company, and in such assessment or assessments it shall be lawful to include such sum or sums of money as will be necessary to pay off and discharge the interest due upon the bonds of said company, and such sum or sums of money as will be necessary to meet and defray the expense or expenses incurred for repairs of the works of said company; and such other sum or sums of money necessary to be raised to meet and defray the expense incurred within the organization of said company, a full statement of which shall be entered upon the books of said company; the managers shall determine the time or times of payments of such assessment or assessments, and shall make out and deliver a duplicate to the treasurer of said company forty days before the time or times of payment

thereon; and upon the payment of any and every assessment or assessments; it shall be the duty of the treasurer to certify the same, and file it with the original assessment in the clerk's office aforesaid.

Repealer.

8. *And be it enacted*, That the eighth section of the act to which this is a supplement be and the same is hereby repealed, and it shall be the duty of the treasurer, on the receipt of the aforesaid duplicate of assessment mentioned in the eighth section of this supplement, and upon the receipt of any duplicate of assessment made thereafter, as is provided for in said section, in person or by notice in writing left at the usual place of abode of each owner, or in case such owner is a non-resident, then to his agent, or tenant in possession, to demand of and from each owner, twenty days before the time of payment of the same, the sum assessed by said managers as aforesaid; and if any of the said owners shall neglect or refuse to pay the sum so assessed as aforesaid against him, her or them, for the space of twenty days after the time fixed for the payment thereof; it shall be the duty of the treasurer to report the same to the managers of the said company, and it shall be lawful for the said managers or a majority of them, at their option, to authorize the said treasurer, in the name of the "Assiscunk Creek Meadow Company," to sue for and recover the amount so assessed as aforesaid, from the owner or owners as aforesaid, or from his, her or their legal representatives, with interest and cost of suit, 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 treasurer shall give the assessment and this act in as evidence, which shall be conclusive evidence for the plaintiff, and the said court is hereby empowered to give judgment and grant execution for the same, with costs of suit.

Treasurer shall demand payment of assessments.

Proceeding in case payment is refused.

Property may be sold for assessments.

9. *And be it enacted*, That if, in any case where the treasurer of said company shall fail to collect the amount of any assessment or assessments aforesaid from any party or parties from whom the same may be due, and shall so return the same to the managers of said company, it shall and may be lawful for said managers to authorize the treasurer of said company to proceed as is provided for in the ninth section of this supplement to said act, or to cause the said lands

and tenements and real estate, or such parts thereof as the said managers shall think proper, upon which the said assessment or assessments shall be a lien by this supplement to said act, to be sold at public auction for the shortest period of time, not to exceed one hundred years, for which any person or persons will agree to take the same and pay such assessments, or the balance thereof remaining unpaid, with the interest thereon, and all costs, charges and expenses, including costs of advertising, selling and executing the deeds, and to make and execute, under the seal of said company, a declaration of sale, and deliver the same to the purchaser or purchasers, and such purchaser or purchasers, his, her or their executors or administrators or assigns, shall, by virtue thereof, lawfully hold and enjoy the said lands, tenements, or real estate, for his, her or their own use against the owner or owners thereof, and all persons claiming under him, her or them until his, her or their said term shall be completed and ended, and shall be at liberty at or before the end of his, her or their term, to remove the buildings and materials erected and placed by him, her or them thereon, taking care to leave the same in as good order and condition as the said premises were when they came into his, her or their possession.

Proceedings in case of sale.

10. *And be it enacted*, That the managers of said company, before they shall proceed to sell any lands, tenements or real estate, for the payment of any assessment or assessments aforesaid, shall cause such sale to be advertised at least once a week for eight weeks successively, in a newspaper printed and published in the city of Burlington, and also by advertisement set up in at least ten of the most public places in the township or city wherein the lands may lie, which advertisement shall mention a short description, with metes and bounds of said property, the amount of the assessment due, and the owner or reputed owner's name, and the said lands, tenements or real estate so sold, may be redeemed by the owner or owners thereof, or by the mortgagee or mortgagees thereof, within two years from the day of sale, on the payment of the purchase money with interest at the rate of twelve per centum per annum, to be computed from the day of sale, and all the expenses and charges necessarily incurred thereon by the purchaser or purchasers aforesaid, and in case the same shall be redeemed as herein before provided for by the mortgagee or mortgagees, or if

the said mortgagee or mortgagees shall have paid the tax or assessments with interest and costs thereon, to prevent the said premises from being sold to pay the same, then and in that case the whole amount of the payment shall be recovered under and by virtue of the mortgage, which the said mortgagee or mortgagees may hold upon the said real estate, in the same manner in all respects as if the same were included in and intended to be secured by the said mortgagee, and any mistake in the name or names of the owner or owners, or omission to name the real owner of any lands, tenements or real estate, in assessing the taxes thereon, shall not invalidate the said assessments or the sale of said real estate as aforesaid; and it shall also be lawful for the tenant in possession of any such lands, tenements and real estate, upon which the assessment or assessments may be a lien, to pay any such assessment or assessments, if the same is not paid within the time limited, and the receipt of the treasurer of said company therefor, shall be a receipt of the tenant for so much rent paid.

Exemption from taxation.

11. *And be it enacted*, That the bonds of the said company shall not be taxable, but in all cases of taxation for state, county, township or city, the same shall be assessed upon the lands of said company to each individual owner as if said company was not in existence; and in no case shall the owner or owners of such land claim a remittance of taxation on account of said bonds being a lien upon said lands.

Repealer.

12. *And be it enacted*, That the twelfth and thirteenth sections of the act to which this is a supplement, be and the same are hereby repealed: and the said company shall meet and assemble as provided for in the fourteenth section of the act to which this is a supplement; but in no case shall this charter be forfeited in failing to meet and assemble at said stated time or times.

Names of commissioners.

13. *And be it enacted*, That John Mitchell, Stacy H. Scott, Thomas Burnett, Nathan W. C. Hays, Isaac Grubb, Samuel Lippincott, James Lloyd, William Hutchinson, J. S. Adams, be and they are hereby appointed commissioners as herein provided for.

Assessments on lands benefitted by the improvements.

14. *And be it enacted*, That said dam or water works shall not be located or erected on said creek north of the north line of Green street, and if by the construction of the same, the lands and improvements upon either side of said creek, between the constructed works and Columbus road,

and that part of the lands on the west side, not exceeding one hundred feet back from high water mark, shall be benefited and made more valuable, it shall and may be lawful for the managers of said company to assess upon such lands and the improvements thereon, at such time and times when assessments are made upon lands in the two divisions aforesaid, such sum or sums of money as may be equitable and just, and the same shall be a lien upon such lands and the improvements thereon until the same shall be fully paid and satisfied, and collect the same as is provided in this act for the collection of other assessments; the basis upon which the assessments upon such lands and the improvements thereon shall be made shall be according to the benefit received in proportion to the benefit received by the lands in the two divisions aforesaid.

Assessments, how made.

15. *And be it enacted*, That, after the completion of the works determined upon, it shall and may be lawful for the managers of said company to appoint one fit and suitable person to act in conjunction with one other fit and suitable person in each respective case, to be appointed by each respective owner or representative of such land upon either side of said creek, between the constructed works and the Columbus road as aforesaid, with power to said two persons to call in a third person in each respective case, to assess upon such lands, and the improvements thereon, of such owner, between the constructed works and the said Columbus road the amount of benefit received, and shall reduce the assessment to writing, with a description, with metes and bounds of such land and improvements thereon, and certify to the same; such assessment shall be filed with the map or chart of the lands of the two divisions in the clerk's office aforesaid, and they shall be the bases upon which to make assessments upon such lands, and the improvements thereon between the constructed works and the Columbus road, as is provided in the fifteenth section of this act, and the owners of such land and their successors shall be and are hereby constituted members of the Assiscunk Creek Meadow Company; and for every five hundred dollars benefit received, or fractional part thereof, assessed as aforesaid upon such land and the improvements thereon, upon either side of said creek, between the constructed works and the Columbus road, the owners thereof shall be entitled to one vote within said company.

Estimate for benefits, how made.

16. *And be it enacted*, That after the assessment of benefits received, as is provided for in the sixteenth section of this act, it shall and may be lawful for the managers of said company to appoint one fit and suitable person to act in conjunction with one other fit and suitable person, to be appointed by the owner or owners of land included in the assessments as provided for in the said sixteenth section of this act, with power to such two persons to call in a third person to make an estimation of the benefits received by the land included in the "two divisions," and shall certify to the same, and file it with the assessments made upon lands between the constructed works and the said Columbus road, in the clerk's office aforesaid.

Proceedings in case of refusal to appoint.

17. *And be it enacted*, That if any of the owner or owners of said land and improvements thereon, upon either side of said creek between the constructed works and the Columbus road aforesaid, shall neglect or refuse after ten days' notice from the managers of said company, to appoint a fit and suitable person or persons as aforesaid to make an assessment as aforesaid, it shall and may be lawful for the managers of said company to notify the mayor of the city of Burlington, of such neglect and refusal, and they shall lay this act before the said mayor, and it shall and may be lawful for the said mayor to appoint a fit and suitable person in any and every case of such neglect and refusal, and the person or persons so appointed by said mayor shall act in conjunction with the person or persons appointed by the managers of said company with the same power to said person or persons appointed by said mayor as if he or they were appointed by the owner or owners of said land, and all expenses incurred in and about the making of the assessments, as provided for in the fifteenth, sixteenth, and this section shall be assessed upon the lands, and collected from the owners thereof included within the said assessments.

Duty of the managers.

18. *And be it enacted*, That after the organization of the said company and the election of managers aforesaid, it shall and may be lawful for said managers to make an assessment upon the lands in the two divisions aforesaid, of such sum or sums of money necessary to meet and discharge the expenses already incurred in and about the organization of said company, and shall collect the same as is provided in this act for the collection of the original assessment, and shall pay off and discharge the same.

19. *And be it enacted*, That after the completion of the works determined upon and the original assessments made upon said lands, subject to an assessment for the construction of said works, and filed with the clerk of the county of Burlington aforesaid, it shall and may be lawful for any of said owners to pay his or their full share of said assessment for the original construction aforesaid, and it shall be lawful for the treasurer of said company to give a full receipt for the same, and shall file a copy thereof with the clerk of the county of Burlington aforesaid, and it shall be a notice of a release of the lien for the original construction of said works against the lands of said owner. Treasurer to give receipt for payment of assessments.

20. *And be it enacted*, That all acts and parts of acts inconsistent with this act, so far as this act is concerned, be and the same are hereby repealed, and that this act shall take effect immediately. Repealer.

Approved April 4, 1873.

CHAPTER DCCXXIII.

An Act to incorporate the Beverly and Eddington Ferry Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Franklin S. Hovey, William Wilson, John Jameson, John Street, Walter Freeman, C. J. Kenworthy, Samuel Loag, Clement E. Lloyd, and Henry Crawford, or any six of them, are hereby appointed commissioners to receive subscriptions to the capital stock of the company hereby incorporated, to be known by the name of the Beverly and Eddington Ferry Company; and by that name shall have, hold, enjoy and exercise all the rights, powers and privileges appertaining to corporate bodies, and necessary to carry the objects of this act into effect. Names of corporators. Corporate name.

2. *And be it enacted*, That the charter of the said Beverly and Eddington Ferry Company shall extend to the period of twenty years from the passage of this act; that the stock of the said company shall consist of ten thousand dollars, with the privilege to increase the same to two hundred and fifty thousand dollars, in shares of fifty dollars each. Capital stock

Subscriptions to capital stock.

3. *And be it enacted*, That at the time of subscribing for said stock ten 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 said company as soon as one shall be appointed, and the residue of the subscriptions shall be paid in installments and at such times and places, and to such persons as the managers of the company shall from time to time direct and give public notice thereof as directed; the said managers 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 the said company after two weeks' notice shall have been given to such delinquent subscribers.

Act, how made void.

4. *And be it enacted*, That if the said commissioners for five years from the passage of this act, shall have failed to establish said ferry in accordance with the full intent and meaning thereof, then 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.

May issue bonds.

5. *And be it enacted*, That the said company shall have power to raise on bonds, to be secured by mortgage on all its stock and franchises, and upon any realty of which it may have become seized, any sum, not exceeding one-half of the paid up capital stock as authorized by this charter, for the purpose of carrying out the true intent of this act; *provided*, that no bond shall be issued for a less sum than one hundred dollars, with interest at a rate not exceeding seven per centum per annum.

Proviso.

May establish ferries.

6. *And be it enacted*, That the purpose and object of said company shall be to establish and conduct a ferry or ferries on the Delaware river between Beverly in the county of Burlington, in the state of New Jersey, and such point or points in the county of Bucks, near Eddington, in the state of Pennsylvania, as they may deem best for the public accommodation and for the interests of the said company; and for that purpose may purchase or lease such real estate, and may lease or erect and construct all such wharves, piers, slips, buildings, and other appendages, as may be necessary to carry into effect the purposes of this act, and hire, purchase or build steamboats, vessels or other ferry boats, of such

description and dimensions as they may think best for the interests of the company.

Contracts with other corporations.

7. *And be it enacted*, That it shall be lawful for the said company, at any time during its existence, to make contracts and engagements with any 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 contract.

Election of directors.

8. *And be it enacted*, That the before-named commissioners shall constitute a board of managers, consisting of a president, vice president, secretary, treasurer and six directors, who shall hold office for one year, and until their successors shall be legally elected and qualified; at the expiration of which time the said officers shall be elected by the stockholders, each share of stock being entitled to one vote (which may be voted by proxy); said election shall be at the time of the annual meeting (of which two weeks' public notice shall be given), to be held at the office of the company on the second Monday of July in each year.

General powers.

9. *And be it enacted*, That the said managers, or a majority of them, may supply any vacancy occurring in the interval between the annual elections, by death, resignation, or refusal to act of any manager, and may appoint such and so many officers, agents, superintendents and servants, as 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 as they may think expedient; they shall regulate the rates of toll or ferriage, 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 the general government of the company, and management of its affairs; *provided*, that the same are not repugnant to the constitution or laws of this state, or of the United States.

Proviso.

Annual statement shall be made.

10. *And be it enacted*, That at the annual meeting of the stockholders it shall be the duty of the managers of the preceding year to exhibit to the stockholders a full and complete statement of the affairs of the company during said term; that dividends, or so much of the profits of said company as shall appear advisable to the managers, shall be

declared in the months of January and July of each year, and be paid at the office of the company at any time after ten days' notice from the time of declaring the same, but said dividends shall in no case exceed the amount of the profits of the company, so that the capital stock shall never be thereby impaired.

Special meetings.

11. *And be it enacted*, That special meetings of the stockholders may be called by order of a majority of the managers, 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 shall be transacted at such special meetings, unless a majority in value of the stockholders attend, either in person or by proxy, 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 managers.

Penalty for injury to property.

12. *And be it enacted*, That if any person or persons, shall willfully injure, impair, destroy or obstruct the wharves, slips, piers, bridges, 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, and shall 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.

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

Approved April 4, 1873.

ACCEPTANCE OF ACTS.

ACCEPTANCE OF ACTS.

PREAMBLE AND RESOLUTION OF ACCEPTANCE BY THE NEW JERSEY TUBE TRANSPORTATION COMPANY.

At a meeting of the board of directors of The New Jersey Tube Transportation Company held at Taylor's hotel in Jersey City in said state, on the 21st day of March, A. D., 1873, the following preamble and resolution was adopted:

WHEREAS, the legislature of the state of New Jersey at the present session thereof has passed an act entitled "An act to legalize the consolidation of the New Jersey Tube Transportation Company with The Continental Railway Company, for the purpose of constructing and operating a railroad across the state of New Jersey, as part of a continuous line of railway from Council Bluffs, on the Missouri river, to the waters of the Hudson river opposite New York, or New York Harbor in New Jersey," and which said act has been approved and signed by the governor of said state, and now remains of record in the office of the secretary of state of the said state:

AND WHEREAS, a copy of the articles of consolidation of the Continental Railway Company authenticated by the president and secretary of such company under its corporate seal, being that company whose consolidated line extends from Council Bluffs, on the Missouri river, eastwardly to the easterly boundary of Pennsylvania on the Delaware river, and also a duplicate of a certain instrument of agreement made between said last named Continental Railway Company and this The New Jersey Tube Transportation Company, and bearing date the seventeenth day

of January, 1873, have been and were before the passage of the act aforesaid both filed in the office of the secretary of state of the state of New Jersey where they still remain; now, therefore,

This board hath and doth hereby accept the hereinbefore mentioned act of the legislature aforesaid, and doth order and direct this resolution to be duly authenticated by the signatures of the officers of this company under the seal of this company: and doth hereby order and direct that the secretary of this company do forthwith file in the office of the secretary of state aforesaid, a copy of this resolution properly certified by him.

We, the undersigned, do hereby certify that the foregoing resolution was at a meeting of the board of directors of the New Jersey Tube Transportation Company, held as aforesaid, at the time and place above mentioned, adopted by a unanimous vote of such board.

IN TESTIMONY WHEREOF, we have hereunto signed
[L.S.] our respective names and affixed hereto the seal of the said corporation.

THOS. P. JOHNSTON, *President.*
J. D. HALL, *Secretary.*

I, the undersigned, secretary of the New Jersey Tube Transportation Company do hereby certify to the secretary of state of the state of New Jersey, and to whom it may concern, that the above and foregoing is a true and correct transcript of a resolution this day passed by the board of directors of the said company.

That the above and foregoing signatures are the genuine signatures of the president and secretary of such company respectively, and that the foregoing is the genuine seal of said company.

J. D. HALL, *Secretary.*
Trenton, N. J., March 21st, 1873.

State of New Jersey:—I, Henry C. Kelsey, secretary of state of the state of New Jersey, do hereby certify the foregoing to be a true copy of a paper writing purporting to be a resolution of the board of directors of the New Jersey Tube Transportation Company, accepting on the part of said

company an act of the legislature entitled, "An act to legalize the consolidation of the New Jersey Tube Transportation Company with the Continental Railway Company, &c.," as taken from and compared with the original (filed March 21st, 1873.) and now remaining on file and of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my [L. S.] hand and affixed my official seal, this first day of July, A. D. 1873.

HENRY C. KELSEY.

PREAMBLE AND RESOLUTION OF ACCEPTANCE BY THE CONTINENTAL RAILWAY COMPANY.

At a meeting of the board of directors of the Continental Railway Company, held at the office of the company, No. 20 Nassau street, in the city of New York, on the 21st day of March, A. D., 1873, the following preamble and resolution was adopted:

WHEREAS, the legislature of the state of New Jersey, at the present session thereof has passed an act entitled "An act to legalize the consolidation of the New Jersey Tube Transportation Company with the Continental Railway Company, for the purpose of constructing and operating a railroad across the state of New Jersey, as part of a continuous line of railway from Council Bluffs on the Missouri river, to the waters of the Hudson river opposite New York, or New York harbor, in New Jersey," and which said act has been approved and signed by the governor of said state and now remains of record in the office of the secretary of state in New Jersey;

AND WHEREAS, a copy of the articles of consolidation of this company authenticated by its president and secretary under its corporate seal and also a duplicate of that certain instrument of agreement made between this company and the New Jersey Tube Transportation Company and bearing date the seventeenth day of January, 1873, have been and were before the passage of said act both filed

in the office of the secretary of state, of said state of New Jersey where they still remain; now therefore,

This board of directors hath and hereby doth on the part of this company accept the hereinbefore mentioned act of the legislature of New Jersey, and doth order and direct this resolution to be duly authenticated by the signatures of the president and secretary of this company under its corporate seal.

And doth hereby further order and direct that a duly authenticated copy of this resolution under the seal of this company, be furnished to the secretary of state of the state of New Jersey, to be filed in the office of such secretary of state.

We the undersigned do hereby certify that the foregoing resolution was at a meeting of the board of directors of the Continental Railway Company, held as aforesaid at the time and place as above mentioned, adopted by a unanimous vote of such board.

IN TESTIMONY WHEREOF we have hereunto signed
[L.S.] our respective names, and affixed hereto the seal of the said corporation.

EDWARD DODGE, *President.*
J. M. COLEMAN, *Secretary.*

State of New Jersey:—I, Henry C. Kelsey, secretary of state, of the state of New Jersey, do hereby certify the foregoing to be a true copy of a paper writing purporting to be a "resolution of the board of directors of the Continental Railway Company," accepting on the part of said company an act of the legislature entitled "An Act to legalize the consolidation of the New Jersey Tube Transportation Company with the Continental Railway Company. &c." as taken from and compared with the original, (filed March 24th, 1873,) and now remaining on file and of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my
[L. S.] hand and affixed my official seal this first day of July, A. D. 1873.

HENRY C. KELSEY.

AN ACT RELATIVE TO AN ADOPTED CHILD OF GEORGE W. BARKER AND WIFE, APPROVED MARCH 25TH, 1873.

Know all men by these presents, that we George W. Barker, and Annie M., his wife, of Jersey City, New Jersey, do hereby assent to the above act in accordance with the provisions thereof, and voluntarily assent to and assume all the obligations and duties therein imposed upon us.

In witness whereof we have hereunto set our hands and seals, this twenty-sixth day of March, anno domini, eighteen hundred and seventy-three.

GEORGE W. BARKER, [L.S.]
ANNIE M. BARKER, [L.S.]

State of New Jersey :—I, Henry C. Kelsey, Secretary of State, of the state of New Jersey, do hereby certify the foregoing to be a true copy of a paper writing purporting to be the assent of George W. Barker and Annie M., his wife, to an act of the legislature of the state of New Jersey, entitled "An Act relative to an adopted child of George W. Barker and wife," approved April 25th, 1873, as taken from and compared with the original, (filed April 1st, 1873,) and now remaining on file and of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my [SEAL.] hand and official seal this first day of July, A. D. 1873.

HENRY C. KELSEY.

CERTIFICATE OF PAYMENT OF THE CAPITAL STOCK BY THE SINGER MANUFACTURING COMPANY.

We, the undersigned, being four of the six persons named as directors in the act incorporating The Singer Manufac-

turing Company of the State of New Jersey, hereinafter referred to, and being a majority of the said directors of said company, do hereby certify, in pursuance of section sixth of the act entitled "An Act to incorporate The Singer Manufacturing Company," approved February 20th, 1873, by the legislature of the state of New Jersey, that "one million of dollars," the amount of the capital stock provided for and required by said sixth section of the said act to be paid in to entitle the said corporation to organize and proceed to business under the said act, has been actually and bona fide paid in.

And this certificate of such payment is immediately thereafter filed with the secretary of state of the state of New Jersey, as required by the said act.

Dated June 10th, 1873.

INSLEE A. HOPPER,
GEO. R. McKENZIE,
A. F. STERLING,
W. F. PROCTOR.

State of New York, City and County of New York: ss.— Inslee A. Hopper, George R. McKenzie, Alexander F. Sterling and William F. Proctor, being each duly sworn, do, and each of them for himself doth depose and say that they are four of the six directors of the corporation named in the foregoing certificate; that the signatures of these deponents are duly signed to said foregoing certificate, that Isaac M. Singer and Edward Clark are the only other directors of said corporation, who are now absent, and that said foregoing certificate is true in all respects.

INSLEE A. HOPPER.
GEO. R. McKENZIE,
A. F. STERLING,
W. F. PROCTOR.

Subscribed and sworn to before me this 10th day of June, 1873.

JAMES MEEHAN,
Notary Public, City and County N. Y.

State of New York, City and County of New York, ss:— I, Charles E. Loew, clerk of the city and county of New York, and also clerk of the supreme court for the said city

and county, being a court of record, do hereby certify that James Meehan, before whom the annexed deposition was taken, was, at the time of taking the same, a notary public of New York, dwelling in said city and county, duly appointed, and sworn and authorized to administer oaths to be used in any court in said state, and for general purposes, and that his signature thereto is genuine as I verily believe.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the said court and county, the 11th day of June, 1873. [L. S.]

CHAS. E. LOEW,
Clerk.

State of New Jersey, ss.:—I, Henry C. Kelsey, secretary of state of the state of New Jersey, do hereby certify the foregoing to be a true copy of a paper writing, purporting to be the certificate of the payment of one million dollars of the capital stock of the Singer Manufacturing Company, as taken from and compared with the original, (filed June 14, 1873), and now remaining on file and of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this first day of July, A. D. 1873. [L. S.]

HENRY C. KELSEY.

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