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CHARTER AND ORDINANCES

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OF THE



HUDSON COUNTY, N. J.

PRINTED BY ORDER OF THE BOARD OF ALDERMEN.

JERSEY CITY:
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1868.

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STATE OF NEW JERSEY.

AN ACT

TO INCORPORATE THE CITY OF BERGEN.

TITLE I.

OF THE BOUNDARIES AND CIVIL DIVISIONS OF THE CITY.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, that the City of Bergen shall hereafter consist of all the territory included within the following boundaries, that is to say: Beginning at the most westerly corner of the City of Hudson, in the County of Hudson, where the New Jersey Railroad crosses the Hackensack river; thence easterly along the centre line of the New Jersey Railroad its several courses to the centre of Mill Creek; thence southerly along the centre of Mill Creek its several courses into New York Bay, until it intersects the boundary line of the State of New York; thence southerly along said boundary line of the State of New York until it intersects the dividing line between the township of Greenville and the City of Bergen; thence westerly along said line to the middle of the Hackensack river; thence northerly along the middle of the Hackensack river its several courses to the place of beginning, comprising the same territory heretofore known and incorporated as "The Town of Bergen;" and the same is hereby formed into a city corporate, to be designated and known in law as "*The City of Bergen*," and all the citizens of this State, who are now, or hereafter may be inhabitants within the said limits, shall be and they are

Boundaries.

Name.

herby constituted a body politic and corporate in law, by the name of "*The Mayor and Board of Aldermen of the City of Bergen*," and they shall have all the powers of a municipal corporation necessary for carrying out the objects and purposes of this act, and may have a common seal, alterable at pleasure, and by the title "*The Mayor and Board of Aldermen of the City of Bergen*," may sue and be sued in any of the courts of this State.

Wards.

2. *And be it enacted*, That the said city shall be divided into four wards, in the manner following, to wit:

1st Ward.

First Ward, beginning at a point where the centre of the New Jersey Railroad intersects the centre of the Hackensack river; thence in a southeasterly direction along the centre of said railroad to the centre of Mill Creek, being the Jersey City line; thence southerly along the centre of said creek to the centre of Jersey City and Bergen Point plank-road; thence westerly along the centre of said plank-road to a point where it intersects the centre of Hudson avenue; thence northwesterly along the centre of Hudson avenue to Cedar Bush road; thence along the centre of Cedar Bush road to the centre of Monticello avenue; thence northerly along the centre of Monticello avenue until it intersects the centre of Fairview avenue; thence northwesterly along the centre of Fairview avenue to West Side avenue; thence producing the centre of Fairview avenue in a straight line to the centre of the Hackensack river; thence northerly along the centre of said river to the place of beginning:

2d Ward.

Second Ward, beginning at a point where the centre of Fairview avenue produced would intersect the centre of the Hackensack river; thence in a southeasterly direction along the centre of Fairview avenue produced to the centre of Monticello avenue; thence southerly along the centre of Monticello avenue to the centre of Cedar Bush road; thence easterly along the centre of Cedar Bush road until it intersects the centre of Hudson avenue; thence southeasterly along the centre of Hudson avenue until it intersects the centre of the Jersey City and Bergen Point plank-road; thence in an easterly direction along the centre of said plank-road to the centre of Mill Creek; thence easterly along the

centre of Mill Creek to the Morris canal ; thence southwesterly along the centre of said canal to the centre of Communipaw avenue ; thence in a northwesterly direction along the centre of said avenue to the centre of the Newark and New York plank-road ; thence westerly following the centre of said plank-road to the centre of the Hackensack river ; thence northerly along the centre of said river to the place of beginning :

Third Ward, beginning at a point where the Morris Canal intersects the centre of Mill Creek ; thence following the centre of said creek produced in a southeasterly direction until it intersects the boundary line of the State of New York ; thence southerly along said boundary line of the State of New York until it intersects the dividing line between the township of Greenville and the City of Bergen ; thence westerly along said dividing line to the centre of the Morris Canal ; thence northeasterly along the centre of said canal to the place of beginning : 3d. Ward.

Fourth Ward, beginning at a point where the centre of the Newark and New York plank-road intersects the centre of the Hackensack river ; thence in a southeasterly direction along the centre of said plank-road to the centre of Communipaw avenue ; thence southeasterly along the centre of said avenue to the centre of the Morris Canal ; thence southwesterly along the centre of said canal until it intersects the dividing line between the township of Greenville and the City of Bergen ; thence westerly along the said dividing line to the middle of the Hackensack river ; thence northerly along the centre of said river its several courses to the place of beginning. 4th Ward.

TITLE II.

OF THE OFFICERS OF THE CITY, THEIR ELECTION, DUTIES AND TERMS OF OFFICE.

3. *And be it enacted*, That the city officers of said city shall consist of a mayor, a recorder, a superintendent of schools, a treasurer, a collector of revenue, a city clerk, an City officers.

overseer of the poor, a chief engineer of the fire department, a street commissioner, and two or more city surveyors; the mayor, recorder and superintendent of schools shall be elected at the next charter election after the passage of this act; the mayor for the term of one year, the recorder for the term of three years, and the superintendent of schools for the term of one year; the treasurer, collector of revenue, city clerk, overseer of the poor, street commissioners, city surveyors, and such other officers as are hereinafter provided for, shall be appointed annually by the board of aldermen as herein provided, and a majority of concurring votes shall be necessary in all cases; the chief engineer of the fire department shall be elected annually by the fire department subject to the approval of the board of aldermen.

Terms of office,

Officers appointed.

Chief Engineer.

Ward officers.

Duties of Aldermen.

Time of holding first election.

Who entitled to vote.

4. *And be it enacted*, That the ward officers for each ward shall be the three aldermen, one constable, one chosen freeholder, two surveyors of the highways one pound-keeper, one commissioner of appeals, one assessor, and three inspectors of registry and elections, who shall be elected annually in each ward at the charter election, whose term of office shall be for one year; one pound-keeper shall be appointed annually by the board of aldermen for each ward; the aldermen of each ward shall perform such duties *ex-officio* as by the laws of this State devolve on the town committeemen in the townships of this State.

5. *And be it enacted*, That the charter election shall be held on the second Tuesday in April in each year at the place in each election district designated and appointed for that purpose by the inspectors of registry and elections, between the hours, and in the same manner, and under the same regulations in all things as prescribed by law for State elections for members of the legislature.

6. *And be it enacted*, That every person who would by the laws of this State be entitled to vote in said city at an election for members of the legislature, if held on that day, shall be entitled to vote at the city elections, and every person voting shall vote in the ward where he shall actually reside at the day of election, and in no other ward; and the person or persons receiving the greatest number of votes of

those given in the city for any city office, and the person or persons receiving the greatest number of votes given in each ward for an office in that ward, shall be deemed elected to that office. Who elected.

7. *And be it enacted*, That all future elections to be held within said city for members of the senate and general assembly of this State, for sheriff, county clerk, surrogate, and coroners of the county of Hudson, and for members of Congress, and electors of President and Vice-President of the United States, or for any other office of the General or State government, or officers of the said county of Hudson, to be elected by the people; shall be held by the inspectors of registry and elections in the several wards of said city, at the places therein appointed for holding the city elections by said inspectors, on the day or days which now are or hereafter may be designated by law for holding such elections; and such elections shall be conducted by said inspectors in all things pursuant to the laws of this State applicable to such elections in this State; and the said inspectors of registry and elections in said city, of all elections hereafter to be held shall be liable to the same obligations, duties, and penalties, imposed upon the like officers of elections in townships in this State, and they shall be entitled to the same compensation for their services at all elections as the like township officers are entitled to receive, except as otherwise provided in this act, or by ordinance; and in case of absence, disqualification or inability of any of them, the vacancy shall be supplied in the manner prescribed by the laws of this State in such cases; and every person in said city entitled to vote at such elections, shall give his vote in the ward in which he actually resides at the time of such election, and not elsewhere; and any person voting illegally, or offering illegally to vote at any such election, shall be subject to the same pains, penalties, and forfeitures incurred by persons so offending at such elections in the townships of this State. Inspectors of Registry.

8. *And be it enacted*, That in all elections for city and ward officers of said city, the inspectors of registry and elections of each of the several election districts in said city, in addition to the other duties required of them by law, shall Duties.

Compensation.

Where to vote.

Illegal voting.

Duties of Inspectors.

make and sign a statement of the election in said district, for what officers, the number of votes cast for each person voted for, for any office, specifying the names of the persons so voted for, with the number of votes rejected, which statements shall, within forty-eight hours after the closing of the polls, be filed in the office of the City Clerk, who shall within five days thereafter, file a true copy of such election returns in the office of the clerk of the county of Hudson.

Vacancy in
office—how
filled.

9. *And be it enacted*, That in case any vacancy shall occur in any of the city or ward offices, by resignation, removal, disqualification or death of the incumbent of said office, or in any other manner whatsoever (except in the office of mayor, recorder or alderman), the board of aldermen shall fill by appointment, such office for the unexpired portion of the term; and in case of any such vacancy happening as aforesaid in the office of recorder or alderman, the said vacancy shall be filled by a special election, to be ordered by the board of aldermen, upon a day to be fixed by them, and the same notice shall be given of such special election as is required to be given of a general city election; *provided*, that in case of a vacancy as aforesaid, in the office of recorder, it shall be lawful for the board of aldermen, on the nomination of the mayor, to designate any justice of the peace of said city to act as recorder until such vacancy is filled as herein provided; and such justice of the peace, when so designated by resolution of the board of aldermen, shall have and exercise all the powers, and possess all the jurisdiction of the recorder while acting as such, as well of cases pending in said court, and not decided, as of all new matter in said court, and all his official acts as such recorder shall have the same force and virtue, and be as valid as if the same had been performed by the recorder himself.

Term of
Mayor's of-
fice.

Duties, and
powers of
Mayor.

10. *And be it enacted*, That the mayor shall be elected annually, but no person shall be eligible to that office unless he shall have resided in the said city at least three years, and shall have attained the age of thirty years. It shall be the duty of the mayor to see that the laws of the State and the ordinances of the city are faithfully executed therein, and to recommend to the board of aldermen such measures as he may deem necessary or expedient for the welfare of

the city. He shall be the head of the city police force, and as such shall maintain peace and good order in said city, and shall have power to suppress all riots and tumultuous assemblies, and cause to be arrested without process or warrant and to commit for trial, all persons violating or whom he has reason to believe have violated the laws of this State or ordinances of the city. He shall possess the same powers and authority in criminal cases with which justices of the peace are now invested; all warrants on the treasurer, all contracts or agreements made under the direction or on behalf of said city, by the board of education or water commissioners, and of all other persons acting for and in behalf of the city, shall before they become valid, or binding on the city, be signed or approved by him; and in case of his absence from the city, or of his inability to perform the duties of his office, the president of the board of aldermen shall, during the continuance of such absence or inability, be vested with the powers and exercise the duties of mayor; and in case of the death or resignation of the mayor, his powers and duties shall devolve upon the president of the board of aldermen for the unexpired portion of the term. It shall be the duty of the mayor to nominate to the board of aldermen all policemen or watchmen of said city; and he shall have power to remove or suspend any policeman or watchman, and he shall report such removal or suspension to the board of aldermen at its next meeting thereafter, with the reasons therefor, and such removal or suspension may then be confirmed or rejected by said board.

11. *And be it enacted*, That the recorder shall be elected at the next charter election after the passage of this act, and every third year thereafter, and he shall hold his office for three years; he shall have all powers in criminal matters that justices of the peace in and for the several counties of the State now have, and shall have like powers as are given to the mayor, to cause to be arrested and committed without process any person guilty, or that he may have reason to believe guilty of any crime or misdemeanor, or breach of the peace, and to try all causes or complaints arising from the violation of any ordinance of said city.

Recorder.

Term of office.

Powers.

Violation of
ordinances.

12. *And be it enacted*, That the recorder shall have jurisdiction, and is hereby empowered, on oath, affirmation or affidavit, made according to law, that any person or persons has or have been guilty of a violation of any of the ordinances of said city, to issue a process either in the nature of a summons, or of a warrant, as to him may seem most advisable, against the person or persons so violating such ordinance, which process shall, when of the nature of a warrant, be returnable forthwith, and when in the nature of a summons, be returnable in not less than three nor more than six days; that such process shall state what ordinance the defendant or defendants named therein has or have violated, and in what manner the same has been violated, and then on the return of such process, or at the time to which the recorder shall have adjourned the same, the said recorder shall proceed to hear testimony, and to determine and give judgment in the matter without the filing of any pleadings; and that the recorder shall, if judgment be rendered for the plaintiff, forthwith issue execution against the goods and chattels and against the body of the defendant or defendants; *provided*, that in all cases where the fine or penalty shall exceed twenty dollars, or where the punishment may be imprisonment, there may be a trial by jury, to be conducted as in cases now triable by jury, in courts for trials of small causes, and also an appeal as in cases where appeal may now be had from judgments in courts for the trial of small causes; *and provided also*, that in all cases an appeal may be made to the board of aldermen for the remission of any penalty that may be inflicted or adjudged; *provided further*, that no fine shall be imposed exceeding fifty dollars for each offence, and no term of imprisonment imposed as a penalty shall exceed sixty days for each offence; *and also provided*, that all cases and matters pending in the recorder's court at the expiration of his term, or resignation, or death, or inability to serve shall be continued before his successors, who shall have jurisdiction of the same, as if such recorder were personally present; all books and records of said court shall be the property of the city, and as such shall be preserved and transferred by the recorder to his successor.

Process.

Trial.

Judgment.

When jury
may be had.

Fine and im-
prisonment.

Records city
property.

13. *And be it enacted*, That the officers empowered to serve process issued by the recorder shall be besides the constables elected or appointed within said city, the policemen of the city, and that said process shall be returned in the same manner, so far as circumstances may permit, as warrants for the arrest of persons, issued out of the courts for the trial of small causes are returned; and that the defendant or defendants named therein shall, if the recorder sees fit to adjourn the hearing of the charge made, and so orders, enter into recognizance as near as may be in the manner directed in the courts for the trial of small causes, in the amount of penalty named in the process, or any proceedings to be brought for the recovery of the same, with such surety as may be approved by the recorder, unto the mayor and board of aldermen of the City of Bergen, for his or their appearance on the day to which said hearing may be adjourned; and in default of such appearance, the said recognizance may be prosecuted and collected in the same manner as the same might have been if the said recognizance had been taken in a proceeding in courts for the trial of small causes.

Policemen may serve process.

Recognizance for appearance.

14. *And be it enacted*, That in all cases in which persons shall bring certioraries to remove the order, proceedings, or judgment given or made by the said recorder, it shall be lawful for the said recorder to charge and receive before the delivery of the return thereto, at the rate of ten cents per folio for the same:

Charges in certiorari.

15. *And be it enacted*, That no justice of the supreme court shall grant or allow any certiorari to remove any order, proceedings, or judgment to be had or made by the recorder of the said city, unless the party applying for such certiorari shall enter into bond with the mayor and board of aldermen of the City of Bergen, in the sum of one hundred and fifty dollars, with one or more good surety or sureties, conditioned that such applicant shall prosecute the said certiorari in the supreme court, shall pay the penalty recovered before the said recorder, with interest and costs, if the judgment be affirmed, and shall in all things stand by and abide the judgment of the supreme court respecting the

Bond to be given in certiorari.

order, proceedings or judgment given or made by said recorder, which said bond shall be tendered to said justice granting such certiorari, to be by him filed with the clerk of the supreme court for the benefit of the said mayor and board of aldermen, and on failure thereof no certiorari shall be allowed.

Costs in certiorari.

16. *And be it enacted*, That if any proceedings of the said recorder shall, on removal by certiorari, be affirmed by the supreme court, the plaintiff in certiorari shall pay to the defendant all costs on such suit in the supreme court; but if such proceedings be reversed, then the plaintiff in certiorari shall not be entitled to pay any costs. The provisions of this section and of the last preceding section shall extend to the circuit court of the county of Hudson.

Treasurer—duties of.

17. *And be it enacted*, That the treasurer shall receive, safely keep, and disburse, under the direction of the board of aldermen, all money collected for said corporation, and shall pay out the same only upon the warrant of the board of aldermen, signed by the mayor, and countersigned by the city clerk; and no warrants on the city treasurer shall be authorized except in pursuance of an order of said board passed at a stated meeting, and entered in their minutes; and such warrants shall be made and numbered, payable to the order of the person or persons to receive the same, and shall specify for what purpose the amount therein mentioned, is directed to be paid.

Warrants.

City Clerk, duties of

18. *And be it enacted*, That the city clerk shall, in addition to the duties required of him by this act, or any other act of this State, have charge of all the records, books and documents of the city, except when the said board shall otherwise direct by ordinance; he shall keep a record of the proceedings of the board; he shall engross all ordinances in a book to be provided for that purpose, with proper indices, which book shall be deemed a public record of such ordinances, and each ordinance shall be signed in said book by the mayor or acting mayor and said clerk; copies of all papers duly filed in the office of the city clerk, and transcripts thereof, and of the records and proceedings of the board of aldermen, and copies of the laws and ordinances of

said city, certified by said clerk under the corporate seal, shall be evidence in all courts and places; that all the books in which the said board of aldermen have caused their ordinances and by-laws to be recorded, and such other book or books, record or records, as shall be by them provided, shall be taken and received as evidence in all courts and places, of the due passage by said board of any and all ordinances and by-laws recorded therein; and, until the contrary be proven, all ordinances and by-laws so recorded shall be presumed to have been regularly introduced, passed and published according to the requirements of the provisions of this act; that the city clerk shall receive and pay over to the collector of revenue all moneys which by any law or usage may be paid to the clerk of said city.

Ordinances
presumed to
be all right.

19. *And be it enacted*, That the overseer of the poor and the superintendent of schools shall respectively perform such duties as by the laws of this State now appertain to and devolve upon overseers of the poor and superintendents of schools in the townships of this State, subject to the provisions of this act, or any ordinance or ordinances passed by virtue thereof, and they shall, in addition thereto, perform such other duties as the said board shall fix, designate and establish; the street commissioner and the city surveyors shall respectively perform such duties as are provided by law and by the provisions of this act, and by the ordinances, by-laws or regulations of said board, adopted by virtue thereof.

Overseer of
Poor and
School
Superinten-
dent.

20. *And be it enacted*, That there shall be appointed by the said board of aldermen a collector of revenues for said city, whose duty it shall be to receive and collect all moneys due to said city, whether for taxes, assessments, arrears of taxes, or otherwise (except for water rents and water taxes), and shall do and perform all other duties which the said board may by ordinance prescribing his duties ordain; and it shall be his duty to keep a record of all his proceedings affecting the revenue of the city, and at the end of each and every current year the said proceedings shall be filed in the office of the city clerk; and the said collector of revenue shall pay over all moneys received by him for the city, as

Collector of
revenue—
duties.

soon as collected, to the treasurer of said city, who shall in turn pay over to the treasurer of the State, or to the collector of Hudson County, upon demand, the full quota of taxes required by law to be raised in said city for State or county purposes.

Constables,
&c., duties.

21. *And be it enacted*, That the constables, chosen freeholders, surveyors, pound-keepers, commissioners of appeals, and inspectors of registry and elections, and assessors in the several wards, shall perform the duties required of such officers by law in the several townships of this State and the ordinances of said city.

Officers to
take oath.

22. *And be it enacted*, That no person elected or appointed to any office, in pursuance of this act, or of any law or ordinance of the board of aldermen, shall enter upon the discharge of his duties, unless within twenty days after his election or appointment he shall take and subscribe before the mayor or city clerk, or some other person authorized to administer oaths, an oath or affirmation faithfully, fairly and impartially to execute the duties of his office according to the best of his knowledge, skill and ability, and shall file said oath or affirmation with the city clerk, who shall keep all such oaths and affirmations on file in his office; and the oath of the city clerk shall be filed by the mayor; and if any such person shall neglect to take such oath or affirmation for twenty days after his election or appointment, or shall neglect within said twenty days to give such security as may be required of him, he shall be considered as having declined such office, and the same shall be deemed vacant.

Official
terms, when
to begin.

23. *And be it enacted*, That the official term of the several persons who shall be elected in pursuance of this act, shall commence on the last Monday of April next after their election, and they shall continue in office unto the end of their term; and that the official term of the several officers who shall be appointed by virtue of this act for said city shall commence on the first Monday of May in every year, except in cases otherwise provided for in this act; and they shall continue in office until the end of their term and until others are appointed and qualified in their place, unless removed as herein provided.

24. *And be it enacted*, That the city treasurer, clerk, collector of revenue, and such other officers as the board of aldermen may require, shall, before they enter on the duties of their office, give bonds to the city in its corporate name, in such sums and with such sureties as the said board may approve, for the faithful performance of their duties; and all constables shall give bonds to the city in the manner required by law, with sureties to be approved by said board.

Treasurer,
Clerk, &c.,
to give bond.

25. *And be it enacted*, That for the election of justices of the peace, each ward shall be considered a township, and shall be entitled at least to one justice of the peace.

Justices of
Peace.

26. *And be it enacted*, That the assessors, before entering upon the discharge of their duties, shall take and subscribe the oath required of other officers of said city; all taxes for the purposes of the city shall be by them assessed in the manner and within the time directed by the laws of this State for assessing township, county and State taxes; and the said assessors, acting as a board of assessors, shall meet together from time to time, as may be necessary before concluding their duties, to determine and compare the justice and propriety of any and all assessments made by them, or either of them, in order that a uniformity in valuation may be established for all portions of said city.

Assessors to
take oath.

Duties.

27. *And be it enacted*, That all fines inflicted by ordinances shall, when received, be paid into the city treasury.

Fines.

28. *And be it enacted*, That if any person having been an officer of said city shall not, within ten days after he shall have vacated or been removed from the office, and upon notification and request by the city clerk, or within such reasonable time thereafter as the board of aldermen shall allow, deliver over to his successor in office all property, books and papers belonging to the city or appertaining to such office in his possession or under his control, he shall forfeit and pay to the city the sum of five hundred dollars, to be sued for and recovered, with costs.

Property to
be delivered
up.

TITLE III.

OF THE POWERS AND DUTIES OF THE BOARD OF ALDERMEN.

Aldermen,
duties of.

29. *And be it enacted*, That the legislative power of the City of Bergen shall be vested in the board of aldermen; they shall annually elect one of their number to be president of said board, and in his absence shall elect one of their number to preside for the time being; appoint the times and places of meeting; determine and establish the rules of their own proceedings; be the sole judges of the qualifications of their own members; keep a journal of their proceedings; pass ordinances, by-laws and resolutions, pertaining to the purposes and objects of said corporation, and necessary and proper for carrying out the provisions of this act; and may expel a member for disorderly conduct or a violation of their rules; but no expulsion shall take place except by a vote of two-thirds of all the members elected, nor until the delinquent member shall have had an opportunity to be heard in his defence.

Ordinances,
how passed.

30. *And be it enacted*, That every ordinance of the common council, and every resolution of the common council affecting the interest of the city, shall, before it takes effect, be presented, duly certified, to the mayor, and the report of the clerk shall be conclusive evidence that the said ordinance has been so presented to the mayor; if he approve of it he shall sign it, if not he shall return it with his objections, and file the same with the clerk within ten days after he received it; and the said board shall, at its first regular meeting thereafter, order the objections to be entered at large on its journal, after which it shall proceed to reconsider the same; and if two-thirds of all the members elected shall then pass the same, it shall take effect as a law; but in every such case the votes shall be taken by ayes and noes, and entered on the journal; and if such ordinance or resolution shall not be so returned by the mayor within ten days after he has received it, it shall become a law in like manner as if he had signed it; *provided always*, that each and every ordinance so passed as aforesaid, shall be published for the space

To be pub-
lished.

of ten days in at least two newspapers published or circulated in said city, before said ordinance shall go into effect; *provided also*, that no ordinance or by-law shall be enacted or passed by the said common council unless the same shall have been introduced before the said common council at a previous stated meeting, and shall have been agreed to by at least seven of the members of the common council.

31. *And be it enacted*, That every alderman shall have the power and it shall be his duty without warrant to arrest or cause to be arrested, any person or persons engaged, in his presence, in disturbing the public peace, or violating any law of the State or ordinance of the city, for the preservation thereof, or of good order or morality, and to bring or cause such person or persons to be brought before the recorder or a justice of the peace, to be dealt with according to law.

Alderman
may arrest.

32. *And be it enacted*, That the said board shall, on the first Monday of April in each year, publish for six days, in at least two newspapers printed and circulated in the county of Hudson, a full statement of all receipts and expenditures of every description, for the fiscal year preceding, which statement shall include all moneys which have passed through the hands of the treasurer for any purpose whatever, together with the different sources of revenue, and the amount received under each, with all such other information as may be necessary for a full understanding of the financial concerns of the city.

Board to
publish
statement.

33. *And be it enacted*, That a majority of the board shall constitute a quorum for the transaction of business; but a smaller number may adjourn from day to day, and compel the attendance of absent members. The said board shall hold stated meetings at least twice in each month, at such times and places as they may appoint in said city; but the mayor or any two aldermen may call special meetings, by written notice to each of the members, served personally, or left at his usual place of abode at least twenty-four hours previous to the time appointed for such meeting.

Quorum.

Meetings.

Special
meetings.

34. *And be it enacted*, That resignations of any office held under the provisions of this act may be made to the board of aldermen; and said board may fill vacancies in office, as

Resignation.

Removal
from office.

provided in this act; that any officer, except the mayor, may be removed from office for cause, by resolution of the said board; *provided*, that no such removal shall take place until the party sought to be removed has had an opportunity to be heard in his defence, nor unless two-thirds of all the members elected vote therefor; and in case of any such removal, the ayes and nays shall be entered upon the minutes.

Aldermen
not to be in-
terested in
contracts, go
security, nor
receive pay.

35. *And be it enacted*, That all contracts in which said aldermen, or any one of them, shall be interested as individuals, either directly or indirectly, or in which any one of them may be surety for the faithful performance thereof, shall be null and void; and no member of said board shall become security for any public officer elected or appointed in said city, and no member shall, during the period for which he was elected, be appointed to, or competent to hold any other city office or ward office in the City of Bergen, the pay or emoluments of which would come from the city treasury.

To fix salary

36. *And be it enacted*, That the board of aldermen shall have power to fix the salary, pay, or compensation of all officers, both elected and appointed (except mayor and aldermen, who shall not be entitled to any compensation), by general ordinance; and the salary or compensation of any officer or officers, which has once been fixed as aforesaid, shall not be increased during the continuance of his term of office.

Define
duties of city
officers.

37. *And be it enacted*, That it shall be the duty of said board, by ordinance or ordinances, to prescribe and define the duties, and establish all needful regulations for the government of all officers in the different departments of said city corporation; and to require any of them to make returns and reports at stated periods during the year, and the payment into the city treasury of all money, fines, penalties, or from any other source not herein otherwise provided for.

Powers.

38. *And be it enacted*, That the said board of aldermen shall by their title, "The Mayor and Board of Aldermen of the City of Bergen," have power to pass, enforce, alter and

repeal ordinances to take effect within the said city, for the following purposes, to wit :

(1.) To lay out, open, widen, vacate, alter, grade, fill up, refill, establish, alter, and regulate the grade and grading of all streets, avenues, and roads, side and crosswalks; to ascertain and establish the boundaries of all streets, public alleys and roads in the city; and to authenticate any and all of said improvements by maps or otherwise. Open streets

(2.) To pave, macadamize, gravel, curb and gutter the streets, avenues, and roads; to construct, and build, and repair sewers and drains in and from any, or in and from any parts of the public streets, roads, alleys, places, and public grounds in said city; and to construct and repair receiving basins. Paving, &c.

(3.) To lay sidewalks of flagstone or other materials; to lay out crosswalks of stone; to reset the curbs and gutters in the streets and roads, or any part thereof. Sidewalks.

(4.) To lay and regulate, or prohibit the laying of water or gas pipes in or under the streets and roads, or any part thereof in said city. Water pipes, &c.

(5.) To declare what shall be considered nuisances in streets, roads, lots, and places in said city; to prevent and remove all encroachments, incumbrances, and nuisances in and upon any street, road, sidewalk, or enclosure, place or places, in said city; and to provide for the sale or other disposition of such incumbrance in or upon the streets or roads. Nuisances.

(6.) To secure in every respect, to the public and to the adjoining owners, the safe and convenient use of all streets, sidewalks, and public places, for the purpose for which they are or may be laid out or dedicated in said city. Streets.

(7.) To regulate and control the driving of cattle, mules, or other animals, in droves, through such streets or roads, only, as they shall prescribe. Driving cattle.

(8.) To order and regulate the building of all docks, piers, and wharves, in and about said city, and the use thereof, when built and the rates of wharfage, and to make such by-laws and regulations touching the same, not inconsistent with the laws of this State and the United States, as to said Docks, piers, &c.

board may appear proper and necessary; and in the building of any such docks, piers, or wharves, if more land is thus filled in than may be necessary for the use of such wharf, as a wharf or dock, to lay out proper streets upon the same.

Assessment map.

(9.) To make and adopt an assessment map, whereby to describe lands assessed for taxes or improvements.

Sewerage.

(10.) To make and adopt a general plan of sewerage and drainage for said city, or any part or parts thereof, conformably to which all sewers, drains, receiving-basins, and all other appurtenances of public drainage shall be constructed, and to alter and vary the same.

Animals at large.

(11.) To prevent horses, cattle, sheep, swine, dogs, goats, geese, and all other animals from running at large, and to provide for the impounding and sale of the same.

Fast driving.

(12.) To prevent immoderate and fast driving in the streets, cruelty to animals, and driving over or upon sidewalks, and to regulate the planting and protecting of shade trees.

Riots.

(13.) To prevent riots, disturbances, and disorderly assemblages in the streets, or in any house or place in said city; to prevent and suppress all gaming-houses and to prohibit gaming, and to restrain and punish all mendicants, vagrants, street beggars and common prostitutes, to suppress vice and immorality.

Gambling.

Vagrants.

Licenses.

(14.) To license and regulate, or prohibit inns or taverns, restaurants and beer saloons, and to prohibit all traffic in or sale of intoxicating drink or drinks; to license, regulate, and prohibit hawkers, hucksters, butchers, slaughter-houses and markets, on such terms and under such regulations or penalties as the said board shall by ordinance impose; and no other license for such purpose, within said city, granted by any other authority, shall be lawful, except licenses granted by the governor to hawkers and peddlers.

Prescribe duties.

(15.) To prescribe the duties and compensation of all officers herein named, not already fixed by statute.

Regulate finances.

(16.) To manage, regulate, control, and protect the finances and property of the city, and all school-houses and other buildings, and the erecting and maintaining the same.

(17.) To establish, regulate, and control a day and night

police, and to regulate and define the manner of their appointment and removal, their duties and their compensation; to provide a suitable and proper police station and lock-up, and all necessary rooms and cells for the safe keeping of criminals, offenders, or persons under arrest. Police.

(18.) To establish, regulate, and control a fire department, with power to exempt its members from militia duty in time of peace, and from serving as jurors in courts for the trial of small causes, and the mode of their appointment and removal; to provide fire-engines, apparatus, and houses therefor, and for the purpose of guarding against fire and protecting the safety of firemen; to regulate the manner of building dwelling-houses and other buildings, and of constructing and placing engines, chimneys, ovens, flues, pipes, and all matters connected therewith, and the keeping of lights in stables, and the manufacture and keeping of gunpowder, fire-works, and all other dangerous and combustible articles; to provide water for extinguishing fires, and to limit the height, and prevent, in certain limits, to be from time to time prescribed by ordinance, the erection of wooden buildings. Fire Department.

(19.) To provide street lamps for, and to light the streets, either by gas or other material. Lamps

(20.) To provide health laws, and to establish a board of health. Board of Health.

(21.) To establish a board of education, and provide for their appointment, define their powers and duties; to order and regulate public schools in everything appertaining thereto, in such manner as they shall deem expedient; to expend and appropriate such portion of the State school fund as shall be apportioned to said city, in the same manner as the city taxes for the support of public schools are expended. Education.

(22.) To prevent the shooting or trapping of birds within the limits of said city; to punish by fines or imprisonment, or both, in the lock-up of said city, all violations of any ordinance authorized by this act, and to provide all means which they may judge necessary to carry into effect the objects and purposes of said city corporation, and to have and exercise all the powers provided in this act. Shooting, fines, &c.

Fire Crack-
ers, &c.

(23.) To regulate or prohibit interments within the city, and bathing within adjacent waters, the exhibition of shows, caravans, circuses, or all other like matters, the firing of guns, fire-crackers, or other fire-works in said city.

Map Com-
mission.

39. *And be it enacted*, That it shall be lawful for the mayor and board of aldermen by ordinance to appoint a commission for the purpose of designating by map or maps the proper location of all streets to be hereafter laid out in said city, upon lands which have not been laid out in city lots, and dedicated to the public use; and said map or maps, when made and completed as aforesaid, and adopted and confirmed by the board of aldermen, and approved by the mayor, shall be and remain the established and proper location of all such streets as are described in said map or maps, and not elsewhere. The said commission shall consist of four residents and freeholders of said city, one from each ward, and a city surveyor, who shall severally be duly sworn or affirmed; and it shall be the duty of such commission to make a survey and locate streets upon all the lands above mentioned, according to their best judgment and ability, and for the best interests of said city, for the purpose of establishing greater regularity and uniformity in the location and course of all the streets in said city; and to cause a map or maps to be made, and a report to be made of the same; said report and map or maps shall be filed with the city clerk within such reasonable time as the board of aldermen may designate, by the ordinance creating said commission, or by resolution, whereupon the city clerk shall, within ten days, cause the same to be advertised in two of the Hudson county daily newspapers circulating in said city; and cause one hundred notices to be posted throughout said city, in which notice a time and place must be designated, when and where the board of aldermen, or their committee, will meet to hear all parties interested, verbally or in writing, why said report and map or maps shall not be confirmed, and established as the location of all such streets to be opened.

Number.

Notices to be
posted.

Map to be
adopted.

40. *And be it enacted*, That when the board of aldermen accept, adopt and confirm such report and map or maps, as is in the last section provided, and the mayor approves of the

same, then all such streets shall be considered as finally located, and when opened thereafter for public use they shall be opened in conformity with said survey and map or maps, and not otherwise, the same as if they had been dedicated upon application or otherwise, by the owners of such real estate; and the costs and expenses of the proceedings herein provided for shall be assessed upon the land fronting on the line of the streets specified on said map or maps, by the commissioners of assessments, and shall be a lien on the lands so assessed, the same as other assessments in this act provided for, and to be collected in the same manner, but no assessment shall be made upon lands through which streets have already been opened and dedicated to the public use, by map or otherwise.

Costs to be a
lien on lands
assessed.

41. *And be it enacted*, That the board of aldermen shall provide by ordinance, that the city shall pay one-third of the expense and cost of paving the streets of said city with Belgian block, macadamizing, or with such other substantial material as the property holders on the line of the street may desire, on streets now being paved, or which may hereafter be paved; and such payment shall be made out of the proceeds of improvement coupon bonds, to be issued by the city, with interest thereon not to exceed seven per centum per annum, payable semi-annually, to run not less than ten, nor more than twenty years.

Belgian
pavement.

42. *And be it enacted*, That in all cases in which persons shall bring writs of certiorari to remove the proceedings of the board of aldermen, it shall be lawful for the city clerk to charge and receive from the parties bringing such certiorari, or presenting the same, at the rate of ten cents per folio for the necessary return thereto, in lieu of his other charges.

Fees to Clerk
in certiorari.

TITLE IV.

OF TAXES AND THEIR COLLECTIONS.

43. *And be it enacted*, That it shall be lawful for the board of aldermen to raise by tax every year so much money as they may deem expedient for the purpose of lighting the

Taxes.

streets, supporting a day and night police, for repairing streets and roads, maintaining the poor, supporting and maintaining public schools, a city prison and lockup, for contingent expenses, and all other purposes authorized by this act; and that the ordinances directing the raising of said tax shall set forth the amount required for each object, and that the expenditures for such specification shall be confined to the objects therein specified, and be appropriated to no other; which tax shall not exceed, in any one year, ten mills on the dollar of the actual value of property assessed, except obligations for war purposes and improvement coupon bonds; and every male resident of said city, over the age of twenty-one years, who is not a pauper, shall be assessed the sum of fifty cents as a poll tax, to be applied for the purpose of public schools; and said board may borrow such sum or sums as may be necessary, and may secure the payment thereof by bond or other instrument, under the common seal and signature of the mayor, attested by the city clerk; but it shall not be lawful for the said board to raise any sum of money by loan, unless the repayment thereof shall be provided for from the taxes to be raised in said city, in the same year; *provided*, that in all cases where the said board are authorized to make or levy any assessment for any improvement in said city, they shall be authorized to borrow the amount of any such assessment in anticipation thereof.

44. *And be it enacted*, That the board of aldermen may establish, by ordinance, certain limits in said city to be called the lamp district, and shall, in directing the taxes to be raised each year, designate how much is to be raised for the expense of lighting the streets, and shall provide that such taxes shall be assessed only on property lying within such lamp district; and the assessors shall assess such taxes separately from all other taxes, in the manner aforesaid.

45. *And be it enacted*, That all taxes for the purposes of the city shall be assessed by the assessors, in the manner and within the time directed by the laws of this State, and in accordance with the provisions of this act for assessing township, county and State taxes; and all taxes so assessed for city

Date.

Poll tax.

Board may borrow money.

Lamp district.

Taxes how assessed.

purposes shall be collected by the collector of revenue in the same manner as he is by law directed to collect township, county and State taxes, and shall be paid over by him to the city treasurer as soon as collected.

46. *And be it enacted*, That the collector of revenue in said city, in case of the non-payment of taxes on or before the twentieth day of December in each year, shall make out a list of the names of all delinquents, with the sums due from them respectively, and shall deliver the same to the clerk of the city on or before the thirteenth day of December in each year, except when the said day shall fall upon Sunday, and then on the next day following; and it shall be the duty of the said clerk to lay the same before the said board at a meeting thereof held next after the same shall be delivered to him, and thereupon the said board shall deliver the same to a justice of the peace of the city, who shall proceed and issue a tax warrant thereon, as provided by law in cases of taxes in townships, which shall be directed and delivered to the collector of revenue, who shall have power to collect the same in like manner in all things as the constables in townships are directed by law; but such collector shall, before he delivers such list to said clerk, take and subscribe an oath or affirmation before the mayor or city clerk, or some justice of the peace in the city, that the moneys in said lists mentioned have been duly demanded, or due notice given at the usual place of residence of each delinquent who could be found or may then reside in said city.

Delinquent
tax-payers
looked after.

47. *And be it enacted*, That whenever within the said city any tax shall remain unpaid after the twentieth day of December, in each year, it shall be lawful for and shall be the duty of the collector of revenue to charge, receive and collect, in addition to the amount of said tax, interest thereon to be computed at the rate of twelve per centum per annum, from said twentieth day of December until the same is paid; and such interest shall be paid over by the said collector of revenue to the treasurer of the city, in like manner, at the same time as he may be required to pay over to said treasurer all taxes by him collected.

To pay a
good inter-
est.

48. *And be it enacted*, That all taxes and assessments

which shall hereafter be levied, assessed, or made upon any lands, tenements or real estate situate in the City of Bergen, shall be and remain a lien thereon until paid, notwithstanding any devise, descent, alienation, mortgage or other incumbrance thereon; and that if the full amount of any such tax or assessment shall not be paid and satisfied within the time limited and appointed by the said board for the payment thereof, it shall and may be lawful for the said board to cause such lands, tenements, or real estate to be sold at public auction, for the shortest term which any person will agree to take the same, and pay such tax or assessment, or the balance thereof remaining unpaid, with the interest thereon, and all costs, charges and expenses, and to execute under the common seal of said city a declaration of such sale, to be signed by the mayor and the city clerk, and to deliver the same to the purchaser; and such purchaser, his executors, administrators or assigns, shall, by virtue thereof, lawfully hold and enjoy the said lands, tenements, or real estate, for his and their own proper use, against the owner or owners thereof, and all persons claiming under him or them, until his said term shall be completed and ended; but said board shall first have caused said sale to be advertised for at least sixty days in at least two daily newspapers generally circulated in said city, and published in the county of Hudson, and also by advertisements put up in at least five public places in said city, which advertisements shall describe the said lands, tenements, or real estate, and specify the amount of the assessment or tax, and the recitals in such declaration of sale shall be prima facie evidence in all courts and places of the assessment, advertising, and sale; *provided*, that the lands, tenements, or real estate so sold may be redeemed by the owner, mortgagee, occupant, or person interested therein, or by any other person, for or in behalf of the owner, mortgagee, or claimant of such lands, tenements or real estate, at any time within two years after the sale for either taxes or assessments, or for both, by paying to the treasurer of the city, for the use of the said purchaser, the purchase money, together with any other sum paid for taxes or assessments which the said purchaser may have paid, chargeable on such

Taxes a lien.

Lands may be sold.

Day of redemption fixed for the owner.

lands, tenements, or real estate, and which he is hereby authorized to do, with interest thereon at the rate of fifteen per centum per annum in addition thereto; and the certificate of the treasurer of the said city, stating the payment, and showing what lands, tenements or real estate such payment is intended to redeem, shall be evidence of such redemption; a mortgagee shall have power to redeem at any time until the expiration of the six months' notice herein specified; no mortgagee whose mortgage shall have been duly recorded before sale for any tax or assessment shall be affected by such sale, unless six months' notice in writing shall have been given to him by the purchaser, or those claiming under him, either personally, or if not to be found in the said city, then such notice shall be deposited in the post-office in said city, directed to him at his last known place of residence, or at the post-office nearest thereto, but nothing herein contained shall be so construed as to impair the lien created by such tax, assessment or sale; that the said term of time for which any land, tenement, or real estate so sold as aforesaid shall not commence, nor shall said purchaser, or those claiming under him, have a right of possession to said land, tenement, or real estate, until the two years limited for the redemption of the same shall have expired; and the said purchaser, or those claiming under him, shall, at the expiration of such a declaration of sale, quit and surrender the said lands, tenements, or real estate, in as good state and condition as when he entered thereon, natural wear and accidents excepted.

More interest.

49. *And be it enacted*, That the said sale of any lands, tenements, or real estate for assessment or taxes may be adjourned or postponed from time to time, or suspend the same as said board may direct; and if at any sale the whole, or any part thereof, shall remain unsold for want of purchasers, then it shall be lawful for the said board to adjourn the sale not less than thirty days, nor more than sixty days; twenty days' notice at least shall be given as aforesaid of the said adjournment of said sale; and if at the adjourned sale there shall be no purchaser of said lands, tenements, or real estate, or any part thereof, then it shall be lawful for the

Sale postponed.

treasurer of said city to purchase the said lands, tenements, or real estate for the use and benefit of the City of Bergen, subject to the redemption as herein provided for; and all moneys paid for the redemption of said lands, tenements, or real estate as aforesaid, together with such taxes and assessments paid by a mortgagee or judgment creditor, shall be a lien on said lands, tenements or real estate, for the amount so paid, with interest at the rate of seven per centum per annum, and such lien shall have the preference over all other liens on said lands, tenements or real estate; and on foreclosure of any mortgage, by such mortgagee redeeming, shall be directed to be made out of said lands, and on the sale of said lands under any such judgment, shall be paid out of the proceeds of the sale; and a complete record of all taxes and assessments shall be kept in the city clerk's office, which record shall contain the time when such assessments and taxes were laid, the time when they were paid, and if the property has been sold therefor, the time of said sale, to whom sold, and if redeemed, when and by whom.

Record of
taxes, &c.

Record of
sales.

50. *And be it enacted*, That it shall be the duty of the city clerk to record in a book to be called "record of sales," all declarations of sales as aforesaid, to give certificates of search in relation to liens to any person or persons applying for the same, and to cancel such declarations when the property for which they were given shall be redeemed, on the certificate of the city treasurer of such redemption, and to file such certificate in the said clerk's office; it shall be the duty of the treasurer to make out two certificates for all property redeemed, one for the person redeeming, and one to be filed in the said clerk's office.

Notice of
limited re-
demption.

51. *And be it enacted*, That it shall be the duty of the board of aldermen to give notice of the expiration of the time limited for the redemption of all lands sold for assessment and taxes as aforesaid, by virtue of this act by advertisement as aforesaid, sixty days next preceding the expiration of the time so limited for redemption, specifying the property unredeemed and the amount due thereon.

Property
subject to
tax.

52. *And be it enacted*, That all real and personal estate in said city shall be liable to taxation except mortgages on

real and personal property therein, which said mortgages shall be exempt from taxation in the hands of any citizen of this State, and the amount of such mortgage shall not be deducted from the value of the taxable property within said city.

53. *And be it enacted*, That all taxes shall be assessed, levied and collected in said city in the manner prescribed in this act, and no act shall be deemed to repeal or modify this section, unless expressed in such act to apply to the City of Bergen by name.

Taxes how
collected, &c

TITLE V.

OF COMMISSIONERS OF STREET IMPROVEMENTS.

54. *And be it enacted*, That it shall be lawful, and shall be the duty of the board of aldermen to appoint three persons, who shall be residents of different wards, and freeholders of said city, to be called commissioners of assessments for street improvements, and they shall take and subscribe the oath required by this act, and shall be appointed annually for the term of one year, as provided in title two of this act. In case any one or more of the said board of commissioners of assessments shall be interested in any assessment or improvement, then the board of aldermen shall appoint some discreet and impartial freeholder or freeholders residing in said city, to serve with said board of commissioners and assessments, in lieu of the commissioner or commissioners so interested, and the person so appointed shall take and subscribe the oath herein required.

Commis-
sioners for
streets.

55. *And be it enacted*, That said board of commissioners of assessments for street improvements shall possess and exercise all the powers in this act prescribed, in all cases and matters referred to them by the board of aldermen, under the control of the mayor and board of aldermen of said city; but this act shall not affect any proceedings in cases of such improvements now in the hands of commissioners heretofore appointed, under the charter of the town

Powers.

of Bergen, and all such proceedings heretofore referred shall be conducted and concluded by the commissioners to whom the same have been referred, the same as if this act had not passed.

Majority
may act.

56. *And be it enacted*, That all acts required by this act to be done by said commissioners of assessment, shall be valid and effectual if the same is done by a majority of them; but each commissioner of assessment shall be notified of the time and place of meeting to consider the subject.

TITLE VI.

OF IMPROVEMENTS, AND ASSESSMENTS THEREFOR.

Street im-
provements.

57. *And be it enacted*, That it shall be lawful for the board of aldermen, by ordinance, to lay out, open, alter, widen, and vacate any street, road, or avenue, or any part thereof in said city; to build sewers, drains, and receiving basins in and upon any street, road, or avenue in said city, or any part thereof, on application in writing to the said board of aldermen, and all such applications shall be advertised by the board of aldermen in two of the Hudson County daily newspapers circulating in said city, for ten days at least before the ordinance is passed to carry out the same, which ordinance shall be referred to the commissioners of assessments, who shall examine into the whole matter impartially, and to the best of their judgment, skill and ability; who shall cause a survey and preliminary map to be made of said improvement, distinguishing each lot or parcel by numbers on said map, and they shall estimate the whole cost of said improvement according to the best of their judgment, and shall assess such estimated costs upon the lands and real estate benefited, in proportion to the benefits received, and report the names of the owners of the lots or parcels, as far as practicable, with the amount assessed to each, and shall file said report and map with the clerk of said city within twenty days thereafter. The clerk shall give notice of the filing of any such report and map

Expenses as-
sessed.

Map filed
and notice.

within ten days after the same shall be filed with him, in two of the Hudson County daily newspapers circulating in said city, and by five notices put up on the line of said improvement.

58. *And be it enacted*, That unless within twenty days after the filing of said report, as in the preceding section provided, the owners of a majority of the lands to be assessed for such improvements shall file with the clerk of the city, a remonstrance signed by them, or their agents lawfully authorized, said board of aldermen shall proceed forthwith to execute and carry out said improvement under said application, and all costs and expenses incurred in such proceedings shall be repaid to the said city by the petitioners for such improvement; and the board of aldermen shall make such regulations touching the receiving, and proceedings upon such petition, and security for the expenses thereof, as they may deem proper by resolution or otherwise; and the said board may refer back said report and map to said commissioners of assessment for alterations or corrections in matters of form or substance, when they deem the same necessary.

Owners to remonstrate within a certain time.

59. *And be it enacted*, That all expenses and costs of proceedings for improvements in laying out, opening, altering, widening, vacating streets, roads, or avenues, and for building drains and sewers, when the same shall be completed, shall be assessed by the commissioners of assessments upon, and be paid by the lands and real estate benefited by the improvement so applied for, in proportion to the benefit received by said lands and real estate; and the said commissioners of assessment shall determine and report in writing to the board of aldermen what proportion of such expense shall be assessed upon each separate lot or parcel of land, and shall accompany such report with a final map containing each lot assessed, and the name of the owner or owners thereof; which report and map shall be filed in the office of the city clerk, whereupon said clerk shall cause to be inserted in at least two of the Hudson County daily newspapers circulating in said city, for at least ten days, a notice of the filing of said report, and he shall also put up

Costs of street improvements.

Map filed, &c.

five notices on the line of said improvement in said city and that the board of aldermen, or a committee thereof, will meet at a time and place to be specified in said notice, to be at least ten days from the date of the filing of said report, to consider said assessment, and to receive and consider all objections thereto, which may be presented in writing.

Assessment
a lien on
lands.

60. *And be it enacted*, That if said board of aldermen shall by resolution confirm said assessment, it shall constitute a lien on the property assessed for the amount of such assessment, and shall be collected under and by virtue of a general ordinance made by said board for the collection of assessments; and the said board shall have power to return said map and report for correction in matters of form and substance, before confirming the same; and in such cases the said commissioners of assessment shall have power to correct the same, and refile the same with the city clerk, within ten days after it shall have been so referred back to them; and if the persons assessed neglect to pay to the collector of revenue upon written notice of the confirmation of the assessment, the said board may proceed to enforce the lien as prescribed under title four of this act; and whenever within said city any assessment on any lot or parcel of land shall remain unpaid for thirty days after the confirmation thereof, it shall be lawful for said board to charge, receive and collect, in addition to the amount of said assessment, interest thereon at the rate of twelve per centum per annum, from the time of the confirmation of such assessment until the same is paid.

12 per cent.
interest on
delinquents.

61. *And be it enacted*, That it shall be lawful for the board of aldermen, by ordinance, to pave, curb, gutter, grade, and alter the grade of, fill up, refill or macadamize, to lay side and crosswalks, in any street, road or avenue, or any part thereof, in said city, on application in writing to said board; and all such applications shall be advertised in two of the Hudson County daily newspapers circulating in said city, and also by notices put up in five places on the line of said improvement applied for; and the said board shall then, if they deem proper, proceed to execute the said improvement; *provided*, a majority of the owners of property do not remon-

Applications
for street im-
provements.

Owners may
remonstrate,

strate against the same, and the costs and expenses of the same shall be assessed upon the lands and real estate fronting on said improvement according to the benefits received by said improvement, by the commissioners of assessment, who shall make an assessment map and report thereon with the names of the owners of the lots or parcels, as far as practicable, with the amount assessed to each, and shall file the said report and map with the city clerk within fifteen days after the same shall have been referred to them; whereupon the said clerk shall cause to be inserted in at least two of the Hudson County daily newspapers circulating in said city, for at least fifteen days, a notice of the filing of said report and map, and shall also post notices in at least five places on the line of said improvement, that the board of aldermen, or a committee thereof, will meet at a time and place to be specified in said notice, to receive and consider all objections which may be presented in writing against the confirmation of said assessments; *provided*, that in case of the grading or filling up of streets hereafter to be opened or extended so as to intersect or extend to Wayne street and Montgomery street as now laid out in Jersey City, the assessment for the same shall be made by the commissioners of assessments upon all the real estate which shall be benefited by said improvements, according to the benefits received, anything hereinbefore contained to the contrary notwithstanding.

62. *And be it enacted*, That if the board of aldermen shall thereafter confirm said assessment above mentioned by resolution, it shall constitute a lien on the property assessed for the amount of said assessment, and shall be collected in the same manner, and shall be enforced as described in title four of this act, all such applications to be governed by the ordinance or ordinances regulating the same; if the application in writing as aforesaid for any improvement above mentioned shall be made to the board of aldermen, signed by the owners of a majority of the lands fronting upon said proposed improvement, it shall then be the duty of said board to cause such improvement to be made, and to cause the costs and expenses for the same to be assessed, and all further proceedings to be had thereon in the next preceding

To be lien on lands.

section already provided in regard to any improvements in said section contemplated and authorized.

Width of streets.

63. *And be it enacted*, That all streets, roads or avenues to be laid out or opened, shall not be less than sixty nor more than one hundred feet in width, and all streets widened, altered or extended not less than fifty nor more than one hundred feet in width; the sidewalks upon either side of any street, road or avenue shall occupy one-fifth of the whole width of said street, road or avenue, and no stoop shall project nor enclosed area extend beyond the line of said street, road, or avenue; and said board shall have power by ordinance to regulate the planting of shade trees upon said sidewalks, and to protect the same; and they shall have power to take any lands that may be necessary for opening, widening or altering of any street or road in said city; but no lands shall be taken for the laying out, opening, widening, or alteration of any street, road or avenue without allowing or paying to the owner or owners thereof the fair value of the lands taken and the improvements and buildings thereon, and the damage done to any district, lot or parcel of land or tenement by taking any part of it for that purpose.

Shade trees.

Lands taken to be paid for.

This to be a part of the expenses.

64. *And be it enacted*, That the valuation of such lands in the last section mentioned, or damages by taking the same, shall be a part of the costs and expenses of the improvement requiring such lands or damages, and shall be distinctly estimated, determined, assessed and collected as provided in title four of this act; in case any dwelling or other building may be required to be removed for the purpose of said improvement, such dwelling or other building shall be sold at public auction and removed by resolution of said board, and the proceeds of such sale or sales, after paying the expenses thereof, shall be divided, pro rata, among all persons assessed for said improvement, under such regulations as said board may deem just and proper.

Benefits to be considered.

65. *And be it enacted*, That the benefits done to the residue of any lot or parcel of land, a part of which may be taken for such improvements, shall be estimated in the same manner as to other lands; and the commissioners of assessment shall include in their preliminary and final report, the

value of the land taken for such improvement, and the value of the erections thereon, and the damages, aforesaid, done by taking or removing the same, and to whom said lands belong, and the interest and estate of the several owners in the same, as far as practicable; and in case the lands so valued or damaged by such taking, shall be held by a tenant for life or years, and the fee in remainder or reversion, the commissioners shall, in their report, apportion such value and damages between them; and in case any lands assessed shall be held by a tenant for life or years, and such tenant shall pay such assessment, or the same be made by a sale of his interest in said lands, said tenant or tenants, or his or their legal representatives, shall, at the termination of his or their estate, be repaid such principal sum by the reversioner, his heirs or assigns, and shall have a lien upon said lands for the same, and may, by a bill in chancery, have said lands sold to pay such lien, and the proceedings thereon in the court of chancery, except the allegations in the bill, shall be the same as if said reversioner had given a mortgage on said lands, and said bill was filed for the foreclosure thereof, and such lien shall have priority over all other incumbrances.

66. *And be it enacted*, That upon completing the report aforesaid, of the commissioners of assessment, assessing the value of the lands so taken, and the damages thereby; the city treasurer shall tender and pay to the owner of said lands, if a resident of the city, the amount of such assessment due him; but if such owner is not a resident of the said city, or if upon inquiry he cannot be found therein, or is a lunatic or idiot, or if, for any other lawful cause, he is incapacitated to receive the same, or if such owner will not accept the same and sign a proper receipt therefor when tendered, then the treasurer shall make affidavit of such facts, and file the same with the city clerk; and the board of aldermen shall, after inquiring into the facts of the case, by resolution, direct the amount of such assessment to be placed either in the city treasury or some bank, for the use of the person to whom it may be due; and upon filing such receipt of the owner or the passing of such resolution by the said board of aldermen, the said lands shall be vested in the City of Bergen, and

Owner to be paid when..

the city officers may proceed with such improvement, and the said money so deposited shall be paid by property warrant to the person entitled thereto, on demand, without interest, except from such time as a demand therefor may be made and payment refused.

Repairs, &c.,
by resolution.

67. *And be it enacted*, That the board of aldermen may, by resolution passed at any meeting, direct any repairs in the carriage-ways or crosswalks of any street, road or avenue within said city, whenever they shall deem such repairs necessary; in cases where such repairs or improvements are not applied for in the manner prescribed by this title, such repairs shall be made by contract or otherwise, as said board may direct, shall be superintended by the commissioner of streets, and shall be paid for by said board upon their approval of the work, out of the moneys raised by tax for the repairs of streets, and that all repairs to sidewalks and curbs and gutters shall be made by the owner or owners of the lands in front of which said repairs are necessary, upon the written notice of the commissioner of streets; and if said owner or owners shall be non-residents of said city, it shall be sufficient for the commissioner of streets to post such notice upon, or near the lot or lots in front of which the sidewalk and curb and gutter may require to be repaired or relaid; and if the same shall not be repaired within ten days from the serving or posting of said notice, then it shall be lawful for the said board, by resolution, to direct the commissioner of streets to cause the same to be made; the costs and expenses for repairing and relaying as aforesaid shall be assessed by the commissioners of assessment upon the lands directly in front of which said repairs shall be made, and shall remain a lien thereon, and shall be collected as prescribed by this act for the collection of assessments for improvements.

Who to pay.

How collected.

Grade to be permanent.

68. *And be it enacted*, That the grade of any street, road or avenue, when established in accordance with an ordinance for that purpose, shall be and remain the permanent grade thereof, and shall not be changed or altered except upon an application to said board of aldermen by the owners of at least three-fourths of the land to be affected thereby, nor

without paying to the owners of any buildings where damages are sustained by the alteration of such grade, the amount of the damage which shall be ascertained and determined by the commissioners of assessment making such assessment; and that the costs and expenses of establishing and authenticating such grade shall be assessed upon the land fronting on the street, road or avenue on which, or on a part of which such grade shall be established and authenticated, and the same shall be and remain a lien thereon, and the payment thereof enforced in the same manner, and to the same extent, as other assessments in this act provided.

Who to pay
for fixing.

69. *And be it enacted*, That when any sewer or drain heretofore constructed in said city by individuals, at their own expense, shall be adopted by the board of aldermen, as a continuation or receiving sewer of or for any sewer or drain to be constructed under their direction, then the owner or owners of the land fronting on such sewer or drain heretofore made, shall not be assessed for the same.

Sewers.

70. *And be it enacted*, That the board of aldermen are hereby empowered to cause all or any of the improvements authorized by this act to be made in any of the streets, roads, or avenues, whether the same is used as a plank-road, railroad, or otherwise (except so far as such improvements may interfere with the corporate rights of such plank-road or railroad), in and upon all streets, roads, or avenues that have been or shall hereafter be dedicated to the public use, whether they have been actually opened to the public travel or not, and any or all of the said improvements may be made in a part of any such street, road, or avenue in said city; and the said board shall have power to regulate the position and construction of all railroads to be laid in any street, road, or avenue in said city.

Streets in
which are
railroads.

71. *And be it enacted*, That the petition filed praying for any improvement contemplated by this act, may embrace any number of improvements upon the same street, road or avenue, or proposed street, road, or avenue; but the commissioners of assessment shall return a distinct map and report for each of said improvements embraced in said petition and ordinance.

Petition for
various im-
provements.

TITLE VII.

OF WATER COMMISSIONERS AND SEWERS.

Water Com-
missioners.

72. *And be it enacted*, That the board of water commissioners for said city shall consist of four persons, who shall be residents and freeholders of said city; and the board of water commissioners, as now organized and established under the charter of the town of Bergen, shall be continued as the board of water commissioners of the city hereby incorporated, until the next charter election; and they shall have and exercise all the duties and powers prescribed in this act, and be subject to all the provisions of this act; the water commissioners shall be elected from each ward at the next charter election, whose term of office shall be respectively one, two, three, and four years, to be determined by lot after they have been duly qualified, and in the presence of each other, and in the presence of the city clerk, who shall record and declare the result; one commissioner shall thereafter be elected annually from the ward in which such vacancy shall occur.

Number and
term of
office.Term of
office.

73. *And be it enacted*, That the regular term of the water commissioners shall be for four years, and shall commence on the first Monday of May, and the term of one water commissioner shall expire annually, in accordance with this provision, and as now provided in the charter of the town of Bergen.

To take oath.

74. *And be it enacted*, That before said water commissioners shall enter upon their duties, they shall take and subscribe the oath required by this act of other officers of said city; in case of vacancy by death, removal, resignation or other disability, in the office of any or all of the said water commissioners, the same shall be filled by the appointment of the board of aldermen until the next charter election; the president of the board of aldermen shall be a member ex-officio of the board of water commissioners on and after the next charter election of said city.

Vacancy
filled.Clerk to be
appointed.

75. *And be it enacted*, That the board of water commissioners shall appoint suitable persons as clerk, also engineer

or engineers of the water commissioners, who shall hold their offices during the pleasure of the commissioners, and shall receive such annual salary as the board of aldermen shall fix, as in this act provided; and the clerk shall take and subscribe the oath required by other officers, and he shall give a bond in such amount and with such sureties as shall be approved by the mayor and the board of aldermen, conditioned for the faithful performance of his duty, which bond shall be filed with the city clerk; and in case the office of said clerk of the water commissioners shall be vacant by death, removal, or other disability, the same shall be filled by the commissioners.

To take oath
and give
bond.

76. *And be it enacted*, That said water commissioners shall examine and consider all matters relative to supplying the said city with pure and wholesome water for the use of the inhabitants thereof, and report to the board of aldermen a plan for the introduction and distribution of such water in said city, showing in what streets and roads they propose to lay the main and distributing pipes, and, as nearly as may be, the estimated cost and expense of the pipes, hydrants, and the putting down of the same; and if the mayor and board of aldermen approve the projected plan and arrangements by ordinance, the said water commissioners shall proceed to carry out the work in accordance with said plan, under the control and direction of the board of aldermen; but nothing herein provided shall impair or affect any proceeding already done by the water commissioners acting under the charter of the town of Bergen.

City to be
supplied
with water.

77. *And be it enacted*, That for the purpose of constructing waterworks as above provided, and all necessary pipes, hydrants, and all other fixtures, and to defray the cost and expense of putting down and completing the same, the mayor and board of aldermen are hereby authorized to issue the bonds of said city, either registered or coupon, to an amount not exceeding one hundred thousand dollars, payable in not less than ten nor more than twenty years, with interest not exceeding seven per centum per annum, payable half yearly; and said bonds shall be designated "City of Bergen Water Bonds," and a complete record of all said bonds shall be kept

Water bonds
to be issued.

by the city clerk, and copies of such record shall be by him made and delivered to the city treasurer; and the said corporation, and all the real estate within the corporate limits of said city, and all chattels belonging to any person or persons, or corporation, residing or being within said city, shall be made liable for the payment of the principal and interest due or to become due on such bonds, or any part thereof; and that, in order to pay the interest on said bonds, there shall be imposed, annually, by the mayor and board of aldermen, a tax of two dollars and fifty cents on every lot of land twenty-five feet in width, fronting on the street or road in which such water-pipes shall be laid, or in that proportion, if said lot be more or less than twenty-five feet in width on such street; *provided, however*, that lots running from street to street, owned by the same owner, shall not be liable to but one tax for frontage; unless the distance between said streets exceeds one hundred feet, and the lands or lots that shall be liable to this tax shall be designated from time to time, by the board of aldermen, by a resolution directing the collector of revenue of the city to collect the same; and it shall be his duty to collect said tax in the same manner as other taxes are collected in said city, and if the same is not paid at the time fixed by law for the payment of the taxes of said city, then the same shall be and remain a lien upon the land in the same manner as other taxes are a lien upon land in said city, and the payment thereof, together with twelve per centum interest thereon, from the twentieth day of December in each year, shall be enforced by the sale of the land, as provided for in this act in other cases of taxation.

Tax on every lot.

More interest on delinquents.

Powers of Commissioners.

78. *And be it enacted*, That the said water commissioners shall have the charge and control of all the water-works in the said city, and shall fix the rates for the use of the water, and from time to time make and alter all necessary rules and regulations touching the supply and the use of the water as they may deem expedient, by and with the approval of the board of aldermen, and shall have power to provide and put down, as aforesaid, at the expense of the city, all necessary fire hydrants, and keep the same in repair; and if any person shall injure or destroy any of the water-pipes, fixtures, or

hydrants, he shall be guilty of a trespass, and all damages shall be recoverable by suit in the name of the city, as hereinafter provided.

Penalty for
injuring
works.

79. *And be it enacted*, That the clerk of the water commissioners shall attend the meetings of said water commissioners, shall keep a correct record of all their proceedings, and copies of all contracts and agreements made (the original being filed with the city clerk) by the said commissioners, and copies of all accounts, and rules and regulations made by said water commissioners, and shall keep suitable books containing the names of all persons that use the water, and a description of premises whereon the same is used, and under the direction of said commissioners, he shall collect all water rents, water taxes and penalties, and make out and deliver to the board of aldermen, at least once a year, and oftener if required, a statement showing the number of consumers of water, the amount received for the same, and the water rents in arrear, if any, and perform such other duties as the water commissioners may prescribe; the said clerk shall pay over to the city treasurer all such money so collected or received, and as soon as collected, and shall take a proper receipt from the said treasurer therefor.

Duties of
Clerk of
Commissioners.

80. *And be it enacted*, That all water rents shall be payable yearly in advance, and if not paid in accordance with the rules and regulations as established by the water commissioners, and approved by the mayor and board of aldermen, the same shall be and remain a lien on the land, together with all penalties, charges and interest thereon, and the payment thereof by the sale of such land shall be enforced, the same as is provided in this act for the collection of taxes and assessments.

Water rents
payable
yearly.

81. *And be it enacted*, That the water commissioners, under the direction of the mayor and board of aldermen, shall have the entire charge of constructing all sewers, drains, culverts, and receiving basins in said city, and every part thereof, and of cleansing and repairing the same, and in the construction of a main sewer or receiving sewer; and the said water commissioners are hereby authorized to extend the outlets of the same to the tide water of New York Bay,

Water Commissioners
to have
charge of
sewers.

or to the Hackensack river, or both, as may be deemed by them necessary or expedient; and the assessment for the cost and expense of constructing such sewer or sewers according to the plan adopted as aforesaid, shall be assessed upon the property benefited by its construction, and it shall be lawful to construct said sewers under the Morris Canal whenever it may be necessary.

Not to be interested in contracts.

82. *And be it enacted*, That all contracts in which said water commissioners, or any of them, may be interested as individuals, either directly or indirectly, or in which any one of them may be security for the faithful performance thereof, shall be null and void.

TITLE VIII.

MISCELLANEOUS PROVISIONS.

Old ordinances, &c. continued in force.

83. *And be it enacted*, That all ordinances of the town of Bergen, as at present incorporated, that may be in force when this act shall go into effect, so far as the same may be applicable to the city hereby incorporated, and so far as is not inconsistent with this act, shall be and continue in force until altered or repealed by the board of aldermen hereby created; and nothing in this act shall be construed to invalidate or affect any bonds, contracts, agreements or liabilities of the town of Bergen, heretofore legally given, made or entered into, for any purpose whatever.

Old debts remain alive.

84. *And be it enacted*, That all debts, claims, taxes and assessments due to the town of Bergen when this act takes effect, shall and may be collected by the mayor and board of aldermen of the City of Bergen, for the use and benefit of the corporation by this act created, and in the manner provided for the collection thereof.

Old officers hold over.

85. *And be it enacted*, That all officers of the town of Bergen, now performing duty as such, shall be continued as the officers of the city hereby created, until the end of the term of their election or appointment, and they shall respectively have and exercise all the powers and duties herein pre-

scribed, subject in all things to the provisions of this act, unless otherwise provided for in this act.

86. *And be it enacted*, That upon the trial of any issue, or any judicial investigation, to which issue or investigation the City of Bergen is a party, or in which said city is interested, no person shall be deemed an incompetent judge, witness or juror, by reason of his being an inhabitant thereof. Residents may be jurors, &c.

87. *And be it enacted*. That the firemen now or hereafter to be regularly enrolled and recognized by the constituted authorities of the city, shall be exempt during the term of their service; and after having served seven years consecutively, shall forever thereafter be exempted from service on any jury; and also from serving in the militia, except in case of invasion or insurrection; and that certificates of the time that such persons have served as firemen in said city, signed by the mayor and city clerk, shall be evidence thereof; but no firemen of the city shall be exempted from jury duty, unless he actually performs all the duties of a fireman in his company; and to entitle him to such exemption, he shall present to the board of aldermen a certificate of the foreman or other chief officer of his company, that he is a faithful and acting member thereof. Firemen exempt from jury duty.

88. *And be it enacted*, That the mayor and board of aldermen are hereby authorized and empowered, for the purpose of purchasing sites and erecting school-houses in said city, to issue, in the name of the mayor and board of aldermen of the City of Bergen, coupon bonds, to be denominated on the face thereof, "City of Bergen School Bonds," to an amount in the whole not to exceed fifty thousand dollars, bearing interest at the rate of seven per centum per annum, payable half yearly, and the principal of said bonds shall be payable at periods not less than ten or more than thirty years from the date thereof, and the said bonds may be sold at public or private sale at not less than the par value thereof, at such times and in such amounts only as the proceeds may be required as aforesaid; and for the purpose of paying said bonds and the interest thereon as the same may become due, the said mayor and board of aldermen are hereby authorized to assess and collect a tax of one mill on the dollar of the prop- Bonds for school purposes.

erty assessed in said city, which tax shall be called public school tax, and shall be in addition to any other tax authorized by this act, and the collector of revenue shall collect and pay the same to the city treasurer in the same manner as other taxes, and said tax shall be kept separate and distinct from all other taxes.

Bonds sealed
and record of
kept.

89. *And be it enacted*, That all bonds issued as aforesaid shall be signed by the mayor of the city and by the city clerk, under the corporate seal of the said city; the clerk shall keep a record of all bonds issued or disposed of, and copies of such record shall be made by him and delivered to the city treasurer; all moneys received from the sale, or otherwise, upon said bonds, shall be paid to the city treasurer, who shall pay out the same in the manner that other moneys are paid out for educational purposes in said city.

Repealer.

90. *And be it enacted*, That all laws and parts of laws relating to the town of Bergen, inconsistent with the provisions of this act, be, and the same are hereby repealed; but this repeal shall not affect any proceedings had or commenced under the same when this act takes effect, nor any rights or dues which the town of Bergen or the township of Bergen, or any person or persons, is or are entitled to by virtue thereof.

Public act.

91. *And be it enacted*, That the legislature may at any time hereafter amend or repeal this act; and that this act shall be a public act, and shall take effect immediately.

Approved March 11, 1868.

STATE OF NEW JERSEY :

I, HORACE N. CONGAR, Secretary of State of the State of New Jersey, do hereby certify that the foregoing is a true copy of an Act passed by the Legislature of this State, and approved by the Governor the eleventh day of March, A. D. 1868, as taken from and compared with the original now on file in my office.

In testimony whereof, I have hereunto set my hand and
[L.S.] affixed my official seal, this seventeenth day of
March, eighteen hundred and sixty-eight.

H. N. CONGAR.

STATE OF NEW JERSEY.

A FURTHER SUPPLEMENT

TO THE ACT ENTITLED "AN ACT TO INCORPORATE THE CITY OF BERGEN," APPROVED MARCH ELEVENTH, EIGHTEEN HUNDRED AND SIXTY-EIGHT.

1. *Be it enacted by the Senate and General Assembly of the State of New Jersey,* That it shall be lawful for the board of aldermen of the City of Bergen to borrow not more than one hundred thousand dollars in any one year, in anticipation of the collection of assessments for street improvements, to be provided for by the issue of either registered or coupon bonds, as the board of aldermen may from time to time direct, and in such amounts only as may be required to meet the obligations of the city falling due for such street improvements hereafter to be commenced; provided, however, that the amount of such bonds outstanding at any one time shall not exceed one hundred thousand dollars, said bonds to be denominated on the face thereof, "City of Bergen Street Improvement Bonds," bearing interest at the rate of seven per centum per annum, payable half yearly, and the principal of said bonds shall be payable at periods not less than ten nor more than twenty years from the date thereof; said bonds may be sold at public or private sale, at such times as the board of aldermen may direct; provided, however, that no such bonds shall be sold at less than ninety-five per centum of their par value; and that such assessments for street improvements, or so much thereof as may be necessary for that purpose, shall be appropriated and set apart to

pay the interest and extinguish the principal of said street improvement bonds.

2. *And be it enacted*, That it shall be lawful for the mayor and board of aldermen of the City of Bergen to borrow not more than seventy-five thousand dollars, to meet existing liabilities for street improvements now made or in progress, and to issue the bonds of the city therefor, said bonds to be denominated on the face thereof, "City of Bergen Temporary Improvement Bonds," bearing interest at the rate of seven per centum per annum, payable half yearly; and the principal of said bonds shall be made payable in not less than five nor more than ten years from the date thereof; and that assessments made, and to be made, for work done or in progress shall be applied to the redemption of said bonds and the interest thereon; and said bonds may be sold for not less than ninety-five per centum of their value.

3. *And be it enacted*, That the mayor and board of aldermen of the City of Bergen are hereby authorized and empowered to purchase sites for and build, erect and furnish school houses in said city and for that purpose the mayor and board of aldermen of the City of Bergen are hereby further authorized to issue, in the corporate name of said city, either coupon or registered bonds, to be denominated on the face thereof, "City of Bergen School Bonds," to an amount in the whole not to exceed one hundred and fifty thousand dollars, including the fifty thousand dollars heretofore issued for school purposes, bearing interest at the rate of seven per centum per annum payable half yearly; and the principal of said bonds shall be payable at periods not less than ten nor more than thirty years from the date thereof; and the said bonds shall be sold at public or private sale, at such time and in such amounts only as the proceeds may be required as aforesaid; and the entire proceeds of such bonds shall be applied to the purposes mentioned in this section and none other; and for the purpose of paying said bonds and the interest thereon as the same may become due, the said mayor and board of aldermen are hereby authorized to assess and collect a tax of one mill on the dollar, of the pro-

erty assessed in said city, which tax shall be called public school tax, and shall be in addition to any other tax authorized by the act to which this is a supplement, and the collector of revenue shall collect and pay the same to the city treasurer, in the same manner as other taxes, and said tax shall be kept separate and distinct from all other taxes, and shall be appropriated and applied to the purposes above specified and no other; provided, however, that no such bonds shall be sold at less than ninety-five per centum of their par value.

4. *And be it enacted*, That the mayor and board of aldermen of the City of Bergen, at the requisition of the water commissioners of said city, shall have power to borrow, from time to time, such sums as they may deem expedient, not exceeding in the whole five hundred thousand dollars on either registered or coupon bonds, to be denominated on the face thereon, "City of Bergen Sewerage Improvement Bonds," and to be issued by the mayor and board of aldermen, under the seal of said city, bearing interest at the rate of seven per centum per annum, payable half yearly, and the principle of said bonds shall be payable at periods not less than ten nor more than twenty years from the date of the issue thereof, and said bonds may be sold at public or private sale as the board of aldermen of said city may direct; provided, however, that no such bonds shall be sold at less than ninety-five per cent. of their par value; and the board of aldermen of said city in levying the assessment for the construction of sewers in the City of Bergen, shall extend the collection of the assessment over a period of five years, and shall charge the property to be assessed for building of sewer, in addition to the amount of the final assessment of the costs and expenses of constructing the same, interest thereon at the following rates, viz.: at the rate of eight per centum per annum, upon all assessments which shall remain unpaid for any time during the first three years after the same shall have been confirmed, unless the same is paid within thirty days from the date of the confirmation of the assessment, at the rate of nine per

the charter of the City of Bergen be so amended as to allow the mayor and board of aldermen to issue the bonds of said city, either registered or coupon, to an amount not exceeding two hundred thousand dollars.

7. *And be it enacted*, That the width of sidewalks shall be of the uniform width of ten feet, on which no stoop or enclosed area shall extend beyond the street line in the following streets, roads and avenues, viz.: Academy street, from the Jersey City line to Summit street, Montgomery street, from the Jersey City line to Bergen avenue; the Bergen Point Plank Road; from the Jersey City line to Colden Place; the New York and Newark Plank Road, from its junction with the Jersey City and Bergen Point Plank Road to the Hackensack river; and Hudson avenue, from the Jersey City and Bergen Point Plank Road to Palisade avenue; and on and after the passage of this act, the sidewalks upon either side of any street, road, or avenue, or any part thereof, except those above enumerated, shall occupy one fourth of the whole width of said street, road, or avenue, and no stoop shall project more than one-twelfth, and no enclosed area shall occupy more than one-fifteenth of said street, road, or avenue; provided, that the sidewalk on the Jersey City and Bergen Point Plank Road, from Colden Place to Communipaw avenue shall be ten feet in width.

8. *And be it enacted*, That on Montgomery street from the Mill Creek to Bergen avenue, and on the Jersey City and Bergen Point Plank Road, from the Jersey City line to the westerly side of Communipaw avenue, the Newark Plank Road from Colden Place to Bergen avenue, and Hudson avenue from Palisade avenue to the Bergen Point Plank Road, one third of the cost of proper pile foundation and cappings to same, and the expense of rock-cutting on said streets, where required shall be paid for by the city and the other two thirds of the costs of said pile foundation and capping, and rock cutting on said streets shall be assessed upon and paid for by the property benefited by said improvement in proportion to the benefit received; and the mayor and board of aldermen of the City of Bergen shall

centum per annum upon all such assessments as shall not have been paid at the expiration of the first three years and which shall be paid during or at the expiration of the fourth year, at the rate of ten per centum per annum upon all such assessments as shall remain unpaid at the end of the fourth year, and which shall be paid during or at the expiration of the fifth year, and at the rate of twelve per centum per annum upon all such assessments as shall remain unpaid at the expiration of five years from the confirmation of said assessment, which said interest shall be collected at the time the assessment is collected, and together with the assessment and all penalties, charges and costs thereon, shall be and remain a lien upon the lands assessed; and the payment thereof by the sale of said lands shall be enforced the same as is provided in title four of the act entitled "An Act to incorporate the City of Bergen," approved March eleventh, eighteen hundred and sixty-eight, to which this act is a supplement.

5. *And be it enacted*, That all moneys collected on said assessment shall be paid to the city treasurer, who shall place the same to an account known as the sewerage account; and that said moneys shall be held for the construction of sewers, and shall not be used for any other purpose except to pay the interest on said bonds; provided, that after the first day of January, eighteen hundred and seventy-three, the said city treasurer shall, with the concurrence of the mayor and board of aldermen of said city, invest all moneys received by him for assessments and interest for building said sewers (except so much thereof as may be necessary to pay the interest on said bonds) in United States government bonds, New Jersey state bonds, and City of Bergen sewerage improvement bonds, and which last said bonds upon being redeemed shall be cancelled; and which said government bonds shall be held by said treasurer as a sinking fund for the final redemption of the City of Bergen sewerage improvement bonds, which may be issued under the provisions of this act.

6. *And be it enacted*, That the seventy-seventh section of

ment coupon bonds," and also the following clause in section forty-four, title four, of said charter, viz. : " and the assessors shall assess such taxes separately from all other taxes in the manner aforesaid, together with all other clauses and provisions in said charter inconsistent with this act, be and the same are hereby repealed."

11. *And be it enacted*, That from and after the passage of this act the rate of taxation for the purposes expressed in the forty-third section of the fourth title of the charter of said city shall not exceed in any one year twenty mills on the dollar of the actual value of property assessed, except obligations for war purposes.

12. *And be it enacted*, That any assessments made or to be made for any filling which has been done on Washington avenue from the bridge over the Morris Canal to the Jersey City and Bergen Point Plank Road, since January first, eighteen hundred and sixty-eight, or now under contract for the necessary piling and capping to protect such filling, shall be assessed and apportioned as follows, viz. : one third to be paid by the city, and the remaining two-thirds to be assessed upon and paid by the lands and real estate on each side of said filling benefited thereby in proportion to the benefit received.

13. *And be it enacted*, That all bonds issued by the City of Bergen shall be sold by said city, under the direction of the mayor and board of aldermen of said city, and the proceeds derived from the sale of said bonds shall be paid to the city treasurer, and shall be applied only to the purposes for which such bonds were issued.

14. *And be it enacted*, That the mayor and board of aldermen shall by ordinance regulate the erection of partition fences.

15. *And be it enacted*, That whenever any assessment is set aside on certiorari, and a re-assessment ordered or allowed by the court, the said board of aldermen may appoint new commissioners (who shall possess the qualifications prescribed by the charter of said city) to make a new assessment.

proceed immediately after the passage of this act to cause the above mentioned streets and roads to be improved upon the application of any freeholders of the City of Bergen ; and that section of the city charter allowing a majority of the property owners to be assessed for the above improvements to remonstrate against said improvement, shall be of no effect on said roads and streets heretofore mentioned, and to provide for payment of so much of said improvement as the city may be liable for under the provisions of this act, the mayor and board of aldermen of the City of Bergen are hereby empowered to issue either registered or coupon bonds of the city, to such an amount as may be found necessary to meet such liabilities, said bonds to bear interest at the rate of seven per centum per annum payable half yearly, and the bonds to run not less than ten nor more than twenty years ; and the city shall levy in the tax ordinances of each year a sufficient sum to pay the interest on said bonds, to be levied the same as other city taxes ; said bonds may be sold either at public or private sale ; provided, however, that no such bonds shall be sold at less than ninety-five per cent. of their par value. Whereas, if it may be found necessary for the convenience of public travel to cause bridges to be built over the Morris Canal, or across streets and avenues and the Mill Creek.

9. *And be it enacted*, That the mayor and board of aldermen are hereby authorized to cause such bridges to be built, one-third the cost of constructing of said bridges to be paid by the city, one-third by the county, and one-third by the property benefited by said bridges being built across said canal or street and Mill Creek ; the amount for the construction of said bridges that the city shall pay shall not exceed in any one year more than fifteen thousand dollars, such amount to be provided for in the tax levy of that year.

10. *And be it enacted*, That the following clause in the forty-third section of the fourth title of the charter of the City of Bergen, viz. : " which tax shall not exceed in any one year ten mills on the dollar of the actual value of property assessed, except obligations for war purposes and improve-

STATE OF NEW JERSEY :

I, HORACE N. CONGAR, Secretary of State of the State of New Jersey, do hereby certify that the foregoing is a true copy of an Act passed by the Legislature of this State, and approved by the Governor the second day of April, A. D. 1869, as taken from and compared with the original now on file in my office.

In testimony whereof, I have hereunto set my hand,
[L. s.] and affixed my official seal, this nineteenth day of
April, eighteen hundred and sixty-nine.

H. N. CONGAR.

16. *And be it enacted*, That in case any assessment hereafter to be made, or heretofore made, since the first day of January, eighteen hundred and sixty-six, is set aside on certiorari after a portion of said assessment has been collected by the collector of revenue of said city, then, in that case, all sums of money so collected shall be refunded and paid out of the city treasury to the then owners of the lots or parcels of lands so assessed and upon which payments were so made, and in case a re-assessment is ordered or allowed for said work done, the same shall be made without any reference to the fact that any sums of money have been theretofore paid, under the said assessment so set aside on certiorari.

17. *And be it enacted*, That in addition to the city officers created under the third section, title second of the act to which this is a supplement, there shall be a comptroller who shall be appointed by the board of aldermen of said city, at the same time, and in the same manner as the other officers provided for by the charter of the said city, and shall hold his office for the term of two years.

18. *And be it enacted*, That this act shall be deemed and taken as a public act, and all acts or parts of acts inconsistent with this act be and the same are hereby repealed, and this act shall take effect immediately.

Approved April 2d, 1869.

STATE OF NEW JERSEY.

A SUPPLEMENT

TO "AN ACT TO INCORPORATE THE CITY OF BERGEN," APPROVED
APRIL SEVENTH, EIGHTEEN HUNDRED AND SIXTY-EIGHT.

1. *Be it enacted, by the Senate and General Assembly of the State of New Jersey,* That in all cases in which persons shall bring writs of certiorari to remove the proceedings of the mayor and board of aldermen of the City of Bergen, it shall be lawful for the city clerk to charge and receive from the parties bringing such certiorari at the rate of ten cents per folio for the necessary return thereto, and said parties bringing said certiorari shall pay said sum to said clerk before the return day of said certiorari, and in default thereof the court shall dismiss said certiorari; no costs shall be allowed the prosecutor in certiorari on his setting aside any ordinance, assessment or proceeding of said council.

2. *And be it enacted,* That no ordinance, assessment or proceeding of the said mayor and board of aldermen shall be set aside on certiorari by reason of the return to said certiorari failing to show that all the requirements of the city charter have been complied with, but after the filing by the prosecutor of the reasons in certiorari, the clerk of said city may make a further return to said writ of certiorari, stating such additional facts as he may be advised are proper and necessary to state in answer to any of said reasons; and said city may take proofs with reference to said facts, and if the same are established to the satisfaction of the court, then the court shall affirm the ordinance, assessment or proceeding in

question, the same as if such facts had properly appeared in the minutes, record and proceedings of said board of aldermen : whenever any assessment is set aside, the said mayor and board of aldermen may appoint new commissioners to make a new assessment.

3. *And be it enacted*, That no certiorari shall be allowed or granted to set aside any ordinances for any improvement in said city after the contract therefor shall have been awarded by the mayor and board of aldermen of said city, and no certiorari shall be allowed or granted to set aside any assessment for any improvement in said city after three months shall have elapsed from the date of the confirmation of said assessment by the mayor and board of aldermen of said city.

4. *And be it enacted*, That in case any assessment for any improvement is set aside on certiorari after a portion of the said assessment has been collected by the corporate authorities of the said city, that in that case all sums of money so collected shall be refunded and paid to the then owners of the lots or parcels of land so assessed, and upon which said payments were so made ; and the new assessment for said improvement shall be made without any reference to the fact that any sums of money have been heretofore paid under the said assessment so set aside on certiorari ; the sums herein provided to be refunded shall be paid out of the first sums of money collected under the new assessment for said improvement.

5. *And be it enacted*, That the board of aldermen shall have power, by resolution, to provide for the enlargement and change of shape, where they may deem it advisable of the main sewer in the Jersey City and Bergen Plank Road, the Newark Plank Road, Jackson avenue and Monticello avenue, now under contract for construction, under an ordinance of the mayor and board of aldermen of the City of Bergen in relation thereto, approved November eleven, eighteen hundred and sixty-eight, and they may make a further contract with the present contractor for said work for the enlargement and change of shape, and the entire cost, charges

and expenses of completing said sewer and said enlargement and change of shape shall be assessed upon and paid by the lands and real estate benefited thereby in proportion to the benefits received.

6. *And be it enacted*, That no ordinance, proceeding or assessment for any improvements heretofore made shall be set aside on certiorari, and no certiorari shall be had or maintained because the commissioners appointed under an ordinance of the mayor and councilmen of the town of Bergen, entitled "an ordinance to provide for creating and establishing a proper grade for the several public streets, roads, side and cross walks in the town of Bergen," approved September twenty-six, eighteen hundred and sixty-six, failed to make their report, and the maps and profiles, and do the other acts and perform their duties within the time stated in said ordinance, but said reports, maps and profiles, in reference to the proper grades and streets now reported and on file in the office of the clerk of the City of Bergen shall have the same force and effect, and be as valid and effectual in law, whether now approved or confirmed or may hereafter be approved or confirmed, by ordinance or resolution, as if every provision of said ordinance and of the charter of the said town and present City of Bergen had been fully and faithfully complied with, and the same appeared of record upon the minutes and proceedings of the said council and board of aldermen; and the grades of streets as shown on said maps now filed or hereafter to be filed as aforesaid within three months shall not be changed, except as set forth in section sixty-eight of the charter of the City of Bergen.

7. *And be it enacted*, That the mayor and board of aldermen of the City of Bergen shall have power from time to time, and as often as they may deem it necessary to refer back to the commissioners appointed for the location of new streets under section thirty-nine of the city charter, and an ordinance of the mayor and board of aldermen of the City of Bergen entitled "an ordinance for the appointment of a commission for the location of streets upon lands not laid out into lots and blocks," the map of streets and blocks in

the City of Bergen as laid down by said commissioners for revision, alteration, or amendment of the whole or of any part thereof; and may designate by resolution in what particulars the same shall be altered or amended; and when said map or maps are satisfactory to said mayor and board of aldermen, they may from time to time, by resolution, confirm such portion thereof as they deem right, and all or any part thereof, when confirmed, shall not hereafter be changed by said mayor and board of aldermen, and the expense of said commission, including surveys, cost of maps, commissioners fees and all other expenses, shall be collected by a general tax upon all the real and personal property in said city, and it shall be included in and collected under the ordinance for the assessment of the annual tax of said city for the year eighteen hundred and sixty-nine, or the year eighteen hundred and seventy, and no other assessment shall be made therefor.

8. *And be it enacted*, That the mayor and board of aldermen of the City of Bergen shall have power by resolution to change the grade of any street or avenue in said city, whenever they find it necessary to do so, where any sewer or any portion thereof when constructed would not, in their opinion, be a proper depth below the present grade of said street, road or avenue; and the cost and expenses of said change of grade shall be paid by a tax upon all the real and personal property in said city, and may be assessed and collected under any tax ordinance of the mayor and board of aldermen of said city, for the collection of the annual taxes in said city.

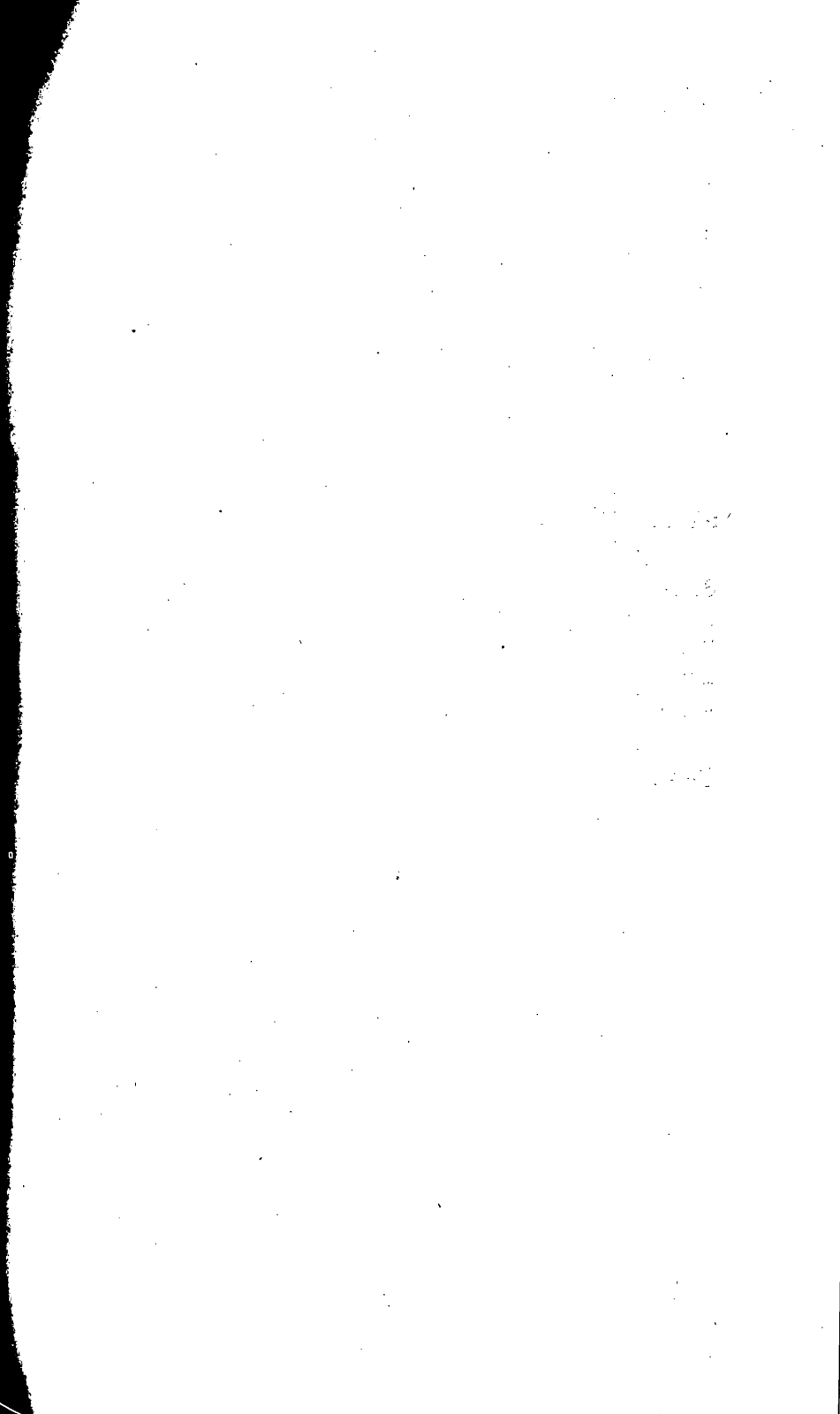
Approved, April 2d, 1869.

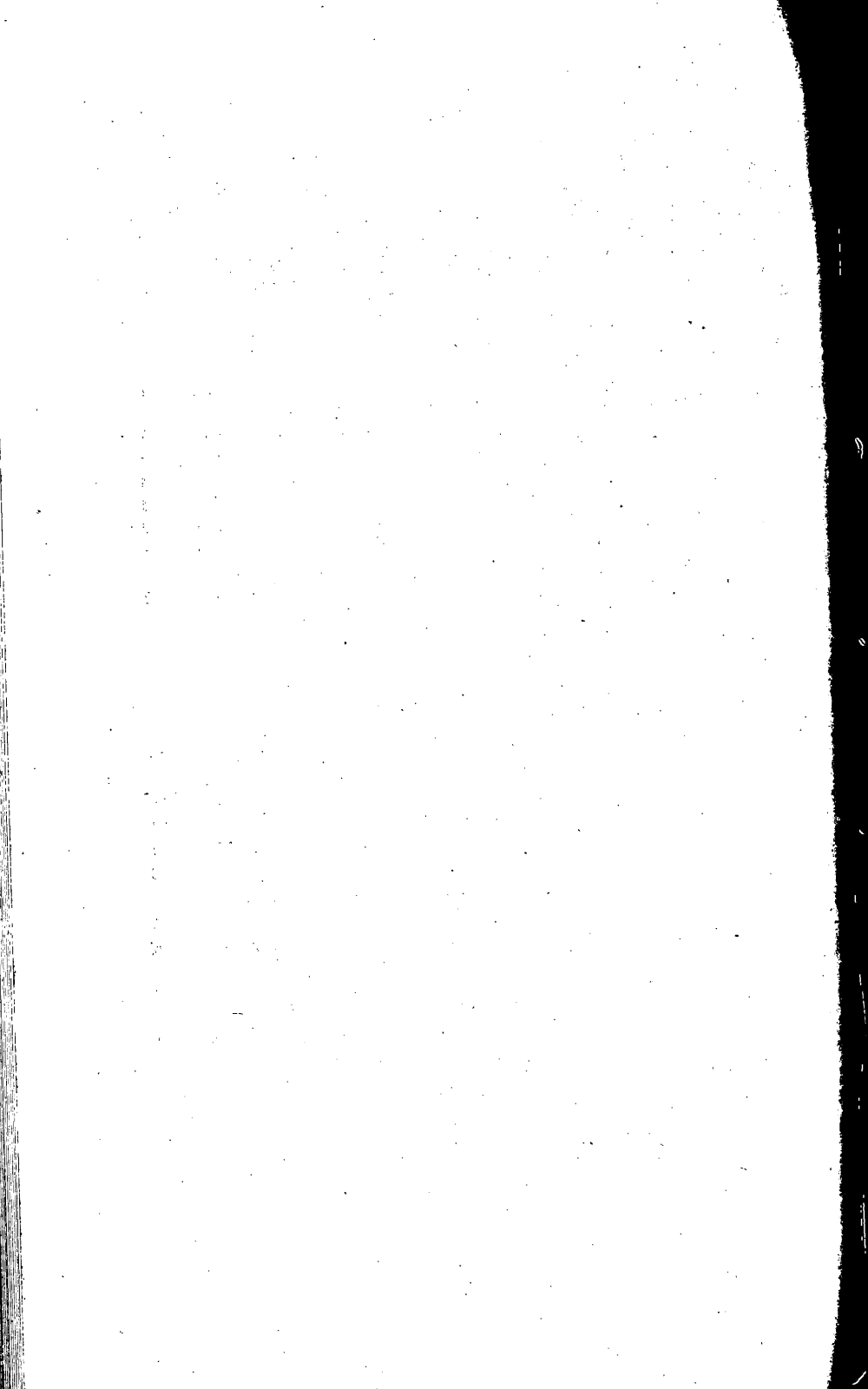
STATE OF NEW JERSEY:

I, HORACE N. CONGAR, Secretary of State of the State of New Jersey, do hereby certify that the foregoing is a true copy of an Act passed by the Legislature of this State and approved by the Governor the second day of April, A. D. 1869, as taken from and compared with the original now on file in my office.

In testimony whereof, I have hereunto set my hand,
[L. s.] and affixed my official seal, this twentieth day of
April, eighteen hundred and sixty-nine.

H. N. CONGAR.





ORDINANCES.

AN ORDINANCE

TO PROVIDE FOR GRADING AND LAYING PLANK SIDE WALKS ON THE EASTERLY SIDE OF PALISADE AVENUE AND WESTERLY SIDE OF HUDSON AVENUE, ACCORDING TO PETITION OF J. BRINKERHOFF AND OTHERS; PRESENTED TO COUNCIL JUNE 4, 1855, AND PASSED JUNE 25, 1855.

The Council of the Town of Bergen do ordain as follows:

SEC. 1. That that part of Palisade avenue lying between the tollgate and D. Van Winkle's store and Hudson avenue, be graded on the easterly side thereof, and plank side walk laid thereon of the width of four feet. And that the westerly side of Hudson avenue from Palisade avenue to the Bergen plank road at Sheriff Merseles's corner be graded, and plank sidewalk laid thereon of the width of four feet.

SEC. 2. That all the costs, charges, and expenses incurred in completing said improvement be assessed upon and paid by the real estate benefitted thereby, according to the provisions of the charter.

SEC. 3. That Abraham Newkirk, John A. Ryerson, and Daniel Van Winkle be and they are hereby appointed assessors to assess the cost and expenses of said improvement upon the real estate benefitted thereby.

Passed the council July 2, 1855.

AN ORDINANCE

TO RAISE BY TAX, THE SUM OF ONE HUNDRED AND FIFTY DOLLARS FOR THE PAYMENT OF THE EXPENSES INCIDENT TO THE CORPORATION OF THE TOWN OF BERGEN FOR THE CURRENT YEAR.

The Council of the Town of Bergen do ordain as follows:

SEC. 1. That the assessor of the township of Bergen be, and is hereby directed to assess the sum of one hundred and fifty dollars upon the inhabitants, and real estate of the town of Bergen, and on the property of non-residents in the same manner as township taxes are assessed, for the payment of the expenses incident to the corporation of the town of Bergen, for the present fiscal year according to the provisions of the charter.

SEC. 2. That the clerk of this board be directed to furnish a copy of this ordinance to the assessor of the township of Bergen.

Passed this 2d day of July, 1855.

AN ORDINANCE

TO PROVIDE FOR GRADING AND LAYING PLANK SIDEWALK NOT LESS THAN FOUR FEET WIDE ON THE WEST SIDE OF BERGEN AVENUE, COMMENCING AT THE NEWARK PLANK ROAD AND RUNNING NORTH TO THE DUTCH REFORMED CHURCH, IN THE TOWN OF BERGEN, ACCORDING TO PETITION PRESENTED AND PASSED NOVEMBER 26, 1855.

The Council of the Town of Bergen do ordain as follows:

SEC. 1. That Bergen avenue from the Newark plank road running north to the Dutch Reformed Church, on the west side of said avenue, be graded and plank side-walk laid thereon, not less than four feet wide, according to profile map drawn by Garret I. Van Horn for that purpose, except-

ing those petitioners that have already laid their walks, and all others that wish to lay their own walks, and shall so inform the council before December 10, at two o'clock, p. m., by sending in their names to the secretary of the Board; all grading and laying of sidewalks to be under the charge of the surveyor, Garret I. Van Horn, superintendent.

SEC. 2. That all the costs, charges and expenses incurred in completing such improvement to be assessed upon, and paid by the real estate owners benefitted thereby, according to the provisions of the charter.

SEC. 3. That Abraham Becker, Mindert Van Horn and Hartman Van Wagener be, and are hereby appointed assessors to assess the cost and expenses of said improvement upon the real estate and owners benefitted thereby.

The above ordinance passed unanimously the 10th day of December, A. D., 1855.

AN ORDINANCE

TO PROVIDE FOR GRADING AND LAYING PLANK SIDE WALKS NOT LESS THAN FOUR FEET WIDE, ON THE EAST SIDE OF BERGEN AVENUE, CONNECTING AT THE NEWARK PLANK ROAD AND RUNNING NORTH TO THE ROAD IN FRONT OF THE HOTEL KEPT BY THE WIDOW RINOE, IN THE TOWN OF BERGEN, ACCORDING TO PETITION PRESENTED AND PASSED DECEMBER 3, 1855.

The Council of the Town of Bergen do ordain as follows:

SEC. 1. That Bergen avenue from the Newark plank road running north to the road in front of the hotel kept by the Widow Rinoe, in the town of Bergen, on the east side of said avenue be graded, and plank sidewalks laid thereon not less than four feet wide, according to profile map drawn by Garret I. Van Horn for that purpose, excepting those petitioners that have already laid their walks; and all others that wish to lay their own walks shall so inform the council before

December 10 at 2 o'clock P.M., by sending in their names to the Secretary of the Board. All grading and laying of sidewalks to be under the charge of the surveyor and engineer Garret I. Van Horn.

SEC. 2. That all the costs, charges, and expenses incurred in completing such improvement be assessed upon and paid by the real estate owners benefitted thereby, according to the provisions of the charter.

SEC. 3. That Abraham Becker, Mindert Van Horn, and Hartman Van Wagener be and are hereby appointed assessors to assess the cost and expenses of said improvement upon the real estate and owners benefitted thereby.

The above ordinance passed unanimous the 10th day of December, A. D. 1855.

AN ORDINANCE

TO PROVIDE FOR THE GRADING AND IMPROVEMENT OF CLIFTON PLACE FROM THE NORTH END OF THE SAME, ADJOINING LANDS OF WILLIAM WRIGHT AND SAMUEL WESCOTT TO HUDSON AVENUE, ACCORDING TO PETITION PRESENTED AND PASSED DECEMBER 3, 1855.

The Council of the Town of Bergen do ordain as follows :

SEC. 1. That Clifton place be regulated and graded from the northerly termination thereof, to its intersection with Hudson avenue, according to a profile made by John Hilton, dated July 2d, 1855. That the western side of said Clifton place, from the centre to the western slope on the highest part of said place to be one foot higher than the profile map represents to be. The carriage way to be made thirty six feet in width, the sidewalk on the east side to be graded seven feet wide with a slope of four inches to place of top of curb, sidewalk on west side to be five feet wide with similar inclination. The same to be carried out by, and under the

direction of Garret I. Van Horn, surveyor and superintendent.

SEC. 2. That all the costs, charges and expenses incurred in completing said improvement to be assessed upon and paid by the real estate owners benefitted thereby according to the provisions of the charter.

Passed December 3, 1855.

AN ORDINANCE

TO PROVIDE FOR THE IMPROVEMENT OF HUDSON AVENUE COMMENCING AT PALISADE AVENUE AND RUNNING EAST TO LANDS OF CHARLES SISSON, ACCORDING TO PETITION PRESENTED AND PASSED DECEMBER 3, 1855.

The Council of the Town of Bergen do ordain as follows :

SEC. 1. That Hudson avenue from Palisade avenue, east to lands of Charles Sisson, be graded and regulated by making a carriage way twenty-five feet wide, the surplus material off of Clifton place to be deposited upon said Hudson avenue under the direction of H. Brinkerhoff, B. Mills and the Engineer.

SEC. 2. That all the costs, charges, and expenses incurred in completing the said improvement, be assessed upon and paid by the real estate benefitted thereby, according to the provisions of the charter.

Passed December 3, 1855.

AN ORDINANCE

TO PROVIDE FOR THE APPOINTMENT OF ASSESSORS FOR GRADING CLIFTON PLACE AND HUDSON AVENUE.

The Council of the Town of Bergen do ordain as follows:

SEC. 1. That Garret Van Horn, Jacob Van Winkle, and Henry Newkirk be and are hereby appointed assessors, to assess the cost and expenses of grading Clifton place and Hudson avenue, according to the provisions of the charter.

SEC. 2. That so much of all ordinances now in force as conflict with this ordinance be and the same are hereby repealed.

Passed July 10, 1856.

AN ORDINANCE

TO PROVIDE FOR OPENING WASHINGTON AVENUE FROM COMMUNIPAW ROAD TO THE JERSEY CITY AND BERGEN POINT PLANK ROAD, GRADING SAME AND LAYING SIDE WALKS THEREON ACCORDING TO PETITION PRESENTED APRIL 1, 1856, ACTED ON MAY 8, 1856.

The Council of the Town of Bergen do ordain as follows:

SEC. 1. That Washington avenue from Communipaw road to the Jersey City and Bergen Point plank road, be opened eighty feet in width as shown on map presented, entitled map of Lafayette, dated April 1, 1856.

SEC. 2. That the same be graded to conform to section map accompanying the same, and bearing same date, and that the side walks be twenty feet in width.

SEC. 3. That plank or stone side walks four feet wide be laid on both sides of same, the entire length, and cross walks four feet wide at all the street crossings.

SEC. 4. That Benjamin Stiles, Abraham Becker and Doc-

tor John M. Cornelison be appointed commissioners to lay out said street and to assess the damages and benefits, and also the costs and expenses of improving same upon the real estate benefitted, as provided in the charter.

Passed unanimous, May 8, 1856.

AN ORDINANCE

TO REPEAL AN ORDINANCE, PASSED MAY 8, 1856.

The Council of the Town of Bergen do ordain as follows :

SEC. 1. That the ordinance entitled an ordinance to provide for opening Washington avenue from Communipaw road to Jersey City and Bergen Point plank road, grading the same and laying sidewalks thereon, passed May 8, 1856, be and the same is hereby repealed.

Passed by a unanimous vote, May 22, 1856.

AN ORDINANCE

TO PROVIDE FOR LAYING PLANK SIDEWADKS ON BOTH SIDES OF CLIFTON PLACE FROM ITS NORTHERN EXTREMITY TO ITS INTERSECTION WITH HUDSON AVENUE, ACCORDING TO PETITION PRESENTED, MAY 22, 1856, AND RECEIVED.

The Council of the Town of Bergen do ordain as follows :

SEC. 1. That the sidewalks on both sides of Clifton place from its northern extremity to its intersection with Hudson avenue be laid with plank four feet wide.

SEC. 2. That all the costs, charges, and expenses incurred in completing said improvements, be assessed upon and paid by the real estate benefitted thereby, according to the provisions of the charter.

Passed by unanimous vote, May 22, 1856.

AN ORDINANCE

TO PROVIDE FOR LAYING OUT WASHINGTON AVENUE FROM COMMUNIPAW ROAD TO THE JERSEY CITY AND BERGEN POINT PLANK ROAD, ACCORDING TO PETITION PRESENTED APRIL 1, 1856, AND ACTED ON MAY 8 AND 22, 1856.

The Council of the Town of Bergen do ordain as follows :

SEC. 1. That Benjamin Mills, Dr. John M. Cornelison, and Abraham Becker be and are hereby appointed Commissioners, to lay out a street from Communipaw road to the Jersey City and Bergen Point plank road, to be called Washington avenue, and to make an assessment of the damages and benefits, according to the provisions of the charter.

Passed by a unanimous vote, May 22, 1856.

AN ORDINANCE

TO PROVIDE FOR COLLECTING THE ASSESSMENT MADE BY ABRAHAM NEWKIRK, JOHN A. RYERSON AND DANIEL VAN WINKLE, FOR LAYING SIDE WALKS ON THE EAST SIDE OF PALISADE AVENUE, AND WESTERLY SIDE OF HUDSON AVENUE UNDER AND BY VIRTUE OF AN ORDINANCE PASSED JULY 2, 1855.

The Council of the Town of Bergen do ordain as follows :

SEC. 1. That the assessment heretofore made and returned to this council by Abraham Newkirk, John A. Ryerson and Daniel Van Winkle for the improvements mentioned in the ordinance passed on the 2d day of July, eighteen hundred and fifty-five (1855) by the said council for laying side walks on the easterly side of Palisade avenue, and westerly side of Hudson avenue, be placed in the hands of Archer G. Welsh, one of the constables of the county of Hudson, and that a warrant do issue under the hands and seals of this council, authorizing said Welsh to collect the said assessment, and if need be, to distrain and sell the personal estate or property

of the owners of the land, assessed for said improvement, and the costs of executing his said warrant.

SEC. 2. That said Archer G. Welsh return said warrant within thirty days from the date thereof with the schedule thereunto annexed, showing the amount remaining unpaid.

SEC. 3. That the said Archer G. Welsh shall, before proceeding to sell any of the property that he shall distrain, duly advertise said property for sale, at least five days, by advertisements set up in three public places in said town of Bergen, and that he shall be entitled to the same fees in each case that he sells, as are allowed to constables under execution.

Passed unanimously July 30, 1856.

AN ORDINANCE

TO PROVIDE FOR COLLECTING THE ASSESSMENT MADE BY ABRAHAM BECKER, MINDERT VAN HORN, AND HARTMAN VAN WAGENEN FOR LAYING SIDE WALKS ON WEST SIDE OF BERGEN AVENUE FROM NEWARK PLANK ROAD TO BERGEN CHURCH, AND ON THE EAST SIDE OF SAME FROM NEWARK PLANK ROAD TO THE ROAD OPPOSITE THE HOTEL KEPT BY WIDOW RYNO UNDER AND BY VIRTUE OF ORDINANCES PASSED DECEMBER 10, 1855.

The Council of the Town of Bergen do ordain as follows:

SEC. 1. That the assessment heretofore made and returned to this council by Abraham Becker, Mindert Van Horn and Hartman Van Wagnen, for the improvements mentioned in the ordinances passed on the 10th day of December, 1855, by said council, for laying side walks on Bergen avenue, be placed in the hands of Archer G. Welsh, constable, and that a warrant do issue under hands and seals of this council authorizing said Welsh to collect said assessments, and if need be, to distrain and sell the personal estate and property

of the owners of the land assessed for said improvements and the costs of executing his said warrant.

SEC. 2. That said Archer G. Welsh return said warrant within thirty days from the date thereof, with the schedule thereunto annexed, showing the amount remaining unpaid.

SEC. 3. That the said Archer G. Welsh shall, before proceeding to sell any of the property that he shall distrain, duly advertise said property for sale at least five days by advertisement set up in three public places in said Town of Bergen, and that he shall be entitled to the same fees in each case that he sells as are allowed to constables under executions.

Passed unanimously, August 28, 1856.

AN ORDINANCE

TO PROVIDE FOR LAYING SIDEWALKS ON BOTH SIDES OF CLIFTON PLACE, FROM ITS NORTHERLY EXTREMITY TO ITS INTERSECTION WITH HUDSON AVENUE, BEING AN ORDINANCE TO AMEND AN ORDINANCE FOR LAYING SIDEWALKS ON CLIFTON PLACE, PASSED 22ND DAY OF MAY, 1856, ACCORDING TO PETITION PRESENTED AUGUST 28, 1856.

The Council of the Town of Bergen do ordain as follows :

SEC. 1. That the ordinance entitled an ordinance to provide for laying sidewalks on both sides of Clifton place from its northerly extremity to its intersection with Hudson avenue, be and is hereby so amended as to exclude from its provisions, and the action under same, all that portion of the westerly side lying north of the lot now owned by James H. Lowe.

Passed unanimously, August 28, 1856.

AN ORDINANCE

TO PROVIDE FOR COLLECTING THE ASSESSMENT MADE BY GARRET VAN HORN, JACOB VAN WINKLE, AND HENRY NEWKIRK, FOR GRADING AND REGULATING CLIFTON PLACE FROM HUDSON AVENUE NORTH-EAST AND HUDSON AVENUE FROM PALISADE ROAD EAST, UNDER AND BY VIRTUE OF ORDINANCES PASSED JULY 2ND AND DECEMBER 3RD, 1855.

The council of the town of Bergeu do ordain as follows :

SEC. 1. That the assessment heretofore made and returned to this council by Garret Van Horn, Jacob Van Winkle and Henry Newkirk, for the improvement mentioned in the ordinances passed on the second day of July and third day of December, 1855, by said council for grading and improving Clifton place and Hudson avenue, be placed in the hands of Archer G. Welsh, constable, and that a warrant do issue under hands and seals of this council authorizing said Welsh to collect the said assessment and if need be to distrain and sell the personal estate or property of the owners of the land assessed for said improvements and the costs of executing his said warrant.

SEC. 2. That said Archer G. Welsh return said warrant within thirty days from the date thereof with the schedule thereunto annexed, showing the amount remaining unpaid.

SEC. 3. That the said Archer G. Welsh shall, before proceeding to sell any of the property that he shall distrain duly advertise said property for sale at least five days by advertisements set up in three public places in said town of Bergen and that he shall be entitled to the same fees in each case that he sells as are allowed to constables under execution.

Passed unanimously October 16th, 1856.

AN ORDINANCE

TO PROVIDE FOR LAYING PLANK SIDE-WALKS FOUR FEET WIDE AND THE REQUISITE GRADING FOR THE SAME, FROM THE REFORMED DUTCH CHURCH IN BERGEN TO THE RAIL ROAD BRIDGE, ACCORDING TO PETITION PRESENTED AND PASSED JANUARY 4, 1856.

The Council of the Town of Bergen do ordain as follows :

SEC. 1. That the plank side-walks, according to petition of Jacob Van Winkle and others, be laid four feet wide, and the required grading for same be done from the Reformed Dutch Church in Bergen, running north on the westerly side of Bergen plank road to the corner of Bergen street, where Mr. Bleeker now resides ; thence on both sides of said plank road to Academy street, at the corner where Mr. J. D. Van Winkle's store now stands, and the opposite corner, where Mr. Fitch now lives ; thence on both sides of Academy street to the corner of Palisade avenue, where Mr. Wynkoop now lives ; thence on the easterly side of said Palisade avenue to the New Jersey Rail Road bridge, and to be laid continuous across the streets.

SEC. 2. That all the costs, charges and expenses incurred in completing said improvement be assessed upon and paid by the real estate benefitted thereby, according to the provisions of the charter.

SEC. 3. All ordinances heretofore passed conflicting with this ordinance are hereby repealed.

Passed unanimously October 30th, 1856.

AN ORDINANCE

TO PROVIDE FOR LAYING SIDE-WALKS OF PLANK FOUR FEET WIDE ON BOTH SIDES OF PALISADE AVENUE, ON BOTH SIDES OF THE SHORT STREET LEADING FROM DR. CORNEILSON'S GATE TO ORCHARD STREET, AND ON BOTH SIDES OF ORCHARD STREET, ALSO ON BOTH SIDES OF PARK STREET FROM ORCHARD STREET TO THE BERGEN PLANK ROAD NEAR RODGER'S HOTEL, ACCORDING TO A PETITION PRESENTED AND RECEIVED OCTOBER 30, 1856.

The Council of the Town of Bergen do ordain as follows :

SEC. 1. That the sidewalks be planked four feet wide, on both sides from Doremus's store to the Bergen plank road, that from said Doremus's store thence along both sides of Palisade avenue to the short street opposite Dr. Corneilson's gate, thence along both sides of said short street to Orchard street, thence along both sides of Orchard street to Park street, thence along both sides of Park street to the Bergen plank road, the said walks to be extended over the cross streets.

SEC. 2. That all the costs, charges, and expenses incurred in making the above improvement to be assessed upon and paid by the real estate benefitted thereby according to the provisions of the charter.

Passed unanimously October 30, 1856.

 AN ORDINANCE

TO REPEAL THE ORDINANCE PASSED OCTOBER 30, 1856, ENTITLED AN ORDINANCE AS DESCRIBED IN THE FIRST SECTION OF THIS ORDINANCE ACCORDING TO A PETITION PRESENTED AND RECEIVED OCTOBER 30, 1856, AND NOW REPEALED BY VIRTUE OF A PETITION DATED NOVEMBER 28, 1856, PRESENTED AND RECEIVED JANUARY 22, 1857.

The council of the town of Bergen do ordain as follows :

SEC. 1. That the ordinance passed October 30, 1856, entitled an ordinance to provide for laying sidewalks of plank

four feet wide on both sides of Palisade avenue, on both sides of the short street from Dr. Corneilson's gate to Orchard street and on both sides of Orchard street, also on both sides of Park street from Orchard street to the Bergen plank road, near Rodger's Hotel be and the same is hereby repealed.

Passed unanimously January 22, 1857.

AN ORDINANCE

TO PROVIDE FOR LAYING SIDE WALKS OF PLANK, FOUR FEET WIDE ON BOTH SIDES OF PALISADE AVENUE, ON THE WEST SIDE OF THE SHORT STREET LEADING FROM DR. CORNEILSON'S GATE TO ORCHARD STREET, ON THE WEST SIDE OF ORCHARD STREET AND ON BOTH SIDES OF PARK STREET FROM ORCHARD STREET TO THE BERGEN PLANK ROAD NEAR RODGER'S HOTEL ACCORDING TO PETITION PRESENTED AND RECEIVED JANUARY-22, 1857.

The Council of the Town of Bergen do ordain as follows :

SEC. 1. That the side-walks be planked four feet wide on both sides of Palisade avenue, from Doremus's store to Dr. Corneilson's gate, thence from Dr. Corneilson's gate on the west side of the short street leading to Orchard street to where it intersects said street, thence on the west side of Orchard street to Park street, thence on both sides of Park street to the Bergen plank road near Rodger's Hotel; the said walks to be extended over the streets wherever crossings are necessary.

SEC. 2. That all the costs, charges and expenses incurred in making the above improvement, to be assessed upon and paid by the real estate benefitted thereby, according to the provisions of the charter.

Passed unanimously March 26th, 1857.

AN ORDINANCE

TO PROVIDE FOR COLLECTING THE ASSESSMENT MADE BY BENJAMIN MILLS, DR. JOHN M. CORNEILSON AND ABRAHAM BECKER, FOR LAYING OUT WASHINGTON AVENUE FROM COMMUNIPAW ROAD TO THE JERSEY CITY AND BERGEN POINT PLANK ROAD, UNDER AND BY VIRTUE OF AN ORDINANCE PASSED MAY 22, 1856.

The Council of the Town of Bergen do ordain as follows :

SEC. 1. That the assessment heretofore made and returned to this Council by Benjamin Mills, Dr. John M. Corneilson and Abraham Becker, for the improvement mentioned in the ordinance passed on the twenty-second day of May, 1856, by said Council, for the laying out of Washington avenue, be placed in the hands of Archer G. Welsh, constable, and that a warrant do issue under our hands and seals of this Council, authorizing said Welsh to collect said assessment.

SEC. 2. That the said Archer G. Welsh return said warrant within thirty days from the date thereof with the schedule thereunto annexed, showing the amount remaining unpaid.

SEC. 3. That the said Archer G. Welsh shall, before proceeding to sell any of the property that he shall distrain, duly advertise said property for sale at least five days by advertisements set up in three public places in said Town of Bergen, and that he shall be entitled to the same fees, in each case that he sells, as are allowed to constables under executions.

Passed unanimously March 26, 1857.

AN ORDINANCE

TO PROVIDE FOR THE REGULATION AND GRADING OF WASHINGTON AVENUE FROM THE COMMUNIPAW ROAD TO THE JERSEY CITY AND BERGEN POINT PLANK ROAD, AND FOR LAYING SIDE AND CROSS WALKS THEREIN, ACCORDING TO PETITION PRESENTED AND RECEIVED MARCH 26, 1857.

The Council of the Town of Bergen do ordain as follows :

SEC. 1. That the street called Washington avenue be regulated and graded to the width of eighty feet by filling up the same to the grade established by us as shown upon the plan and profile of said avenue, dated April 2d, 1857, and signed by the President of this Council, as approved by us April 9th, 1857 ; also that the carriage-way be made forty feet wide, and the side-walks upon each side to be twenty feet wide, with such slope as shall be shown upon the cross-section accompanying the profile of said avenue, and also that the side-walks be flagged six feet wide upon both sides of said avenue, and all bridge stone cross-walks be laid at the intersections from the Communipaw road to the approach at the bridge across the Morris canal ; and that from the approach on the north-east side of said bridge (at a point distant one hundred feet from the main bridge on the north-west side line of said bridge, and at right angles to said line), said avenue to be filled up to grade as above mentioned to the Jersey City and Bergen Point plank road, the side-walks to be laid with plank four feet wide upon both sides of said avenue between the two last mentioned points.

SEC. 2. That all the costs, charges, and expenses incurred in completing said improvement be assessed upon and paid by the real estate benefitted thereby, according to the provisions of the charter.

SEC. 3. That said improvement be made under the direction of Messrs. Vreeland and Harrison, the committee upon the improvement, and Garret I. Van Horn, who is hereby appointed engineer and superintendent of the work.

Passed unanimously April 9, 1857.

AN ORDINANCE

TO RAISE, BY TAX, THE SUM OF TWO HUNDRED DOLLARS FOR THE PAYMENT OF THE EXPENSES INCIDENT TO THE CORPORATION OF THE TOWN OF BERGEN FOR THE CURRENT YEAR.

The Council of the Town of Bergen do ordain as follows :

SEC. 1. That the Assessor of the Township of Bergen be and he is hereby directed to assess the sum of two hundred dollars (\$200) upon the inhabitants and real estate of the town of Bergen, and on the property of non-residents in the same manner as Township Taxes are assessed for the payment of the expenses incident to the corporation of the Town of Bergen for the present fiscal year, according to the provisions of the charter.

SEC. 2. That the Clerk of this Board be directed to furnish a copy of this ordinance to the assessor of the township of Bergen.

Passed this 28th day of May, 1857.

AN ORDINANCE

TO PROVIDE FOR THE REGULATION AND GRADING OF FAIRVIEW AVENUE, ACCORDING TO PETITION FROM J. R. MONTGOMERY AND OTHERS, DATED SEPTEMBER 24, 1857, PRESENTED, RECEIVED AND PASSED SEPTEMBER 24, 1857.

The Council of the Town of Bergen do ordain as follows :

SEC. 1. That the street called Fairview avenue be regulated and graded to the width of fifty feet from the west line of the estate of Richard Van Reypen, deceased (as shown upon Map No. 2 of said estate and the map accompanying the petition), to the Bergen plank road, according to the grade established by survey of Garret I. Van Horn,

dated August 29th, 1857, and approved September 24th, 1857, and also that the present ditch on the north-west side of the plank road, where the said avenue intersects the said plank road, shall be walled up and a suitable bridge be constructed over said ditch; and further, that the carriage-way shall be made thirty feet wide with a crown of one foot above the gutter, the side-walks to be made ten feet wide upon each side, with a slope of three-tenths of a foot to the place of top of curb, and the gutter to be seven-tenths of a foot below the place of top of curb.

SEC. 2. That all the costs, charges, and expenses incurred in completing said improvement, be assessed upon and paid by the real estate benefitted thereby, according to the provisions of the charter.

SEC. 3. That said improvement be made under the direction of the committee upon the same, Newkirk and Rapp; and G. I. Van Horn, who is hereby appointed Engineer and Superintendent of the work.

Passed unanimously September 24, 1857.

AN ORDINANCE

TO PROVIDE FOR THE APPOINTMENT OF ASSESSORS TO ASSESS THE COSTS AND EXPENSES FOR THE GRADING AND LAYING OF PLANK SIDE AND CROSS WALKS FROM THE BERGEN REFORMED DUTCH CHURCH TO THE NEW JERSEY RAIL ROAD BRIDGE, ON PARTS OF BOTH SIDES OF BERGEN AVENUE, ACADEMY STREET, AND PALISADE AVENUE.

The Council of the Town of Bergen do ordain as follows:

SEC. 1. That Garret Van Horn, Peter Rowe, and Evan I. Davis, be and are hereby appointed assessors to assess the costs and expenses for grading and laying plank side and cross walk upon parts of both sides of Bergen avenue and Academy street, and upon the east side of Palisade road from its intersection with Academy street, beginning at the

Bergen R. D. Church and ending at the rail road bridge on Palisade road, according to the provisions of the charter.

Passed unanimously October 22, 1857.

AN ORDINANCE

TO PROVIDE FOR THE APPOINTMENT OF ASSESSORS TO ASSESS THE COSTS AND EXPENSES FOR THE GRADING, AND REGULATING, AND LAYING SIDEWALKS, &C., UPON WASHINGTON AVENUE FROM THE COMMUNIPAW ROAD TO THE JERSEY CITY AND BERGEN POINT PLANK ROAD.

The Council of the Town of Bergen do ordain as follows :

SEC. 1. That Garret Sip, John Mandeville, and Garret Vreeland, Jr., be and are hereby appointed assessors to assess the costs and expenses for the grading and regulating of Washington avenue, and laying of sidewalks, &c., upon the same from the Communipaw road to Jersey City and Bergen Point plank road, according to the provisions of the charter.

Passed unanimously October 22, 1857.

AN ORDINANCE

TO PROVIDE FOR THE FILLING OF THE VACANCY IN THE BOARD OF ASSESSORS UPON WASHINGTON AVENUE, AS ABOVE, GARRET SIP HAVING DECLINED.

The Council of the Town of Bergen do ordain as follows :

That Hartman Van Wagenen be appointed assessor (in the place of Garret Sip who declines to serve), to assess the costs and expenses for the grading and regulating of Washington avenue, and laying sidewalks, &c., upon the same

AN ORDINANCE

TO RAISE, BY TAX, THE SUM OF TWO HUNDRED DOLLARS FOR THE PAYMENT OF THE EXPENSES INCIDENT TO THE CORPORATION OF THE TOWN OF BERGEN FOR THE CURRENT YEAR.

The Council of the Town of Bergen do ordain as follows :

SEC. 1. That the Assessor of the Township of Bergen be and he is hereby directed to assess the sum of two hundred dollars (\$200) upon the inhabitants and real estate of the town of Bergen, and on the property of non-residents in the same manner as Township Taxes are assessed for the payment of the expenses incident to the corporation of the Town of Bergen for the present fiscal year, according to the provisions of the charter.

SEC. 2. That the Clerk of this Board be directed to furnish a copy of this ordinance to the assessor of the township of Bergen.

Passed this 28th day of May, 1857.

AN ORDINANCE

TO PROVIDE FOR THE REGULATION AND GRADING OF FAIRVIEW AVENUE, ACCORDING TO PETITION FROM J. R. MONTGOMERY AND OTHERS, DATED SEPTEMBER 24, 1857, PRESENTED, RECEIVED AND PASSED SEPTEMBER 24, 1857.

The Council of the Town of Bergen do ordain as follows :

SEC. 1. That the street called Fairview avenue be regulated and graded to the width of fifty feet from the west line of the estate of Richard Van Reypen, deceased (as shown upon Map No. 2 of said estate and the map accompanying the petition), to the Bergen plank road, according to the grade established by survey of Garret I. Van Horn,

from the Communipaw road to the Jersey City and Bergen Point plank road, according to the provisions of the charter.

Passed unanimously December 9, 1857.

AN ORDINANCE

TO PROVIDE FOR COLLECTING THE ASSESSMENT MADE BY HARTMAN VAN WAGENEN, GARRET VREELAND, JR., AND JOHN MANDEVILLE, FOR THE GRADING, REGULATING, AND LAYING SIDEWALKS, &c., UPON WASHINGTON AVENUE FROM THE COMMUNIPAW ROAD TO THE JERSEY CITY AND BERGEN POINT PLANK ROAD, UNDER AND BY VIRTUE OF AN ORDINANCE PASSED OCTOBER TWENTY-SECOND, AND A SUPPLEMENT PASSED DECEMBER NINTH, EIGHTEEN HUNDRED AND FIFTY-SEVEN.

The Council of the Town of Bergen do ordain as follows :

SEC. 1. That the assessment heretofore made and returned to this council by Hartman Van Wageningen, Garret Vreeland, Jr., and John Mandeville, for the improvement mentioned in the ordinance passed on the twenty-second of October eighteen hundred and fifty-seven, by said council for the grading, regulating, laying sidewalks, &c., upon Washington avenue, be placed in the hands of Constable, and that a warrant do issue under hands and seals of this council authorizing said Constable to collect the said assessment and costs of distraining and sale, as on a tax warrant with interest at the rate of seven per cent. from the 26th day of January, 1858, the day when the said assessment was made, and if need be to distrain and sell the personal estate or property of the owners of the land assessed for said improvements and the costs of executing his said warrant.

SEC. 2. That said Constable return said warrant within thirty days from the date thereof, with the schedule thereunto annexed, shewing the amount remaining unpaid.

SEC. 3. That the said Constable shall, before proceeding to sell any of the property that he shall distrain, duly

advertise said property for sale at least five days by advertisements set up in three public places in said town of Bergen; and that he shall be entitled to the same fees in each case that he sells as are allowed to constables on a tax warrant.

AN ORDINANCE

TO REGULATE OR REDUCE TO A SYSTEM THE MANNER OF MAKING APPLICATIONS TO THE BOARD OF COUNCILMEN OF THE TOWN OF BERGEN FOR IMPROVEMENTS TO BE MADE IN THE STREETS OR ROADS IN SAID TOWN.

We, the Board of Councilmen of the Town of Bergen, do ordain as follows :

SEC. 1. That all applications to be made hereafter to the Board of Councilmen of the town of Bergen, for laying out and opening any street or road, or for regulating any street or road within the limits of the said town, shall be made in writing, specifying the width of street, place of beginning and ending, and general direction of the same, with the signatures of the owners of a majority of the land over which the said street or road is to pass; and shall be accompanied by a map shewing the contemplated improvement, with the name of each lot owner, and the number of feet of his lot fronting upon the said street or road applied for.

SEC. 2. That all applications to be made hereafter to the Board of Councilmen of the town of Bergen for regulating the grade of any street or road in said town, for grading such street or road, for laying and regulating side and cross walks therein; or for altering and regulating the grade of any street or road in said town, shall be made in writing, shall specify the required grade, or may refer to the accompanying profile showing the same, the width of carriage way, the width of side-walks upon each side, the material for the side-walks, whether flag, brick, plank, or other material, with the width of walk, the material for cross-

walks, whether stone or other material, with the width of same. All applications for side-walks shall specify the number of cross-walks and where to be laid. All of the above applications shall specify the place of beginning of the improvement, general direction and route and place of ending, with the signatures of the owners of a majority of the land over which the said improvement shall pass. And shall be accompanied by a map showing the contemplated improvement, with the name of each lot owner and the number of feet of his lot fronting upon the improvement applied for. And also shall be accompanied by a profile showing the contour of the ground, with such grade lines as the said applicants may wish to submit to the said Council, together with a cross section of the street where the same is to be regularly graded.

Passed unanimously May 13, 1858.

GEORGE VREELAND, *President.*

G. I. VAN HORN, *Clerk.*

AN ORDINANCE

TO RAISE BY TAX THE SUM OF TWO HUNDRED DOLLARS FOR THE PAYMENT OF THE EXPENSES INCIDENT TO THE CORPORATION OF THE TOWN OF BERGEN FOR THE CURRENT YEAR.

The Council of the Town of Bergen do ordain as follows :

SEC. 1. That the assessor of the Township of Bergen be and he is hereby directed to assess the sum of two hundred dollars upon the inhabitants and real estate of the Town of Bergen, and on the property of non-residents in the same manner as Township taxes are assessed for the payment of the expenses incident to the Corporation of the town of Ber-

gen for the present fiscal year, according to the provisions of the charter.

SEC. 2. That the clerk of this board be directed to furnish a copy of this ordinance to the assessor of the Township of Bergen.

Passed this 24th day of June, 1858.

AN ORDINANCE

TO PROVIDE FOR THE REPAIRING OF SIDEWALKS.

The Town Council of Bergen do ordain as follows:

SEC. 1. That whereas in the opinion of the committee on streets, the sidewalks in said town require to be repaired, the said committee or a majority of them, shall give notice in writing to the owner or owners of the lot or lots in front of which said sidewalks require to be repaired to repair the same, which notice shall specify the time, within which such repairs shall be made, and if the owner or owners of such lot or lots shall neglect or refuse to repair said sidewalks within the time presented in such notice, each of said owners shall be subject to a penalty of twenty dollars for such neglect and refusal, to be sued for and recovered pursuant to section twelve of the act creating said town council.

SEC. 2. That if the owner or owners of such lot or lots be non-residents of the town of Bergen, it shall be sufficient for the committee on streets to put such notice to repair the sidewalk in front of his, her, or their lot or lots, upon or near such lot or lots the said walks in front of which require to be repaired.

Passed unanimously May 5, 1859.

Attest,

G. I. VAN HORN, *Clerk.*

AN ORDINANCE

TO PREVENT ALL PERSONS FROM GUNNING, HUNTING, SHOOTING, RACING, IMMEDIATE DRIVING, OR BEHAVING IN A DISORDERLY MANNER ON THE FIRST DAY OF THE WEEK, CALLED SUNDAY. ALSO FROM TRESPASSING UPON LANDS AND STEALING THEREFROM ANY FRUIT, VEGETABLE, OR ANYTHING; AND FURTHER, TO APPOINT AS MANY AGENTS OR SUBORDINATE OFFICERS AS THE BOARD OF COUNCILMEN SHALL SEE PROPER TO ENFORCE THE FOLLOWING ORDINANCE.

The Board of Councilmen of the Town of Bergen do ordain as follows :

SEC. 1. That all persons are hereby prohibited from gunning, hunting, shooting, racing, immoderate driving, or behaving in a disorderly manner on the first day of the week, called Sunday; also from trespassing upon lands and stealing therefrom any fruit, vegetable, or anything.

SEC. 2. That the punishment for any offense committed as specified by this ordinance, shall be in accordance with the provisions made in the charter of the town of Bergen. (See Sec. 14 and 15.)

SEC. 3. That the Board of Councilmen of the Town of Bergen shall appoint, re-appoint, and fill vacancies by resolution for such length of time as they may see proper, as many subordinate officers or agents as they may deem necessary to enforce the above ordinance which officers shall have power to arrest all persons violating any of the acts specified in this ordinance, and to bring them before some one of the Justices of the Peace of Hudson county as specified in the 15th section of the said town charter, and any officer being delinquent in duty may be discharged at any time for the same.

SEC. 4. That the Justice of the Peace fees shall be according to law, and the officers shall each receive for their compensation \$1⁵⁰/₁₀₀ per day, for Sunday only, and the fines which shall be imposed upon the parties convicted for the

offences specified in the above ordinance shall be paid into the Town Treasury.

Passed unanimously May 26, 1859.

Attest :

G. I. VAN HORN, *Clerk.*

AN ORDINANCE

TO RAISE, BY TAX, THE SUM OF TWO HUNDRED DOLLARS FOR THE PAYMENT OF THE EXPENSES INCIDENT TO THE CORPORATION OF THE TOWN OF BERGEN FOR THE CURRENT YEAR.

The Board of Council of the Town of Bergen do ordain as follows :

SEC. 1. That the assessor of the Township of Bergen be and he is hereby directed to assess the sum of two hundred dollars upon the inhabitants and real estate of the Town of Bergen, and on the property of non-residents in the same manner as township taxes are assessed for the payment of the expenses incident to the Corporation of the Town of Bergen for the present fiscal year, according to the provisions of the charter.

SEC. 2. That the clerk of this Board be and he is hereby directed to furnish a copy of this ordinance to the assessor of the township of Bergen.

Passed unanimously June 30th, 1859.

Attest :

G. I. VAN HORN, *Clerk.*

AN ORDINANCE

TO PROVIDE FOR COLLECTING THE ASSESSMENT MADE BY HARTMAN VAN WAGENEN, GARRET VREELAND, JR., AND JOHN MANDEVILLE, FOR THE GRADING, REGULATING AND LAYING SIDE-WALKS, &c., UPON WASHINGTON AVENUE, FROM THE COMMUNIPAW ROAD TO THE JERSEY CITY AND BERGEN POINT PLANK ROAD, UNDER AND BY VIRTUE OF AN ORDINANCE PASSED, OCTOBER 22, AND A SUPPLEMENT PASSED DECEMBER 9, 1857.

The Council of the Town of Bergen do ordain as follows :

SEC. 1. That the assessment heretofore made and returned to this Council by Hartman Van Wagenen, Garret Vreeland, Jr., and John Mandeville, for the improvement mentioned in the ordinance passed on the Twenty-second of October, Eighteen Hundred and Fifty-seven, by said Council, for the grading, regulating, laying side-walks, &c., upon Washington avenue, be placed in the hands of Archer G. Welsh, constable, and that a warrant do issue under hands and seals of this Council, authorizing said Archer G. Welsh to collect the said assessment and costs of distraining and sale as on a tax warrant, with interest at the rate of seven per cent., from the twenty-sixth day of January, eighteen hundred and fifty-eight, the day when the said assessment was made; and, if need be, to distrain and sell the personal estate or property of the owners of the land assessed for said improvement, and the costs of executing his said warrant.

SEC. 2. That said Archer G. Welsh return said warrant within thirty days from the date thereof with the schedule thereunto annexed showing the amount remaining unpaid.

SEC. 3. That the said Archer G. Welsh shall, before proceeding to sell any of the property that he shall distrain, duly advertise said property for sale at least five days by advertisement set up in three public places in said town of Bergen, and that he shall be entitled to the same fees in each case that he sells as are allowed to constables on a tax warrant.

Passed December 1, 1859.

Attest :

G. I. VAN HORN, *Clerk.*

AN ORDINANCE

TO PROVIDE FOR THE REPAIRING OF SIDE AND CROSS WALKS

The Board of Councilmen of the Town of Bergen do ordain as follows :

SEC. 1. That whenever, in the opinion of this Board, the side and cross walks in said town require to be repaired we do hereby empower and direct the committee on repairs of side and cross walks, by us appointed, to give notice in writing to the owner or owners of the lot or lots in front of which the sidewalks require to be repaired to repair the same, which notice shall specify the time within which such repairs shall be made. And if the owner or owners of such lot or lots shall neglect or refuse to repair said sidewalks within the time prescribed in such notice, that then upon the expiration of said time the said committee shall make such repairs in front of such lot or lots, and if said owner or owners shall refuse to pay the costs of said repairs then the committee shall present the bill of the costs of the same before this board with the name of the owner and owners of the lot or lots in front of which said repairs were made. Whereupon the Board shall assess the said costs upon said owner or owners, and proceed to collect the same in the same manner as they now collect assessments for making improvements in the streets and roads in said town pursuant to the act creating said town of Bergen.

SEC. 2. That if the owner or owners of such lot or lots be non-residents of the town of Bergen it shall be sufficient for the committee on repairs to put the notice to repair the sidewalks in front of, upon, or near such lot or lots in front of which the sidewalks require to be repaired.

SEC. 3. That as much of the former ordinance as relates to the repairs of side and cross walks and conflicts with this ordinance be and the same is hereby repealed.

Passed unanimously May 28th, 1860.

Attest:

G. I. VAN HORN, *Clerk.*

AN ORDINANCE

TO PREVENT THE OWNERS OR PROPRIETORS OF ALL SHOPS AND SALOONS, &c., FROM OPENING THE SAME, &c., ON SUNDAY, BEING A SUPPLEMENT TO AN ORDINANCE PASSED MAY 26, 1859, TO PREVENT GUNNING, &c.

The Board of Councilmen of the Town of Bergen do ordain as follows :

SEC. 1. That all persons the owners or proprietors of any shop, store, or other place where liquor or refreshments of any kind are sold, are hereby prohibited from opening said places, or to harbor or allow persons to gather therein or about their premises upon the first day of the week, called Sunday.

SEC. 2. That the Board of Councilmen of the town of Bergen shall appoint as many agents or subordinate officers as the Board shall see proper to enforce the foregoing ordinance, and re-appoint and fill vacancies, &c., as provided for by an ordinance passed May 26th, 1859.

Passed unanimously May 28th, 1860.

Attest :

G. I. VAN HORN, *Clerk.*

AN ORDINANCE

TO RAISE BY TAX THE SUM OF TWO HUNDRED DOLLARS, FOR THE PAYMENT OF THE EXPENSES INCIDENT TO THE CORPORATION OF THE TOWN OF BERGEN, AND ALSO THE DEFICIENCY OF TWENTY-FIVE DOLLARS NOT COLLECTED LAST YEAR FOR THE CURRENT YEAR.

The Board of Councilmen of the Town of Bergen do ordain as follows :

SEC. 1. That the assessor of the township of Bergen be and is hereby directed to assess the sum of two hundred dollars, together with the deficiency of twenty-five dollars

not collected last year, upon the inhabitants and real estate of the town of Bergen, and on the property of non-residents in the same manner as township taxes are assessed, for the payment of the expenses incident to the Corporation of the town of Bergen for the present fiscal year, according to the provisions of the charter.

SEC. 2. That the Clerk of this Board be and is hereby directed to furnish a copy of this ordinance to the assessor of the township of Bergen.

Passed unanimously July 30, 1860.

Attest :

G. I. VAN HORN, *Clerk.*

AN ORDINANCE

PRESCRIBING A LAW FOR THE IMPOUNDING OF ANIMALS.

The Board of Councilmen of the Town of Bergen do ordain as follows :

SEC. 1. That Daniel Karshore of Bergen, J. Caffrey of Claremont, William Keeney of Lafayette, and Albert Ackerman of West End, be and are hereby appointed pound-keepers in and for the town of Bergen.

SEC. 2. The pound-master shall have charge of the pound and shall keep a register of all animals impounded, and an account of all fees received by him, shall make quarterly returns of the same to the Board and pay over all fines collected to the Treasurer of the Board.

SEC. 3. All cows, swine, horses, goats, and neat cattle found running at large in this town may be taken by any person to the public pound to be there received and confined by the pound-keeper or his assistant ; and such person shall receive for taking any cows, swine, horses, goats, and neat cattle found running at large, as aforesaid, to the public pound the sum of twenty-five cents a head to be paid by the

pound keeper, and all animals so impounded shall be held until redeemed or lawfully sold.

SEC. 4. If the owner of any animals so impounded shall apply for the redemption thereof, and shall tender to the pound keeper fifty cents for each animal, in addition to twenty-five cents per day for feeding and keeping such animal, except pigs of less weight than forty pounds for which half price shall be charged, then such animals shall be delivered to the owner thereof.

SEC. 5. All impounded animals not redeemed by the owner thereof shall be sold at the public pound by the keeper in accordance with the statute laws prescribed by this State.

SEC. 6. The pound keeper shall, on application of the owner, pay over the avails of any animal sold, deducting therefrom the fees mentioned in Section 4 of this law, and twenty-five cents for selling the same, together with all expenses of advertisement, and provided such avails shall not be called for within thirty days, the same shall be paid into the town treasury.

SEC. 7. If any person shall break or open, or attempt to open the public pound, or take or let out any animals therein impounded, he, she, or they so offending shall for each offence be liable to a fine of five dollars, and imprisonment until the same is paid.

SEC. 8. If any person shall rescue, or attempt to rescue any animal from the custody of any person who shall be driving or taking it to the public pound, he, she, or they so offending shall for each animal so rescued or attempted to be rescued be punished by a fine of five dollars, and imprisonment until the same is paid.

SEC. 9. It shall be the special duty of the keeper of the public pound to cause all cows, swine, horses, goats and neat cattle found running at large to be taken to the pound.

Passed unanimously July 30, 1860.

Attest :

G. I. VAN HORN, *Clerk.*

At a meeting of Council held at the Bergen Hill House on Friday, July 12, 1861, the 7th section of the above ordinance

was amended by altering the fine in said section for breaking open pound, &c., from five dollars to twenty dollars for said offence.

Passed July 12, 1861.

Approved July 18, 1861.

Attest :

CHARLES KEENAN, *Clerk.*

AN ORDINANCE

TO PREVENT THE VIOLATION OF THE FIRST DAY OF THE WEEK, CALLED SUNDAY, IN PURSUANCE OF THE POWERS GIVEN BY THE ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF BERGEN IN THE COUNTY OF HUDSON."

The Councilmen of the Town of Bergen in the County of Hudson do ordain as follows :

SEC. 1. That it shall not be lawful for any person or persons on the first day of the week, called Sunday, to be engaged in gunning in any fields, lands, or premises, or anywhere within the corporate limits of the said town of Bergen in the county of Hudson, under penalty as hereinafter prescribed.

SEC. 2. That it shall not be lawful for any person or persons on the first day of the week, called Sunday, to be engaged in hunting in any field, lands or premises, or anywhere within the corporate limits of the said town of Bergen, in the county of Hudson, under the penalty as hereinafter prescribed.

SEC. 3. It shall not be lawful for any person or persons on the first day of the week, called Sunday, to be engaged in or to practice shooting with any gun or guns, pistol or pistols, or any firearms, in any field or fields, lands or premises, or anywhere within the corporate limits of the said town of Bergen, in the county of Hudson, under penalty as hereinafter prescribed.

SEC. 4. It shall not be lawful for any person or persons on the first day of the week, called Sunday, to be engaged in or occupied with fishing with lines or seines, or in any manner whatsoever, anywhere within the corporate limits of the said town of Bergen, in the county of Hudson, under penalty as hereinafter prescribed.

SEC. 5. It shall not be lawful for any person or persons on the first day of the week, called Sunday, to be engaged in racing with horses or with horses and wagons, or racing in any other way, or immoderate driving within the corporate limits of the said town of Bergen in the county of Hudson, under penalty as hereinafter prescribed.

SEC. 6. It shall not be lawful for any person or persons on the first day of the week, called Sunday, to dance in any house or houses, place or places within the corporate limits of the said town of Bergen in the county of Hudson, nor to meet together for the purpose of dancing within said corporate limits on the day aforesaid, nor to behave in a disorderly manner on the day aforesaid, within the limits aforesaid, under penalty as hereinafter prescribed.

SEC. 7. It shall not be lawful for any owner or owners, proprietor or proprietors of any shop, store, or any other place or places where liquor or refreshments of any kind are sold within the corporate limits of the town of Bergen, in the county of Hudson, to open such shop, store, or other place or places upon the first day of the week, called Sunday, under penalty as hereinafter prescribed.

SEC. 8. It shall not be lawful for the owner or owners, proprietor or proprietors of any shop, store, or other place or places where liquors or refreshments of any kind are sold within the corporate limits of the town of Bergen, in the county of Hudson, to open such shop, store, or other place or places, on the first day of the week, called Sunday; and such owner or owners, proprietor or proprietors, shall not on such day as aforesaid harbor and allow persons to gather in such shop or shops, store or stores, or other place or places as aforesaid, or about the premises where such shop or shops, store or stores, or other place or places are situated where liquor or refreshments of any kind are sold as afore-

said on the said first day of the week, called Sunday, under penalty as hereinafter prescribed.

SEC. 9. Any person or persons who shall offend against either section of this ordinance shall forfeit and pay for the first offence against either section of this ordinance a fine of five dollars, and for each offence thereafter against either section of this ordinance a fine of twenty dollars, which fine or fines can be enforced as follows, and by either of the following methods :

An action of debt can be brought in the name of the town of Bergen, in the county of Hudson, before any court of competent jurisdiction for the use of the said corporation against such offender or offenders, and it shall and may be lawful for such courts, upon a recovery of judgments as aforesaid, if the judgments and costs shall not be immediately paid, to enforce such judgment by execution against the goods and chattels of each offender or offenders, or by execution against the body or bodies of such offender or offenders ; and in case execution shall be issued against the body or bodies of such offender or offenders, such execution shall direct such offender or offenders to be imprisoned for a period not exceeding four days for any one offence in the county jail of the county of Hudson.

Or it shall be lawful to proceed against any person or persons who shall violate this ordinance or any section thereof, for such penalty or penalties as aforesaid, by the arrest of such person or persons by officers or agents appointed under the authority given by such charter, who shall bring such person or persons so offending before any Justice of the Peace of the County of Hudson, and said justice may proceed in a summary way to hear and determine the charge against such person or persons so violating this ordinance or any section thereof as aforesaid, and if the person or persons so violating any of the sections of this ordinance shall be found guilty by such Justice upon such hearing as aforesaid, and shall not pay such penalty as shall be judged against him, her, or them, for the use of the town of Bergen in the county of Hudson aforesaid, the said Justice may commit the person or persons so violating any provision or section of this

ordinance to the county jail of the county of Hudson, until such fine is paid together with the fees of the jailor.

Passed unanimously August 3, 1860.

Attest :

G. I. VAN HORN, *Clerk.*

WHEREAS application has been made for the construction of a sewer and receiving basins in Whiton street at Lafayette, between the points hereinafter designated; and whereas such application has been made by persons interested in and representing more than one half of the land to be assessed for the said sewer, basins, and appurtenances;

Now, therefore, be it ordained by the Councilmen of the Town of Bergen, in the County of Hudson :

SEC. 1. That a sewer shall be constructed in Whiton street at Lafayette, from the northeasterly line of Walnut street, as said last mentioned street intersects Whiton street at right angles to the north easterly side of Communipaw road as said road intersects Whiton street aforesaid at right angles. That said sewer shall be constructed of radius brick and shall be on the inside of a diameter not less than twenty inches.

SEC. 2. That in connection with said sewer, and as forming a part of the same, two receiving basins shall be constructed in Whiton street, where Whiton street is intersected by Lafayette street; and also two receiving basins shall be constructed in Whiton street, where Whiton is intersected by Maple street, with appropriate connecting culverts between said basins and sewer, which said receiving basins and connecting culverts shall be of the size, form of construction, and with the appurtenances as those already built in Washington avenue, as far as practicable.

SEC. 3. That the said sewer, receiving basins, and appurtenances shall be constructed under the direction of the committee on sewers, which said committee are hereby

authorized to employ a superintendent of the said work and also a surveyor. Said committee are hereby further empowered to advertise for proposals for labor and materials to be used in the construction of said sewer, basins, and appurtenances. But any contract or contracts for such labor and material shall be first approved by the councilmen, and shall be entered into by said councilmen, or by their authority.

SEC. 4. That all the costs and expenses for the construction of said sewer, receiving basins, and appurtenances shall be assessed and raised in the manner prescribed by the act of the legislature in such case made and provided.

Presented July 1st, 1861.

Passed and approved May 12th, 1861.

Attest:

CHARLES KEENAN, *Clerk.*

AN ORDINANCE

TO AUTHORIZE THE LICENSING OF PEDDLERS WITHIN THE CORPORATE LIMITS OF THE TOWN ^{City} OF BERGEN, IN THE ^{Bergen} COUNTY OF HUDSON.

^{Mayor and} *The Councilmen of the* ^{City} *Town of* ^{Bergen} *do ordain as follows:*

SEC. 1. That the clerk of this Board shall issue a license under the corporate seal of the town of Bergen, in the county of Hudson, to such persons as shall be appointed by the councilmen as peddlers, which license shall continue for one year from the time the same shall be issued, and such license shall be granted on the terms and with the powers herein mentioned.

SEC. 2. Such person obtaining such license shall be authorized to go from place to place, and from house to house within the limits of this corporation, either on foot or with a horse or horses, mule or mules, or other beast or beasts of burden, carrying, selling, or exposing either at private or public sale any goods, wares, or merchandize, except such as are by this ordinance prohibited.

SEC. 3. Such license shall not be granted except upon petition signed by such applicants, having also a recommendation signed by five freeholders residing within the limits of this corporation, that such applicant is a man of good character and repute, and a proper person to receive such license.

SEC. 4. If any person, having obtained a license as aforesaid, shall lend or hire the same to any other person or persons for the purpose of using or exercising the same, such license shall thereby become void.

SEC. 5. No person to whom such license shall be granted shall be authorized to carry, sell, or expose either at public or private sale any wine, gin, rum, brandy, whiskey, cider, spirits, lager beer, strong beer, or any composition of which any of the said liquors shall form a chief ingredient.

SEC. 6. Any person who shall be licensed as herein directed shall pay to the Clerk of the Board, for the use of the Corporation, the sum of twenty dollars for such license issued to a non-resident, and the sum of five dollars for such license issued to a resident of said town with fee in either case of fifty cents to the Clerk of the Board for issuing said license, *and the fee shall be paid and kept in a conspicuous place or provided however that this ordinance shall not apply to butchers, farmers, gardeners, or fishermen residing in said town. Same*

SEC. 7. Any person who shall be found hawking, peddling, or travelling from house to house, or place to place within the limits of this Corporation without license for that purpose, *or within the limits of the Corporation for the purpose of peddling* first had and obtained, to vend either at public or private sale any goods, wares, or merchandize, shall for every such offence forfeit and pay the sum of ten dollars and to be imprisoned until said fine shall be paid.

SEC. 8. This ordinance shall not be applicable to any person having a peddlers license in full force and effect under the act of the Legislature entitled "An Act relating to hawkers and peddlers and petty chapmen," approved April 20, 1846, and the supplements thereto.

Passed and approved July 18, 1861.

JACOB M. MERSELES, *President.*

CHARLES KEENAN, *Clerk.*

AN ORDINANCE

TO PROVIDE FOR COLLECTING THE ASSESSMENT MADE BY GARRET I. VAN HORN, DANIEL VAN WINKLE, GARRET VAN HORN, FOR BUILDING OF SEWER IN WHITON STREET, LA-FAYETTE, FROM THE NORTHEASTERLY SIDE OF THE COMMUNIPAW ROAD TO THE NORTHEASTERLY SIDE OF WALNUT STREET, UNDER AND BY VIRTUE OF AN ORDINANCE PASSED THE TWELFTH DAY OF JULY EIGHTEEN HUNDRED AND SIXTY-ONE.

The Council of the Town of Bergen do ordain as follows :

SEC. 1. That the assessment heretofore made and returned to this Council by Garret I. Van Horn, Daniel Van Winkle, and Garret Van Horn, for the improvement mentioned in the ordinance passed on the twelfth day of July eighteen hundred and sixty-one, by said council for the building of sewer in Whiton street from the northeasterly side of Walnut street to the northeasterly side of the Communipaw road, be placed in the hands of Michael Prior, Constable, and that a warrant do issue under hands and seals of this Council authorizing said Michael Prior to collect the said assessment with interest at the rate of seven per cent. from the tenth day of February eighteen hundred and sixty-two, being thirty days after confirmation, and if need be to distrain and sell the personal estate or property of the owners of the land assessed for said improvement and the costs of executing his said warrant.

SEC. 2. That said Michael Prior return said warrant within thirty days from the date thereof, with schedule thereunto annexed, showing the amount remaining unpaid.

SEC. 3. That the said Michael Prior shall, before proceeding to sell any of the property that he shall distrain, duly advertise said property for sale at least five days by advertisements set up in three public places in said town of Bergen, and that he shall be entitled to the same fees in each case that he sells as are allowed to constables under executions.

Passed January 11, 1862.

Approved January 20, 1862.

PETER ROWE, *Chairman pro tem.*

CHARLES KEENAN, *Clerk.*

AN ORDINANCE

TO PROVIDE FOR THE APPOINTMENT OF ASSESSORS TO ASSESS THE COSTS AND EXPENSES FOR THE GRADING, AND REGULATING, AND LAYING SIDEWALKS, &c., UPON WASHINGTON AVENUE FROM THE COMMUNIPAW ROAD TO THE JERSEY CITY AND BERGEN POINT PLANK ROAD.

The Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. That Nicholas S. Vreeland, Abraham P. Newkirk, and Edwin C. Bramhall, be and are hereby appointed Assessors to assess the costs and expenses for the grading, regulating, and laying sidewalks, &c., upon Washington avenue, from the Communipaw road to the Jersey City and Bergen Point plank road, according to the provisions of the charter.

Passed January 6, 1862.

Approved, January 11, 1862.

PETER ROWE, *Chairman pro tem.*

CHARLES KEENAN, *Clerk.*

AN ORDINANCE

CONCERNING INNS AND TAVERNS.

The Council of the Town of Bergen do ordain as follows:

SEC. 1. The Council may, by a resolution passed by at least four concurring votes, and approved by the president of the board, according to the provision of the town charter, license any person to keep an inn and tavern in the manner and upon the terms provided for in this ordinance.

SEC. 2. No license to keep an inn and tavern shall be granted unless such inn and tavern shall be required for the entertainment of travellers; and no application for such a

license shall be entertained or considered by the council unless the person applying for such license shall be recommended in writing by at least twelve freeholders, residents of the town of Bergen, who shall certify that the applicant is personally known to them, and has maintained a good character for honesty and temperance, and is known to them to be well provided with rooms, beds, bedding and other accommodations for guests, and that such inn and tavern is necessary for public convenience, and will conduce to the public good. And no license to grant an inn and tavern shall be granted until the next stated meeting of the board of council after the application is received.

SEC. 3. Every license to keep an inn and tavern shall expire and be utterly void and of no effect on and after the first day of June next after the same shall be granted.

SEC. 4. The price of a license to keep an inn and tavern shall be fixed from time to time by the board of council; but in no case shall the charge be less than thirty dollars, beside one dollar and fifty cents to be paid to the town clerk for drawing such license, which sums shall be paid on receiving the license.

SEC. 5. Every license to keep an inn and tavern shall be sealed with the corporate seal, signed by the president, and attested by the town clerk, and shall be in the words or the effect following:—The town of Bergen. To wit. The council of the town of Bergen do hereby allow and license Mr. ———, of the town of Bergen, to keep an inn and tavern in the house (specifying and describing it), from the date hereof until the first day of June next ensuing, unless sooner revoked, upon condition nevertheless that the said Mr. ——— shall during the said term keep and observe all the laws of the State and ordinances of the town relative to inns and taverns, and shall keep said inn and tavern closed on the Christian Sabbath, except for the accommodation of travellers.

In testimony whereof the Corporate seal is hereunto affixed and these presents are signed by the President and attested by the Town Clerk this first day of June in the year one thousand eight hundred and —,

SEC. 6. No persons licensed to keep an Inn and Tavern shall, on the Christian Sabbath, or on the first day of the week called Sunday, sell, permit, or caused to be sold, or exposed for sale, any beer, ale, cider, porter, or intoxicating liquors of any kind, mixed or unmixed, in any house, building, room, cellar, or apartment within the limits of the town of Bergen, and shall not keep open their Inn and Tavern on that day except for the reception of travellers arriving and remaining at said Inn and Tavern during said day, and shall not permit, on the day aforesaid, any number of persons other than his, her, or their family to come together therein, and for each and every offence against this section or any part thereof, he or she shall forfeit and pay the sum of twenty dollars, to be sued for and recovered according to the provisions of the charter (see section 35), and every conviction as aforesaid shall revoke his or her license, and from and after such conviction such license shall be absolutely null and void.

SEC. 7. No person licensed to keep an inn and tavern shall game himself or herself, nor suffer any person to game in his or her house for money or the value of money. And shall not keep a disorderly inn and tavern, nor violate the laws of this State or the ordinance of the town council, and in all things respecting him or her as an inn-holder and tavern-keeper, use and maintain good order and rule, and find and provide good, wholesome, and sufficient lodging, diet, and entertainment for guests, and observe the directions of the laws relating to inns and taverns.

SEC. 8. No license shall entitle any person to keep an inn and tavern in any other place than that which is mentioned and specified in said license.

SEC. 9. The town council may revoke or annul any license that shall be granted to any person to keep an inn and tavern in case such person shall offend against any part of this ordinance, or any law of this State concerning inns and taverns.

SEC. 10. A true and correct list of all licenses that shall be granted shall be kept by the town clerk in a book to be provided for that purpose, which book shall at all times be open to the inspection of all persons desiring to see the same.

SEC. 11. If any person (except a person licensed to keep an inn and tavern as aforesaid), by himself or herself, or his or her clerk, servant, or agent, shall at any time sell or expose for sale any spirituous or intoxicating liquors, or any mixed liquors, part of which is intoxicating, he or she shall forfeit and pay on conviction the sum of ten dollars and costs of prosecution for the first offence, and shall stand committed until the same be paid; and on being convicted of a subsequent offence, he or she shall forfeit or pay the sum of twenty dollars and costs of prosecution, and shall stand committed until the same is paid; and if any clerk, servant, agent, or other person in the employment of or on the premises of another, shall violate the provisions of this or the second previous section, he or she shall be held equally guilty with the principal, and on conviction shall suffer the same penalty.

SEC. 12. Any forfeiture or penalty arising under this ordinance may be recovered before any Justice of the Peace, and the forfeiture so recovered shall be paid into the Town Treasury, and the prosecutor and complainant may be admitted as a witness in the trial, and it shall be the duty of the President, Councilmen, or any of the Constables to commence an action in behalf of the town, and in its Corporate name against any person guilty of a violation of any of the provisions of this ordinance on being informed of the same and being furnished with the proof of the fact.

Passed May 12, 1862.

Approved may 17, 1862.

ABRAHAM BECKER, *President.*

Attest: CHARLES KEENAN, *Clerk.*

AN ORDINANCE

FIXING SALARIES.

The Council of the Town of Bergen do ordain as follows :

SEC. 1. There shall be paid to the several officers herein named the following annual salaries to be paid in yearly payments, viz :

To the Town Clerk the sum of two hundred and fifty dollars, exclusive of all fees and perquisites.

To the Town Treasurer the sum of one hundred dollars.

To the Town Physician the sum of thirty dollars, and said Physician shall furnish for the compensation aforesaid all medicines that may be required to be administered by him.

To each one of the Assessors of Taxes the sum of two hundred dollars.

To each one of the Poor Masters the sum as fixed by statute.

To the Superintendent of Schools the sum of one hundred dollars, exclusive of fees fixed by statute.

SEC. 2. The officers of the Sunday police shall receive for their services one dollar and fifty cents per day, except the captain who shall receive two dollars per day.

To the Collector of Taxes the sum of three hundred dollars.

Passed May 17th, 1862.

Approved May, 1862.

ABRAHAM BECKER, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR COLLECTING THE ASSESSMENT MADE BY EDMUND C. BRAMHALL, ABRAHAM P. NEWKIRK, AND NICHOLAS S. VREELAND, FOR THE GRADING, REGULATING AND LAYING SIDE-WALKS, &c., UPON WASHINGTON AVENUE, FROM THE COMMUNIPAW ROAD TO THE JERSEY CITY AND BERGEN POINT PLANK ROAD, UNDER AND BY VIRTUE OF AN ORDINANCE PASSED JANUARY SIXTH, EIGHTEEN HUNDRED AND SIXTY-TWO.

The Council of the Town of Bergen do ordain as follows :

SEC. 1. That the assessment heretofore made and returned to this council by Edmund C. Bramhall, Abraham P. Newkirk, and Nicholas S. Vreeland, for the improvement mentioned in the ordinance passed on the twenty-second of October, eighteen hundred and fifty-seven, by said council, for the grading, regulating of side-walks, &c., upon Washington avenue, has been confirmed, and that the clerk notify the parties to pay the town treasurer the amount of their assessment within thirty days from the passage of this ordinance. And if not paid within the time specified, there shall be added interest at the rate of 12 per cent. per annum (according to the provisions of the charter).

Passed May 17, 1862.

Approved May —, 1862.

ABRAHAM BECKER, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TOUCHING THE RECEIVING AND PROCEEDING UPON PETITIONS FOR OPENING, ALTERING THE GRADE OF, OR WIDENING STREETS OR CONSTRUCTING SEWERS.

The Council of the Town of Bergen do ordain as follows :

SEC. 1. In all cases, when any application shall be made for opening, altering, or widening any street, or altering the grade of any street, or constructing sewers, the petitioner or petitioners for the same shall deposit with the Town Treasurer such sum or sums as may be from time to time required by a resolution of the Town Council as security for all costs and expenses which shall be incurred in all proceedings upon which such petition or petitions, in case the Town Council shall be prevented from further proceeding in such improvement under the said application, by reason of the filing with the Town Clerk of a remonstrance, in behalf of two-thirds of the owners of the lands to be assessed for such improvement as provided for in the twenty-seventh section of the Town Charter, and the certificate of the Town Treasurer annexed to the application showing such deposit shall be the evidence thereof.

SEC. 2. In case the Town Council shall proceed no further in such improvements, under that application, by reason of the remonstrance aforesaid, then the costs and expenses theretofore incurred in such proceeding certified by the Town Clerk, shall be retained by the Town Treasurer, out of the moneys so deposited for the use of the town, and the surplus, if any shall be, returned to the petitioner or petitioners who actually made such deposit upon the return of the Treasurer's receipt or certificate for the same duly endorsed acknowledging the same.

Passed May 24th, 1862.

Approved May, 1862.

ABRAHAM BECKER, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE,

ENTITLED AN ORDINANCE TO AMEND AN ORDINANCE CONCERNING INNS AND TAVERNS, PASSED MAY 12, 1862, APPROVED MAY 17, 1862.

The Council of the Town of Bergen do ordain as follows:

SEC. 1. That section fourth of the aforesaid ordinance concerning inns and taverns be amended by making the price of said license not less than twenty dollars, with the usual fee, and to be fixed from time to time by said councilmen.

Passed May 24th, 1862.

Approved May, 1862.

ABRAHAM BECKER, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO AMEND AN ORDINANCE ENTITLED AN ORDINANCE TO AUTHORIZE THE LICENSING OF PEDDLERS, &c.

The Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. That the sixth section of an ordinance to authorize the licensing of peddlers within the corporate limits of the town of Bergen, passed and approved July 18th, 1861, be amended by changing the price of a license, to a resident, from five dollars to two dollars and fifty cents, and by striking out the proviso in said section and by inserting therein the following: "That all peddlers so licensed, will be compelled to have name, number of license, and the words "licensed, Town of Bergen," in a conspicuous place on their wagon.

Passed June 14th, 1862.

ABRAHAM BECKER, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

FOR THE ASSESSMENT AND COLLECTION OF AN ANNUAL TOWN TAX FOR THE YEAR EIGHTEEN HUNDRED AND SIXTY TWO.

The Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. The assessors of the town of Bergen shall assess for the use of said town, the sum of nine hundred and fifty dollars for the payment of expenses incident to the corporation, according to the provisions of the eighteenth section of the charter, upon the real and personal estate of the inhabitants of the town of Bergen, and upon the property of non-residents.

SEC. 2. That the clerk of this board be and he is hereby directed to furnish a copy of this ordinance to the Assessors of the Town of Bergen.

Passed June 28, 1862.

ABRAHAM BECKER, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

RELATIVE TO THE APPOINTMENT OF AUCTIONEERS, AND TO REGULATE SALES BY AUCTION.

The Council of the Town of Bergen do ordain as follows:

SEC. 1. All sales at public auction in the town of Bergen shall be made by a licensed auctioneer.

SEC. 2. The Council may appoint one or more persons as auctioneers in and for the town of Bergen, who shall be residents of said town and who shall hold their offices during the pleasure of the Council, but whose commission, if not otherwise terminated, shall expire on the first Monday of June of each year.

SEC. 3. Every person so appointed shall take and subscribe an oath, before the Town Clerk, faithfully to perform the duties of his office and shall execute a bond with two sufficient sureties in such sum as the Town Council may from time to time direct, conditioned for the faithful performance of such duties and upon the approval of such bond by the Town Council, the Clerk shall issue a commission, under the seal of the town, signed by the President, authorizing the said person to execute the duties of auctioneer within the limits of the town of Bergen.

SEC. 4. No other person than an auctioneer appointed and commissioned as aforesaid, his clerk or agent, shall sell or attempt to sell by auction within the limits of the town of Bergen, under the penalty of twenty dollars for every offence, to be sued for and recovered from the owners of the goods sold or attempted to be sold, or from the person or agent selling or attempting to sell by auction as aforesaid.

SEC. 5. All goods, wares or merchandize, and other personal property which shall be hereafter sold at public auction, within the limits of the town of Bergen, shall be subject to a duty of three fourths per cent. and it shall be the duty of the auctioneer to collect and receive from the owner or the owners of the goods sold, the duty imposed by this law, and he shall make out and deliver to the Town Clerk, under oath or affirmation, half yearly statements on the last Monday in May and November, of the total amount of goods sold, together with the amount of duties accrued and collected, which last he shall pay immediately to the Town Treasurer; and in case no sale shall have been made during the time limited for making up his accounts, he shall make and deliver to the Town Clerk an affidavit of the facts, which shall be filed by the clerk, with the papers of the Town Council.

SEC. 6. No auctioneer appointed and commissioned as aforesaid, shall demand or receive a higher compensation for his services than a commission of three per cent. upon the amount of sales unless by agreement previously made with the owner, consignee, or agent of the goods, under the penalty of twenty dollars for each and every offence.

SEC. 7. No licensed auctioneer or other person shall sell or attempt to sell at public auction, any goods, chattels or personal property of any description, in or upon any street or side-walk in the town of Bergen, without the permission of the town Council, under the penalty of twenty dollars for each and every offence.

SEC. 8. Nothing contained in the foregoing provisions of this ordinance shall be construed to apply to sales made at public auction under and by virtue of legal process.

Passed July 12th, 1862.

ABRAHAM BECKER, *President,*

Attest: CHARLES KEENAN, *Town Clerk.*

An ordinance respecting dogs

AN ORDINANCE

RESPECTING DOGS.

The Council of the town of Bergen do ordain as follows:

SEC. 1. No dog, male or female, shall be suffered to go at large in the Town of Bergen without having upon its neck a collar with the name of the owner or possessor thereof distinctly marked in letters thereon, under the penalty of one dollar for each offence, to be paid by the owner or possessor as aforesaid, and it shall be lawful for any person to kill any such dog found running at large not having on its neck such collar with the name of the owner or possessor marked thereon as aforesaid, or any dog which shall bite or attempt to bite any person or animal.

SEC. 2. For every single male dog owned or kept in the said town of Bergen, the owner or possessor thereof shall annually pay a tax of fifty cents, and for every additional male dog a tax of one dollar, and for every single female dog a tax of one dollar and fifty cents, and for every addi-

The Mayor and Council of the City of Bergen
 do declare as follows:
 tional female dog a tax of two dollars to be assessed and collected in the manner the other taxes for the use of said town are assessed and collected.

SEC. 3. It shall be lawful for the *Mayor of the City of Bergen* Council of the town of Bergen at any time when in their opinion the public good requires the same, to issue a proclamation authorizing the indiscriminate destruction of all dogs, male and female, found running at large in the said town (except such as shall be properly muzzled with a wire muzzle about the nose securely fastened), and such proclamation being posted up in said ~~City~~ town for six days shall be a justification to all persons who may destroy any such dog or dogs, male or female, found running at large, as aforesaid, during the time such proclamation shall remain in force.

SEC. 4. All dogs, male or female, found running at large in the ~~town of Bergen~~ *City of Bergen*, except such as shall be properly muzzled with a wire muzzle about the nose securely fastened, may be taken by any person or persons and driven or carried to any pound in the said ~~town~~ *City*, and it shall be the duty of the keeper thereof to enter in a book to be kept by him for that purpose the names and places of abode of all persons who may bring any dog as aforesaid to such pound and the time of bringing the same respectively, and the said keeper shall pay to the person bringing any such dog as aforesaid to such pound the sum of ~~twelve~~ *twenty-five* cents for each, and the owner or persons claiming any such dog shall pay to the keeper of the pound ~~twenty-five~~ *five* cents for every such dog as aforesaid so impounded, and if no person shall claim any such dog so impounded and pay such amount within three days from the time of impounding the same it shall be the duty of the said keeper to kill such dog immediately thereafter, and bury or remove the same beyond the limits of the ~~town~~ *City*; and for every such dog so killed and buried or removed as aforesaid, the said keeper shall be paid out of the town treasury the sum of twenty-five cents on the presentation of a claim for such services and verified by the oath or affirmation of the said keeper within twenty days after its performance.

SEC. 5. Any person who shall hinder or prevent any of

the provisions of this ordinance from being carried into effect shall be subject to a penalty of ten dollars.

~~Passed July 12th, 1862.~~

~~ABRAHAM BECKER, *President.*~~

~~Attest: CHARLES KEENAN, *Town Clerk.*~~

AN ORDINANCE

TO AMEND AN ORDINANCE ENTITLED AN ORDINANCE TO AUTHORIZE THE LICENSING OF PEDDLERS IN THE TOWN OF BERGEN.

The Council of the Town of Bergen do ordain as follows :

SEC. 1. That the price of a license to a non-resident be amended by making the same ten dollars for said license.

Passed July 19, 1862.

ABRAHAM BECKER, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR THE OPENING AND WIDENING OF OCEAN STREET FROM THE SOUTHERLY SIDE OF BRAMHALL AVENUE TO THE NORTHERLY SIDE OF MYRTLE AVENUE.

The Council of the town of Bergen do ordain as follows :

SEC. 1. That the street known as Ocean street be opened and widened from the southerly side of Bramhall avenue to the northerly side of Myrtle avenue to the width of seventy feet by taking ten feet from the front of the lots on each side of said street.

SEC. 2. That William Frost, Abraham P. Newkirk, and Daniel Van Winkle, be and are hereby appointed commissioners to determine what lands and real estate will be benefitted by such improvement, and to estimate the whole cost of said improvement according to the best of their judgment, and cause a survey and map to be made of said improvement and of the lots or parcels of land benefitted thereby, distinguishing each lot or parcel by numbers on said map, and shall assess such estimated costs upon said lands to be benefitted thereby in proportion to the benefit received by each lot or parcel in said map, estimating the benefit to be done to the residue of any lots or parcels, part of which may be taken for said improvement in the same manner as to other lands, and they shall also estimate and report the value of lands taken for the said improvement and the erections thereon, and the damages aforesaid done by taking the same, and shall report to whom the said lands so to be taken belong, and the interest and estate of the several owners in the same as far as practicable, and shall file said report and map with the Town Clerk in thirty days after the ordinance shall go into effect.

SEC. 3. That all the damages, costs, charges and expenses for making said improvement shall be assessed upon the lands and property benefitted thereby and shall be and remain a lien thereon and the payment thereof enforced in the manner provided by the charter of said Town.

SEC. 4. That the opening and widening of said street be made under the direction of the committee on streets and that said committee cause the same to be done as soon as the said map and report are filed and the said assessment shall become a lien on the property.

Passed August 16th, 1862.

ABRAHAM BECKER, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR THE OPENING OF OCEAN STREET FROM THE SOUTHERLY SIDE OF MYRTLE AVENUE TO A STREET OR ROAD RUNNING FROM THE JERSEY CITY AND BERGEN POINT PLANK ROAD TO THE OLD BERGEN ROAD.

The Council of the Town of Bergen do ordain as follows:

SEC. 1. That a street or avenue be opened seventy feet wide to be a continuation of Ocean Street from the southerly side of Myrtle Avenue across the lands of Samuel Bostwick thence along the line of lands between William Buckley, Edmund C. Bramhall, Alfred Bidwell, Jacob Story, Esther A. Bramhall, heirs of Cornelius Brinkerhoff, deceased, David Gould, Abraham Morrel, Richard Hawkins, and Henry Vreeland on the one side and Matthew Armstrong, jr., Richard Vreeland and others on the other side, thence across the lands of John Armstrong, Henry Vreeland, Richard Vreeland, George Vreeland, and Thomas Buckmaster to a street or road running from the Jersey City and Bergen Point plank road to the old Bergen road.

SEC. 2. That William Frost, Abraham P. Newkirk, and Daniel Van Winkle, be and are hereby appointed commissioners to determine what lands and real estate will be benefitted by such improvement, and to estimate the whole costs of said improvement according to the best of their judgment, and cause a survey and map to be made of said improvement, and of the lots or parcels of land benefitted thereby, distinguishing each lot or parcel by numbers on said map, and shall assess such estimated costs upon said lands to be benefitted thereby in proportion to the benefit received by each lot or parcel in said map, estimating the benefit to be done to the residue of any lot or parcel, part of which may be taken for said improvement in the same manner as to other lands, and they shall also estimate and report the value of lands taken for the said improvement and the erections thereon, and the damages aforesaid done by taking the same and shall report to whom the said lands so to be taken belong, and the interest and estate of the several owners in the same, as far as practicable, and shall file said report and

map with the Town Clerk in thirty days after the ordinance shall go into effect.

SEC. 3. That all the damages, costs, charges, and expenses for making said improvement shall be assessed upon the lands and property benefitted thereby, and shall be and remain a lien thereon, and the payment thereof enforced in the manner provided by the charter of said town.

SEC. 4. That the opening of said street or avenue be made under the direction of the committee on streets, and that said committee cause the same to be done as soon as the said map and report are filed, and the said assessment shall become a lien on the property.

Passed August 16th, 1862.

ABRAHAM BECKER, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

AUTHORIZING THE BORROWING OF MONEY FOR THE PAYMENT OF BOUNTIES TO VOLUNTEERS AND THE ISSUING OF BONDS OR SCRIP THEREOF.

The Town of Bergen by the Councilmen thereof ordains as follows:

SEC. 1. That the Treasurer borrow from time to time in the name of this Corporation such sum or sums of money not exceeding fifteen thousand dollars in the aggregate as shall be sufficient to pay to each volunteer hereafter accepted and mustered into the service of the State from this Town under the existing or any further requisition for volunteers or militia or both by the President of the United States the sum of one hundred dollars as a bounty for his voluntary enlistment. Provided that such bounties shall be paid to such persons only as may constitute the whole or a part of the duly apportioned quota of volunteers or militia, or

both, from this town, and as shall be accredited to the same.

SEC. 2. That bonds or scrip be issued in the name of the "Town of Bergen," for the monies borrowed as aforesaid, payable at or before the expiration of three years from the date thereof, with interest at the rate of seven per cent. per annum, payable half-yearly from date until the same shall be redeemed; and that said bonds or scrip shall be signed by the president of the councilmen and the town clerk, and the corporate seal of the town be affixed thereto.

SEC. 3. That such bonds or scrip may be of such denominations respectively as the president of the councilmen shall approve, and that accurate descriptions of the same shall be made by the treasurer, and deposited by him for preservation in the office of the town clerk.

SEC. 4. That the bounties herein provided for shall be paid to the volunteers aforesaid respectively as soon as they shall have been accepted and mustered, or sworn in, and that such payments shall be made under the directions of the president of the councilmen, who shall take receipts for such payments, and file the same with the town clerk.

SEC. 5. That the whole of the indebtedness contracted under the authority of this ordinance shall be levied, assessed, and collected in this town within three years from the passage hereof by taxation, in the same manner as taxes for other municipal purposes are or may be levied, assessed, and collected therein; and that before such taxes are assessed and collected, authority for that purpose shall be perfected by the action of the proper legislative power of the State.

Passed May 25th, 1862.

ABRAHAM BECKER, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR THE FILLING IN AND LAYING A STONE SIDE-WALK ON THE NORTH SIDE OF THE JERSEY CITY AND BERGEN POINT PLANK ROAD.

The Board of Councilmen of the Town of Bergen do ordain as follows :

SEC. 1. That the north side of the Jersey City and Bergen Point plank road, from Colden place to the Mill creek, to be filled in to the legal width and a proper grade of three feet above the level of the meadow, and a stone sidewalk laid thereon four feet wide.

SEC. 2. That all the costs, charges, and expenses incurred in completing said improvement be assessed and paid by the real estate benefitted thereby, according to the provisions of the Town Charter.

SEC. 3. That the above improvement be done under the direction of the committee on streets.

SEC. 4. That Daniel Van Winkle, Jacob Rapp, and Abraham Speer be and they are hereby appointed commissioners of assessments to estimate the whole cost of said improvement according to the best of their judgment, and to cause a survey and map to be made thereof, and of the lots or parcels of land benefitted thereby, distinguishing each by numbers, and to assess such estimated costs upon said lands fronting upon said improvement in proportion to the benefit received by each lot or parcel on said improvement and make a report thereof, agreeably to the provisions of the town charter.

Passed January 13, 1863.

ABRAHAM BECKER, *President.*

Attest : CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR THE GRADING, LAYING SIDE AND CROSS-WALKS AND SETTING CURB AND GUTTER ON WALNUT STREET FROM THE WESTERLY LINE OF VAN HORN STREET TO THE EASTERLY LINE OF PINE STREET.

The Board of Councilmen of the Town of Bergen do ordain as follows :

SEC. 1. That Walnut street, from the westerly line of Van Horn street to the easterly line of Pine street, be raised to an established grade, stone side walks four feet wide be laid, curb and gutter be set on both sides, and stone cross walks be laid at each street crossing on said street.

SEC. 2. That all the costs, charges, and expenses incurred in completing the said improvement, be assessed and paid by the real estate benefitted thereby, according to the provisions of the town charter.

SEC. 3. That the above improvement be under the directions of the committee on streets.

SEC. 4. That Jacob Rapp, Abraham P. Newkirk, and Daniel Van Winkle, be and they are hereby appointed commissioners of assessments to estimate the whole costs of said improvement according to the best of their judgment, and to cause a survey and map to be made thereof, and of the lots or parcels of land benefitted thereby, distinguishing each by numbers, and to assess such estimated costs upon said lands fronting upon said improvement in proportion to the benefit received by each lot or parcel on said improvement, and make a report thereof agreeably to the provisions of the Town Charter.

Passed and approved April 18th, 1863.

ABRAHAM BECKER, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

FIXING SALARIES FOR THE YEAR 1863.

The Board of Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. There shall be paid to the several town officers the following annual salaries:

To the town clerk the sum of four hundred dollars, exclusive of all fees and perquisites.

To the town treasurer the sum of two hundred dollars.

To the town physician the sum of fifty dollars, and said physician shall furnish for the above compensation all medicine that may be required in his medical attendance.

To each one of the assessors the sum of one hundred and fifty dollars.

To the superintendent of schools the sum of one hundred dollars, exclusive of all fees fixed by statutes.

To the collector of taxes the sum of two hundred and fifty dollars.

To the collector of arrears for taxes of 1860, 1861, and 1862 three per cent.; of 1863, two and one-half per cent.; assessments, one and a half per cent.

To the chief of police the sum of two dollars per day.

To each one of the policemen one dollar and fifty cents per day.

Passed May 6th, 1863.

Approved May 13th, 1863.

J. M. MERSELES, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR THE OPENING OF A STREET OR AVENUE THROUGH LANDS OF EVAN J. DAVIS, JOHN WINNER AND OTHERS.

The Council of the Town of Bergen do ordain as follows :

SEC. 1. That a street or avenue be opened sixty feet, to be a continuation of an avenue now opened through Van Rypen estate; said street to be opened from Bolan avenue through the lands of Evan J. Davis, John Winner and others, to Bergen avenue.

SEC. 2. That George C. Perry, Abraham J. Rapp, Jacob J. Van Ryper be, and they are hereby appointed commissioners to determine what land and real estate will be benefitted by such improvement, and to estimate the whole cost of said improvement according to the best of their judgment, and cause a survey and map to be made of said improvement and of the lots or parcels of land benefitted thereby, distinguishing each lot or parcel by numbers on said map, and shall assess such estimated costs upon said lands to be benefitted thereby, in proportion to the benefit received by each lot or parcel on said map, estimating the benefits to be done to the residue of any lot or parcel of land, part of which may be taken for said improvement, in the same manner as to other lands, and they shall also estimate and report the value of lands taken for the said improvement and the erections thereon, and the damages aforesaid done by taking the same, and shall report to whom the said lands so to be taken belong, and the interest and estate of the several owners in the same as far as practicable and shall file said report and map according to the provisions of the Town Charter.

SEC. 3. That all the damages, costs, charges and expenses for making said improvement, shall be assessed upon the lands benefitted, and shall be and remain a lien thereon and the payment thereof enforced in the manner provided by the charter of said town.

SEC. 4. That the opening of said street or avenue be made under the directions of the Committee on Streets, and that

said committee cause the same to be done as soon as the said map and report are filed, and the said assessment shall become a lien on the property.

Passed May 6, 1863.

Approved May 13, 1863.

J. M. MERSELES, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR THE WIDENING OF AN AVENUE NOW OPENED
ON THE VAN RYPER ESTATE.

The Council of the Town of Bergen do ordain as follows:

SEC. 1. That a certain avenue opening upon the Van Ryper estate be widened to sixty feet, by taking five feet from the lots on each side; said avenue being now fifty feet wide.

SEC. 2. That George C. Perry, Abraham J. Rapp and Jacob J. Van Ryper be and they are hereby appointed commissioners to determine what lands and real estate will be benefitted by such improvement and to estimate the whole cost of said improvement according to the best of their judgment and cause a survey and map to be made of said improvement and of the lots or parcels of land benefitted thereby, distinguishing each lot or parcel by numbers on said map, and shall assess such estimated costs upon said lands to be benefitted thereby in proportion to the benefit received by each lot or parcel on said map, estimating the benefit to be done to the residue of any lot or parcel part of which may be taken for said improvement in the same manner as to the other lands, and they shall also estimate and report the value of lands taken for the said improvement and the erections thereon and the damages aforesaid done by taking the same, and shall report to whom the said lands to be taken belong

and the interest and estate of the several owners in the same as far as practicable, and shall file said report and map according to the provisions of the Town Charter.

SEC. 3. That all the damages, costs, charges and expenses, for making said improvement shall be assessed upon the lands and property benefitted thereby, and shall be and remain a lien thereon, and the payment thereof enforced in the manner provided by the charter of said town.

SEC. 4. That the widening of said street or avenue be made under the directions of the committee on streets, and that said committee cause the same to be done as soon as the said map and report are filed, and the said assessment shall become a lien on the property.

Passed May 6th, 1863.

Approved May 13th, 1863.

J. M. MERSELES, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO AUTHORIZE THE LAYING OF A CEMENT DRAIN PIPE IN BOWDEN AVENUE FROM MONTICELLO AVENUE TO CRESCENT AVENUE.

The Board of Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. That a cement drain pipe of the dimensions of twelve inches, with proper connections for house drainage, be laid in Bowden avenue from Monticello avenue to a sewer or drain across Bowden avenue near Crescent avenue.

SEC. 2. That George C. Perry, Abraham J. Rapp, and Jacob J. Van Ryper, be and they are hereby appointed commissioners to estimate the whole cost of said improvement according to the best of their judgment, and to cause a survey and map to be made thereof, and of the lots or parcels of land benefitted thereby distinguishing each by num.

bers, and to assess such estimated costs upon said lands to be benefitted thereby in proportion to the benefit received by each, and make report thereof agreeably to the provisions of the town charter in this behalf.

SEC. 3. That all the costs, charges, and expenses for making said improvement shall be assessed upon the lands and property benefitted thereby and remain a lien thereon, and the payment thereof enforced in the manner provided by the town charter.

SEC. 4. That the above improvement be done under the directions of the committee on streets.

Passed June 10th, 1863.

Approved June 17th, 1863.

J. M. MERSELES, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR THE GRADING AND REGULATING, &c., OF FAIRVIEW AVENUE FROM WEST SIDE AVENUE TO BERGEN AVENUE.

The Board of Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. That Fairview avenue from West Side avenue to Bergen be regulated and graded to an established grade.

SEC. 2. That all the costs, charges, and expenses incurred in completing the said improvement be assessed and paid by the real estate benefitted thereby, according to the provisions of the town charter.

SEC. 3. That the above improvement be done under the directions of the committee on streets.

SEC. 4. That George C. Perry, Jacob J. Van Ryper, and Abraham J. Rapp, be and they are hereby appointed commissioners of assessment, to estimate the whole costs of said

August 25, 1862, and confirmed by an act of the legislature, approved February 25th, 1863.

SEC. 2. That said sum of two thousand dollars shall be assessed and collected at the time when, and in the manner in which the other annual taxes to be levied and raised in said town are assessed and collected.

Passed August 19th, 1863.

Approved August 26th, 1863.

J. M. MERSELES, *President*.

Attest: CHARLES KEENAN, *Town Clerk*.

AN ORDINANCE

CONCERNING NUISANCES.

The Councilmen of the Town of Bergen do ordain as follows :

SEC. 1. That no person shall cast, leave, or keep in or adjoining any street, lane, alley, avenue, square, public place, or public road in the Town of Bergen, any bones, putrid, unsound, unwholesome or refuse meat, or beef, of any animal, or the whole or part of any dead animal, or other unsound, putrid, or unwholesome substances, or the offal, garbage or other offensive or useless parts of any beeves, calves, sheep, hogs, or other cattle; that the aforesaid practices, acts and things, shall be and they are hereby declared nuisances, and that the person offending against the provisions of this section shall incur a penalty of five dollars for each and every offense.

SEC. 2. That no person shall cast, leave, or keep any of the noxious substances or things enumerated in the foregoing section, in or upon any yard, lot, field, or premises within said town, unless the same shall be immediately so covered with ground or buried as to prevent them from causing any noisome, offensive or unwholesome smell, and

any violation of this section shall be deemed a nuisance, and the person guilty thereof shall be liable to a penalty of five dollars for each and every such offense.

SEC. 3. That no cart, wagon or vehicle in or upon which shall be placed, loaded or conveyed in or through said Town or any part thereof any of the noxious substances or things enumerated in the first section of this ordinance shall be permitted to encumber or stand in any street, lane, alley, avenue, square, public place, or public road in said Town under any pretence whatever; provided nothing herein contained shall be construed to prohibit such cart, wagon or vehicle from standing at or in front of the premises from which the said substances or any of them are obtained a sufficient length of time to receive or load the said substances or any of them upon such cart, wagon or vehicle for the purpose of conveying the same away; that any violation of this section shall be deemed a nuisance and the owner or owners or person in charge of such cart, wagon or vehicle shall upon every violation of this section incur a penalty of five dollars.

SEC. 4. No person shall swim or bathe within said Town at any place exposed to public view and within two hundred yards of any public road, street, avenue, or path of common travel or of any residence within said Town between the hours of five in the forenoon and eight in the afternoon, and the person or persons offending against this section shall be deemed guilty of a nuisance and shall be fined an amount not exceeding five dollars for each offence.

SEC. 5. The penalties collected under this ordinance shall be deposited in the Treasury of the Town for the general purposes of said Town and may be sued for and recovered, with costs, in the name of said Town pursuant to the Charter.

Passed August 19th, 1863.

Approved August 26th, 1863.

J. M. MERSELES, *President*.

Attest: CHARLES KEENAN, *Town Clerk*.

AN ORDINANCE

TO PROVIDE FOR THE REGULATING, GRADING, &c., OF BRAMHALL AVENUE FROM THE JERSEY CITY AND BERGEN POINT PLANK ROAD TO OCEAN STREET.

The Board of Councilmen of the Town of Bergen do ordain as follows :

SEC. 1. That Bramhall avenue, from the Jersey City and Bergen Point plank road to Ocean street, be regulated and graded to an established grade, the gutters to be paved with cobble stones.

SEC. 2. That all the costs, charges, and expenses incurred in completing the said improvement be assessed and paid by the real estate benefitted thereby, according to the provisions of the town charter.

SEC. 3. That the above improvement be done under the directions of the committee on streets.

SEC. 4. That George C. Perry, Jacob J. Van Ryper, and Abraham J. Rapp, be and they are hereby appointed commissioners of assessment to estimate the whole costs of said improvement, according to the best of their judgment, and to cause a survey and map to be made thereof and of the lots or parcels of land benefitted thereby, distinguishing each by numbers, and to assess such estimated costs upon said lands fronting upon said improvement in proportion to the benefit received by each lot or parcel on said improvement, and make a report thereof, agreeably to the provisions of the town charter.

Passed September 2d, 1863.

Approved September 9th, 1863.

J. M. MERSELES, *President.*

Attest : CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR THE BUILDING OF A SEWER, &c., IN WASHINGTON AVENUE (LAFAYETTE).

The Board of Councilmen of the Town of Bergen do ordain as follows :

SEC. 1. That a brick sewer shall be constructed in Washington avenue, commencing at the present sewer in said avenue at Walnut street, from Walnut street through Washington avenue to Willow street easterly to Oyster Creek. Also manholes and receiving basins and all other appurtenances necessary to said sewer, and also manholes to be constructed on the sewer now built in Washington avenue wherever the same shall be deemed necessary ; also to have the old sewer and its appurtenances put in repair. The above sewer to be two feet in diameter.

SEC. 2. That all the costs, charges, and expenses in completing said improvement, be assessed and paid by the real estate benefitted thereby, according to the provisions of the town charter.

SEC. 3. That the above improvement be done under the directions of the committee on streets.

SEC. 4. That George C. Perry, Jacob J. Van Ryper, Abraham J. Rapp be, and they are hereby appointed commissioners of assessments to estimate the whole costs of said improvement according to the best of their judgment, and to cause a survey and map to be made thereof, and of the lots or parcels of land benefitted thereby distinguishing each by numbers, and to assess such estimated costs upon said lands fronting upon said improvement in proportion to the benefit received by each lot or parcel on said improvement, and make a report thereon agreeably to the provisions of the town charter.

Passed October 7th, 1863.

Approved October 14th, 1863.

J. M. MERSELES, *President.*

Attest : CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE.

CONSENTING TO THE VACATING AND CLOSING OF A STREET HERETOFORE PROPOSED TO BE DEDICATED AND LAID OUT OVER THE LANDS OF ROBERT L. SMITH AND ANDREW CLERK BETWEEN OCEAN STREET AND CLERK STREET.

Whereas the owners of the property adjoining the lane or street called Ivy lane, extending between Ocean street, opposite the intersection of a street fifty feet wide called Forrest street, with the east side of Ocean street, desire to change the direction of such street in such a manner as to make the same extend to Clerk street by a continuation of Forrest, and as a prolongation thereof in a straight line to Clerk street;

Therefore the Councilmen of the Town of Bergen do ordain as follows :

SEC. 1. That they consent that the said owners of lands adjoining said Ivy lane, on each side thereof, may close and vacate said lane or street, and appropriate to their own use, or so much thereof as lies outside of the space that would be occupied by an extension of Forrest street, with a width of sixty feet, between Ocean and Clerk streets, that is to say a width of thirty feet on each side of the centre line of Forrest street if prolonged in a straight course to Clerk street; *Provided*, said owners shall, simultaneously with the closing of the portion of Ivy lane above mentioned dedicate for the use of the public at their own expense a street sixty feet in width between Ocean and Clerk streets, so as to make a prolongation in a straight course of Forrest street of a width of thirty feet on each side of the centre line of Forrest street produced to Clerk street.

Passed October 14th, 1863.

Approved October 21st, 1863.

J. M. MERSELES, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR THE OPENING OF A STREET FROM THE EAST SIDE OF OCEAN STREET TO THE WEST SIDE OF CLERK STREET TO BE A PROLONGATION OF FORREST STREET.

Whereas application has been made to the Councilmen of the Town of Bergen by the owners of the lands lying between Ocean and Clerk streets for a public street to be laid out and opened through their grounds so as to make a continuation of Forrest in the straight direction of said Forrest street ;

And whereas said owners have also filed with the Councilmen their undertaking in writing to claim no damage for the lands thus taken for said street and to pay any expense incident to the laying out and opening thereof,

The Councilmen of the Town of Bergen do ordain as follows :

SEC. 1. That a public street be opened in the direction of Forrest street between the east side of Ocean street and the west side of Clerk street said street to be sixty feet in width that is to say said width to extend thirty feet on each side of the prolongation of the centre line of Forrest street and said street when so opened shall be a continuation of said Forrest street and shall be known as a part of said street. Provided that the owners of the lands over which said new street shall pass shall in writing waive any compensation or damages for the lands taken for such improvement and shall also undertake in writing to bear any and all expenses that may attend the publication of this ordinance and the opening of said proposed street.

Passed October 14, 1863.

Approved October 21, 1863.

J. M. MERSELES, *President,*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR THE GRADING, REGULATING &c. OF ACADEMY STREET.

The Board of Councilmen of the Town of Bergen do ordain as follows :

SEC. 1. That Academy street from the cross street on the north-west side of C. C. Van Reyphen's homestead lot, to Wilson's entrance road, and the east corner of Isaac Knapp's lot, be graded and regulated to an established grade.

SEC. 2. That all the costs, charges, and expenses incurred in completing the said improvement, be assessed and paid by the real estate benefitted thereby according to the provisions of the town charter.

SEC. 3. That the above improvement be done, and under the direction of the committee on streets.

SEC. 4. That George C. Perry, Jacob J. Van Ryper and Abram J. Rapp, be and they are hereby appointed commissioners of assessment, to estimate the whole costs of said improvement, according to the best of their judgment, and to cause a survey and map to be made thereof, and of the lots or parcels of land benefitted thereby, distinguishing each by numbers, and to assess such estimated costs upon said lands fronting upon said improvement in proportion to the benefit received by each lot or parcel on said improvement, and make a report thereof, agreeably to the provisions of the town charter.

Passed October 14th, 1863.

Approved October 21st, 1863.

J. M. MERSELES, *President.*

Attest : CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR THE ESTABLISHING A PROPER GRADE ON OCEAN STREET FROM THE NEWARK PLANK ROAD TO THE CENTRE OF MYRTLE AVENUE.

The Board of Councilmen of the Town of Bergen do ordain as follows :

SEC. 1. That a grade be established on Ocean street from the Newark Plank Road to the centre of Myrtle avenue.

SEC. 2. That the above improvement be done under the direction of the committee on streets.

SEC. 3. That all the costs, charges and expenses incurred in completing the said improvement, be assessed and paid by the real estate benefitted thereby according to the provisions of the town charter.

SEC. 4. That George C. Perry, Jacob J. Van Riper, and Abram J. Rapp be, and they are hereby appointed commissioners of assessment to estimate the whole cost of said improvement, according to the best of their judgment, and to cause a survey and map to be made thereof, and of the lots or parcels of land benefitted thereby, distinguishing each by numbers and to assess such estimated costs upon said lands fronting upon said improvement, in proportion to the benefit received by each lot or parcel on said improvement, and make report thereof agreeably to the provisions of the town charter.

Passed October 21, 1863.

Approved October 28, 1863.

J. M. MERSELES, *President,*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR THE REGULATING AND GRADING OF
VREELAND STREET.

*The Board of Councilmen of the Town of Bergen, do
ordain as follows :*

SEC. 1. That Vreeland street from the Newark Plank Road to Bramhall avenue be regulated and graded, curbed and guttered with blue stone, and a plank side walk four feet wide laid on the west side of said street.

SEC. 2. That all the costs, charges and expenses, incurred in completing the said improvement be assessed and paid by the real estate benefitted thereby, according to the provisions of the town charter.

SEC. 3. That the above improvement be done under the direction of the committee on streets.

SEC. 4. That George C. Perry, Jacob J. Van Ryper and Abram J. Rapp, be and they are hereby appointed commissioners of assessment to estimate the whole costs of said improvement, according to the best of their judgment, and to cause a survey and map to be made thereof, and of the lots or parcels of land benefitted thereby, distinguishing each by numbers, and to assess such estimated costs upon said lands fronting upon said improvement in proportion to the benefit received by each lot or parcel on said improvement, and make a report thereon, agreeably to the provisions of the town charter.

Passed October 21st, 1863.

Approved October 28th, 1863.

J. M. MERSELES, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR THE WIDENING OF COMMUNIPAW LANE.

The Board of Councilmen of the Town of Bergen do ordain as follows :

SEC. 1. That Communipaw Lane from the southeasterly side of Gardner avenue to the northwesterly line of Walter Wood's house lot be widened to the uniform width of sixty feet.

SEC. 2. That all the costs, charges and expenses incurred in completing the said improvement be assessed and paid by the real estate benefitted thereby according to the provisions of the Town charter.

SEC. 3. That the above improvement be done under the directions of the Committee on Streets.

SEC. 4. That George C. Perry, Jacob J. Van Ryper and Abram J. Rapp be and they are hereby appointed Commissioners of Assessment to estimate the whole cost of said improvement according to the best of their judgment and to cause a survey and map to be made thereof and of the lots or parcels of land benefitted thereby distinguishing each by numbers and to assess such estimated costs upon said lands fronting upon said improvement in proportion to the benefit received by each lot or parcel on said improvement and make a report thereof agreeably to the provisions of the Town Charter.

Passed November 4th, 1864.

Approved November 11, 1864.

J. M. MERSELES, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR THE REGULATING AND GRADING OF COLDEN PLACE.

The Board of Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. That Colden place, from Palisade avenue to the Jersey City and Bergen Point Plank Road, be regulated and graded to an established grade.

SEC. 2. That all the costs, charges and expenses incurred in completing the same, be assessed and paid by the real estate benefitted thereby according to the provisions of the town charter.

SEC. 3. That the above improvement be done under the direction of the committee on streets.

SEC. 4. That George C. Perry, Jacob J. Van Riper and Abram J. Rapp be and they are hereby appointed commissioners of assessment, to estimate the whole cost of said improvement according to the best of their judgment, and to cause a survey and map to be made thereof, and of the lots or parcels of land benefitted thereby, distinguishing each by numbers, and to assess such estimated costs upon said lands fronting upon said improvement, in proportion to the benefit received by each lot or parcel on said improvement, and make a report thereof agreeably to the provisions of the town charter.

Passed November 4, 1863.

Approved November 11, 1863.

J. M. MERSELES, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

FOR THE SALE OF LANDS IN THE TOWN OF BERGEN FOR AR-
REARS OF TAXES OF 1862.

The Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. That the lots, pieces or parcels of land in the Town of Bergen, the taxes upon which assessed for the year 1862, with interest thereon from the twentieth day of December 1862, at the rate of twelve per cent per annum, remain unpaid, be, with the tenements and improvements thereon, advertised to be sold on the first day of April next, at ten o'clock in the forenoon, at the chamber of the Councilmen in said Town for the shortest term for which any person or persons will agree to take the same and pay such tax with interest as aforesaid, and all other necessary costs and charges for advertising etc., pursuant to and by virtue of the authority contained in the charter and any ordinance of the Town of Bergen.

SEC. 2. That the Committee on Finance of this Board of Councilmen cause public notice to be given of the time and place of said sale, with a schedule and a short description of such lots, pieces or parcels of land upon which the said taxes of 1862 are in arrears and unpaid, with the names of the owners as far as practicable and the amount of tax assessed upon each lot, piece or parcel aforesaid annexed thereto, and that said Committee superintend the sale of said property with power to them to make all needful rules and regulations for the government of said sale and with authority to suspend or adjourn the same or any part thereof, and that said notice and schedule be published and set up by them for at least sixty days preceeding the said first day of April next and pursuant to the directions of the charter in that behalf.

Passed December 23d, 1863.

Approved January 6th, 1864.

J. M. MERSELES, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

CONCERNING COUPON BONDS.

The Board of Councilmen of the Town of Bergen do ordain as follows :

SEC. 1. That all coupon bonds of the town of Bergen shall be signed by the President of the Board of Councilmen and the Town Clerk, and the coupons attached thereto shall be signed by the treasurer.

SEC. 2. That all coupons shall when due be payable on demand upon presentation to the treasurer at his office, or at such place or places as he may by public advertisement designate for that purpose.

SEC. 3. That when coupon bonds shall be drawn for a shorter term of years than the coupons annexed shall specify, allowing two coupons for each year, the extra coupons attached thereto shall be cancelled by the town clerk and filed in his office; and in making such cancellation, the town clerk shall mark across each extra coupon the words "not used," said mark to be made by a stamp provided for that purpose, and to be kept in the office of the town clerk.

SEC. 4. That all coupons, whether cancelled or uncanceled, shall bear thereon the number of the bond to which they are or were severally attached.

SEC. 5. That no exchange of bonds of the town of Bergen, of any form, shall be made with any party or parties holding said bonds, for the new coupon bonds without, in each case, a special resolution of the Town Council authorizing said exchange.

SEC. 6. That upon surrender of any bonds hitherto issued by the Town Council, when such surrender shall be for the new coupon bonds, the Town Clerk shall endorse upon said old bonds, the words "exchanged for coupon bonds," and shall attach his signature thereto.

SEC. 7. That all ordinances or parts of ordinances hitherto passed inconsistent with the provisions of this ordinance shall be, and the same are hereby repealed and of no effect.

Passed February 24, 1864.

Approved March 2, 1864.

J. M. MERSELES, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO ESTABLISH A BOARD OF EDUCATION, TO PROVIDE FOR THEIR APPOINTMENT, TO DEFINE THEIR POWERS AND DUTIES, AND TO REGULATE PUBLIC SCHOOLS.

The Town Council of Bergen do ordain as follows :

SEC. 1. There shall be appointed by the Town Council nine discreet and suitable persons who, together with the School Superintendent, the President of the Town Council, for the time being, and the Chairman of the Committee on Schools or Education of the Town Council, for the time being shall constitute a Board of Education.

SEC. 2. The said Board of Education shall elect one of their number President and another Clerk.

SEC. 3. The said Board of Education shall have the general management and control of the public schools now established, and hereafter to be established, in the town of Bergen, and shall have power, and it shall be their duty to make rules of order and by-laws for the government of the board, its members, committees, and general regulations, to secure proper economy and accountabilities in the school monies ; to supervise, manage, and govern the public schools in the town of Bergen, and from time to time make all needful rules and regulations therefore to direct the course of studies, provide in all things for the good government and management of said public schools ; to purchase books, apparatus, station-

ery, and other things necessary and expedient to enable the said public schools to be properly and successfully conducted, to keep the school building or buildings properly repaired and furnished, and with the approval of the town Council to fix the number and compensation of teachers to be employed therein, and select and employ such teachers; but all supplies which shall be procured by said board shall be obtained by contract, proposals for which shall be advertised in a newspaper circulating in the town for the period of at least two weeks, provided, however, that no teacher shall be employed without having obtained a license from the board of county examiners and teachers.

SEC. 4. The Board of Education may provide evening schools for those whose ages or avocations are such as to prevent their attending the day schools, in such of the school houses or other buildings used for school purposes as they may from time to time deem expedient.

SEC. 5. It shall be the duty of the Board of Education—

1st. To examine and inspect each of the schools at least twice in each year, and oftener if necessary, and on or before the first day of April in each year to make and transmit to the Town Council a report in writing, in which they shall set forth the condition of the several schools, buildings, and whether any, and if any, what repairs, alterations, or modifications of those buildings seem to them necessary.

2d. Whether they are kept clean and in good order.

3d. In what manner they are heated and ventilated, and how effectual the means used are in producing the results desired.

4th. The studies provided.

5th. The punctuality of attendance of the scholars and teachers.

6th. The progress of the classes in their studies.

7th. The order, attention, and general appearance of each school.

8th. The length of each morning and afternoon session, and the number and length of recesses allowed.

9th. The number of scholars who shall have been admitted and taught in each school, and discharged therefrom dur-

ing the preceeding year, and the average number that have actually attended each school during said year.

10th. The number and qualifications of the teachers, and such other matters as in their opinion are important to insure the discipline or extend the usefulness of the schools.

SEC. 6. The said Board of Education shall examine all claims and accounts against the Corporation for school purposes, and report on the correctness thereof to the Town Council to the end that they may be audited and paid.

SEC. 7. The salaries of all teachers employed in the public schools shall be paid monthly, and the Board of Education shall, two weeks previous to the time when the salaries of said teachers shall become due and payable, present a claim to the Town Council for the aggregate amount of such salaries, to the end that a warrant on the Treasurer in favor of said Board, may be ordered therefor; and said salaries shall be paid by said Board, and immediately after such payment they shall make a detailed report thereof and return the vouchers taken therefor, to the Town Council.

SEC. 8. Whenever, and as often as it shall be expedient or necessary to organize one or more additional schools, it shall be the duty of the said Board of Education to report the same to the Town Council, with the facts and circumstances showing such necessity, together with the character of the school buildings required, and the number and class of scholars which will probably attend such school if organized, and to organize such schools as the Town Council shall by resolution provide and direct.

SEC. 9. The said Board of Education, on or before the first day of June in each year, shall make a particular statement in writing to the Town Council of the amount of money that will be required during the fiscal year for school purposes, and for altering, repairing, or building school houses, and in no one year shall the monies expended or the liabilities incurred for school purposes, or for building, altering, repairing, or furnishing school houses, either by the Board of Education or the Town Council, exceed the amount authorized by the Town Council to be raised by tax in each year for those purposes.

SEC. 10. The said Board of Education shall observe and carry into full effect all ordinances adopted by the town Council of Bergen, and all resolutions respecting the matter provided for by this ordinance, which shall be passed by the town Council in the manner provided for in the town charter.

SEC. 11. No member of said Board of Education shall be interested, directly or indirectly, in any contract payments under which are to be made, in whole or in part, out of monies derived from any school fund or raised by taxation for the support of common schools.

SEC. 12. The said Board of Education shall not adopt or establish any rule or regulation by which any child or children residing in the town of Bergen, between the ages of five and eighteen years shall, except for misconduct, be prevented from attending the public schools in said town without any cost or expense whatever.

SEC. 13. There shall be provided and kept in each school, by the principal teachers thereof, necessary blank books in which shall be entered by such teacher the names, residences, and ages of the scholars attending school and the number of days they shall have respectively attended, the absence of any or either of the teachers of such school and the alleged cause thereof, and also the names of all persons visiting such school and the time of such visiting, which book shall at all times be kept open for the inspection of any person or persons who may desire to inspect the same.

SEC. 14. All children between the ages of five and eighteen years, residing in the town of Bergen, shall be entitled to attend the public schools therein, and the parents and guardians, or other persons having the custody or care of such children, shall not be liable to any tax, assessment or imposition for the tuition of any children other than the taxes authorized to be raised under and by virtue of the town charter.

SEC. 15. The first appointment of members of the Board of Education shall be made as soon as this ordinance shall go into effect.

SEC. 16. The said Board of Education first appointed

under and by virtue of this ordinance, shall meet at the town clerk's office, on the first Monday after appointment, at half-past seven o'clock, p. m., when they shall divide the members of said Board of Education into three equal classes, one of which shall go out of office on the second Monday in May in the year 1865, and one other shall go out of office on the second Monday of May in each of the years 1866 and 1867, and the Town Council shall in each year thereafter appoint three members of said Board, who shall hold office for three years, and in case of death, resignation, or other disability of any member of said Board, a person shall be appointed by the Town Council to fill the unexpired term.

SEC. 17. All ordinances and parts of ordinances heretofore passed, inconsistent with any of the provisions of this ordinance, are hereby repealed.

Passed May 4th, 1864.

J. M. MERSELES, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO DEFINE THE DUTIES OF THE SCHOOL SUPERINTENDENT.

The Board of Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. The school Superintendent shall be *ex officio* a member of the Board of Education, and shall in all respects be subject to the directions of said board, and shall carry out and enforce all the rules and regulations that may be established by said board for the government of the common schools and for protecting and preserving the property of the several schools.

SEC. 2. The school superintendent shall examine the classes in their respective schools at least once in each quarter of the year, and shall visit them not less than twice

in each month, without giving previous notice to the instructors, and shall also make a report of the results of such examination and visits to the Board of Education.

SEC. 3. The school superintendent shall give his advice to the instructors in any emergency, and take cognizance of any difficulty which may have occurred between the instructors and parents or guardians of pupils, or between the instructors themselves, relative to the government or instruction of the school.

SEC. 4. In case of a vacancy in any school in the place of either of the instructors, the school superintendent may, if he thinks proper, appoint an instructor to fill the vacancy *pro tempore*, but he shall make a report of any such vacancy or appointment to the Board of Education at the next meeting thereof.

SEC. 5. The School Superintendent, at the time of making his periodical visits to the schools, shall examine into the condition of the school houses, and yards, and out buildings connected therewith, and the result of such examination shall be stated in his reports to the Board of Education.

SEC. 6. The School Superintendent may make such necessary repairs and furnish such necessary supplies to the schools as may be needed before the next meeting of the Board of Education, and may make any temporary arrangements which he may find necessary relative to the schools or the convenience of the instructors, but he shall make immediate report of all his actions and doings under this section to the Board of Education.

SEC. 7. It shall be the duty of the School Superintendent to exercise a general supervision over the warming and ventilating of the several school houses throughout the year.

SEC. 8. The school superintendent may suspend or expel any child from school for violent or pointed opposition to the authority of the teacher, or when the example of such child is injurious and reformation shall appear hopeless, and he shall make immediate report of any such suspension or expulsion to the Board of Education.

SEC. 9. An appeal may be had by any person aggrieved by any of the acts or decisions of the school superintendent.

to the Board of Education, who shall finally decide upon the matter and appeal.

SEC. 10. All ordinances and parts of ordinances heretofore passed inconsistent with any of the provisions of this ordinance, are hereby repealed.

Passed May 4th, 1864.

J. M. MERSELES, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

DEFINING THE DUTIES OF THE TREASURER.

The Board of Councilmen of the Town of Bergen do ordain as follows :

SEC. 1. The treasurer shall receive, safely keep, and disburse, under the direction of the council, all monies belonging to the town ; he shall keep an accurate account of all receipts and payments, and make a return thereof to the council at their first regular meeting in each month, and shall receive such compensation for his services as shall be fixed by the ordinance providing for the payment of salaries.

SEC. 2. Before entering upon the duties of his office, the Treasurer shall execute a bond to (the board of councilmen of) the Town of Bergen with two sufficient sureties to be approved by the said board of councilmen in the penal sum of seven thousand dollars conditioned for the faithful performance of the duties of his office and for the safe keeping of the money.

SEC. 3. He shall keep a cash book in which he shall enter under appropriate heads an accurate account of all receipts and expenditures.

SEC. 4. No monies shall be paid out of the Treasury except on warrants signed by the President of the board and the town clerk.

SEC. 5. He shall keep a check book on the bank or banks in which the town deposits are made and in the margin of said book, opposite each check that shall be drawn, shall specify the name of the person to whose order it was drawn, the amount drawn and for what purpose.

SEC. 6. He shall pay with his official check, to the order of the person in whose favor it shall be drawn, all warrants on the treasury.

SEC. 7. He shall make a true, full and accurate account of all monies raised by tax or loan for the use of the town since the last annual election and of the applications and expenditures of the same and cause the same to be published in such paper as may be employed by the board of councilmen to print the minutes of their proceedings at least ten days before the annual charter election.

SEC. 8. He shall also receive all redemption money for the sale of any property sold for taxes and assessments on the certificate of the town clerk of the amount to be paid.

Passed May 14th, 1864.

J. M. MERSELES, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

DEFINING THE DUTIES OF COLLECTOR OF REVENUE.

The Town Council of Bergen do ordain as follows:

SEC. 1. There shall be appointed by the Town Council, in the same manner in which other officers in the town are appointed, a Collector of Revenue for said town, whose duty it shall be to perform the duties of the present officers of said town known as collector of taxes, collector of arrears of taxes, and collector of assessments; and it shall further be his duty to keep a record of all proceedings affecting the revenue of the town, and at the end of each and every current year the said proceedings shall be filed by him in the office of the town clerk.

SEC. 2. That the said collector of revenue shall daily pay over all moneys received by him as revenue for the town, including all taxes, assessments, and arrears of taxes to the treasurer of said town.

SEC. 3. That the said collector of revenue shall, before entering on the duties of his office, give bonds to the town in its corporate name in the sum of ten thousand dollars, and with such security as the Town Council may approve for the faithful performance of his duties; and shall also, before entering upon the duties of his said office, take and subscribe an oath of office in the manner and to the effect as in and by the charter of said town required before the person in said charter mentioned; and in default thereof, within the time limited by said charter for that purpose, his said office shall thereby become vacant as by said charter prescribed.

SEC. 4. That it shall be the duty of the said collector of revenue, to receive from the assessors, within fifteen days after the same shall be made out according to law, the transcript or duplicate of the assessment, and he shall annually, on or before the first day of October in each year, give notice that the collector of revenue is prepared to receive payment of taxes by advertisements in the corporation paper, and any other paper which the Town Council may, by resolution, designate, for at least one week, and the same notice to be set up in at least four of the most public places in the town, of said tax, and that if it be not paid on or before the twentieth day of December, the name of the defaulter, with the tax, will be returned to the Town Council, in which advertisements notice shall also be given of the time and place of the meeting of the commissioners of appeal for said town in cases of taxation.

SEC. 5. The collector of revenue shall, within sixty days after the receipt of the transcript or duplicate of said assessment, demand payment of the tax or sum assessed on each individual in the town, in person or by notice left at his or her place of residence, and also give notice of the time and place of the meeting of said commissioners of appeal; and the said collector shall pay all taxes by him collected and received to the town treasurer daily as collected and before

the thirtieth day of December, except when that day comes on Sunday, and then on the day following, in each year; and that he shall at the end of each and every six days whilst he shall be so engaged in collecting the said tax, and on the said thirtieth day of December, or the day afterwards, as above specified, render an account thereof under oath, item by item, to the treasurer, with the amount of interest allowed on such collection, if any, and to whom, and that he shall, on the payment of any and all monies to the treasurer, receive vouchers for the payment thereof, which he shall exhibit to the committee on finance, and shall leave with them a duplicate thereof.

SEC. 6. In case of the nonpayment of any of the taxes at the time appointed, the said collector of revenue shall make out and deliver to the town clerk a list of all the names of delinquents, with the sums due from them respectively, according to law, at the time and in the manner required by the charter, together with the oath or affirmation required.

SEC. 7. When any person or persons from whom any tax shall be due and payable to the said town, shall pay the same or any part thereof to the collector of revenue before the time appointed for the said collector to return a list of delinquent taxpayers, the said collector shall allow and deduct from the amount of the tax so paid interest thereon at the rate of six per centum per annum, from the time when the said tax shall be received until the time appointed by law to make such return of the list of delinquents.

SEC. 8. The collector of revenue shall be further charged with the duty of collecting all assessments which shall be duly confirmed by the town council, according to the provisions of the town charter, for opening, altering, widening, filling up, grading, altering the grade of, refilling, guttering, flagging, curbing, filling sunken lots, and for all and every improvement directed to be made in the manner provided by law.

SEC. 9. That upon the due passage of the confirmation of any assessment, the said assessment shall be placed by the town clerk in the hands of the said collector of revenue, who

shall forthwith demand the payment of the sums due thereon, from the persons who are required by law to pay the same, and shall open an account with the same in books to be provided for that purpose. He shall also prepare a condensed recapitulation of the same, and cause to be transcribed in a book or roll, to be called the "record of assessments," containing the name of the street in which each lot is situated, the amount of assessment to each lot and the total thereof, and the time of confirmation. Said book shall also contain marginal blanks opposite each name, for date of payment of principal and interest to be filled in when collected. He shall, within sixty days from the date of receiving the amounts due on such assessments, cause a duplicate of the said condensed recapitulation to be made containing the amounts which he may have received, together with the names of the delinquents to which shall be attached an affidavit that the items therein named are true, and that demand was made on those interested therein as hereinbefore stated. All monies by him collected on any assessment so placed in his hands, shall be daily paid over by him to the town treasurer, and he shall thereupon receive from said treasurer a voucher for such payment, which he shall forthwith duly exhibit to the committee on finance, and shall at the same time leave with them a duplicate of such voucher.

SEC. 10. That it shall be the duty of the collector of revenue, in case any assessment named in the eighth section of this ordinance shall remain unpaid for thirty days after confirmation thereof by the town councilmen, and the parties owing the same shall be willing to make the payment thereof at any time before the real estate shall be advertised for sale, to collect, in addition to the amount of such assessment interest thereon, to be computed at the rate of twelve per centum per annum from the time of confirmation of such assessment until the same be paid.

SEC. 11. That it shall be the duty of the collector of revenue to receive from such justice of the peace residing in the town, as shall be authorized by the town council to deliver the same, such warrant or warrants for the collection of taxes as shall be to him directed and delivered, and to levy and

collect such tax with costs and interest at twelve per centum per annum by distress and sale of goods and chattels of the delinquent or delinquents, giving at least four days notice of the time and place of such sale by advertisements set up in three of the most public places in the town, or in such manner as may be provided by law.

SEC. 12. That it shall be the duty of the collector of revenue to prepare lists of arrearage of taxes, assessments for opening or improvements on streets, and assessments for sewers, for advertisements in the corporation newspaper and to publish said lists in the manner and for such time as may be required by law, and also to prepare the schedule necessary to a sale of any of the lands, tenements and real estate of any of the delinquents, and place the same in the hands of the town clerk at least three days before the time appointed for sale, and that the said advertisement in this section first above named shall contain an accurate description of such lands, tenements and real estate as the same are assessed to each of the owners thereof with the name of the person to whom it is assessed and the name of the reputed owner, the number of the lot and block, the name of the street on which each lot fronts or along which the same may extend, the size of the lot and the amount of tax or assessment for which the same may be ordered sold.

SEC. 13. That in case all the amounts shall not be paid of any assessment for taxes, assessments for improvements, repairs to side and cross walks and sewers above mentioned, and the same shall be advertised for sale as the charter requires, it shall be the duty of the said collector of revenue and he is hereby authorized to collect the unpaid assessments on the property so advertised by adding the interest at the rate of twelve per centum per annum and costs incurred, and to enter such collection in the record of assessments in the manner provided by this ordinance until within six days of every such sale and as soon as the said assessment with interest and costs or any part thereof shall be paid, he shall pay the same to the treasurer and shall receive a voucher therefor which he shall forthwith on the same day exhibit to the town clerk and shall at the same time deliver to him a duplicate thereof.

SEC. 14. That it shall be the duty of the collector of revenue to pay all monies collected by him for the tax and assessment for sewers for which such warrant is issued (and to him directed and delivered) daily as collected, and within forty-five days after the date of such warrant to the treasurer, and receive vouchers for such payment from said treasurer, and report to the committee on finance the amounts paid to the treasurer, and on what account.

SEC. 15. That it shall be the duty of said collector of revenue to attend the meetings of the Commissioners of Appeal, and make notes or minutes of any increase or reduction in the amount of taxes which may hereafter be levied within the limits of said town in a book to be provided for that purpose, and to conform to such changes as may be made by said Board relative to the same in the collection of said tax, and also in the preparation of all papers necessary to be made in the discharge of the duties hereinbefore imposed upon him.

SEC. 16. That it shall be the duty of the collector of revenue, in addition to the requirements hereinbefore set forth to obey such directions as may be imparted to him in relation to the revenue of the city, or papers or copies of papers which may be or remain in his custody, contained in any resolution of the town council aforesaid.

SEC. 17. The said collector of revenue shall occupy such office for the transaction of his business as may be from time to time selected by said town Council, and shall have stated hours, to be determined by the town council, from time to time, at which he shall attend at his office in order to transact the duties pertaining thereto, notice of which hours shall be posted in some conspicuous place on or about the main entrance to his said office, provided that the last mentioned clause shall not be held to apply to the month of November, during which he shall be engaged in serving notices as required by the fifth section of this ordinance; and, provided further, that the clause aforesaid shall not be held to apply to the space of ten days between the tenth day of December and the twentieth day of the same month in every year, during which time he shall attend all day at his office in

order to receive such monies as may be offered for payment of taxes.

SEC. 18. That the said collector of revenue shall receive such stated compensation for his services as shall be fixed by the general ordinance providing for the payment of salaries, and that such compensation shall not be increased during the continuance of his term in office.

SEC. 19. That if the said collector of revenue shall neglect or refuse to perform any duty or service, by law or ordinance of the town imposed, he shall be held liable in the same manner as the collector of taxes or collector of arrears of taxes might have been held previous to the passage of an act of the Legislature of the State of New Jersey, entitled the "supplement to an act, entitled an act to incorporate the Town of Bergen," which said supplement was approved March 24th, 1864.

SEC. 20. It shall be the duty of the collector of revenue to make out on one bill to each individual in the town who may be taxed the amount of such tax on his real estate, with his personal and poll tax, and demand the payment of the same as named in the fifth section of this ordinance.

SEC. 21. That all ordinances and parts of ordinances in any way inconsistent, or conflicting with the provisions of this ordinance are hereby repealed.

Passed May 25, 1864.

J. M. MERSELES, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR WIDENING BERGEN AVENUE AND ESTABLISHING THE LINES THEREOF.

Be it ordained by the Town of Bergen:

SEC. 1. That Bergen avenue from Palisade avenue to the angle at the head of Wiley place where said avenue runs southwesterly, shall be widened between said point to the

width of fifty feet throughout, and the lines of said avenue shall be established by the commissioners hereinafter named and the same opened and all encroachments removed therefrom on or before the first day of April next.

SEC. 2. That Garret Vreeland, Jacob J. Van Ryper, and Abraham J. Rapp, three discreet, impartial and disinterested residents and freeholders in said town of Bergen be and they hereby are appointed commissioners who, being first duly sworn or affirmed, shall cause a survey and map to be made of the improvements mentioned in the preceding section, distinguishing each lot or parcel by numbers on said map, and shall estimate the whole costs of said improvement including the value of such land and the erections thereon as may be taken therefor, and the damage done to any lot or parcel of land or tenement by taking any part of it for said purpose, and shall ascertain as far as practicable to whom said lands or tenements so taken and damaged belong, and the estate of the several owners in the same, and in case any of the land or tenements so taken or damaged shall be held by a tenant for life or years and the fee in remainder or reversion, the said commissioners shall apportion such value or damages among them, and the said commissioners shall also assess such estimated costs including the value and damages aforesaid upon the land and real estate to be benefitted thereby in proportion to the benefit received, estimating the benefit to be done to the residue of any lot or parcel of which a part may be taken for said improvement in the same manner as other lands, and shall in writing report their said proceedings with the names of the owners of lots or parcels as far as practicable and the amount assessed to each, and within thirty days after the passage of the ordinance file said report and map in the office of the clerk of the town of Bergen.

SEC. 3. That the amounts reported by said commissioners, as to the value of any lands or other real estate, to be taken for said improvements, and the damage to be done by taking the same shall be the sums to be paid by the town of Bergen to the respective owners thereof, and the expenses of said improvement when completed including the value and dama-

ges aforesaid, and all interest and costs shall be assessed by said commissioners upon, and paid by the land and real estate benefitted thereby, and in proportion to the benefit received; and the said commissioners shall determine and report in writing to the board of councilmen of said town what proportion of such expense shall be assessed to each separate lot or parcel of land, and shall accompany such report by a map containing each lot assessed and the name of the owner or owners thereof, which report and map shall be filed in the office of said clerk.

SEC. 4. That the said improvement shall be made and completed under the direction of the committee on streets and the street commissioner, who shall cause the same to be made as soon as may be after the expiration of thirty days from the filing of said report, as directed in the second section of this ordinance unless within said thirty days (due notice of the filing of said report having been first given by the clerk aforesaid), the owners of a majority of said real estate to be assessed for such improvement shall file with said clerk a remonstrance signed by them or their agents thereunto lawfully authorized.

Passed May 25th, 1864.

J. M. MERSELES, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR THE CONSTRUCTION OF A SEWER IN PINE STREET FROM WALNUT STREET TO COMMUNIPAW ROAD.

Be it ordained by the Town of Bergen:

SEC. 1. That a sewer shall be constructed in Pine street, from the northerly side of Walnut street, with lateral sewers at the intersecting streets, to the centres of the adjoining blocks; that for said sewers there shall be four receiving basins, placed as follows, viz: two on the southerly side of La-

fayette street, one at the southwesterly corner of the intersection of Maple and Pine streets, and one at the southwest-erly corner of the intersection of Walnut and Pine streets; there shall also be seven man holes, of twenty-four inches inside diameter, placed, one on the northerly side of Commu-nipaw road, and one in the middle of each block, and one in the middle of each intersection north of said Communipaw road; that the main sewer shall be constructed of cement drain pipe, sixteen inches by twenty-one inches, equal to eighteen inches diameter inside; that the laterals and the connec-tions of the main sewer with the receiving basins, shall be of the same material and shall be seven and one-half inches by ten and three-quarter inches, equal to nine inches diam-eter inside.

SEC. 2. That Garret Vreeland, Abraham J. Rapp, and Jacob J. Van Ryper, three discreet, impartial and disinter-ested residents and freeholders, in the town of Bergen, be and they are hereby appointed commissioners, who shall take such proceedings and perform such duties in reference to said improvement as are prescribed to such commis-sioners in and by an act of the Legislature of this State, entitled an act to revise and amend the charter of the town of Ber-gen, approved March 11th, 1862, approved March 24th, 1864.

SEC. 3. That the clerk of the town of Bergen shall give due notice of the filing of the report and maps of the afore-said improvement with him by said commissioners, accord-ing to the provisions of the thirtieth section of said act, and unless within thirty days after the filing of said report, the owners of the majority of the lands to be assessed for said improvement, shall file with the said clerk a remonstrance signed by them or their agents thereunto lawfully author-ized, it shall be the duty of the committee on streets and the street commissioner to cause the said improvement to be made and completed as soon as practicable thereafter.

Passed May 25th 1864.

J. M. MERSELES, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR ASCERTAINING THE CENTRAL LINE OF ACADEMY STREET AND ESTABLISHING THE WIDTH THEREOF.

Be it ordained by the Town of Bergen :

SEC. 1. That the centre line of Academy street shall be as follows, viz.: Beginning at a point in the middle of Palisade avenue, and in the middle of Academy street, between fences as they now stand, running thence in a southeasterly direction to a point in the middle of said street between fences as they now stand at the most easterly corner of plot of land of Isaac Knapp, thence southeasterly to an angle in the rocks, according to the record of laying out said street, thence southeasterly through a point distant twenty-five feet at right angles from easterly corner of lot of P. Kiernan as the fence now stands until it intersects a line drawn parallel to the southwesterly side of that part of said street running along the New Jersey railroad, and twenty-five feet distant at right angles from the same, thence along said last mentioned line southeasterly to a point twenty-five feet distant from the fence of B. Mills, as the same now stands, at an angle southeasterly to a point in the line of Jersey City, twenty-five feet distant from the fence of B. Mills, as the same now stands.

SEC. 2. That a stone monument be placed at each angle point, as designated in the preceding section, and shown on the assessment map for the improvement of said Academy street, dated March 24th, 1864, and that Academy street shall be opened and laid out twenty-five feet in width at right angles on each side of the said centre line along the whole length thereof, except that when said street runs along the New Jersey rail road, the same shall be twenty-five feet wide at right angles in the south-west of said line and on the north-east shall extend from said line to the line of said railroad.

SEC. 3. That Garret Vreeland, Jacob J. Van Ryper, and Abraham J. Rapp, three discreet, and impartial, and disinterested residents and freeholders in the town of Bergen be,

and they are hereby appointed commissioners, who being first duly sworn or affirmed, shall cause a survey and map to be made of the improvement mentioned in the two preceding sections, distinguishing each lot or parcel by numbers on said map, and shall estimate the whole costs of said improvement including the value of such land and erections thereon as may be taken therefor, and the damage done to any lot or parcel of land or tenement, by taking any part of it for said purpose, and shall ascertain, as far as practicable, to who said lands or tenements so taken or damaged belongs, and the estate of the several owners in the same, and in case any of the lands or tenements so taken or damaged shall be held by a tenant for life or years, and the fee be in remainder or reversion, the said commissioners shall apportion such value and damage among said owners, and the said commissioners shall also assess such estimated cost, including the value and damage aforesaid, upon the land and real estate to be benefitted thereby in proportion to the benefit received, estimating the benefit to be done to the residue of any lot or parcel of which a part may be taken for said improvement in the same manner as other lands, and shall, in writing, report their said proceedings with the names of the owners of the lots and parcels, as far as practicable, and the amount assessed to each, and within thirty days after the passage of this ordinance shall file said report and map with the clerk of the town of Bergen.

SEC. 4. That the amounts reported by said commissioners as to the value of any lands or other real estate to be taken for said improvement and the damage to be done by taking the same shall be the sums to be paid by the town of Bergen to the respective owners thereof, and the expenses of said improvement when complete including the value and damage aforesaid and all interests, and the costs of proceeding shall be assessed by said commissioners upon and paid by the land and real estate benefitted thereby and in proportion to the benefit received, and the said commissioners shall determine and report in writing to the board of councilmen of said town what proportion of such expense shall be assessed to each separate lot or parcel of land and

shall accompany such report by a map containing each lot assessed and the name of the owner or owners thereof which report and map shall be filed in the office of said clerk.

SEC. 5. That the said improvement shall be made and completed under the direction of the committee on streets and the street commissioner, who shall cause the same to be made as soon as the said three commissioners shall have filed their report as directed in the third section of this ordinance, unless within thirty days after the filing of said report (due notice thereof having been first given by the said clerk) the owners of a majority of the lands to be assessed for such improvement shall file with said clerk a remonstrance signed by them or their agents thereunto lawfully authorized.

Passed May 25th, 1864:

J. M. MERSELES, *President.*

Attest : CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO ESTABLISH, REGULATE AND CONTROL THE FIRE DEPARTMENT AND FOR THE PREVENTION OF FIRES.

The Town Council of Bergen do ordain as follows :

SEC. 1. The fire department shall consist of a chief engineer, and as many fire engine men, hose men, and hook and ladder men of the age of twenty-one years or upwards, as are or may from time to time be appointed by the board of councilmen, and who shall respectively be distinguished by the several appellations aforesaid.

SEC. 2. The nomination of the chief engineer shall be made by the firemen, by ballot, at such time as the Board of Councilmen shall hereafter appoint, and the person receiving the greatest number of votes for the office shall be thereupon entitled to a nomination to the Board of Councilmen for ap-

pointment to such office. The chief engineer of the fire department shall be elected every three years by the members of the fire department, by ballot, and the person receiving the greatest number of votes for the office shall thereupon be entitled to a nomination to the Board of Councilmen for appointment. The election for the selection of chief engineer of the fire department shall take place on the second Tuesday in July next, and thereafter each succeeding year.

SEC. 3. The chief engineer shall, in all cases of fire, have the sole and absolute control and command over all persons connected with the fire department. It shall be the duty of the chief engineer to take proper measures to arrange the several fire companies in the most advantageous manner, and to cause them to be duly worked for the effectual extinguishment of fires. It shall be the duty of the said chief engineer to examine twice in every year into the condition and number of the fire engines, and other fire apparatus, and fire engine houses, and to report the same once a year to the board of councilmen, together with the names of all the members of the fire department and the respective companies to which they belong.

SEC. 4. And it shall be the duty of the clerk of the board of councilmen, on the said returns being presented by the said chief engineer to the board of councilmen, to correct the register of the firemen, in his office, in accordance with said returns. The bureau of repairs and supplies to the fire department of which the chief engineer of the fire department shall be the chief officer, is charged with the duty of constructing and repairing fire engines, hose carts, hooks and ladders, hose, and other machines and apparatus for the use of the fire department. The chief engineer shall take charge of, oversee, and superintend the construction and repairing of fire engines, hose carts, hooks and ladders, hose and other machines and apparatus for the use of the fire department; he shall make all estimates necessary or connected with the performance of the duties of this bureau when required by the fire and water committee; he shall continually inspect the fire engines, hose carts, hooks and

ladders, hose, and other machines and apparatus for the use of the fire department, and with the consent of the fire and water committee shall repair the same forthwith when any repairs shall be necessary except that where the expense of such repairs shall not in any one case exceed fifteen dollars, he may cause them to be made without the consent of such committee, but no repairs shall be made to a fire engine or other machine for the use of the fire department the expense of which shall exceed fifty dollars without such expenditure, shall have been first submitted to, and approved by the board of councilmen; he shall examine, audit and certify to the fire and water committee all accounts for work done under his supervision and as to the fulfillment or breach of any contract for work required to be done under his direction, and no requisition shall be drawn by the fire and water committee for any bills, accounts, or contracts for constructing or repairing fire engines, hose carts, hooks and ladders, hose or other machines or apparatus for the use of the fire department unless certified by the chief engineer of the fire department. He shall in all matters connected with this bureau be under the control, direction, and supervision of the fire and water committee who may approve or disapprove all accounts certified by him, and by whom alone all requisitions on the treasurer of the board of councilmen for the payment thereof shall be drawn.

SEC. 5. In case of any vacancy in the office of chief engineer, the foremen of the fire companies collectively shall have power and it shall be their duty to call a special election and designate the time for holding the same to the end that the nomination pursuant to the provisions of this order may be made to the board of councilmen to supply such vacancy.

SEC. 6. The chief engineer, under the direction of the fire and water committee is authorized to sell for cash any old and condemned fire engines and hose, or other apparatus, and shall pay the money received for such engines, hose and other apparatus when sold, to the Treasurer of the board of councilmen.

SEC. 7. The firemen shall be divided into companies to

consist of as many members as the board of councilmen shall, from time to time, direct to attend to the fire engines, hose carts and hooks and ladders belonging or that may hereafter belong to the corporation of the town or to such fire engines, hose carts and hooks and ladders as the board of councilmen shall direct, and each of the companies shall and may choose out of their own members a foreman, assistant and clerk in such a manner and at such a time as they think proper, and it shall be the duty of said foremen as often as any fire shall break out in the town to repair immediately upon the alarm thereof to their respective engines, hose carts, hooks and ladders, and convey them to or near the place where such fire shall happen, unless otherwise directed by the chief engineer, and there, in conformity with the directions given by the chief engineer, to work and manage the said engines, or apparatus and implements with all their skill and power, and when the fire is extinguished they shall not remove therefrom but by the direction of the chief engineer, and on such direction they shall return their respective engines, hose carts, hooks and ladders, and apparatus, well washed and cleansed, to their several places of deposit. Nor shall any meeting of any company be held or any assemblage of its members had at any apparatus house on Sunday except in case of fire. If any fireman shall neglect to attend any fire as aforesaid, or shall neglect to do his duty on such occasion without reasonable excuse, he shall, for every default, forfeit and pay the sum of three dollars to his respective company, and may, on request of the company to which he belongs, be suspended or removed from his station as fireman.

SEC. 8. It shall be the duty of each and every fire company, in going to, or returning from, any fire, or alarm of fire, or removing their apparatus from their respective places of deposit, to obey the orders of the chief engineer.

SEC. 9. And in case any foreman or assistant foreman, or any other foreman having charge of any fire company, disobeying or refusing to obey any order or direction given by the chief engineer, he shall for such offence be suspended or expelled from the fire department.

SEC. 10. It shall be the duty of all members of the fire department to prevent all persons not belonging to the department from entering any house or handling any apparatus belonging to the department.

SEC. 11. No fire engine, hose cart, or hooks and ladders during any fire in this town, or any report of fire, or at any time, under any pretense whatever, shall be taken or removed out of its house, unless the foreman or assistant foreman or at least two of the firemen of the company to which the same shall belong, shall be present and consent thereto, under the penalty of ten dollars for every such offense, to be forfeited and paid by and recovered from any and every person aiding and assisting in or consenting to the violation of any of the provisions of this section.

SEC. 12. It shall be the duty of chief engineer and of every foreman and assistant foreman of every fire company to report all violations of this ordinance to the treasurer of the board of councilmen.

SEC. 13. The chief engineer for sufficient cause may take any fire engine, hose cart, or hook and ladder truck from any company to which it is assigned and assign it to another company, and shall forthwith report the same to the board of councilmen for their action.

SEC. 14. No fire engine or apparatus shall be let out for hire, or let in any case, or taken out of the limits of the town without permission from the councilmen of the district wherein it is wanted to be used, except in case of fire in a neighboring town, and the chief engineer, in default thereof, shall be removed from the fire department.

SEC. 15. Whenever any fireman is appointed to supply any vacancy in any company, it shall be his duty to call on the chairman of the fire and water committee and procure a certificate within one month from the date of his appointment, specifying the name and number of the company to which such fireman shall be elected; and any fireman after being re-elected shall obtain a new certificate as aforesaid, and it shall be the duty of the chief engineer to certify in every return whether a vacancy exists in the company.

SEC. 16. If any fire company shall vote for the expulsion

of any fireman belonging thereto the same shall forthwith be reported by the chief engineer to the board of councilmen for their action. All complaints by the chief engineer against firemen for misconduct in the performance of their duties shall be forthwith reported to the board of councilmen for their action.

SEC. 17. When a report shall be made to the board of councilmen as provided in the last two sections it shall not be finally acted upon by them until it shall have been reported to the fire and water committee to ascertain and report the facts with a full opportunity to the party complained of to be heard in his defence.

SEC. 18. The foremen of engine companies and the firemen shall, when on duty wear leathern caps, and the said caps shall be painted and distinguished in the manner following, viz: the cap of each foreman shall be painted black with a white frontispiece, and the word "Foreman" with the initials of the name of the foreman and the number of the engine to which he belongs painted thereon in black; the cap of each fireman shall be painted black with the initials of the name of the fireman and the number of the engine to which he belongs painted in front thereof in white; the foreman of each of the hook and ladder companies shall wear a cap painted black with a white frontispiece and the word "Foreman" and the initials of his name and the number of the company to which he belongs, and a hook and ladder painted thereon in black; and each member of the hook and ladder companies shall wear a cap painted black with the initials of his name and the number of the company to which he belongs with a hook and ladder painted in the front thereon in white; and each foreman of the hose companies shall wear a cap painted black with a white frontispiece and the word "Foreman," and the initials of his name, and the number of the company to which he belongs and a coil of hose painted thereon in black; and each member of the said hose company shall wear a cap painted black with the initials of his name and the number of the company to which he belongs with a coil of hose painted thereon in white; and the assistant to each respective company shall

wear a cap painted in the same manner as that of a foreman of the company with the word "Assistant" in lieu of the word "Foreman." And it shall be the duty of the chief engineer to report to the board of councilmen the name of every person who shall neglect or refuse to comply with the foregoing requisitions which said person shall thereupon be removed from his office.

SEC. 19. All carpenters or others making or using shavings, shall respectively at the close of each day cause the same to be securely stowed in some safe place, remote from danger by means of fire, under the penalty of five dollars for each omission to do so.

SEC. 20. No person shall kindle nor furnish the materials for any fire in, nor any way authorize or allow fire to be made in any street, road, or lane, except for the purpose of boiling tar, which fire shall not be more than fifteen feet from any building, under the penalty of ten dollars for every such offence.

SEC. 21. No person shall have, put, or keep any hay or straw uncovered in any stack or pile, or in any other way exposed, or shall have put or keep any hay, straw, shavings, or rushes in any building which is or shall be within ten feet of any dwelling, house, or chimney whatsoever, under the penalty of twenty dollars for every such offense, and the further penalty of ten dollars for every twenty-four hours the same shall so remain after a printed or written notice shall be given to the owner or person having charge thereof, by the chief engineer, to remove the same.

SEC. 22. No owner or occupant of any stable within this town, or any person in the employment of such owner or occupant, shall use therein any lighted candle or lamp, except the same shall be securely kept within a lantern, under the penalty of ten dollars for every such offence.

SEC. 23. All the fines, penalties and forfeitures imposed by this law on the members of the fire department, for not attending to fires shall, when received, be paid to the treasurer of their respective companies as aforesaid, in which the delinquencies may happen, for the use and benefit of said companies, and all other fines, penalties and forfeitures imposed

by this law, shall, when recovered, be paid to the treasurer of the "Board of Councilmen of the town of Bergen," for the use and benefit of said fire department. The chief engineer shall annually, on the first Monday in April, in each year, report to the Board of Councilmen, the amount of the sums which may be received by the fire department of the town of Bergen, and the application thereof.

SEC. 24. It shall be lawful for the fire department of the town of Bergen, and of the respective companies before mentioned, or persons duly authorized by them to receive, sue for and recover, in the name of the Board of Councilmen in the town of Bergen, all fines, penalties and forfeitures hereby imposed and appropriated for their respective uses as aforesaid.

SEC. 25. All persons who may be elected to fill vacancies in fire companies shall present to the chief engineer a certificate of such election signed by the foreman and secretary of the company in which he has been elected, and that said candidate, before the chief engineer presents his name to the board of councilmen, shall make affidavit that he is twenty-one years of age, that it is his intention to perform active duty as a fireman in the company in which his name is enrolled, and that he will promote subordination in the department.

SEC. 26. It shall be the duty of the clerk of the board of councilmen to furnish the certificates required to be furnished to the fireman without fee or reward.

SEC. 27. The foreman and assistant foreman of the fire companies shall have power, and it shall be their duty to establish and provide regulations for holding and conducting the elections authorized to be held by this ordinance and rules for testing the qualifications of electors thereat.

SEC. 28. Every fireman whose appointment as a member of the fire department shall have been confirmed by the board of councilmen three months next preceding the nomination at which he may offer to vote pursuant to this ordinance, and shall then be and for the last three months shall have been an acting and actual member of the fire department.

SEC. 29. No boys or other persons shall be permitted to assume the garb of fireman, have access to any of the places of deposit of the fire engines, hose, hooks and ladders, or other apparatus of the fire department, or run as members with any such engine, hose cart, or hook and ladder truck; and any fire company in the town of Bergen which shall consent to any violation of the provisions of this section shall be forthwith disbanded.

SEC. 30. In case of any breach of the peace, or any other violation of good order on the part of any fireman while on duty, it shall be the duty of the officer in command for the time being, forthwith to report the name of the person or persons so offending, to the fire and water committee, and in case of his neglect to do so he shall be held responsible for the same.

SEC. 31. It shall be the especial duty of the foreman and assistant foreman of each engine, hose, and hook and ladder company, to see that the last preceding sections are fully and strictly enforced, so far as regards the company to which such foreman or assistant foreman may be attached, and if either or both of them aid or consent to the violation of the provisions of such section, they or either of them so offending shall be immediately expelled from the department.

SEC. 32. The complement of men allowed the different engines, hose, and hook and ladder companies shall be as follows, viz: Engine companies, 60 men; hose companies, 30 men; hook and ladder companies, 60 men. And the chief engineer is hereby directed not to receive any more returns of members elected in the various fire companies until the membership of each conforms to the before mentioned standard.

SEC. 33. The chief engineer shall notify the foreman of such companies as are wholly or in part disbanded that in the event of any suspended member or officer of such company attempting to take command he will be forthwith expelled from the department.

SEC. 34. It shall be the duty of the foreman and secretaries of the several fire companies of this town to make an annual return of the members of their respective companies to

the chief engineer of the fire department. Such returns shall be made under the oath of the foreman and secretary that the persons therein named as members of their respective companies are actual and active members thereof. And it shall be the duty of the clerk of the board of councilmen on the said returns being presented by the said chief engineer to the board of councilmen to correct the register of the firemen in his office in accordance with said returns.

SEC. 35. Any person or persons knowingly or willfully giving a false alarm of fire shall on conviction be fined a sum not exceeding twenty dollars.

SEC. 36. Nothing contained in this ordinance shall deprive the board of councilmen of the power to repeal or alter the same at any time they think proper.

SEC. 37. The bureau of supplies shall consist of the president and committee on fire and water of the board of councilmen.

Passed June 8, 1864.

J. M. MERSELES, *President.*

Attest : CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

PREVENTING THE USE OF DUMMY ENGINES ON CERTAIN PARTS OF THE PLANK ROAD BETWEEN THE MILL CREEK AND NEWARK PLANK ROAD.

The Town Council of Bergen do ordain as follows :

SEC. 1. That on and after the first day of August next after the passage of this ordinance it shall not be lawful for the Jersey City and Bergen railroad company or for any other person or persons, body or bodies corporate, their conductors, engineers, agents, or servants to use or run or cause to be used or run upon that part of the plank road leading from Jersey City to Bergen Point which lies between the easterly

boundary of the town of Bergen and the junction of said plank road with the Newark plank road any dummy, engine or steam car or carriage whatever.

SEC. 2. That every person or body corporate offending against the provisions of this ordinance shall incur a penalty of twenty dollars for each and every offense, to be recovered by the town of Bergen in the manner provided by law.

Passed June 8th, 1864.

— — —, *President, pro tem.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

FIXING SALARIES.

The Town Council of Bergen do ordain as follows:

SEC. 1. There shall be paid to the several officers named in this section the following annual salaries to be paid in monthly payments, to wit:

To the Town Clerk, the sum of \$600

To the sergeant-at-arms, and janitor of the Town Council, the sum of \$100.

To the Collector of Revenue, the sum of \$800.

To the corporation attorney, the sum of \$100.

To the Town Treasurer, the sum of \$300.

To each of the assessors of taxes, the sum of \$350.

To each of the judges of election, for serving at each election, the sum of \$8.

To the clerk of election, for each election, the sum of \$8.

To the superintendent of schools, the sum of \$100.

To the corporation printer, \$300.

To the clerk of the board of education, \$50.

SEC. 2. That the above salaries be paid in lieu of all fees and perquisites of whatever nature.

Passed June 15th, 1864.

J. M. MERSELES, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

DECLARING NUISANCES.

Be it ordained by the Town of Bergen :

SEC. 1. That all filth, stagnant water, sinks, cesspools, privies, or other unwholesome or offensive matter emitting any noxious odors within the limits of this town, shall be considered and are hereby declared to be nuisances.

SEC. 2. That it shall be the duty of the Town Clerk (or an inspector of streets) under the direction, in writing, of the committee on public health, to cause to have served a notice in writing, upon the occupant, or if there be no occupant, then upon owner of the premises in front of which any of the said nuisances may exist, requiring him, her, or them to abate the same within ten days from the date of the service of such notice.

SEC. 3. That every person or persons neglecting or refusing to obey the requirements of such notice, shall for each offence, forfeit and pay the sum of five dollars for every twenty-four hours that shall elapse after the expiration of said ten days, and before the abatement of such nuisance.

SEC. 4. That the body of any animal found dead and unburied within the limits of this town, unless the same be designed for food, shall be considered and hereby is declared to be a nuisance, and unless the person who owned such animal when living, shall, within eight hours after the death of said animal, cause the said body to be removed without the limits of said town or properly buried, such person or owner shall forfeit and pay the sum of five dollars for each day that the said body shall remain unburied or unremoved.

Passed June 22d, 1864.

J. M. MERSELES, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO AUTHORIZE THE LAYING OF GAS PIPES BY THE HUDSON CITY GAS LIGHT COMPANY IN THE TOWN OF BERGEN.

The Board of Councilmen of the Town of Bergen do ordain as follows :

SEC. 1. That permission is hereby granted to the Hudson City Gas Light Company and their successors, to lay or place underground pipes in any and all of the streets, avenues, lanes, and public squares, in any part of the town of Bergen, for the purpose of conducting gas for lighting the public lamps, and the public and private buildings therein, and at all times of repairing or replacing the same, provided, however, the earth that may be dug up for the purpose aforesaid, shall be replaced as speedily as possible, and the streets, avenues, lanes, and public squares left in as good order as the same were before the laying of said pipes or making such repairs, and that the said company shall supply the public buildings and street lamps in Bergen, with the first quality of gas at the rate of two dollars and fifty cents per thousand feet, or twenty eight dollars and eighty cents per annum, for each street lamp, at the option of the Council, within one month after said company commence lighting the town.

Passed June 29th, 1864.

J. M. MERSELES, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

RELATING TO TOWN CLERK AND TREASURER.

The Town Council of Bergen do ordain as follows :

SEC. 1. That so much of section second of an ordinance entitled an ordinance, fixing salaries passed June 15th, 1864, as applies to the town clerk and treasurer, be and the same is hereby repealed.

Passed June 29th, 1864.

J. M. MERSELES, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

FOR THE ASSESSMENT AND COLLECTION OF AN ANNUAL TAX FOR THE YEAR 1864.

The Town Council of Bergen do ordain as follows :

SEC. 1. The assessors of the town of Bergen shall assess for the use of the said town for the year 1864, exclusive of poll tax, the sum of twenty-six thousand and two hundred and seventy one dollars and twenty-five cents, \$26,271.25, for the following purposes :

For support of the poor, eight hundred dollars, \$800.

For payment of salaries, thirty-one hundred dollars, \$3100.

For support of the fire department twenty-two hundred and twenty-one dollars and twenty-five cents, \$2221.25.

For stationery and printing one thousand dollars, \$1000.

For the support of schools thirty-seven hundred and fifty dollars, \$3750.

For street repairs eight hundred dollars, \$800.

For contingent expenses three hundred dollars, \$300.

For payment of bonds issued for war purposes four thousand dollars, \$4,000.

For payment of interest three hundred dollars, \$300.

For payment of interest on war loan ten thousand dollars
\$10,000.00.

Passed July 6th, 1864.

J. M. MERSELES, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO REPEAL AN ORDINANCE ENTITLED AN ORDINANCE TO PRO-
VIDE FOR THE WIDENING OF COMMUNIPAW LANE.

Whereas, it is represented to the Town Council that in the widening of Communipaw Lane under the ordinance approved November 11th, 1863, an injudicious location was obtained in the opinion of the several owners along the said line, and whereas it is deemed desirable and expedient by all interested to further widen said lane to its most southeasterly termination, therefore,

SEC. 1. Be it ordained by the town council of Bergen that an ordinance entitled an ordinance to provide for the widening of Communipaw Lane, approved November 11th, 1863, be and is hereby repealed.

SEC. 2. Be it ordained that the owners of the several lots or parcels along said contemplated improvement shall cause a survey made and map filed of the establishment by common consent of said line provided the same shall in all respects conform to the provisions of the town charter, regulating improvements and when said map shall be filed in the office of the town clerk signed by a majority in interest, the said location obtained shall be in all respects binding, and the location of all buildings thereafter erected shall conform to the line located and established by said map and with said consent.

SEC. 3. Be it ordained that all ordinances or parts of ordinances, in any way interfering or contravening the true intention or meaning of this ordinance be and are hereby repealed.

Passed July 13th, 1864.

J. M. MERSELES, *President.*

Attest : CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO PERMIT THE JERSEY CITY AND BERGEN RAIL ROAD COMPANY TO LAY TRACKS IN PARTS OF CERTAIN ROADS THEREIN SPECIFIED.

It is hereby ordained by the Town Council of the Town of Bergen as follows :

FIRST: That the Jersey City and Bergen Plank Road Company are hereby authorized and permitted to lay tracks and turnouts for the use of their road upon and along the public road known as Communipaw lane, from the point where their present track crosses Communipaw lane, to the Hudson river, and to connect the same with their track in Washington avenue at Lafayette.

SECOND: And that said company be authorized and permitted to lay such tracks and turn outs along Communipaw lane, from Monticello avenue, westerly to the old Bergen road, and thence upon and along the old Bergen road southerly to Myrtle avenue.

THIRD: That said tracks be laid under the directions of the joint committee on streets, and railroads, and that the company macademize the space between the rails, and for the space of two feet outside of each rail, in a good and sufficient manner so as to form a surface even with the rails, provided, however, that the Town Council resume the right to grant at any future time, permission to such other com-

panies as it may deem proper, the right to run horse cars on said tracks herein authorized, upon such terms as may hereinafter be agreed between said companies, or in case of disagreement, then the council shall have the right to decide such terms and its decision shall be binding upon the said companies. And further provided that such grant be made upon the following conditions, viz: That rails shall be laid conformably with the grade wherever the grade is established, and where not established to be laid in such manner as shall be satisfactory to the joint committees on streets and railroads.

Passed August 24th, 1864.

J. M. MERSELES, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR SUNDAY POLICEMEN IN THE TOWN OF BERGEN.

The Town Council of Bergen do ordain as follows:

1. There shall be appointed by ballot by the Town council not less than three nor more than ten policemen who shall do service upon such days and in such localities as the committee on police or any councilman may from time to time determine, and shall receive as compensation the sum of two dollars and fifty cents for each day's actual service.

Passed September 21st, 1864.

J. M. MERSELES, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR REGULATING, GRADING AND TO MAKE NECESSARY REPAIRS IN CLIFTON AND WESCOTT PLACES.

The Town Council of Bergen do ordain as follows :

1. That Clifton and Wescott Places, between Hudson and Palisade avenues, be regulated and graded, and to make the necessary repairs, including its sidewalks, and for a suitable covered water passage at its intersection with Hudson avenue.

2. That all costs, charges and expenses incurred in completing said improvements be assessed upon and paid by the real estate benefited thereby according to the provisions of the town charter.

3. That the said improvements be made under the directions of the street committee.

Passed September 21st, 1864.

J. M. MERSELES, *President.*

Attest : CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR REGULATING AND GRADING WESTVIEW AVENUE FROM BERGEN AVENUE TO WESTSIDE AVENUE.

The Town Council of Bergen do ordain as follows :

1. That Westview avenue from Bergen avenue to Westside avenue be regulated and graded.

2. That all the costs, charges and expense incurred in completing said improvements, be assessed upon and paid by the real estate benefitted thereby according to the provisions of the town charter.

3. That said improvements be made under the direction of the street committee.

Passed September 21st, 1864.

J. M. MERSELES, *President.*

Attest : CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR THE ESTABLISHMENT OF A PROPER GRADE ON LEXINGTON AVENUE FROM BERGEN AVENUE TO PASSAIC STREET.

The Board of Councilmen of the Town of Bergen do ordain as follows :

SEC. 1. That a grade be established on Lexington avenue from Bergen avenue to Passaic street.

SEC. 2. That all the costs, charges and expenses in establishing said grade be assessed on and paid by the real estate benefitted thereby according to the provisions of the town charter.

Passed January 11th, 1865.

JOHN HILTON, *President.*

Attest : CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

PROVIDING FOR THE APPOINTMENT OF A STREET COMMISSIONER AND DEFINING HIS DUTIES.

The Town Council of Bergen do ordain as follows :

1st. The commissioner of streets shall be appointed annually.

2nd. It shall be his duty under the direction of the committee on streets to superintend all flagging, curbing, guttering, and excavations that may be done under all improvements authorized by the town council, and to certify under oath that the work done accords in all respects with the specifications adopted by the town council.

3d. It shall further be his duty to perform such other duties as the committee on streets, or the Town Council may by resolution require.

4th. The compensation of the street commissioner shall be annually fixed by the Town Council, providing that in all work contemplated by this ordinance, the same shall be assessed upon the property over the improvements of which the superintendence shall be directed.

5th. He shall enter into bonds for the faithful performance of his duties, in the sum of \$3,000.

6th. All ordinances or parts of ordinances conflicting with the true meaning and intent of this be and are hereby repealed.

Passed March 22d, 1865.

JOHN HILTON, *President.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR THE ESTABLISHMENT OF A GRADE FOR THAT PART OF COMMUNIPAW AVENUE LYING BETWEEN THE MORRIS CANAL AND THE SHORES OF NEW YORK BAY.

The Town Council of Bergen do ordain as follows :

1. That Cornelius C. Van Reypen, Charles N. Betts and Abraham J. Rapp be appointed commissioners, who shall make or cause to be made a map showing a proper grade to be established for so much of Communipaw avenue, as lies between the Morris canal and the shores of New York Bay, which map shall, within two days after this ordinance goes into effect, be filed by said commissioners in the office of the clerk of the town. That thereupon the said clerk shall cause to be inserted in the American Standard, a newspaper published in Jersey City, and circulating in said town of Bergen, for at least ten days, a notice of the filing of said map, and of a place and time not less than twenty days from the filing of said map, where and when the councilmen will meet to consider the same, and all objections thereunto which may be presented in writing.

2. That the grade to be shown by said map shall, when approved or amended and approved by a resolution of the council of said town be and remain the permanent and established grade of said Communipaw avenue within the limits aforesaid.

3. After such grade shall have been established the costs and expenses of establishing and authenticating the same shall be forthwith assessed by the said commissioners upon the land fronting on said avenue, and the said commissioners shall report such assessments in the manner provided in the thirty-first section of the charter of the Town of Bergen, and such other proceedings shall thereupon be had as are provided for in the said section for the confirmation and collection of other assessments in said town.

4. That all ordinances or parts of ordinances in any way interfering with or contravening the true meaning and intent of this ordinance be and the same are hereby repealed.

Passed March 29th, 1865.

JOHN HILTON, *President.*

Attest : CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR THE LAYING OF A PLANK SIDEWALK ON THE SOUTH SIDE OF WESTVIEW AVENUE FROM BERGEN AVENUE TO THE WEST SIDE OF THE RESIDENCE OF JOHN P. REDDAN.

The Town Council of Bergen do ordain as follows:

1. That Jacob J. Van Riper, John Wheelahan and C. C. Van Reypen be appointed commissioners to assess the costs and expenses of the laying of a plank sidewalk, four feet wide, on the south side of Westview avenue from Bergen avenue to the west side of the residence of John P. Reddan.

2. All ordinances or parts of ordinances in any manner interfering with the execution of the provisions of this ordinance, be and the same are hereby repealed.

Passed April 12th, 1865.

_____, *President, pro tempore.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

TO COMPEL THE JERSEY CITY AND BERGEN RAILROAD COMPANY TO LAY THEIR RAILS IN CERTAIN STREETS IN SUCH MANNER AS WILL MAKE THE SAME CONVENIENT AND SAFE FOR THE USE OF THE PUBLIC TRAVEL THEREIN SPECIFIED.

It is hereby ordained by the Council of the Town of Bergen as follows:

SEC. 1. That the Jersey City and Bergen Railroad Company are hereby required, and shall place their rails to the grade of the proper crown of Ocean street from Bramhall avenue to Myrtle avenue.

SEC. 2. And that said company are hereby required, and shall place said rails so the centre line of said track shall conform to and be in the centre of said Ocean street and upon the grade thereof as established between the above points viz: Bramhall avenue and Myrtle avenue.

SEC. 3. And that the rails so laid, shall be what are termed a grooved rail, such as are only suitable for the common public travel in roads and streets.

SEC. 4. That said tracks be laid under the direction of the committee on railroads, and that the space between the rails shall be kept in good repair and safe for travel at all times, and that the company shall comply with the requirements herein so as to be completed on the completion of the present improvement now in progress in Ocean street.

SEC. 5. That all ordinances and parts of ordinances heretofore passed conflicting this, are hereby repealed.

Passed April 12th, 1865.

_____, *President, pro tempore.*

Attest: CHARLES KEENAN, *Town Clerk.*

AN ORDINANCE

PROVIDING FOR THE REGULATING AND GRADING OF BERGEN STREET.

The Council of the Town of Bergen do ordain as follows:

SEC. 1. That Bergen street from Bergen avenue to Palisade avenue be regulated and graded to an established grade.

SEC. 2. That all the costs, charges and expenses incurred in completing the same be assessed and collected on the real estate benefitted thereby according to the provisions of the town charter.

SEC. 3. That the above improvement be done under the direction of the commissioner or inspector of streets and roads or the committee on streets.

SEC. 4. That Charles W. Allen, Henry Van Gelder and John Jones be and they are hereby appointed commissioners to estimate the whole cost of said improvement according to the best of their judgment, skill and ability, and shall cause a survey and map to be made thereof and of the lots and parcels of land benefitted thereby, distinguishing each by numbers, and to assess such estimated costs upon said lands fronting upon said improvement in proportion to the benefit received by each lot or parcel of said improvement and make a report thereon agreeably to the provisions of the town charter.

Passed May 15, 1865.

Approved May 22, 1865.

HENRY FITCH, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR THE ESTABLISHING A GRADE ON THE JERSEY CITY AND BERGEN POINT PLANK ROAD, FROM BISHOP STREET TO SHERMAN STREET, AND ON COLDEN PLACE, PALISADE AVENUE, COMMUNIPAW AVENUE, OCEAN STREET AND SHERMAN STREET AT THE POINTS WHERE THE SAME INTERSECT OR CROSS THE SAID JERSEY CITY AND BERGEN POINT PLANK ROAD.

The Councilmen of the Town of Bergen do ordain as follows :

SEC. 1. That a grade be established on the Jersey City and Bergen Point plank road, from Bishop street to Sherman street, and on Colden place, Palisade avenue, Communipaw avenue, Ocean street and Sherman street at the points where the same intersect or cross the said Jersey City and Bergen Point plank road.

SEC. 2. That all the costs, charges, and expenses incurred in establishing said grade, be assessed upon and paid by the real estate benefitted thereby, according to the provisions of the town charter.

SEC. 3. That A. P. Newkirk, P. Vreeland, and Charles N. Betts, be, and they are hereby appointed commissioners who shall cause a survey and map to be made of said improvement, distinguishing each lot or parcel by numbers on said map, and to estimate the whole cost of said improvement, according to the best of their judgment, and shall assess such estimated costs (together with the per centum (1 per cent.) thereon to be paid to the town treasurer for payment of commisssoner or inspector of roads and streets) upon the property fronting on said improvement, in proportion to the benefit received, and make a report thereon agreeably to the provisions of the town charter.

Passed May 22, 1865.

HENRY FITCH, *President.*

Attest : HENRY H. NEWKIRK, *Town Clerk.*

AN ORDINANCE

PROVIDING FOR THE APPOINTMENT OF THE COMMISSIONER OR INSPECTOR OF STREETS AND ROADS, AND DEFINING HIS DUTIES.

The Councilmen of the town of Bergen do ordain as follows :

1st. The commissioner or inspector of streets and roads shall be appointed annually by the councilmen at any time not exceeding one week before the first Monday in May.

2d. It shall be the duty of the commissioner or inspector of streets and roads, by and under the direction of the committee on streets, to superintend any and all repairs in the carriage ways, streets, roads or avenues in said town, and all flagging, curbing, guttering, excavating, filling and grading that may be necessary to be done under any improvement authorized by the councilmen, to superintend the laying of sidewalks and cross walks whether of stone or other material, to superintend the planting of shade trees upon the side walks when the same shall be provided for by the councilmen, and cause to be kept in good and sufficient repair the side walks and crosswalks, and the curbing and guttering, and to protect shade trees and to perform such other duties as may be prescribed by the charter of said town or as the committee on streets or the councilmen may by resolution or ordinance direct, and to certify under oath that any such work done accords in all respects with the specifications adopted by the councilmen.

3d. The compensation of the commissioner or inspector of streets and roads, shall be fixed annually and in all improvements contemplated by this ordinance, there shall be assessed upon the property benefitted, a sum equal to one per cent upon the cost of said improvement to reimburse the town for his salary.

4th. The commissioner or inspector of streets and roads shall enter into bonds with good sureties for the just and faithful performance of his duties in the sum of two thousand dollars.

5th. All ordinances and parts of ordinances inconsistent with or conflicting with the provisions of this ordinance be and the same are hereby repealed.

Passed, May 29, 1865.

HENRY FITCH, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

AN ORDINANCE

FIXING SALARIES.

The Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. There shall be paid to the several officers named in this section the following annual salaries, to be paid in quarterly payments, to wit:

To the town clerk the sum of eight hundred	\$800
To the town treasurer the sum of five hundred	500
To the commissioner or inspector of streets the sum of three hundred and fifty	350
To the collector of revenue the sum of nine hundred	900
To the corporation attorney the sum of one hundred and fifty	150
To the superintendent of schools the sum of one hundred	100
To the assessors of taxes—	
For Columbian ward two hundred and fifty	250
For Franklin ward two hundred and fifty	250
For Communipaw ward two hundred	200
To each of the judges of election, for each election the sum of eight dollars	8
To each ward clerk, for each election, the sum of eight dollars	8
To the sergeant at arms and janitor of the councilmen the sum of one hundred and fifty	150

To the corporation printer the sum of two hundred and fifty	250
To the clerk of the board of education the sum of one hundred	100

SEC. 2. That the above salaries to be paid in lieu of all fees and perquisites of whatever nature.

Passed May 29, 1865.

HENRY FITCH, *President.*

Attest : HENRY H. NEWKIRK, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR THE ESTABLISHMENT OF A GRADE FOR WASHINGTON AVENUE, FROM COMMUNIPAW AVENUE TO THE JERSEY CITY AND BERGEN POINT PLANK ROAD.

The Town Council of Bergen do ordain as follows :

SEC. 1. That Peter Vreeland, Charles N. Betts and John H. Cable be appointed Commissioners, who shall make, or cause to be made, a map showing a proper grade to be established for Washington avenue, from Communipaw avenue to the Jersey City and Bergen Point plank road, which map shall, within two days after this ordinance goes into effect, be filed by said commissioners in the office of the clerk of the town. That thereupon the said clerk shall cause to be inserted in the Jersey City Daily Times, a newspaper published in Jersey City, and circulating in said town of Bergen, for at least ten days, a notice of the filing of said map, and of a place and time not less than twenty days from the filing of said map, where and when the Councilmen will meet to consider the same, and all objections thereto, which may be presented in writing.

SEC. 2. That the grade to be shown by said map shall, when approved or amended, and approved by a resolution of

the Council of said town, be and remain the permanent and established grade of said Washington avenue within the limits aforesaid.

SEC. 3. After such grade shall have been established the costs and expenses of establishing and authenticating the same, shall be forthwith assessed by the said commissioners upon the land fronting on said avenue, and the said commissioners shall report such assessment in the manner provided in the thirty-first section of the Charter of the Town of Bergen, and such other proceedings shall thereupon be had as are provided in said section for the confirmation and collection of other assessments in said town.

SEC. 4. That all ordinances or parts of ordinances in any way interfering with or contravening the true meaning and intent of this ordinance be and the same are hereby repealed.

Passed June 6, 1865.

HENRY FITCH, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

AN ORDINANCE

DEFINING THE DUTIES OF TREASURER.

The Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. The Treasurer shall receive, safely keep, and disburse under the direction of the Councilmen all moneys belonging to the town—he shall keep an accurate account of all his receipts and payments, and make a return thereof to the Councilmen at their first regular meeting, in the months of April, July, October, and January, in each year.

SEC. 2. He shall receive such compensation for his services as shall be fixed by general ordinance providing for the payment of salaries, and before entering upon the duties of his

office shall execute a bond to the town of Bergen, in its corporate name, with at least two sufficient sureties to be approved by the said Councilmen, in the penal sum of twenty-five thousand dollars, conditioned for the faithful performance of the trusts and duties of his office, and for the safe keeping of all moneys and securities in his charge or custody.

SEC. 3. He shall keep a cash book, in which he shall enter under appropriate heads, an accurate statement and account of all receipts and expenditures, and shall furnish for the use of the Finance Committee a duplicate account of the same, on the first Monday of each month.

SEC. 4. The treasurer shall forthwith deposit all moneys which he may from time to time receive, in such one or more banks as the Councilmen may direct, and if no such direction be given, then in such bank as he may select.

SEC. 5. No moneys shall be paid out of the funds of the town except upon warrants signed by the President of the Board of Councilmen, and countersigned by the Town Clerk.

SEC. 6. The Treasurer shall keep a check book on the bank or banks in which the town moneys are deposited, and in the margin of said book, opposite each check that shall be drawn, shall specify the name of the person or persons in whose favor given, the amount drawn, and for what purpose; and he shall furnish quarterly (viz. on the first Monday in April, July, October and January), to the Finance Committee for examination his bank and cash books belonging to the town, with a statement of the exact amount in each bank or banks, and a statement of any cash remaining in his hands.

SEC. 7. He shall pay with his official check, drawn always to the order of the payee, all warrants on the treasury that are duly signed and countersigned.

SEC. 8. He shall receive all redemption moneys for the sale of any property or lands sold for taxes or assessments, upon the certificate of the town clerk of the amount to be paid.

SEC. 9. He shall make a full and accurate account of all money raised by tax or loan for the use of the town since the last annual election, and of the application and expend-

iture of said moneys, and shall cause a copy of said account to be published in the corporation paper at least ten days before the annual charter election.

SEC. 10. All ordinances or parts of ordinances heretofore passed inconsistent with any of the provisions of this ordinance are hereby repealed.

Passed June 6, 1865.

HENRY FITCH, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

AN ORDINANCE

TO AMEND SECTION 4 OF AN ORDINANCE CONCERNING INNS
AND TAVERNS.

The Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. The price of a license to keep an inn and tavern shall be fixed from time to time by the board of councilmen, but in no case shall the charge be less than thirty dollars besides one dollar and fifty cents to be paid to the town clerk for drawing such license, which sums shall be paid to the town clerk by the applicant within ten days after the granting of the license, and if not paid within ten days, then the said license shall cease and be void.

Passed June 19, 1865.

Approved June 26, 1865.

HENRY FITCH, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR THE ESTABLISHING A PROPER GRADE AND GRADING WESTVIEW AVENUE, FROM THE WESTERLY SIDE OF BERGEN AVENUE TO THE EASTERLY SIDE OF WESTSIDE AVENUE.

The Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. That Westview avenue, from the westerly side of Bergen avenue to the easterly side of Westside avenue be regulated and graded to an established grade.

SEC. 2. That all the costs, charges and expenses incurred in completing the said improvement, be assessed upon and paid by the real estate benefitted thereby, according to the provisions of the town charter.

SEC. 3. That the above improvement be made under the direction of the committee on streets of the councilmen, or such person as the councilmen may direct to superintend the same.

SEC. 4. That John R. Romain, Jacob J. Newkirk and Hartman Van Wagenen be, and they are hereby appointed commissioners to estimate the whole cost of said improvement, according to the best of their judgment, skill and ability, and who shall cause a survey and map to be made of said improvement, and of the lots or parcels of land to be benefitted thereby, distinguishing each by numbers, and shall assess such estimated costs upon the land and real estate, in proportion to the benefit received, and make a report thereof according to the provisions of the charter of the town of Bergen.

Passed July 18, 1865.

HENRY FITCH, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR GRADING AND LAYING PLANK SIDE-WALK ON THE SOUTHERLY SIDE OF WESTVIEW AVENUE TO THE WESTERLY SIDE OF BERGEN AVENUE TO THE WESTERLY SIDE OF J. P. REDDEN'S RESIDENCE.

The Councilmen of the Town of Bergen do ordain as follows :

SEC. 1. That the southerly side of Westview avenue, from the westerley side of Bergen avenue to the westerly side of J. P. Redden's residence, be graded and a plank side-walk be laid thereon of the width of four feet.

SEC. 2. That all the costs, charges and expenses incurred in completing said improvement, be assessed upon and paid by the real estate benefitted thereby according to the provisions of the town charter.

SEC. 3. That the above improvement be made under the direction of the committee on streets of the councilmen, or such persons as the councilmen may appoint to superintend the same.

SEC. 4. That John R. Romain, Jacob J. Newkirk and Hartman Van Wagenen be, and they are hereby appointed commissioners to estimate the whole costs of said improvement according to the best of their judgment, skill and ability, and who shall cause a survey and map to be made of said improvement, and of the lots and parcels of land fronting thereon, and shall assess the costs and expenses upon the lands and real estate benefitted thereby, and make a report thereof according to the provisions of the town charter.

Passed July 15, 1865.

HENRY FITCH, *President.*

Attest : HENRY H. NEWKIRK, *Town Clerk.*

AN ORDINANCE.

TO PROVIDE FOR FILLING TO THE ESTABLISHED GRADE, FOR RESETTING THE CURB AND RELAYING THE FLAGS, CROSS AND BRIDGE STONES, AND TO CURB WITH 16 INCH CURB STONE WHERE THERE IS NONE TO RESET, AND LAY A FIVE FEET FLAG STONE WALK WHERE THERE IS NONE TO RELAY, ON, IN, AND UNDER THAT PART OF WASHINGTON AVENUE BETWEEN THE JERSEY CITY AND BERGEN POINT PLANK ROAD, ON THE EAST, AND A POINT ONE HUNDRED FEET WEST OF MAPLE STREET, AND THE INTERSECTIONS THEREOF.

The Councilmen of the Town of Bergen do ordain as follows :

SEC. 1. That all that part of Washington avenue, between the Jersey City and Bergen Point plank road on the east, and a point one hundred feet west of Maple street, be filled to the established grade, and that the curb thereon be reset, and that the flag, cross and bridge stones thereon, and on the intersections, be relaid, and that said avenue be curbed with 16-inch curb where there is none, and that a five feet flag side walk be reset and laid where there is none to relay.

SEC. 2. That all the costs, charges and expenses incurred in making said improvement, be assessed upon the lands and real estate fronting on the line of said improvement, agreeably to the provisions of the town charter.

SEC. 3. That Peter Vreeland, Charles N. Betts and John H. Cable be, and they are hereby appointed commissioners, who shall cause a survey and map to be made of said improvement, distinguishing each lot or parcel by numbers on said map, and to estimate the whole costs of said improvement according to the best of their judgment, and shall assess such estimated costs, together with the per centum, 1 per cent. thereon, to be paid to the town treasurer for payment of inspector or commissioner of streets, upon the property fronting on said improvement, in proportion the benefit received, and make a report thereon agreeably to the provisions of the town charter.

SEC. 4. That the above improvement be under the direction of the commissioner or inspector on streets, the commit-

tee on streets, or such person as they may appoint for that purpose.

Passed July 31, 1865.

HENRY FITCH, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

AN ORDINANCE

TO PREVENT HORSES, CATTLE, SWINE, DOGS, GOATS, AND GEESE FROM RUNNING AT LARGE IN THE STREETS AND ROADS, AND TO PROVIDE FOR THE IMPOUNDING AND SALE OF THE SAME.

The Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. That three pound masters shall be appointed by the Councilmen annually, one from each ward of said town, to hold their offices until the first Monday of May next, and shall continue in office until the end of their term, and until others are appointed and qualified in their place, unless removed.

SEC. 2. The pound masters shall keep a register of all animals impounded in their respective pounds, together with the names of the persons impounding them, and an account of all fees received by him, and shall make quarterly returns of the same to the Councilmen.

SEC. 3. All horses, cattle, swine, dogs, goats and geese found running at large within said town, may be taken by any person to one of the public pounds situated in said town, whereupon it shall be the duty of the respective pound masters to receive and confine the same, who shall pay to such person twenty-five cents for each animal, except geese, for which shall be paid ten cents when delivered, and all animals so impounded shall be held until they shall be lawfully sold or redeemed.

SEC. 4. If the owner of any animal so impounded shall apply to the pound ^{keeper} master in whose charge the same may be for the redemption thereof, and shall tender to the pound master ^{two} one dollar for each animal, ^{impounded} excepting geese, and for each goose fifty cents, in addition ^{to} ^{twenty-five} ^{cents} per day for feeding and keeping such animal, then such animal shall be delivered to the owner thereof.

SEC. 5. All impounded animals not redeemed by the owner thereof within four days shall be sold at public auction, at the pound, by the pound master, to the highest bidder, on not less than three days' notice of sale, which notice, containing a brief description of the animal, shall be conspicuously posted on or near the pound, excepting that for the sale of any horse or neat cattle, five day's notice shall be given by posting the same in written or printed handbills, in six public places in said town, two of which shall be posted in each of the wards thereof.

SEC. 6. The pound master shall, on application of the owner, pay over the avails of the sale of any animal sold, deducting therefrom the fees hereinbefore named, and one dollar for selling the same, together with all expense of advertisement, and provided the same shall not be called for within thirty days the same shall be paid to the town treasurer, after deducting therefrom the fees herein mentioned.

SEC. 7. If any person shall brake or open, or attempt to open any public pound within the limits of said town, or take or let out any animal-impounded therein, he, she, or they so offending, shall, for every offence, pay a penalty of twenty dollars.

SEC. 8. If any person shall rescue, or attempt to rescue, any animal from the custody of any person who shall be driving or taking it to the pound, he, she, or they so offending shall, for each animal so rescued, or attempted to be rescued, pay a penalty of twenty dollars.

SEC. 9. It shall be the duty of the said pound master, in all matters in this ordinance, not specially enumerated, to obey the directions of the Common Council.

SEC. 10. That no person or persons shall take to a pound situate out of the town in which such animal shall be so found, under the penalty of ten dollars for each offence.

SEC. 11. That if any pound master shall knowingly receive or confine any animal taken out of the town in the pound of which he has charge, he shall, besides the damages which he may incur to the owner of such animal, forfeit and pay the sum of ten dollars.

SEC. 12. Any forfeiture or penalty arising under this ordinance may be recovered before any Justice of the Peace, elected and residing in said town, in the manner provided by the town charter, and the forfeitures so recovered shall be paid to the town treasurer.

SEC. 13. All ordinances and parts of ordinances in any wise conflicting with the provisions of this ordinance are hereby repealed.

SEC. 14. This ordinance shall take effect immediately.

Passed July 31, 1865.

HENRY FITCH, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR THE REGULATING AND GRADING OF CLERK STREET, AND FOR LAYING SIDE AND CROSS WALKS THEREON, FROM BRAMHALL AVENUE TO MYRTLE AVENUE.

The Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. That Clerk street, from Bramhall avenue to Myrtle avenue be regulated and graded, and that side walks and cross walks be laid thereon and thereover between said avenues.

SEC. 2. That all the costs, charges, and expenses incurred in making the said improvement, and completing the same,

be assessed on and collected from the real estate benefitted thereby according to the provisions of the town charter.

SEC. 3. That the above work be done, and improvement made, under the direction of the Committee on Streets of the Councilmen, or such persons as the Councilmen may direct to superintend the same.

SEC. 4. That C. N. Betts, Garret Vreeland, and A. P. Newkirk be, and they are hereby appointed commissioners to estimate the whole costs of said improvement according to the best of their judgment, skill, and ability, and shall cause a survey and map to be made thereof, and of the lots and parcels of land to be benefitted thereby, distinguishing each by numbers, and to assess such estimated costs upon said lands fronting upon said improvement, in proportion to the benefit received, and make a report thereof agreeably to the provisions of the town charter.

Passed August 15, 1865.

HENRY FITCH, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR THE CONSTRUCTION OF A TWELVE INCH (INSIDE DIAMETER) CEMENT DRAIN PIPE SEWER, FROM THE INTERSECTION OF WASHINGTON AVENUE AND WALNUT STREET, TO AND IN HALLIDAY STREET, TO COMMUNIPAW AVENUE, TOGETHER WITH (9) NINE-INCH LATERALS IN WALNUT, MAPLE, AND LAFAYETTE STREETS; ALSO TO CONSTRUCT THE NECESSARY MANHOLES AND RECEIVING BASINS TO SAID SEWER.

The Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. That a twelve-inch (inside diameter) cement drain pipe sewer be constructed from the intersection of Washington avenue and Walnut street, to and in Halliday street, to

Communipaw avenue, together with (9) nine-inch laterals in Walnut, Maple, and Lafayette streets; also to construct the necessary man holes and receiving basins to said sewer.

SEC. 2. That all the costs, charges, and expenses incurred in constructing and completing the said improvement, together with the per centum (1 per centum of the cost thereof), be assessed upon and paid by the real estate benefitted thereby, according to the provisions of the town charter.

SEC. 3. That the above improvement be made under the direction of the Committee on Streets of the Councilmen, or such person as the Councilmen may appoint to superintend the same.

SEC. 4. That P. Vreeland, J. H. Cable, and C. N. Betts be, and they are hereby appointed commissioners to estimate the whole cost of said improvement, according to the best of their judgment, skill, and ability, and who shall cause a survey and map to be made of said improvement, and of the lots or parcels of land to be benefitted thereby, distinguishing each by numbers, and shall assess such estimated costs upon the lands and real estate, in proportion to the benefit received, and make a report thereof according to the provisions of the town charter.

Passed August 15, 1865.

HENRY FITCH, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR THE REGULATING AND GRADING OF OCEAN STREET, FROM THE CENTRE OF BRAMHALL AVENUE TO MYRTLE AVENUE, INCLUDING INTERSECTIONS.

The Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. That Ocean street, from the centre of Bramhall

avenue to Myrtle avenue, including intersections, be regulated and graded, curbed and guttered, and that side walks and cross walks be laid thereon and thereover between said points.

SEC. 2. That all costs, charges, and expenses, incurred in making said improvement and completing the same, be assessed on and collected from the real estate benefitted thereby, according to the provisions of the town charter.

SEC. 3. That the above work be done and improvement made under the direction of the Committee on Streets of the Councilmen, or such persons as the Councilmen may direct to superintend the same.

SEC. 4. That Charles N. Betts, Peter Vreeland, and Abraham P. Newkirk be, and they are hereby appointed Commissioners to estimate the whole cost of said improvement according to the best of their judgment, skill, and ability, and shall cause a survey and map to be made thereof, and of the lots and parcels of land to be benefitted thereby, distinguishing each by numbers, and to assess such estimated costs upon said lands fronting upon said improvement, in proportion to the benefit received, and make a report thereof agreeably to the provisions of the town charter.

Passed September 12, 1865.

HENRY FITCH, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

AN ORDINANCE.

DIRECTING THE RAISING OF TAXES FOR THE YEAR 1865.

SEC. 1. The board of councilmen of the Town of Bergen do ordain that there be assessed by the assessor of the town the following sums (exclusive of poll tax) for the year 1865, and for the purposes herein set forth:

For the maintenance and support of the poor	\$800 00
For salaries	3,600 00
For support of the fire department	2,000 00
For stationery and printing	2,500 00
For support of public schools	13,426 72
For repairs of streets and roads	600 00
For contingent expenses	350 00
For payment of school bonds due and maturing within the fiscal year with interest thereon	1,629 48
For interest on town bond issued for improvement on Washington avenue	310 00
For elections	200 00
To cover special appropriations of September 11, 1865, to Bergen hook and ladder company No. 1, and Union hook and ladder company No. 2	4,000 00

SEC. 2. That there be assessed and collected upon the real and personal property located in the town, the further sum of seven thousand two hundred and eighty-nine 88-100 dollars as a "deficiency tax" to cover the amounts expended by the late board of councilmen in excess of their appropriations for 1864.

SEC. 3. That there be assessed and collected upon the real and personal property located in the town, the further sum of thirty-three thousand six hundred and sixty-five (\$33,665) dollars as a "special war tax" to meet the following obligations:

For payment of principal and interest of 3 year bounty bonds issued for nine months' men	15,525 00
For payment of instalment of bounty bonds issued to fill call of July, 1863, \$4,000 of which be- came due and payable each year as per section 5th of supplement to charter approved March 11, 1862	4,000 00
For one years' interest on bonds issued to fill call of July, 1863.	3,920 00
For one years' interest on bonds issued to fill call of March, 1864	2,240 00
For one years' interest on bonds issued to fill call of July, 1864	6,090 00

For one years' interest on bonds issued to fill call
of December, 1864

3,990 00

 \$35,765 00

Less six months' interest due and receivable March
1, 1866, upon \$60,000 of bonds of the "County
of Hudson," which have been issued to the town
of Bergen

2,100 00

 \$33,665 00

SEC. 4. That there be assessed and collected upon the real and personal property located in the school district lying east of the Morris canal, the sum of two hundred and forty-five (245 1.100) dollars for six months' interest on bonds authorized for the completion of Washington avenue bridge, and for cost of printing the same.

SEC. 5. That the assessors of the several wards or districts of the town assess, specify, and keep separate from other items, the amount specified in section 3d of this ordinance, and that the collector of revenue of the town shall keep his accounts of "special war tax" in separate and distinct columns upon his books, and shall designate specifically his collections of said tax in his returns to the town treasurer.

Passed September 11, 1865.

HENRY FITCH, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

AN ORDINANCE.

TO PROVIDE FOR THE WIDENING OF PALISADE AVENUE, FROM THE SOUTHERLY SIDE OF CHURCH STREET TO THE NORTHERLY SIDE OF CRAWFORD STREET.

The Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. That Palisade avenue, from the southerly side of Church street to the northerly side of Crawford street, be widened to the uniform width of fifty feet.

SEC. 2. That all the costs, charges and expenses incurred in completing the said improvement, be assessed upon and paid by the real estate benefitted thereby according to the provisions of the town charter.

SEC. 3. That the above improvement be made under the direction of the committee on streets or such person as the councilmen may appoint for that purpose.

SEC. 4. That Jacob J. Newkirk, John R. Rime and Michael Van Winkle be, and they are hereby appointed commissioners who shall estimate the whole costs of said improvement according to the best of their judgment, skill and ability, and shall cause a map and survey to be made thereof, and of the lots and parcels of land benefitted thereby, distinguishing each by numbers, and to assess such estimated costs upon said lands fronting upon said improvement, in proportion to the benefit received by each lot and parcel of land or improvement, and make a report thereof agreeably to the provisions of the town charter.

Passed November 8, 1865.

HENRY FITCH, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR GRADING TO THE ESTABLISHED GRADE, AND CURBING, FLAGGING, AND PAVING COLDEN PLACE, FROM PALISADE AVENUE TO BERGEN POINT PLANK ROAD, WITH INTERSECTIONS OF SAID TWO ROADS, ALSO THE NEWARK AND JERSEY CITY AND BERGEN POINT PLANK ROAD, WHERE SAID ROADS CROSS COLDEN PLACE.

The Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. That Colden place be graded to the established grade, and that the same be graded, curbed, flagged and

paved, from Palisade avenue to Bergen Point plank road, with intersections of said two roads, also the Newark and Jersey City and Bergen Point plank road, where said roads cross Colden place.

SEC. 2. That all the costs, charges, and expenses incurred in making said improvements, and completing the same, be assessed on and collected from the real estate benefitted thereby according to the requirements of the town charter.

SEC. 3. That the above work be done and improvement made under the direction of the Committee on Streets of the Councilmen, or such person as the Councilmen may appoint to superintend the same.

SEC. 4. That the costs and expenses of the said improvement shall be assessed on the lands and real estate fronting on the line of said improvement, by three Commissioners to be appointed for that purpose, who shall make an assessment map and report thereon, with the names of the owners of the lots or parcels of land as far as practicable with the time limited, and according to the provisions of the town charter.

Passed December 12, 1865.

HENRY FITCH, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR THE ESTABLISHING THE GRADE AND CENTRE LINE OF VAN WINKLE STREET FROM NEWKIRK TO BERGEN STREET.

The Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. That a grade and centre line be established on Van Winkle street, from Newark to Bergen street.

SEC. 2. That all the costs, charges, and expenses incurred in establishing said grade and centre line be assessed upon

and paid by the real estate benefitted thereby, according to the provisions of the town charter.

SEC. 3. That the above improvement be done under the direction of the Committee on Streets of the Councilmen, or such person as the Councilmen may appoint to superintend the same.

SEC. 4. That Hartman Van Wagenen, Jacob J. Newkirk, and Jacob J. Van Riper be, and they are hereby appointed commissioners who shall cause a survey and map to be made of said improvement, distinguishing each lot or parcel by numbers on said map, and to estimate the whole cost of said improvement, according to the best of their judgment, and shall assess such estimated costs upon the property fronting on said improvement, in proportion to the benefit received, and make a report thereon agreeably to the provisions of the town charter.

Passed December 19, 1865.

HENRY FITCH, *President*.

Attest: HENRY H. NEWKIRK, *Town Clerk*.

AN ORDINANCE

FOR THE SURVEY OF AN ASSESSMENT MAP OF THE TOWN OF BERGEN.

The Council of the Town of Bergen hereby ordain:

SEC. 1. That for the better convenience of levying and collecting taxes and assessments—an accurate assessment map of the said town shall be made and prepared under the supervision and direction of a Special Committee of this Board, consisting of Councilmen Babcock, Mandeville, and Perrine.

SEC. 2. That the said map shall be made from actual surveys, and be submitted in duplicate whenever it is perfected, and that the further details and specifications to be required

in its completion shall be left to the discretion of said special committee.

SEC. 3. That the said special committee are hereby authorized and directed—after advertising for proposals—to contract with any party or parties who may make advantageous propositions to do the work specified as requisite, in the manner, and upon the terms indicated by said committee, and all the acts of said committee necessary to this end, are hereby sanctioned and authorized as in behalf of this board.

Passed January 15, 1866.

HENRY FITCH, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

AN ORDINANCE.

TO LAY OUT AND OPEN A PUBLIC STREET IN THE TOWN OF BERGEN, SIXTY FEET IN WIDTH ACROSS THE PROPERTY OF NATHANIEL C. SLAIGHT AND THE PROPERTY OF ALBERT ACKERMAN, FROM THE BROWN'S FERRY ROAD, IN A NORTHEASTERLY DIRECTION, TO THE NEWARK PLANK ROAD, THE SAID STREET TO RUN AT RIGHT ANGLES TO THE BROWN'S FERRY ROAD AND THE CENTRE LINE OF SAID STREET TO COMMENCE IN THE NORTHERLY LINE OF THE BROWN'S FERRY ROAD, AT A POINT DISTANT WESTERLY ELEVEN HUNDRED AND FIFTY-NINE FEET FROM THE WESTERLY LINE OF THE BACK LANE.

The Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. That a public street be laid out and opened in the town of Bergen, sixty feet in width across the property of Nathaniel C. Slaughter and the property of Albert Ackerman, from the Brown's ferry road in a northeasterly direction, to the Newark plank road, the said street to run at right angles to the Brown's Ferry road, and the centre line of said

street to commence in the northerly line of the Brown's ferry road, at a point distant westerly eleven hundred and fifty-nine feet from the westerly line of the Back lane, and the said street is hereby laid out and opened according to the provisions of the town charter.

SEC. 2. That Charles N. Betts, Abraham P. Newkirk and Jacob J. Van Riper, three discreet, impartial and disinterested persons, residents and freeholders in the town of Bergen be, and they are hereby appointed commissioners, who shall be duly sworn or affirmed to examine into the whole matter impartially, and to the best of their judgment, skill and ability, and shall cause a survey and map to be made of said improvement, distinguishing each lot or parcel by numbers on said map, and shall estimate the whole cost of said improvement according to the best of their judgment, and shall assess such estimated costs upon the lands and real estate, in proportion to the benefit received, and shall report the names of the owners of the lots and parcels, as far as practicable, with the amount assessed to each, and shall file said report and map with the Clerk of the Town, within thirty days after their appointment.

SEC. 3. That all expenses and costs of the proceedings of said improvement in laying out and opening said street shall be assessed by said Commissioners upon, and paid by the lands and real estate benefitted by the said improvement, in proportion to the benefit received by said lands and real estate according to the provisions of the town charter.

Passed January 15th, 1865.

HENRY FITCH, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR THE OPENING OF WESTSIDE AVENUE TO THE UNIFORM WIDTH OF SIXTY FEET, FROM THE SOUTHERLY SIDE OF THE NEW JERSEY RAILROAD TO THE WESTERLY BOUNDARY OF THE TOWN OF BERGEN.

The Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. That Westside avenue be widened to the uniform width of sixty feet from the southerly side of the New Jersey Railroad to the westerly boundary of the town of Bergen.

SEC. 2. That all the costs, charges and expenses incurred in making the said improvement, be assessed upon, and paid by the property benefitted by said improvement, in proportion to the benefit received by said property.

SEC. 3. That the above improvement be made and work done by the Committee on Streets of the Councilmen, or such person as the councilmen may appoint to superintend the same.

SEC. 4. That Abraham P. Newkirk, Charles N. Betts and Jacob J. Van Riper, three discreet, impartial and disinterested persons, freeholders, be, and they are hereby appointed Commissioners, who shall be duly sworn or affirmed to examine into the whole matter impartially, and to the best of their judgment, skill and ability, and who shall cause a survey and map to be made of the said improvement, distinguishing each lot or parcel by numbers, and who shall assess the whole cost of said improvement according to the best of their judgment, and shall assess such estimated costs upon the land and real estate, in proportion to the benefit received, and make a report thereon agreeably to the provisions of the charter of the town of Bergen.

Passed January 22, 1866.

HENRY FITCH, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk,*

AN ORDINANCE

TO PROVIDE FOR THE WIDENING OF BERGEN AVENUE FROM ITS INTERSECTION WITH THE WESTERLY SIDE OF WILEY PLACE TO THE NORTHERLY SIDE OR LINE OF BERGEN SQUARE TO THE UNIFORM WIDTH OF FIFTY FEET THROUGHOUT.

The Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. That Bergen avenue from the point of its intersection with the easterly side of Wiley place to the northerly side or line of Bergen square be widened to the uniform width of fifty feet throughout, being twenty five feet on either side of the centre line of said avenue as now established by commissioners appointed by the councilmen of the town of Bergen.

SEC. 2 That said improvement be made under the direction of the committee on streets of the councilmen, or such other person as the councilmen may appoint to superintend the same.

SEC. 3. That all the charges, costs and expenses be assessed upon and paid by the lands and real estate in proportion to the benefit received.

SEC. 4. That Mindert Van Horn, Garret Vreeland and Edmund C. Bramhall, three discreet, impartial and disinterested persons, residents and freeholders in said town be, and they are hereby appointed commissioners who shall be duly sworn or affirmed to examine into the whole matter impartially, and to the best of their judgment, skill and ability, and who shall cause a survey and map to be made of said improvement distinguishing each lot or parcel by numbers on said map and who shall estimate the whole cost of said improvement according to the best of their judgment, and shall assess such estimated costs upon the land and real estate in proportion to the benefit received and report the names of the owners of the lots or parcels as far as practicable with the amount assessed to each and shall file said report and map with the clerk of the town within thirty days after

their appointment, and agreeably to the provisions of the charter of the town of Bergen.

Passed March 13th, 1866.

HENRY FITCH, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR THE ESTABLISHING A GRADE ON PALISADE AVENUE, FROM CRAWFORD STREET TO ACADEMY AVENUE; ALSO TO GRADE THE SAME AND LAY A FOUR FEET STONE FLAG SIDEWALK ON THE EASTERLY SIDE OF SAID AVENUE, BETWEEN CRAWFORD STREET AND ACADEMY AVENUE.

The Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. That a grade be established on Palisade avenue, from Crawford street to Academy avenue; also that the same be graded to the grade established, and a four feet stone flag side-walk be laid on the easterly side of said avenue, from Crawford street to Academy avenue.

SEC. 2. That all costs, charges and expenses incurred in establishing said grade, be assessed upon and paid by the real estate benefitted thereby; and the costs, charges and expenses incurred in grading and laying the stone flag side walk, be assessed upon the said lands and real estate fronting on the line of said improvement, according to the provisions of the town charter.

SEC. 3. That the above improvement be made under the direction of the committee on streets of the councilmen, or such person as the councilmen may appoint to superintend the same.

SEC. 4. That Hartman Van Wagenen, Jacob J. Newkirk and Henry Van Gelder, be, and they are hereby appointed

commissioners, who shall cause a survey and map to be made of said improvement distinguishing each lot or parcel by numbers on said map and to estimate the whole cost of said improvement according to the best of their judgment and shall assess such estimated costs (together with the per centum. 1 per cent." thereon, to be paid to the town treasurer, for the payment of commissioners or inspectors of roads and streets), upon the property fronting on said improvements in proportion to the benefit received and make a report thereon, agreeably to the provisions of the town charter.

Passed April 9, 1866.

HENRY FITCH, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk,*

AN ORDINANCE

FOR LAYING A PLANK SIDEWALK ON WASHINGTON AVENUE,
FROM PALISADE AVENUE TO MONTICELLO AVENUE.

The Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. That a plank sidewalk be laid on Washington avenue from Palisade to Monticello avenue.

SEC. 2. That the costs, charges and expenses incurred in making the said improvement be assessed upon the lands and real estate fronting on the line of said improvement by three commissioners appointed for that purpose, who shall be residents and freeholders in said town, and who shall make an assessment map, and report thereon with the names of the owners of the lots or parcels, as far as practicable, with the amount assessed to each, and shall file said report agreeably to the provisions of the town charter.

SEC. 3. That the above work be done and improvement made under the direction of the committee on streets of the

councilmen or such other person as the councilmen may appoint to superintend the same.

Passed April 9, 1866.

HENRY FITCH, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

AN ORDINANCE

FOR LAYING A FLAG STONE SIDEWALK ON COMMUNIPAW AVENUE, FROM THE WESTERLY SIDE OF A. TUER'S HOUSE LOT TO THE EASTERLY LINE OF MONTICELLO AVENUE.

The Councilmen of the Town of Bergen do ordain as follows:

1. That a flag stone sidewalk four feet in width be laid on Communipaw avenue, from the westerly side of A. Tuer's house lot to the easterly side of Monticello avenue.

2. That all the costs, charges and expenses incurred in making the said improvement, be assessed upon the lands and real estate fronting on the line of said improvement by three commissioners appointed for that purpose who shall be residents and freeholders in said town, and who shall make an assessment map and report thereon with the names of the owners of the lots or parcels as far as practicable with the amount assessed to each and shall file said report and map agreeably to the provisions of the town charter.

3. That the above work be done and improvement made under the direction of the Committee on Streets of the Councilmen or such other person as the councilmen may appoint to superintend the same.

Passed April 9, 1866.

HENRY FITCH, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

AN ORDINANCE

TO ESTABLISH GRADE ON PARK AND COLUMBIA STREETS,
BETWEEN OCEAN AVENUE AND JACKSON STREET.

The Councilmen of the Town of Bergen do ordain as follows:

1. That a grade be established on Park and Columbia streets, between Ocean avenue and Jackson street.

2. That all the costs, charges and expenses incurred in making the said improvement, be assessed upon and paid by the real estate in proportion to the benefit received.

3. That the above improvement be made under the supervision of the committee on streets of the councilmen, or such other person as they may appoint to superintend the same.

4. That Garret Vreeland, Charles N. Betts, and John V. R. Vreeland, three discreet, impartial and disinterested persons, residents and freeholders in the town of Bergen be, and they are hereby appointed commissioners who shall be duly sworn or affirmed to examine into the whole matter impartially and to the best of their judgment, skill and ability, and who shall cause a survey and map to be made of said improvement distinguishing each lot or parcel by numbers, and who shall assess the whole cost of said improvement according to the best of their judgment, and shall assess such estimated costs upon the lands and real estate in proportion to the benefit received and make a report thereon agreeably to the provisions of the town charter.

Passed April 9, 1866.

HENRY FITCH, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

AN ORDINANCE

TO PROVIDE FOR THE LAYING OUT AND OPENING A STREET TO THE WIDTH OF SIXTY (60) FEET WIDE, TO COMMENCE AT A POINT IN THE SOUTHERLY SIDE OF THE NEWARK PLANK ROAD, AT A POINT DISTANT 856 FEET 5 INCHES FROM THE WESTERLY SIDE OF BERGEN AVENUE, THENCE RUNNING SOUTHWESTERLY AT RIGHT ANGLES WITH THE NEWARK PLANK ROAD UNTIL IT INTERSECTS WITH OXFORD AVENUE.

The Councilmen of the Town of Bergen do ordain as follows :

1. That a street be opened in the town of Bergen to the width of sixty feet, to commence at a point in the southerly side of the Newark plank road, at a point distant eight hundred and fifty-six and a half feet from the westerly side of Bergen avenue, being the centre of said proposed street, thence running in a southwesterly direction at right angles with the Newark plank road until it intersects with Oxford avenue.

2. That the charges and expenses incurred in making the said improvement, be assessed upon and paid by the real estate benefitted by said improvement.

3. That the above work be done under the supervision of the committee on streets of the councilmen, or such person as they may appoint to superintend the same.

4. That A. P. Newkirk, Henry Gaines, and B. F. Welsh, three discreet, impartial and disinterested persons, residents and freeholders in said town, be and they are hereby appointed commissioners, who shall be duly sworn or affirmed to examine into the whole matter impartially and according to the best of their judgement, skill and ability, who shall cause a survey and map to be made of said improvement, distinguishing each lot or parcel by numbers on said map, and who shall estimate the whole cost of said improvement according to the best of their judgment, and shall assess such estimated costs upon the land and real estate in proportion to the benefit received, and report the names of the owners of the lots or parcels as far as practicable, with the

amount assessed to each, and shall file said report and map with the clerk of the town within thirty days after their appointment, and agreeably to the provisions of the charter of the town of Bergen.

Passed May 7, 1866.

SETH G. BABCOCK, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved May 8, 1866.

HENRY FITCH, *Mayor.*

AN ORDINANCE

TO PREVENT NUISANCES AND PROTECT THE PUBLIC HEALTH.

The Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. No person shall throw or place any offal, vegetable, garbage, filth, noxious, offensive, or impure water, liquid, or rubbish of any kind whatever, in any street, lane, alley, or public place in the town of Bergen.

SEC. 2. The owner or occupant of any house, building or premises in the town of Bergen to which any sink, privy vault, or cess-pool shall belong or appertain, shall not cause, suffer or permit the contents thereof to rise within two feet of the surface of the earth.

SEC. 3. No person shall have, make, use or keep on his or her premises, at any place in the town of Bergen, any nuisance, offensive or unwholesome substance whatever.

SEC. 4. A violation of any of the provisions of this ordinance shall be deemed a public nuisance, and any person or corporation who shall violate or fail to comply with the requirements of any of the foregoing provisions of this ordinance, shall, upon conviction, be punishable by a fine not less than five dollars, nor more than fifty dollars, or by imprisonment in the county jail not exceeding ten days, or by

both such fine and imprisonment, in the discretion of the Court.

SEC. 5. There shall be appointed in each ward of the town of Bergen, one or more watchmen, or policemen, whose duty it shall be to forthwith report any, and all the violations of this ordinance, together with the names of one or more witnesses by whom such violation may be proved and established, to the attorney for the Board of Councilmen of said town. And in all cases where the said watchmen, or policemen shall deem it advisable and necessary for the public health of said town forthwith to remove any such nuisance in said town, it shall be his or their duty to cause said nuisance forthwith to be abated, or removed at the expense of the owner or owners of any lot, or premises upon which the same may be or exist.

SEC. 6. It shall be the duty of such watchman, or policemen, forthwith after the removal or abatement by him of any such nuisance to prepare a statement in writing showing the expenses thereof in detail, and specifying therein the lot or lots or premises upon which the same existed, and the name or names of the owner or owners of the same, so far as the same can be ascertained, and specify the expenses of such removal or abatement from each lot, and such statement shall thereupon be filed and deposited with the clerk of the town Council. And such proceedings shall thereupon be taken for the collection of the amount of such expenses, by suit or otherwise, as are or may be provided by law.

SEC. 7. It shall be the duty of the attorney of the Board of Councilmen upon receiving any such report of violation of this ordinance, to forthwith proceed to enforce the penalty or penalties hereinbefore prescribed, and to report to the Board of Councilmen the proceedings so taken, and the expenses thereof, without unnecessary delay.

Passed May 22, 1866.

SETH G. BABCOCK, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved May 23, 1866.

HENRY FITCH, *Mayor.*

AN ORDINANCE.

TO AMEND AN ORDINANCE ENTITLED AN ORDINANCE TO ESTABLISH A BOARD OF EDUCATION, TO PROVIDE FOR THEIR APPOINTMENT, TO DEFINE THEIR POWERS AND DUTIES, AND TO REGULATE PUBLIC SCHOOLS.

The Town Council of Bergen do ordain as follows :

SEC. 1. There shall be appointed by the town council three discreet and suitable persons from each ward of said town, who shall be residents of the ward from which they are chosen and who together with the mayor, the school superintendent, the president of the town council for the time being and the chairman of the committee on schools or education of the town council for the time being, shall constitute a board of education.

SEC. 2. The said board of education shall elect a president and a clerk ; the president to be a member of the board.

SEC. 3. The said board of education shall have the general management and control of the public schools now established and hereafter to be established in the town of Bergen, and shall have power and it shall be their duty to make rules or orders and by-laws for the government of the board, its members, committees, and general regulations, to secure proper economy and accountabilities in the school moneys ; to supervise, manage, and govern the public schools in the town of Bergen, and from time to time make all needful rules and regulations therefor ; to direct the course of studies, provide in all things for the good government and management of said public schools, to purchase books, apparatus, stationery and all other things necessary and expedient to enable the said public schools to be properly and successfully conducted ; to keep the school building or buildings properly repaired and furnished, and with the approval of the town council to fix the number and compensation of teachers to be employed therein, and select and employ such teachers, provided that no teacher shall be employed for a longer term than sixty days without having obtained a license from the board of county examiners of

teachers— and all supplies, except books, apparatus and furniture which shall be procured by said board shall be obtained by contract (provided the cost thereof exceeds \$50), proposals for which shall be advertised in a newspaper circulating in the town, for the period of at least two weeks.

SEC. 4. It shall be the duty of the board of education—

1st. To examine and inspect each of the schools at least twice in each year, and oftener if necessary, and on or before the first day of May in each year to make and transmit to the town council a report in writing in which they shall set forth the condition of the several school buildings, and whether any, and if any, what repairs, alterations or modifications of these buildings seem to them necessary.

2d. Whether they are kept clean and in good order.

3d. In what manner they are heated and ventilated, and how effectual the means used are, in producing the result desired.

4th. The studies provided.

5th. The order, attention and general appearance of each school.

6th. The length of each morning and afternoon session, and the number and length of recesses allowed.

7th. The number of scholars who shall have been admitted and taught in each school, and discharged therefrom during the preceding year, and the average number that have actually attended each school during the said year.

8th. The number and qualifications of the teachers, and such other matters as in their opinion are important to insure the discipline or extend the usefulness of the schools.

SEC. 5. The said board of education shall examine all claims and accounts against this corporation for school purposes and report on the correctness thereof to the town council, to the end, that they may be audited and paid— duplicate vouchers being taken in all cases and filed with the clerk of the board of education.

SEC. 6. The salaries of all teachers and janitors employed in the public schools, shall be paid on the first day in each month, and the board of education shall authorize the clerk of the board to draw a requisition upon the town council for

the aggregate amount of such salaries, after having deducted therefrom the amounts authorized by the town superintendent, or the committee on teachers and salaries, agreeably to the rules established by the said board.

Such requisition shall be countersigned by the president of the board of education, and shall be accompanied by the pay roll and schedule of deductions for the month.

The clerk of the town council on receiving said requisition duly signed, shall cause a warrant for the amount to be drawn upon the town treasurer, in due form, in favor of the clerk of said board, who shall as soon as practicable proceed to pay the teachers and janitors taking their receipts for the same in duplicate; the original pay roll and schedule shall be forwarded to the chairman of the committee on schools, to the end that it may be reported upon and filed with the town clerk.

Provided, that the pay roll shall be prepared and the payments made, on the day of the last session of the schools in the months of July and December in each year, and the deduction to which any party might be liable after the pay-roll shall have been prepared, shall be made from the next succeeding payment.

SEC. 7. Whenever and as often as it shall be expedient or necessary to organize one or more additional schools, it shall be the duty of the said board of education to report the same to the town council, with the facts and circumstances showing such necessity, together with the character of the school buildings required, and the number and class of scholars which will probably attend such school, if organized and to organize such schools as the town council shall, by resolution, provide or direct.

SEC. 8. The said board of education on or before the first day of June in each year shall make a particular statement in writing to the town council of the amount of money that will be required during the fiscal year for school purposes, and for altering, repairing or building school houses, and in no one year shall the monies expended or the liabilities incurred for school purposes or for building, altering, repairing or furnishing school houses, either by the board of education

or the town council, exceed the amount authorized by the town council to be raised by tax in each year for those purposes.

SEC. 9. The said board of education shall observe and carry into full effect all ordinances adopted by the town council of Bergen, and all resolutions respecting the matters provided for by this ordinance, which shall be passed by the town council in the manner provided for in the town charter.

SEC. 10. No member of said board of education shall be interested directly or indirectly, in any contract, payments under which are to be made in whole, or in part out of moneys derived from any school fund or raised by taxation for the support of common schools.

SEC. 11. The said board of education shall not adopt or establish any rule or regulation by which any child or children residing in the town of Bergen, between the ages of five and eighteen years shall, except for misconduct, be prevented from attending the public schools in said town.

SEC. 12. There shall be provided and kept in each school by the principal teachers thereof necessary blank books in which shall be entered by such teachers, the names, residences and ages of the scholars attending school and the number of days they shall have respectively attended, the absence of any or either of the teachers of such school and the alleged cause thereof, and also the names of all persons visiting such school, and the time of such visiting, which book shall at all times be kept open for the inspection of any person or persons who may desire to inspect the same.

SEC. 13. All children between the ages of five and eighteen years residing in the town of Bergen, shall be entitled to attend the public schools therein and the parents and guardians, or other persons having the custody or care of any such children shall not be liable to any tax, assessment or imposition for the tuition of any children, other than the taxes authorized to be raised under and by virtue of the town charter.

SEC. 14. The regular term of office of the members of said board hereafter appointed, pursuant to section one of this ordinance, shall terminate at the first regular meeting of

said board in the month of May in the third year after appointment, except in the case provided for in the next section. Upon the death, resignation, removal from the Ward, or other disability of any member of said board, a person shall be appointed by the town council to fill the unexpired term.

SEC. 15. Whenever any new ward or wards shall be set off in the said town, the members of said board appointed therefrom under section one of this ordinance shall at the first meeting of the board after their due qualification, proceed to determine by lot one of their number to serve for one year, one for two years, and one for three years, respectively:

SEC. 16. All ordinances and parts of ordinances heretofore passed, inconsistent with any of the provisions of this ordinance are hereby repealed.

Passed May 21st, 1866.

SETH G. BABCOCK, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved May 23d, 1866.

HENRY FITCH, *Mayor.*

AN ORDINANCE

TO AMEND AN ORDINANCE ENTITLED AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED TO ESTABLISH A BOARD OF EDUCATION, TO PROVIDE FOR THEIR APPOINTMENT, TO DEFINE THEIR POWERS AND DUTIES AND TO REGULATE PUBLIC SCHOOLS, APPROVED MAY 23, 1866.

The Town Council of Bergen do ordain as follows :

SEC. 1. That section III of said amended ordinance shall be amended by inserting after the words "board of county examiners of teachers or to whom any school officer entitled to act upon the question of the appointment or payment of such teacher is related by either blood or marriage as father,

son, brother, uncle, nephew, or first cousin but the provisions aforesaid shall not apply to the employment, promotion or transfer of teachers employed in the schools previous to the election or appointment of a school officer who may be related to said teacher and all supplies, etc.

SEC. 2. That section VI of said amended ordinance shall be amended by inserting after the words "schedule of deductions for the month as follows upon the approval of the said requisition by the town council, a warrant for the amount shall be drawn upon the town treasurer in due form, etc.," instead of the words "the clerk of the town council on receiving said requisition duly signed, shall cause a warrant for the amount to be drawn upon the town treasurer."

SEC. 3. All ordinances and parts of ordinances heretofore passed, inconsistent with said amended ordinance as hereby amended, are repealed.

Passed June 4, 1866.

SETH G. BABCOCK, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved June 6, 1866.

HENRY FITCH, *Mayor.*

AN ORDINANCE

TO ESTABLISH AND REGULATE A DAY AND NIGHT WATCH IN THE TOWN OF BERGEN, AND DEFINE THEIR POWERS AND DUTIES, AND THE MANNER OF THEIR APPOINTMENT.

The Town Council of Bergen do enact as follows :

SEC. 1. On or before the first day of August, A. D., 1866, and thereafter from time to time as may become requisite, the mayor shall nominate, and by and with the advice and consent of the council shall appoint a Sunday watch, or police force, of not less than two or more than four day and

four night watchmen in each ward of the town of Bergen. There shall also be nominated and appointed in each ward, within the same time, and in the same manner, and thereafter at such times as may be requisite, at least one, and not more than three day and three night watchmen, for each day and night of the week except Sunday, and also one chief of police.

SEC. 2. Every watchman so appointed shall within five days after notice thereof, and before entering upon the duties of his office, take and subscribe before the town clerk, an oath or affirmation, faithfully and impartially to execute the trust and duties imposed upon him as such officer, and to obey and comply with such rules and regulations, as are or may be prescribed by the mayor and in default thereof, within the time herein limited, his said office shall thereby become vacant. Such oath shall be filed by the town clerk in his office.

SEC. 3. Each watchman so appointed, shall hold office during good behavior, and shall be liable to removal, only after written charges shall have been preferred against him, in accordance with rules and regulations prescribed by the Mayor, and the same shall have been publicly examined, after notice to him by the Mayor, in the manner prescribed by said rules and regulations. But no person shall be appointed as a member of such police force, or shall continue to hold said office, who is not a resident of the ward in which he is appointed, or who has been convicted of crime, or who cannot understandingly read and write the English language, provided however, that the Chief may be appointed from either ward.

SEC. 4. The several members of the police force, shall have power and authority in their several wards, to immediately arrest without warrant, and take into custody any person who shall commit in the presence of such member, or within his view, any breach of the peace or offence directly prohibited by any act of the legislature, or by any ordinance of the town; but such member of the police force shall immediately upon such arrest, convey in person, such offender before the mayor or nearest magistrate, that he may be dealt

with according to law. The said watchman shall furthermore possess all the common law and statutory powers of constables within said town of Bergen, except for the service of civil process; and any warrant for search and arrest duly issued may be executed by any watchman appointed in pursuance of this ordinance. There shall be provided by the council a suitable and proper place in the town as a lock up or place for detaining and confining persons under arrest.

SEC. 5. It is hereby made the duty of the said watchmen, at all times of the day and night, within their respective wards, and they are accordingly hereunto empowered to especially preserve the public peace, prevent crime, detect and arrest offenders, suppress riots, protect the rights of persons and property, guard the public health, preserve order at elections, remove nuisances existing in public streets, roads, places and highways, repress and restrain disorderly houses, to arrest all street beggars and mendicants, to provide proper police attendance at every fire, in order that property exposed may be protected, enforce every law or ordinance relating to the suppression or punishment of crime, or the observance of Sunday, or gambling, or intemperance, or license, or the public health, and they shall also perform such other duties as may be enjoined upon them by any law or ordinance, or by rules and regulations prescribed by the mayor, as herein provided.

SEC. 6. No member of said police force, under penalty of forfeiting the salary or pay which may be due to him, shall withdraw or resign, except by permission of the council, unless he shall have given one months' notice in writing of such intention.

SEC. 7. Rules and regulations for the government of the police force of the town and prescribing the powers and duties of police, shall be made by or under the direction of the Mayor, and submitted to and approved by the council, before the appointment of any watchman under this ordinance; and each member of said police force, shall at the time of entering upon his duties be furnished by the town clerk with a printed copy of this ordinance and of such rules and regulations.

SEC. 8. Each watchman appointed in pursuance of this ordinance, shall receive an annual salary at the rate of \$800 per year, except the chief, and his salary to be \$1,000, payable quarterly; provided, however, that fifteen per cent. of each quarter's salary may be withheld until the middle of the next succeeding quarter; and provided, also, that the mayor may suspend from pay or duty, or both, any member of said force, but not longer than thirty days from pay, at any one suspension.

SEC. 9. All ordinances or parts of ordinances heretofore passed, inconsistent with this ordinance, are hereby repealed.

Passed June 25, 1866.

SETH G. BABCOCK, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved June 27, 1866.

HENRY FITCH, *Mayor.*

AN ORDINANCE

CREATING A BOARD OF HEALTH AND DEFINING THEIR DUTIES.

The Mayor and Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. The Mayor by the advice and consent of the Councilmen shall from time to time appoint a competent and discreet physician residing in the town of Bergen as health physician of the said Town, who shall perform the duties of his office, and who shall be paid for incidental expenses one hundred dollars a year from the Town Treasury, and a Health Inspector at such compensation as the Councilmen shall by ordinance determine.

SEC. 2. The Mayor, the President of the Councilmen and the members of the health committee of the Councilmen and the health physician shall constitute and be called the Board of Health of the Town of Bergen.

SEC. 3. The Board of Health shall have power and it shall be their duty—

1st. To make and by order direct to be made diligent inquiry with respect to all nuisances of every description which are or may be injurious to the public health and to abate the same in any way or manner they may deem expedient.

2d. To stop, detain, examine, and by order to direct to be stopped, detained and examined for the purpose of preventing the entrance of any pestilence or infectious disease in the Town, every person coming from any place infected or believed to be infected with such diseases.

3d. To cause any person who shall be suspected of being infected with any such disease and who is not an inhabitant of this State to be sent out of the State or to the hospital authorized by the Councilmen.

4th. To cause any resident of this Town infected with any such disease to be removed to the said hospital if the health physician shall certify in writing that the removal of such resident is necessary to the preservation of the public health.

5th. To remove from the Town, cause to be disinfected or destroyed, any furniture, wearing apparel, goods, wares, or merchandise, or articles of property of any kind which shall be, or be suspected of being tainted or infected with pestilence, or which shall be, or be likely to pass into such state as to generate or propagate disease.

6th. Every person who shall be served with a copy of any order certified by the Clerk, made by the Board of Health under the powers conferred by this section, and shall neglect or refuse to obey or to comply with the same, shall forfeit and pay fifty dollars for each and every offence.

SEC. 4. It shall be the duty of the Health physician from time to time to report to the Board of Health, relative to the Health of the Town and the measures necessary to be taken by the said Board for the protection and maintenance of the same, and especially in relation to the introduction and spread of any infectious, or pestilential disease; he shall also obey all orders of the Board of Health,

SEC. 5. It shall be the duty of the Health Inspector—

1st. To ascertain every nuisance which may exist in the Town of Bergen, and forthwith report the same in writing to the Mayor, or Clerk of the Board of Health.

2d. To enter upon the premises, and into the house of every person in said Town, as often as the Board of Health shall order, and to examine into the health, cleanliness and number of persons inhabiting such house, and inspect the cellars, vaults, privies, and sewers upon said premises.

3d. To execute the orders and resolutions of the Board of Health in such manner as they shall direct.

SEC. 6. The Board of Health shall employ such and so many nurses for the persons sent to such hospital as they may deem proper, and by their order procure such food, articles and necessaries for their use as they may think proper, at the expense of the Town, and whenever in case of emergency, or during the existence of any infectious or pestilential disease in the Town, the Councilmen shall establish a temporary hospital, and all the provisions of this ordinance shall be deemed to apply to such hospital.

SEC. 7. The Councilmen shall in the annual tax ordinance appropriate to the Board of Health such moneys as they may deem expedient, and proper to be expended for the objects and purposes of this ordinance, and the Board of Health shall at the last regular meeting of each Councilmanic year report to the Councilmen a detailed statement of the moneys received and disbursed by them under the provisions of this ordinance.

SEC. 8. The Board of Health shall hold stated meetings at least once in each month, they shall select a clerk from their own number and may publish their proceedings in such of the journals circulating in said Town as shall be appointed to publish the proceedings of the Councilmen, except in case of pestilence or epidemic, when the proceedings of the Board of Health shall be published in such other journals as the Mayor and Councilmen may by resolution prescribe, and shall make all necessary rules and regulations for the control of said Board.

SEC. 9. The first regular meeting of the Board of Health

established by this ordinance, shall be held within three weeks after this ordinance shall have become a law, and it shall be the duty of the Mayor to convene them by naming a suitable time and place for such first meeting.

SEC. 10. All ordinances and parts of ordinances which may conflict with the provisions of this ordinance shall be and the same are hereby repealed.

Passed June 25th, 1866.

SETH G. BABCOCK, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved June 27, 1866.

HENRY FITCH, *Mayor.*

AMENDMENT

TO AN ORDINANCE ENTITLED AN ORDINANCE TO ESTABLISH AND REGULATE A DAY AND NIGHT WATCH IN THE TOWN OF BERGEN, AND DEFINE THEIR POWER AND DUTIES AND THE MANNER OF THEIR APPOINTMENT.

The Town Council of Bergen do ordain as follows :

SEC. 1. That the eighth section be amended so as to read as follows: Each watchman appointed in pursuance of this ordinance shall receive an annual salary at the rate of \$600 per year except the chief of police, who shall receive \$900 per year, to be paid monthly, and except also, that the Sunday watchman who do not perform duty on week days shall receive three dollars per day for each day or night of actual service; also in the 2d line of same section by striking out the word quarterly and insert monthly; and also by striking out the word quarters and insert months. And 3d line same section by striking out the word quarter and insert month.

Passed July 9, 1866.

SETH G. BABCOCK, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved July 10th, 1866.

HENRY FITCH, *Mayor.*

AN ORDINANCE

FOR LAYING CROSS STONE FLAG WALKS.

The Mayor and Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. That stone cross-walks be laid across Palisade avenue at the intersection of Bowden avenue on the proper line with the pavement on the north side of Bowden avenue.

Across Garden avenue at the intersection of Palisade avenue on the proper line.

Across Palisade avenue on a line with the pavement on each side of Gardner avenue.

Across Monticeilo avenue on a line with the pavement on the north side of Communipaw lane.

Across Monticello avenue on the proper line of each side of the several streets, extending to or crossing Monticello avenue from Communipaw lane to Bergen avenue.

From Prospect Hall on a line with the North side of Washington avenue across Palisade avenue.

SEC. 2. That the above work be done, and improvement made, under the direction of the Committee on Streets of the Councilmen, or such person as they may appoint to superintend the same.

SEC. 3. That all costs, charges, and expenses, incurred in making said improvement be assessed upon the lands and real estate fronting on said improvement by three commissioners appointed for that purpose who shall be residents and freeholders in said town and who shall make an assessment map and report thereon according to the provisions of the 32d section of the charter of the town of Bergen.

Passed July 9, 1866.

SETH G. BABCOCK, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved July 10th, 1866.

HENRY FITCH, *Mayor.*

AN ORDINANCE

TO PROVIDE FOR THE OPENING OF COLUMBIA STREET FROM ITS PRESENT TERMINUS TO BERGEN AVENUE.

The Mayor and Councilmen of the Town of Bergen do ordain as follows :

SEC. 1. That Columbia street from its present terminus to the easterly side of Bergen avenue be opened.

SEC. 2. That all the costs, charges and expenses incurred in making the said improvement, be assessed upon and paid by the lands and real estate in proportion to the benefit received.

SEC. 3. That the above improvement be made and work done under the supervision of the Committee on Streets of the Councilmen, or such person as they may appoint to superintend the same.

SEC. 4. That Peter Henderson, Henry Gaines and Charles N. Betts, three discreet, impartial and disinterested persons, residents and freeholders in the town of Bergen be, and they are hereby appointed commissioners who shall be duly sworn or affirmed to examine into the whole matter impartially, and to the best of their judgment, skill and ability who shall cause a survey and map to be made of said improvement distinguishing each lot or parcel by numbers on said map, and who shall estimate the whole cost of said improvement according to the best of their judgment, and who shall assess such estimated costs upon the lands and real estate in proportion to the benefit received, and report the names of the owners of the lots or parcels as far as practicable with the amount assessed to each, and shall file said map and report agreeably to the provisions of the 30th section of the charter of the town of Bergen.

Passed July 30th, 1866.

SETH G. BABCOCK, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved August 1st, 1866.

HENRY FITCH, *Mayor.*

AN ORDINANCE

TO LAY OUT AND OPEN A PUBLIC ROAD AT COMMUNIPAW IN THE TOWN OF BERGEN ALONG THE SHORE OF NEW YORK BAY, TO BE KNOWN AS JERSEY AVENUE.

The Mayor and Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. That a public street sixty feet in width be laid out and opened at Communipaw in the town of Bergen along the shore of New York bay, the westerly line or side of said street to commence at a point on the division line produced between Isaac Bamber's house lot and property of Abraham Britten, deceased, distant twenty-three feet and five inches (23.5), southeasterly from said Abraham Britten's, southeastern fence post, and thence running in a direct line north sixty degrees east (N 60 E) to a stake at or near the intersection of said direct line with the westerly boundary of lands purchased by the Central Railroad Company of New Jersey from Seth G. Babcock, which said stake is distant about three hundred feet (300 feet); northeasterly from the division line between the house lot of the Arbuckle estate and the house lot of said Seth G. Babcock, and the easterly line or boundary of said street to be parallel with and distant sixty feet (60 ft.) from said westerly line or side.

SEC. 2. That all the costs, charges and expenses incurred in making the said improvement be assessed upon and paid by the lands and real estate benefitted by said improvement in proportion to the benefit received by said lands and real estate.

SEC. 3. That the improvement be made and work done under the supervision of the committee on streets of the councilmen or such person as the councilmen may appoint to superintend the same.

SEC. 4. That Jeremiah B. Cleveland, Wm. Bumsted and James Stevens, three discreet, impartial and disinterested persons, residents and freeholders in said town, be and they are hereby appointed commissioners who being duly sworn or affirmed shall examine into the whole matter impartially

and to the best of their judgment, skill and ability who shall cause a survey and map to be made of said improvement distinguishing each lot or parcel by numbers on said map, and who shall estimate the whole cost of said improvement, according to the best of their judgment, and shall assess such estimated costs upon the lands and real estate in proportion to the benefit received, and report the names of the owners of the lots or parcels as far as practicable with the amount assessed to each, and file said map and report with the clerk of the town, agreeably to the provisions of the 30th section of the charter of the town of Bergen.

Passed August 6, 1866.

SETH G. BABCOCK, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved August 7, 1866.

HENRY FITCH, *Mayor.*

AN ORDINANCE

DIRECTING THE RAISING OF TAXES FOR THE YEAR 1866.

The Town Council of Bergen do ordain as follows:

SEC. 1. There shall be assessed and collected by the proper officers of the town the following sums (exclusive of poll tax), for the year 1866, for the purposes herein set forth, namely:

For maintainance and support of the poor,	\$700 00
For the support of the police department,	9000 00
For printing and stationery,	2,500 00
For salaries,	5,560 00
For the support of public schools,	20,000 00
For repairs of streets and roads,	1,500 00
For support of the fire department,	6,500 00
For repairs of sewers,	500 00

For elections,	\$900 00
For public health,	500 00
For assessment map,	4,000 00
For street monuments,	200 00
For one year's interest on Washington avenue disputed assessment bond \$4,779.72,	335 00
For contingent expenses,	2,500 00
For contingent expenses for water commissioners,	3,000 00
	<hr/>
	\$57,695 00

SEC. 2. There shall be assessed and collected upon the real and personal property located in the town, the further sum of eighteen thousand two hundred and seven dollars, as a "special war tax," to meet the following obligations, viz. :

Principal and interest on \$5,100, one year bounty bonds outstanding,	\$5,457 00
Amount of installment of bounty bonds issued to fill call of July, 1863, four thousand dollars of which become due and payable each year, as per section 5 of supplement to charter ap- proved February 11, 1866,	4,000 00
For one year's interest on \$22,000, being amount of outstanding bonds issued to fill call July, 1863,	1,540 00
For one year's interest on \$30,000 being amount of outstanding bonds issued to fill call March, 1864,	2,100 00
For one year's interest on \$32,000, being amount of outstanding bonds issued to fill call July, 1864,	2,240 00
For one year's interest on \$41,000, being amount of outstanding bonds issued to fill call De- cember, 1864,	2,870 00
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	\$18,207 00

SEC. 3. There shall be assessed and collected upon the real and personal property located in the third ward of the town, the sum of seven hundred dollars (\$700) for one year's interest on \$10,000, being the amount of bonds authorized for the completion of Washington avenue bridge.

SEC. 4. The assessors of the town shall assess, specify, and keep separate from other items the amount specified in section 2, of this ordinance, and the collector of revenue of the town shall keep his accounts of "special war tax" in separate and distinct columns upon his books, and shall designate specifically his collections of said tax in his returns to the town treasurer.

Passed September 10, 1866.

D. L. HOLDEN, *President pro tem.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved September 12, 1866.

HENRY FITCH, *Mayor.*

AN ORDINANCE

TO PROVIDE FOR THE OPENING OF A STREET SIXTY FEET IN WIDTH, TWO HUNDRED FEET SOUTHEAST OF THE RIGHT OF WAY OF THE CENTRAL RAILROAD COMPANY OF NEW JERSEY, EXTENDING FROM COMMUNIPAW AVENUE TO CAVAN POINT ROAD.

The Mayor and Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. That a street sixty feet wide be opened two hundred feet southeast of the right of way of the Central Railroad Company of New Jersey, extending from Communipaw Road to Cavan Point Road.

SEC. 2. That all the costs, charges and expenses incurred in making the said improvement, shall be assessed upon and paid by the lands and real estate benefitted by said improvement in proportion to the benefit received by said lands and real estate.

SEC. 3. That the above work be done and improvement made under the direction of the Committee on Streets, of the Councilmen, or such person as they may appoint to superintend the same.

SEC. 4. That Charles N. Betts, Jacob I. Van Riper and Garret Vreeland, three discreet, impartial and disinterested persons residents and freeholders in said Town be, and they are hereby appointed Commissioners, who shall be duly sworn or affirmed, to examine into the whole matter impartially and to the best of their judgment, skill and ability, who shall cause a survey and map to be made of said improvement, distinguishing each lot or parcel by numbers on said map, and who shall estimate the whole cost of said improvement according to the best of their judgment, and shall assess such estimated cost upon the lands and real estate in proportion to the benefit received and report the names of the owners of the lots or parcels, as far as practicable, with the amount assessed to each, and shall report agreeably to the provisions of the 30th section of the charter of the town of Bergen.

Passed September 10, 1866.

D. L. HOLDEN, *President, pro tem.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved September 12, 1866.

HENRY FITCH, *Mayor.*

AN ORDINANCE

PREVENTING THE USE OF DUMMY ENGINES OR STEAM CARS ON OCEAN AVENUE, BETWEEN THE NEWARK PLANK ROAD AND MYRTLE AVENUE.

The Town Council of Bergen do ordain as follows:

SEC. 1. That on and after the first day of December next after the passage of this ordinance, it shall not be lawful for the Jersey City and Bergen Railroad Company, or for any other person or persons, body or bodies corporate, their conductors, engineers, agents or servants, to use or run or cause

to be used or run upon that part of Ocean avenue between the Newark Plank Road and Myrtle avenue, any dummy engine or any steam cars or carriages whatever.

SEC. 2. That every person or body corporate offending against the provisions of this ordinance, shall incur a penalty of thirty dollars for each and every offence, to be recovered by the Town of Bergen in the manner provided by law.

Passed September 17th, 1866.

SETH G. BABCOCK, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved September 19, 1866.

HENRY FITCH, *Mayor.*

AN ORDINANCE

TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO ESTABLISH AND REGULATE A DAY AND NIGHT WATCH IN THE TOWN OF BERGEN, AND DEFINE THEIR POWERS AND DUTIES, AND THE MANNER OF THEIR APPOINTMENT."

The Town Council of Bergen do enact as follows:

SEC. 1. The first section of said ordinance is hereby amended so as to read as follows: "On or before the first day of August, A. D., 1866, and thereafter from time to time as may become requisite, the Mayor shall nominate and by and with the advice and consent of the Council, shall appoint a watch or police force of not less than two nor more than four watchmen in each ward of the town of Bergen.

There shall also be nominated and appointed within the same time and in the same manner, and thereafter at such times as may be requisite, a Chief of Police for said town.

The Mayor shall appoint such supernumeraries, or chance-

men, as in his opinion may be required by reason of the incapacity of the regular force, or riot, or sudden emergency, said appointments to be confirmed by the Council at its next regular meeting after such appointment.

The compensation of such chancemen for the time of service shall be at the same rate as that of regular patrolmen, and when any patrolman shall be incapacitated from the performance of his duty, his compensation shall be paid to the chanceman performing his duty.

SEC. 2. The eighth section of said ordinance is hereby amended by striking out the words and figures "at the rate of \$600 for the year," and inserting in lieu thereof, "at the rate of \$700 per year."

Passed September 17th, 1866.

SETH G. BABCOCK, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved September 19th, 1866.

HENRY FITCH, *Mayor.*

AN ORDINANCE

TO LAY OUT AND OPEN A PUBLIC STREET IN THE TOWN OF BERGEN, SIXTY (60) FEET IN WIDTH OVER THE PROPERTY OF NATHANIEL C. SLAIGHT AND THE PROPERTY OF ALBERT ACKERMAN, FROM WESTSIDE AVENUE TO ACKERMAN STREET.

The Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. That a public street be laid out and opened in the town of Bergen, sixty feet (60 ft) in width over the property of Nathaniel C. Slight and the property of Albert Ackerman, from Westside avenue to Ackerman street. The centre line of said street shall commence in the easterly line of Ackerman street, distant northerly from the northerly line

of Brown's Ferry road four hundred and sixty-nine feet and four tenths of a foot; and the said centre line shall run thence in a straight line south fifty-two degrees and twenty five minutes east to the westerly side of Westside avenue; and the said street is hereby laid out and opened according to the provisions of the town charter.

SEC. 2. That Abraham P. Newkirk, Jacob J. Van Riper and William Van Keuren, three discreet, impartial and disinterested persons, residents and freeholders in the town of Bergen be, and they are hereby appointed commissioners, who shall be duly sworn or affirmed to examine into the whole matter impartially, and to the best of their judgment skill and ability, and shall cause a survey and map to be made of said improvement, distinguishing each lot or parcel by numbers on said map, and shall estimate the whole cost of said improvement according to the best of their judgment and shall assess such estimated cost upon the lands and real estate in proportion to the benefit received, and shall report the names of the owners of the lots and parcels as far as practicable with the amount assessed to each, and shall file said report and map with the clerk of the town of Bergen within thirty days after their appointment.

SEC. 3. That all expenses and costs of the proceedings of said improvement in laying out and opening said street, shall be assessed by said commissioners upon and paid by the lands and real estate benefitted by the said improvement in proportion to the benefit received by said lands and real estate according to the provisions of the town charter.

Passed September 17th, 1866.

SETH G. BABCOCK, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved September 19th, 1866.

HENRY FITCH, *Mayor.*

AN ORDINANCE

TO PROVIDE FOR THE LAYING OF A FLAG STONE SIDEWALK FOUR FEET IN WIDTH ON THE NORTHERLY SIDE OF PARK STREET FORMERLY KNOWN AS EMORY STREET, FROM BERGEN AVENUE TO MONTICELLO AVENUE.

The Mayor and Councilmen of the Town of Bergen do ordain as follows :

SEC. 1. That a flagstone sidewalk four feet in width be laid on the north side of Park street formerly known as Emory street, from Bergen avenue to Monticello avenue.

SEC. 2. That the above work be done and improvement made under the supervision of the committee on streets of the councilmen or such person as they may appoint to superintend the same.

SEC. 3. That all costs, charges and expenses incurred in making the said improvement be assessed upon and paid by the land and real estate fronting on the line of said improvement by three commissioners to be residents and freeholders in said town, who shall make an assessment map and report thereon with the names of the owners of the lots or parcels as far as practicable, with the amount assessed to each, and shall file said report and map with the clerk of the town in accordance with the provisions of the 32d section of the charter of the town of Bergen.

Passed September 17th, 1866.

SETH G. BABCOCK, *President.*

Attest : HENRY H. NEWKIRK, *Town Clerk.*

Approved September, 19, 1866.

HENRY FITCH, *Mayor.*

AN ORDINANCE

TO PROVIDE FOR ASCERTAINING AND ESTABLISHING A PROPER GRADE FOR THE SEVERAL PUBLIC STREETS, ROADS, AND SIDE AND CROSS WALKS IN THE TOWN OF BERGEN.

The Mayor and Councilmen of the Town of Bergen do ordain as follows :

SEC. 1. A proper grade shall be ascertained and established for all the public streets, roads, and side and cross walks in the town of Bergen, by or under the supervision and direction of Paul Babcock, William Bumstead and Jared C. Markham, water commissioners of said town, who are hereby constituted and appointed commissioners for that purpose.

SEC. 2. The said commissioners are hereby authorized, and it shall be their duty, without delay, to cause the necessary surveys to be made for the purpose of ascertaining and establishing such grade. They shall designate the grade of the several streets, roads, and side and cross walks, in this ordinance mentioned by proper and sufficient land marks, and make or cause to be made a map, maps or profiles of the grade so ascertained and established by them.

SEC. 3. The said commissioners shall designate each lot or parcel, fronting on any such street or road, by numbers on such maps or profiles, and shall assess upon the lands fronting on such streets or roads, the costs and expenses of establishing and authenticating such grade in proportion to the frontage of each lot or parcel upon any such street or road, which assessment when confirmed by the councilmen shall be and remain a lien on the several lots or parcels so assessed and shall be enforced and collected in the same manner as other assessments in said town.

SEC. 4. The said commissioners shall within two months after the passage of this ordinance, make a report of their proceedings to the board of councilmen of said town, which report shall be accompanied by a map, maps or profiles, and shall contain and exhibit the assessments mentioned in the third section of this ordinance.

SEC. 5. All ordinances and parts of ordinances inconsistent with this ordinance are hereby repealed and annulled.

Passed September 24, 1866.

SETH G. BABCOCK, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved September 26, 1866.

HENRY FITCH, *Mayor.*

AN ORDINANCE

TO PROVIDE AND ESTABLISH THE GRADE ON CLAREMONT AVENUE, FROM OCEAN STREET TO BERGEN POINT PLANK ROAD.

The Mayor and Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. That a grade be established on Claremont avenue from Ocean street to Bergen Point plank road.

SEC. 2. That all the costs, charges and expenses incurred in establishing said grade, shall be assessed upon and paid by the real estate benefitted thereby according to the provisions of the town charter.

SEC. 3. That Paul Babcock, William Bumsted and Jared C. Markham be and they are hereby appointed commissioners, who shall cause a survey and map to be made of said improvement distinguishing each lot or parcel by numbers on said map, and to estimate the whole costs of said improvement according to the best of their judgment, and shall assess such estimated costs upon the land and real estate in proportion to the benefit received, and make a report thereon agreeably to the provisions of the town charter, town of Bergen.

Passed October 1, 1866.

SETH G. BABCOCK, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved October 3, 1866.

HENRY FITCH, *Mayor.*

AN ORDINANCE

ENTITLED AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED AN ORDINANCE TO PROVIDE FOR GRADING TO THE ESTABLISHED GRADE AND CURBING, FLAGGING AND PAVING COLDEN PLACE, FROM PALISADE AVENUE TO BERGEN POINT PLANK ROAD WITH INTERSECTIONS OF SAID TWO ROADS, ALSO THE NEWARK AND JERSEY CITY AND BERGEN POINT PLANK ROAD WHERE SAID ROADS CROSS COLDEN PLACE.

The Mayor and Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. That Abraham P. Newkirk, Jacob Perine and Benjamin F. Welsh be, and they are hereby appointed commissioners to assess all the costs and expenses of the improvement of Colden place and intersections.

Passed October 15, 1866.

WILLIAM H. BUMSTED, *President, pro tem.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved October —, 1866.

HENRY FITCH, *Mayor.*

AN ORDINANCE

TO PROVIDE FOR THE LAYING OUT OF A PUBLIC STREET SIXTY FEET IN WIDTH, FROM THE NORTHERLY SIDE OF ACADEMY STREET TO THE LINE OF THE NEW JERSEY RAILROAD.

The Mayor and Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. That a street sixty feet in width be laid out in the town of Bergen, from the northerly side of Academy street to the southerly side of the New Jersey Railroad, upon the line mentioned in the application for said street "Summit street," indicated in the profile.

SEC. 2. That all the costs, charges and expenses incurred in making the said improvement, be assessed upon and paid by the lands and real estate benefitted by said improvement.

SEC. 3. That the said improvement be made and work done under the supervision of the Committee on Streets of the Councilmen, or such person as they may appoint to superintend the same.

SEC. 4. That Albert Munson, John Jones, and Abraham Speer, three discreet, impartial, and disinterested persons, residents and freeholders in said town, be and they are hereby appointed Commissioners, who shall be duly sworn or affirmed to examine into the whole matter impartially, and to the best of their judgment, skill and ability, who shall cause a survey and map to be made of said improvement, distinguishing each lot or parcel by numbers on said map, and who shall estimate the whole cost of said improvement according to the best of their judgment, and shall assess such estimated costs upon the lands and real estate in proportion to the benefit received, and report the names of the owners of the lots or parcels as far as practicable, with the amount assessed to each, and file said report and map agreeably to the provisions of the 30th section of the charter of the town of Bergen.

Passed February 4th, 1867.

SETH G. BABCOCK, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved February 7, 1867.

HENRY FITCH, *Mayor.*

AN ORDINANCE.

TO PROVIDE FOR THE LAYING OUT AND OPENING A PUBLIC STREET SIXTY FEET IN WIDTH, FROM BERGEN AVENUE, RUNNING WESTERLY TO WEST SIDE AVENUE.

The Mayor and Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. That a street sixty feet in width be laid out in the

town of Bergen, from Bergen avenue, running westerly to West Side avenue.

SEC. 2. That all costs, charges and expenses incurred in making the said improvement be assessed upon and paid by the lands and real estate benefitted by said improvement.

SEC. 3. That the said improvement be made and work done under the supervision of the Committee on Streets of the Councilmen, or such person as they may appoint to superintend the same.

SEC. 4. That Jacob J. Van Riper, John B. Drayton, and Jacob J. Newkirk, three discreet, impartial and disinterested persons, residents and freeholders in said town be and they are hereby appointed Commissioners, who shall be duly sworn or affirmed to examine into the whole matter impartially, and to the best of their judgment, skill and ability, who shall cause a survey and map to be made of said improvement according to the best of their judgment, and shall assess such estimated costs upon the lands and real estate in proportion to the benefit received, and report the names of the owners of the lots or parcels as far as practicable, with the amount assessed to each, and file said report and map agreeably to the provision of the 30th section of the charter of the town of Bergen.

Passed March 4, 1867.

SETH G. BABCOCK, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved March 7, 1867.

HENRY FITCH, *Mayor.*

AN ORDINANCE

TO PROVIDE FOR THE LAYING A FLAG STONE SIDEWALK ON THE EASTERLY SIDE OF WILKS STREET, FROM BERGEN AVENUE TO LANDS OF THE NEW JERSEY RAILROAD AND TRANSPORTATION COMPANY.

The Mayor and Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. That a flag stone sidewalk, four feet in width, be laid on the easterly side of Wilks street, from Bergen avenue to lands of New Jersey Railroad and Transportation Company.

SEC. 2. That the above work be done and improvement made under the supervision of the Committee on Streets of the Councilmen, or such persons as they may appoint to superintend the same.

SEC. 3. That all the costs, charges and expenses incurred in making the said improvement be assessed upon and paid by the lands and real estate fronting on the line of said improvement, by three commissioners, to be residents and freeholders in said town, who shall make an assessment map and report thereon, with the names of the owners of the lots or parcels as far as practicable, with the amounts assessed to each, and shall file said report and map with the Clerk of the town, in accordance with the provisions of the 32d section of the charter of the town of Bergen.

Passed April 22d, 1867.

SETH G. BABCOCK, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved April 24, 1867.

HENRY FITCH, *Mayor.*

AN ORDINANCE

TO AMEND AN ORDINANCE ENTITLED AN ORDINANCE TO ESTABLISH AND REGULATE A DAY AND NIGHT WATCH IN THE TOWN OF BERGEN, AND DEFINE THEIR POWERS AND DUTIES AND THE MANNER OF THEIR APPOINTMENT, PASSED JUNE 25, 1866, AND THE AMENDMENTS THERETO, PASSED JULY 9, 1866.

The Town Council of Bergen do ordain as follows :

SEC. 1. That the first section of said amendment, passed July 9, 1866, be amended so as to read as follows: Each watchman appointed in pursuance of this ordinance, shall receive on and after the first day of July, 1867, an annual salary of \$900 per year, except the Chief of Police, who shall receive \$1,100 per year, to be paid monthly, and except, also, that the Sunday watchmen, who do not perform duty on week days, shall receive three dollars per day for each day or night of actual service; also in the second line of the same section, by striking out the word "quarterly" and inserting "monthly," also by striking out the word "quarters" and inserting "months," and third line, same section, by striking out the word "quarter" and inserting "month."

SEC. 2. The Mayor shall have the power to appoint one Aid to the Chief of Police, who shall also perform the duties of roundsman, and shall receive the same pay as patrolmen.

SEC. 3. The Mayor shall have power to appoint such supernumeraries or chancemen as in his opinion may be required by reason of the incapacity of the regular force, in case of riot or sudden emergency, or for special Sunday service, and in case of such special appointment, it shall not be necessary for the Mayor to report the names of the persons so appointed to the Council for confirmation, but he shall be required to certify to their bills for services.

SEC. 4. All acts or parts of acts or ordinances inconsistent with this ordinance are hereby repealed.

Passed June 3, 1867.

J. W. GILMORE, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved June 5th, 1867.

J. M. CORNELISON, *Mayor.*

AN ORDINANCE

TO OPEN, REGULATE, IMPROVE AND GRADE A PUBLIC STREET
IN THE TOWN OF BERGEN OF THE WIDTH OF FIFTY FEET:

The Mayor and Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. That a public street fifty feet in width be opened, regulated, improved and graded from the north side of Church street to the southerly side of Academy street, in the town of Bergen.

SEC. 2. That all the costs, charges, and expenses incurred in opening, regulating and improving said street be assessed upon and paid by the lands and real estate benefitted by the improvement in proportion to the benefit received by said lands and real estate, and the costs incurred in making the grade be assessed upon and paid by the lands fronting on the line of said improvement.

SEC. 3. That the work be done and improvement made under the supervision of the committee on streets of the councilmen, or such person as they may appoint to superintend the same.

SEC. 4. That John B. Drayton, John Jones and Jacob J. Van Reiper, three discreet, impartial and disinterested persons, residents and freeholders in said town, be, and they are hereby appointed commissioners who shall be duly sworn or affirmed to examine into the whole matter impartially, and to the best of their judgment, skill and ability, who shall cause a survey and map to be made of said improvement, distinguishing each lot or parcel by numbers on said map, who shall estimate the whole cost of said improvement according to the best of their judgment, and shall assess such estimated costs upon the lands and real estate in proportion to the benefit received, and report the names of the owners of the lots or parcels as far as practicable with the amount assessed to each, and shall file said report and map with the clerk of the town within thirty days after their appointment, agreeably to the provisions of the 30th section of the charter of the town of Bergen.

SEC. 5. That the costs, charges and expenses incurred in making said grade shall be assessed upon the lands and real estate fronting on the line of said improvement by three commissioners appointed for that purpose, said commissioners to be residents or freeholders in said town, who shall make an assessment map and report thereon with the names of the owners of the lots or parcels as far as practicable, with the amount assessed to each, and file said report and map with the clerk of the town within fifteen days after their appointment, agreeably to the provisions of the 32d section of the charter of the town of Bergen.

Passed June 17, 1867.

J. W. GILMORE, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved June 26, 1867.

J. M. CORNELISON, *Mayor.*

AN ORDINANCE

APPROVING AND ADOPTING THE GENERAL SYSTEM OR PLAN OF SEWERAGE HERETOFORE REPORTED BY THE COMMISSIONERS APPOINTED FOR THAT PURPOSE.

The Mayor and Councilmen of the Town of Bergen, do ordain as follows:

SEC. 1. That the report of the Commissioners heretofore appointed in pursuance of the thirtieth section of the act approved the twenty-fourth day of March, A. D. 1864, entitled, "An Act to revise and amend the charter of the town of Bergen, approved the eleventh day of March A. D. 1862," to report to the Councilmen of the Town of Bergen, a general system or plan for the location and construction of sewers and drains within the territory in the proviso in said act described, which said report bears date the twenty-eighth day of December, eighteen hundred and sixty-four, and which was received and adopted by the said Councilmen, on the

eighteenth day of January, A. D. 1865, by resolution and not by ordinance; be, and the said report (together with the plan and maps accompanying the same) is hereby adopted and approved.

SEC. 2. That all ordinances, parts of ordinances, resolutions or by-laws, heretofore passed by the corporate authorities of the town of Bergen, contravening the true intent and object of this ordinance, be and the same is hereby repealed.

Passed July 2, 1867.

J. W. GILMORE, *President*.

Attest: HENRY H. NEWKIRK, *Town Clerk*.

Approved July 2, 1867.

J. M. CORNELISON, *Mayor*.

AN ORDINANCE

TO FIX THE SALARIES OF OFFICERS FOR THE YEAR ENDING ON THE FIRST MONDAY IN MAY, 1868.

The Mayor and Councilmen of the Town of Bergen do ordain as follows:

SEC. 1. There shall be paid from the Town Treasury to the officers hereinafter named the amounts placed against their names respectively, in four equal quarterly payments, on the first days of August, November, February, and May next, as annual salary or pay for services for the year ending on the first Monday in May, 1868, as follows:

Assessor of Taxes: First Ward.....	\$400 00
Second Ward.....	300 00
Third Ward.....	300 00
Fourth Ward.....	300 00
Superintendent of Schools.....	400 00
Town Clerk.....	1200 00
Town Treasurer.....	700 00

Inspectors of Registry and Elections, and Ward	
Clerks, for each day.....	\$6 00
Collector of Revenue.....	1,300 00
Corporation Attorney.....	500 00
Corporation Printer, each.....	250 00
Clerk of the Board of Education.....	200 00
Sergeant at Arms and Janitor.....	400 00
Street Commissioner.....	500 00

Passed July 1, 1867.

J. W. GILMORE, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved July 2, 1867.

J. M. CORNELISON, *Mayor.*

AN ORDINANCE

TO PROVIDE FOR GRADING TO THE ESTABLISHED GRADE, AND LAYING A STONE FLAG SIDEWALK FOUR FEET IN WIDTH ON THE NORTH SIDE OF CHURCH STREET, FROM BERGEN AVENUE TO THE BROW OF THE HILL, AND ALL NECESSARY CROSSWALKS.

The Mayor and Councilmen of the Town of Bergen by their title, the Town of Bergen, do ordain as follows:

SEC. 1. That all that part of Church street between Bergen avenue and the brow of the hill be graded to the grade established, that a flag stone sidewalk four feet in width be laid on the north side of said street where there is none; to relay where it is now laid to the proper grade, and crosswalks at Tuers avenue, Water avenue and Washington place, and Palisade avenue.

SEC. 2. That the above work be done and improvement made under the supervision of the Committee, or such person as they may appoint to superintend the same.

SEC. 3. That all the costs, charges and expenses incurred in grading and laying sidewalk be assessed upon and paid by the lands and real estate fronting on the line of said im-

provement in proportion to the benefit received and the cost, charges, and expenses incurred in laying cross walks be assessed half way to adjoining streets, by three Commissioners, to be residents and freeholders in said town, who shall make an assessment map, and report thereon with the names of the owners of the lots or parcels as far as practicable with the amount assessed to each, and shall file said report and map with the Clerk of the Town, according to the provisions of the 32d section of the charter of the Town of Bergen.

Passed July 22, 1867.

J. W. GILMORE, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved July 24, 1867.

J. M. CORNELISON, *Mayor.*

AN ORDINANCE

TO PROVIDE FOR GRADING, REMOVING ENCROACHMENTS, LAYING SIDE AND CROSS WALKS ON PALISADE AVENUE FROM NEW JERSEY RAILROAD TO ACADEMY STREET.

The Mayor and Councilmen of the Town of Bergen do ordain as follows :

SEC. 1. That Palisade avenue, from the New Jersey railroad to Academy street be graded, encroachments thereon removed, sidewalks laid thereon, and cross walks laid thereon, at Academy street, Rock street, Newkirk street, High street, and Bergen avenue.

SEC. 2. That the above work be done and improvement made under the supervision of the Committee on Streets of the Councilmen or such person as they may appoint to superintend the same.

SEC. 3. That all the costs, charges, and expenses incurred in grading, removing encroachments, and laying sidewalks, be assessed upon and paid by the lands and real estate fronting on the line of said improvement, and the costs, charges,

and expenses incurred in laying cross walks be assessed half way to adjoining streets by three Commissioners, to be residents and freeholders in said town, who shall make an assessment map and report thereon with names of the owners of the lots or parcels as far as practicable, with the amount assessed to each, and shall file said report and map with the Clerk of the Town, according to provisions of the 32d Section of the Charter of the Town of Bergen.

Passed July 1, 1867.

J. W. GILMORE, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved July 2, 1867.

J. M. CORNELISON, *Mayor.*

AN ORDINANCE

REGULATING THE DRIVING OF CATTLE THROUGH THE
STREETS OF THE TOWN OF BERGEN TO AND FROM THE
ABATTOIR AT COMMUNIPAW.

*The Mayor and Town Council of the Town of Bergen do
ordain as follows:*

SEC. 1. No person or persons shall drive, or cause to be driven, any cattle, sheep or swine, drove or droves of cattle, sheep or swine, to or from the Abattoir or stock yards at Communipaw, in, upon or through any of the streets of the Town of Bergen, except as hereinafter provided.

SEC. 2. In driving cattle, sheep or swine, to or from the Abattoir or stock yards at Communipaw, they shall be driven through the streets hereinafter designated, and no others.

SEC. 3. First, all such cattle, sheep or swine as may be driven from the Abattoir or stock yards aforesaid to the Central Railroad Ferry at Jersey City, shall be driven through River street to Walnut street, and thence along Walnut street to the Ferry.

Second. All such as may be driven from the Abattoir or stock yards aforesaid to Jersey City, shall be driven through River street to Walnut street, thence through Walnut street to Washington avenue, thence through Washington avenue to the Jersey City and Bergen Plank Road, and thence along said Plank Road to the Mill Creek bridge.

Third. All such as may be driven from the Abattoir or stock yards aforesaid to Newark, shall be driven through River street to Communipaw avenue, thence along Communipaw avenue to the Newark Plank Road, and thence along the Newark Plank Road to the Hackensack river.

Fourth. All such as may be driven from the Abattoir or stock yards aforesaid to Hudson City, shall be driven through River street to Communipaw avenue, thence along Communipaw avenue to Pine street, thence along Pine street to Walnut, thence along Walnut to Washington avenue, thence along Washington avenue to Jersey City at Bergen Point Plank Road; thence along said road to Hudson avenue, thence along Hudson to Mill road, thence along Mill road to Academy street, thence along Academy street to Palisade road, and thence along Palisade road to Hudson City.

Fifth. All such as may be driven from the Abattoir, or stock yards aforesaid, to the Erie Rail Road, shall be driven through River street, to Communipaw avenue, thence along Communipaw avenue to the Newark Plank Road, thence along the Newark Plank Road to Westside avenue, and thence north through Westside avenue.

SEC. 4. No cattle, sheep or swine, shall be driven to the Abattoir or stock yards aforesaid, except through the streets and parts of streets hereinbefore named, except such droves as may come by way of the Erie Rail Road, which droves so coming from the said Erie Rail Road, shall be driven between the hours of four o'clock, P. M., and nine o'clock, A. M., and in the inverse order named; no drove or droves as aforesaid, shall exceed thirty cattle, or one hundred head of sheep or swine, in each or any drove.

SEC. 5. No person or persons shall drive or cause to be driven, any cattle, sheep or swine, drove or droves of cattle,

sheep or swine, to or from the abattoir or stock yards aforesaid, in, upon or through any of the streets of the Town of Bergen on the Sabbath day, or at any time on other days, between the hours of seven o'clock in the morning and six o'clock in the night of any day.

SEC. 6. Any person or persons, body or bodies corporate, their servants or agents, and each of them, that shall violate the provisions of this ordinance, shall, for every such offence, forfeit and pay the sum of twenty dollars, to be recovered in any court for the trial of small causes in said town, in the manner provided in the town charter, and every person or persons convicted of such offence shall stand committed until such penalty is paid with costs, and also any such cattle, sheep or swine, as shall at any time be driven through the streets of the Town of Bergen contrary to the provisions of this ordinance, may be impounded in the same manner as is already provided for the impounding of cattle running or found at large within the corporate limits.

SEC. 7. That all ordinances and parts of ordinances inconsistent with and conflicting with this ordinance be, and the same are hereby repealed.

Passed July 1, 1867.

J. W. GILMORE, *President.*

Attest; HENRY H. NEWKIRK, *Town Clerk.*

Approved July 2d, 1867.

J. M. CORNELISON, *Mayor.*

AN ORDINANCE

TO VARY THE PLAN OF SEWERAGE HERETOFORE ADOPTED BY
THE COUNCILMEN OF THE TOWN OF BERGEN.

*The Mayor and Town Council of the Town of Bergen, by
their title, the Town of Bergen, do ordain as follows :*

SEC. 1. That the plan of sewerage heretofore adopted by the Councilmen of said town by resolution on the eighteenth

day of January, A. D. 1865, and by ordinance approved on the second day of July, A. D. 1867, be varied so that the outlets of said main or receiving sewer shown on said plan shall be extended to the tide water of New York Bay, and to the tide water of the Hackensack River.

SEC. 2. That the Water Commissioners of the Town of Bergen are hereby authorized and directed to report without delay to the Mayor and Town Council of the Town of Bergen for their approval, such plan as the said Water Commissioners have to submit constructing said sewer according to the said plan as hereby varied, so as to provide for the main outlet westerly into the Hackensack river, and they shall not proceed to the construction thereof until the same be approved by the Mayor and Councilmen.

SEC. 3. That the costs and expenses of constructing said main sewer according to the amended plans of sewerage, shall be assessed upon the property benefitted thereby in the manner provided by the town charter.

Passed July 22, 1867.

J. W. GILMORE, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved July 24th, 1867.

J. M. CORNELISON, *Mayor.*

AN ORDINANCE

TO AMEND AN ORDINANCE ENTITLED AN ORDINANCE TO OPEN, REGULATE, IMPROVE, AND GRADE A PUBLIC STREET IN THE TOWN OF BERGEN OF THE WIDTH OF FIFTY FEET.

The Mayor and Councilmen of the Town of Bergen, by their title, the Town of Bergen, do ordain as follows:

SEC. 1. That the aforesaid entitled ordinance be amended by striking out the word "open" and insert "extend" in the title of the ordinance, and in section 1st, the word

“opened” and insert “extended;” and in section 2d, the word “opening” and insert “extending.”

Passed July 22, 1867.

J. W. GILMORE, *President*.

Attest: HENRY H. NEWKIRK, *Town Clerk*.

Approved July 24th, 1867.

J. M. CORNELISON, *Mayor*.

AN ORDINANCE

TO PROVIDE FOR GRADING SUMMIT STREET, LAYING SIDE AND CROSS WALKS THEREON, AND BUILDING THE BUTMENTS FOR THE BRIDGE REQUIRED FOR SAID STREET.

The Mayor and Councilmen of the Town of Bergen, by their title, the Town of Bergen, do ordain as follows:

SEC. 1. That Summit street from Academy street to the New Jersey railroad be graded to the established grade, all encroachments thereon to be removed, sidewalks laid thereon, and cross walks at all the street crossings, and wherever necessary along the line of the street between the points named, and that suitable butments be built for the bridge required over said Summit street.

SEC. 2. That the above work be done and improvement made under the supervision of the Committee on Streets of the Councilmen or such person as they may appoint to superintend the same.

SEC. 3. That all the costs, charges, and expenses incurred in grading, removing encroachments, and laying sidewalks, be assessed upon and paid by the lands and real estate fronting on the line of said improvement; and the costs, charges, and expenses incurred in laying cross walks be assessed half way to adjoining streets by three commissioners, to be residents and freeholders in said town, who shall make an assessment map, and report thereon with names of the owners of the lots or parcels as far as practicable, with the amount.

assessed to each, and shall file said report and map with the Clerk of the Town, according to provisions of the 32d Section of the Charter of the Town of Bergen, and that the costs, charges, and expenses incurred in the constructing and building said butments, be assessed by said three commissioners in the manner provided by the town charter, and that said assessment be paid accordingly, and the said commissioners shall make and file with the clerk, as aforesaid, all necessary maps and reports for the purposes of this assessment, and do all other things required of them in such case by the town charter, and not inconsistent therewith.

Passed August 12, 1867.

J. W. GILMORE, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved August 14, 1867.

J. M. CORNELISON, *Mayor.*

AN ORDINANCE

TO PROVIDE FOR GRADING TO THE ESTABLISHED GRADE CHURCH STREET, FROM BERGEN AVENUE TO WESTSIDE AVENUE.

The Mayor and Councilmen of the Town of Bergen, by their title, the Town of Bergen, do ordain as follows:

SEC. 1. That all that part of Church street between Bergen avenue and Westside avenue, be graded to the established grade.

SEC. 2. That the above work be done and improvement made under the supervision of the committee on streets of the councilmen, or such persons as they may appoint to superintend the same.

SEC. 3. That all the costs, charges and expenses incurred in grading, be assessed upon and paid by the lands and real estate fronting on the line of said improvement, in proportion to the benefit received, by three commissioners, to be

residents and freeholders in said town, who shall be duly sworn or affirmed, who shall make an assessment map, and report thereon with the names of the owners of the lots or parcels of land as far as practicable, with the amount assessed to each, and shall file said report and map with the Clerk of the Town, according to the provisions of the 32d section of the charter of the town of Bergen.

Passed July 22d, 1867.

J. W. GILMORE, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved August 14, 1867.

J. M. CORNELISON, *Mayor.*

AN ORDINANCE

DIRECTING THE RAISING OF TAXES FOR THE YEAR 1867.

The Mayor and Councilmen of the Town of Bergen, by their title, the Town of Bergen, do ordain as follows:

SEC. 1. There shall be assessed and collected, by the proper officers of the town, the following sums, exclusive of poll tax, for the year 1867, for the purposes herein set forth, viz:

For maintenance and support of the poor.....	\$1,000 00
For support of the Police Department.....	14,000 00
For Printing and Stationery.....	3,000 00
For Salaries.....	7,000 00
For support of Public Schools.....	19,500 00
For repairs of Streets and Roads.....	2,500 00
For support of the Fire Department.....	5,000 00
For Sewers.....	1,000 00
For Elections.....	500 00
For Public Health.....	250 00
For Assessment Map and Monuments.....	1,000 00
For Washington avenue bond, interest.....	335 00
For contingent expenses.....	3,500 00

For contingent expenses for Water Commissioners.....	3,000 00
For part purchase money for school house lots in Fourth Ward.....	2,800 00
For Commissioners on Sewerage and Engineers for 1864 and 1865.....	1,670 00
	<hr/>
	\$66,655 00

SEC. 2. There shall be assessed and collected upon the real estate and personal property located in the town the further sum of fourteen thousand seven hundred and fifty dollars, as a Special War Tax, to meet the following obligations, viz :

For interest on \$125,000, war bonds.....	\$8,750 00
For War Bonds maturing the years 1866 and 1867.....	6,000 00
	<hr/>
	\$14,750 00

SEC. 3. There shall be assessed and collected upon the real and personal property located in the Third Ward of the Town the sum of seven hundred dollars (\$700), for one year's interest on \$10,000, being the amount of bonds authorized for the completion of Washington avenue bridge.

SEC. 4. The assessors of the town shall assess, specify and keep separate from other items the amount specified in section 2d of this ordinance, and the collector of revenue of the town shall keep his accounts of a "Special War Tax" in separate and distinct columns upon his books, and shall designate specifically his collections of said tax in his returns to the Town Treasurer.

Passed August 12, 1867.

J. W. GILMORE, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved August 14, 1867.

J. M. CORNELISON, *Mayor.*

AN ORDINANCE

TO GRADE, PAVE, CURB, LAY SIDE AND CROSS WALKS IN
OCEAN STREET.

*The Mayor and Councilmen of the Town of Bergen, by
their title, the Town of Bergen, do ordain as follows :*

SEC. 1. That Ocean street, extending from the southerly line of the Newark Plank Road to the northerly line of Myrtle avenue, be graded to the established grade and paved, curbed, and the same made to correspond with the established grade, that sidewalks be laid upon both sides of said street from point to point named, and crosswalks, where necessary to be laid or relaid and straightened.

SEC. 2. That the above work be done and improvement made under the supervision of the Committee on Streets of the Councilmen, or such person as they may appoint to superintend the same.

SEC. 3. That all the costs, charges and expenses incurred in grading and laying sidewalk be assessed upon and paid by the lands and real estate fronting on the line of said improvement, in proportion to the benefit received, and the cost, charges and expenses incurred in laying crosswalks be assessed half way to adjoining streets, by three commissioners, to be residents and freeholders in said town, who shall make an assessment map and report thereon with the names of the owners of the lots or parcels as far as practicable, with the amount assessed to each, and shall file said report and map with the Clerk of the Town, according to the provisions of the 32d section of the charter of the Town of Bergen.

Passed August 12, 1867.

J. W. GILMORE, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved August 14, 1867.

J. M. CORNELISON, *Mayor.*

AN ORDINANCE

DIRECTING THE BOARD OF WATER COMMISSIONERS TO PROCEED WITH THE CONSTRUCTION OF THE MAIN SEWER, AND PROVIDING FOR LATERAL SEWERS.

The Board of Councilmen of the Town of Bergen do ordain as follows :

SEC. 1. The Board of Water Commissioners of the Town of Bergen are hereby authorized and directed to proceed with the construction of the main sewer along the following route :

SEC. 2. Beginning on the Newark and New York plank road at the Hackensack river, or on said plank road at a temporary practicable outlet to be hereafter provided, thence along the plank road, to West Side avenue or along plank road, and by way of Ackerman street and lands of Nathaniel C. Slight to West Side avenue, thence either along or across West Side avenue to either Oxford avenue or Lexington avenue, thence along Oxford or Lexington avenue to Bergen avenue, thence by most direct practicable route to Jackson avenue, along Jackson avenue to Newark plank road to Monticello avenue, along Monticello avenue to Maiden Lane, along Maiden Lane to Orchard street, along Orchard street to Water avenue, along Water avenue to its intersection with Bergen street.

SEC. 3. The dimensions and grades of said main sewer to be as set forth, in the plans adopted by the Council July 29, 1867.

SEC. 4. The board of water commissioners are furthermore directed to prepare and submit to this Council a plan for all sewers, which are designated to discharge into the above mentioned main sewer, and as soon as said plan or plans for such sewers are approved by the Town Council, the said board of water commissioners are by this ordinance authorised and directed to proceed with the construction of all such sewers in accordance with the plan so approved by the Coun-

cil, at such time or times as the Council shall by resolution direct:

Passed August 26, 1867.

J. W. GILMORE, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved August 28, 1867.

J. M. CORNELISON, *Mayor.*

AN ORDINANCE

TO EXTEND, IMPROVE, GRADE, AND REGULATE MAIDEN LANE FROM ITS PRESENT TERMINUS TO MONTICELLO AVENUE.

The Mayor and Councilmen of the Town of Bergen do, by their title, the Town of Bergen, ordain as follows:

SEC. 1. That Maiden Lane be extended from its present terminus on Orchard street, across Hudson avenue to Monticello avenue, as shown on the map filed in the office of the Town Clerk, July 29, A. D. 1867, the part of the street so extended to be fifty feet in width, and the same to run at right angles to Orchard street and Hudson avenue; and that the same be improved, graded, and regulated.

SEC. 2. That all the costs, charges, and expenses incurred in extending, regulating, improving, and grading said street be assessed upon, and paid by the lands and real estate benefited by the improvement in proportion to the benefit received by said lands and real estate.

SEC. 3. That the work be done and improvement made under the supervision of the Committee on streets of the Town Council, or such person as they may appoint to superintend the same.

SEC. 4. That Garret Vreeland, Henry Gaines, and Jacob Van Winkle, three discreet, disinterested, and impartial persons, residents, and freeholders in said town be, and they are

hereby appointed commissioners who shall be duly sworn or affirmed to examine into the whole matter impartially, and to the best of their judgment, skill, and ability, who shall cause a survey and map to be made of said improvement distinguishing each lot or parcel by numbers on said map, who shall estimate the whole cost of said improvement according to the best of their judgment, and shall assess such estimated costs upon the lands and real estate benefitted thereby, in proportion to the benefit received, and report the names of the owners of the lots or parcels as far as practicable, with the amount assessed to each, and shall file the said report and map with the clerk of the town within thirty days after their appointment agreeably to the provisions of the 30th section of the charter of the town of Bergen.

Passed September 9, 1867.

J. W. GILMORE, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved September 11, 1867.

J. M. CORNELISON, *Mayor.*

AN ORDINANCE

TO GRADE BERGEN AVENUE AND LAY SIDE AND CROSS WALKS THEREON.

The Mayor and Councilmen of the Town of Bergen, by their title, the Town of Bergen, do ordain as follows:

SEC. 1. That Bergen avenue extending from the Rail Road Bridge of the N. J. R. R. & Transportation Company to the Newark Plank Road, be graded to the established grade, and that flag-stone side walks, four feet in width, be laid on both sides of said street from point to point named, together with all necessary cross-walks; *provided*, that in making the contract to do the above work, it shall be ex-

pressed that no work under this ordinance is to be done on that part of said Bergen avenue lying between Bergen square and Wiley place until the certiorari case now pending in relation thereto, is decided, or otherwise settled.

SEC. 2. That the above work be done and improvement made under the supervision of the Committee on Streets from the Board of Councilmen, or such person as they may appoint to superintend the same.

SEC. 3. That all the costs, charges and expenses incurred in doing and completing said work and improvement be assessed upon the lands and real estate fronting on the line of said improvement in the manner provided by and in accordance with the provisions of the charter of the town of Bergen and the supplements thereto.

Passed September 23, 1867.

J. W. GILMORE, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved September 25, 1867.

J. M. CORNELISON, *Mayor.*

AN ORDINANCE

TO PROVIDE FOR EXTENDING NEWKIRK PLACE, OPENING AND REGULATING SUCH EXTENSION, AND CHANGING THE NAME THEREOF.

The Mayor and Councilmen of the Town of Bergen, by their title, the Town of Bergen, do ordain as follows:

SEC. 1. That Newkirk place in the town of Bergen be extended, opened and regulated to the full width of sixty feet in a straight line from its present easterly terminus, to the east side of the Old Mill road to a point where the centre line of said Newkirk place so extended will intersect the centre line of a street laid out and being opened by Dr. John M. Cornelison and Benjamin Mills across their lands

as a continuation of Wayne street, in Jersey City, and that the name of the said Newkirk place be, and the same hereby is changed to Wayne street, by which said name of Wayne street the same shall hereafter be known and designated.

SEC. 2. That John B. Drayton, Jacob J. Newkirk, and Benjamin F. Welsh, three discreet, impartial and disinterested persons residents and freeholders in said town be, and they are hereby appointed Commissioners who shall be duly sworn or affirmed to examine into the whole matter impartially and to the best of their judgment, skill and ability, who shall cause a survey and map to be made of said improvement, distinguishing each lot or parcel by numbers on said map, and who shall estimate the whole cost of said improvement according to the best of their judgment, and shall assess such estimated cost upon the lands and real estate in proportion to the benefit received, and report the names of the owners of the lots or parcels, as far as practicable with the amount assessed to each, and shall report agreeably to the provisions of the 30th section of the charter of the town of Bergen.

SEC. 3. That all the costs, charges and expenses incurred in making the said improvement, shall be assessed upon and paid by the lands and real estate benefitted by said improvement in proportion to the benefit received by said lands and real estate.

SEC. 4. That the above work be done and improvement made under the direction of the Committee on Streets from the Board of Councilmen or such person as they may appoint to superintend the same.

Passed September 23, 1867.

J. W. GILMORE, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved September 25, 1867.

J. M. CORNELISON, *Mayor.*

AN ORDINANCE

TO PROVIDE FOR THE GRADING OF WEST SIDE AVENUE FROM WEST END DEPOT TO THE NEWARK PLANK ROAD.

The Mayor and Councilmen of the Town of Bergen do, by their title, the town of Bergen, ordain as follows :

SEC. 1. That so much of West Side avenue in the town of Bergen as extends from the "West End Depot" to the Newark plankroad, be "graded," pursuant to petition.

SEC. 2. That the improvement applied for, the said grading, be made and done under the supervision of the Committee on Streets from the Board of Councilmen, or such person as said committee may appoint to superintend the same.

SEC. 3. That the costs and expenses of said grading be assessed upon the lands and real estate fronting on the line of said improvement by three commissioners appointed for that purpose, residents and freeholders in said town, who, first being duly sworn or affirmed, shall make an assessment map and report thereon, with the names of the owners of the lots or parcels as far as practicable with the amount assessed to each, and shall file said report and map with the clerk of the town, complying in all respects touching the assessment for said improvement with the provisions of the Charter of the town of Bergen in such case made and provided.

Passed October 7, 1867.

J. W. GILMORE, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved October 9, 1867.

J. M. CORNELISON, *Mayor.*

AN ORDINANCE

TO ESTABLISH THE CENTRE LINE ON STUYVESANT AVENUE AND GRADE THE SAME TO THE ESTABLISHED GRADE FROM STEUBEN STREET TO WESTSIDE AVENUE.

The Mayor and Councilmen of the Town of Bergen, by their title, the Town of Bergen, do ordain as follows :

SEC. 1. That the centre line be established on Stuyvesant avenue and graded to the established grade from Steuben street to Westside avenue.

SEC. 2. That the above work be done and improvement made under the supervision of the committee on streets or such person as they may appoint to superintend the same.

SEC. 3. That all the costs, charges, and expenses incurred in doing and completing said work and improvement be assessed upon the lands and real estate fronting on the line of said improvement in the manner provided by and in accordance with the provisions of the charter of the town of Bergen and the supplements thereto.

Passed October 14, 1867.

J. W. GILMORE, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved October 16, 1867.

J. M. CORNELISON, *Mayor.*

AN ORDINANCE

TO PROHIBIT THE CARTING OF SLAUGHTERED ANIMALS, HIDES, FAT, ENTRAILS, &c., THROUGH THE STREETS OF THE TOWN OF BERGEN, ON THE SABBATH DAY.

The Mayor and Councilmen of the Town of Bergen, by their title, the "Town of Bergen," do ordain as follows :

SEC. 1. No person or persons shall cart or take, or cause to be carted or taken, any slaughtered animal, hide or hides,

fat, entrails, or other offal, through, in or upon any of the streets of the town of Bergen, on the Sabbath day, between the hours of 4 o'clock A. M. and 10 P. M.

SEC. 2. Any person or persons, body or bodies corporate, their servants or agents and each of them, that shall violate the provisions of this ordinance, shall, for every such offence, forfeit and pay to the town of Bergen, the sum of twenty dollars, to be recovered in the manner provided in the town charter; and every person convicted of such offence, shall be committed until such penalty is paid with cost, provided said imprisonment shall not exceed ten days.

SEC. 3. That all ordinances and parts of ordinances in conflict with this ordinance be, and the same are hereby repealed.

SEC. 4. And be it ordained that this ordinance shall take effect immediately.

Passed October 28, 1867.

J. W. GILMORE, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved October 30, 1867.

J. M. CORNELISON, *Mayor.*

A SUPPLEMENT

TO AN ORDINANCE ENTITLED "AN ORDINANCE TO PROVIDE FOR ASCERTAINING AND ESTABLISHING A PROPER GRADE FOR THE SEVERAL PUBLIC STREETS, ROADS, AND SIDE AND CROSSWALKS IN THE TOWN OF BERGEN," APPROVED SEPTEMBER 26, 1866.

The Mayor and Town Council of the Town of Bergen do, by their title, "the Town of Bergen," ordain as follows:

SEC. 1. That whenever the grade of any street, road, side or crosswalks in the town of Bergen shall have been ascertained and established in the manner provided in the ordinance to which this is a supplement, and the grade so estab-

lished shall have been confirmed by the Town Council, it shall be lawful for the Town Council by resolution or ordinance, to alter the grade so established upon an application made to them in writing, signed by the owners of three-fourths of the property assessed therefor, and such resolution, when passed, shall have the same force as an ordinance passed for that purpose.

SEC. 2. That in case the grade of any street, road, side or crosswalk shall be altered in compliance with such application, the Town Council shall, if they deem it necessary, refer, by resolution, the assessment made in accordance with the provisions of the ordinance to which this is a supplement back to the said commissioners for correction and revision, and said commissioners shall within fifteen days thereafter make a report of their proceedings under such resolution to the Town Council which report shall be accompanied by such map, maps, or profiles, and shall contain and exhibit the assessment made by them in pursuance of such resolution, which assessment when confirmed by the Town Council, shall be a lien upon the several lots and parcels of land so assessed, and shall be enforced and collected in the same manner as other assessments in said town.

SEC. 3. That all ordinances and parts of ordinances inconsistent or at variance with the provisions of this ordinance are hereby repealed.

Passed December 2, 1867.

J. W. GILMORE, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved December 4, 1867.

J. M. CORNELISON, *Mayor.*

AN ORDINANCE

TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO PROVIDE FOR ASCERTAINING AND ESTABLISHING A PROPER GRADE FOR THE SEVERAL PUBLIC STREETS, ROADS, SIDE AND CROSS-WALKS IN THE TOWN OF BERGEN."

The Mayor and Councilmen of the Town of Bergen, by their title, "The Town of Bergen," do ordain as follows:

SEC. 1. To strike out the names of Paul Babcock, William Bumstead, and Jared C. Markham, and insert "The Board."

Passed December 2, 1867.

J. W. GILMORE, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved December 5, 1867.

J. M. CORNELISON, *Mayor.*

AN ORDINANCE

TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE TO PREVENT CATTLE, SWINE, DOGS, GOATS, AND GEESE FROM RUNNING AT LARGE IN THE STREETS AND ROADS, AND TO PROVIDE FOR THE IMPOUNDING AND SALE OF THE SAME."

The Mayor and Councilmen of the Town of Bergen, by their title, "The Town of Bergen," do ordain as follows:

SEC. 1. That section 3d of the ordinance be amended by inserting after the word swine the word sheep.

Passed December 3d, 1867.

J. W. GILMORE, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved December 5, 1867.

J. M. CORNELISON, *Mayor.*

AN ORDINANCE

IN RELATION TO THE SIDEWALKS, PUBLIC GROUNDS, AND
STREETS IN THE TOWN OF BERGEN.

The Mayor and Councilmen of the Town of Bergen do ordain as follows :

SEC. 1. All sidewalks in the Town of Bergen, hereafter raised or to be raised, graded, or put down, shall be cut down and graded to, or raised from the curb stone, as the case may be, in the proportion of four inches on ten feet and not otherwise under the penalty of ten dollars, to be recovered from the person raising, grading or cutting down the same contrary to the provisions of this section, or the owner or owners of the lot fronting on the sidewalk.

SEC. 2. All sidewalks in the town of Bergen, heretofore raised or graded, or to be raised or graded, shall be paved with square or oblong flat stones hewn and laid closely together, and kept in repair at the expense of the owner or owners of the lot fronting and adjoining the same, at such time and in such manner as the Common Council shall direct, under a penalty of ten dollars.

SEC. 3. All private carriage ways, crossing any of the sidewalks shall be made, regulated, and paved under the direction of the committee on streets, and in such manner as they shall direct, under the penalty of ten dollars.

SEC. 4. The Mayor, or any member of the Common Council, the Street Commissioner, or the Chief of Police, are hereby authorized to order any article or thing whatsoever, which shall encumber or obstruct any street or sidewalk or public ground, to be removed, and in case the same shall not be removed within five hours after notice to remove the same, the same may then be removed to the corporation yard or other suitable place, at the expense of the owner of the articles or things so removed, except for improvements, then permission in writing to be granted by the street commissioner upon application.

SEC. 5. No person shall lead, drive, or ride, except it be to pass into a lot, yard, or stable any horse, mule, cattle, sheep, or swine, on any sidewalk in the town of Bergen, or obstruct any foot path or sidewalk with wood, coal, or any other thing, under the penalty of five dollars for each offence.

SEC. 6. No person shall obstruct the walks laid across the public streets in the city by placing or stopping his horse, cart, car, or other vehicle or carriage thereon, or by placing or putting any other obstructions or thing across, or on the same, under a penalty of ten dollars for each offence.

SEC. 7. No person shall injure, cut down, or otherwise deface or destroy any tree, shoot, or the guards placed around the same, or any lamp-post standing upon the sidewalk, in any of the streets or public grounds in the town of Bergen, or tie any horse or other animal thereto, under penalty of fifteen dollars for each offence.

SEC. 8. No person shall, within the town of Bergen, fire or discharge any gun, pistol, or fowling piece, or other fire arms, unless in the reasonable and lawful defence of his property or person under a penalty of ten dollars for each and every offence.

SEC. 9. No person shall affix or post any notice, hand bill, show card, or other paper or advertisement not required by the charter or directed by the Common Council, on lamp-posts standing in the streets, or upon the public buildings or grounds within the town of Bergen.

SEC. 10. That all sidewalks already laid or that may hereafter be laid in any street of the town of Bergen, and all gutters, when the same are curbed, shall be cleaned of snow, within twenty-four hours after the abatement of a snow storm, under a penalty of five dollars for each and every twenty-four hours, such neglect may continue.

SEC. 11. That any penalty or forfeiture arising under this ordinance may be recovered in any court for the trial of small causes in said town, in the manner provided in the town charter, and the penalty so recovered shall be paid into the town treasury.

SEC. 12. All ordinances and parts of ordinances in any-

wise conflicting with this ordinance, are hereby repealed.

Passed January 6, 1868.

J. W. GILMORE, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved January 8, 1868.

J. M. CORNELISON, *Mayor.*

AN ORDINANCE

REGULATING THE DRIVING OF CATTLE, SHEEP, OR SWINE
THROUGH THE STREETS OF THE TOWN OF BERGEN.

The Mayor and Councilmen of the Town of Bergen, by their "title," the Town of Bergen, do ordain as follows:

SEC. 1. No person or persons shall drive or cause to be driven any cattle, sheep, or swine, drove or droves of cattle, sheep, or swine, in, upon, or through any of the streets of the town of Bergen, except as hereinafter provided.

SEC. 2. In driving cattle, sheep, or swine through the streets of the town of Bergen, they shall be driven through the streets designated and no others.

SEC. 3. All cattle, sheep, or swine shall be driven through River street to Walnut, through Walnut to Washington avenue, through Washington avenue to Jersey City and Bergen Point plank road, through Jersey City and Bergen Point plank road to Mill Creek and to Newark plank road, through Newark plank road to Hackensack river and to West Side avenue, through West Side avenue to City of Hudson, and to Hudson avenue, through Hudson avenue to Mill road, through Mill road to Academy street, through Academy street to Palisade avenue, through Palisade avenue to City of Hudson and in inverse order.

SEC. 4. No drove or droves of cattle as aforesaid shall exceed thirty in number, and no drove or droves of sheep or

swine as aforesaid shall exceed one hundred in number, and each drove or droves as aforesaid shall be driven by at least two drivers, and not less than two hundred yards between each of the droves, or droves as aforesaid.

SEC. 5. No person or persons shall drive or cause to be driven any cattle, sheep, or swine, drove or droves of cattle, sheep, or swine in, upon, or through any of the streets of the town of Bergen on the Sabbath day.

SEC. 6. Any person or persons, body or bodies corporate, their servants or agents and each of them that shall violate the provisions of this ordinance shall for every such offence forfeit and pay the sum of twenty dollars, to be recovered in any court for the trial of small causes in said town in the manner provided in the town charter, and every person or persons convicted of such offence shall stand committed until such penalty is paid with costs. And also any such cattle, sheep, or swine as shall at any time be driven through the streets of the town of Bergen contrary to the provisions of this ordinance may be impounded in the same manner as is already provided for the impounding of cattle running or found at large within the corporate limits.

SEC. 7. This ordinance is in no way to apply to, or include within its meaning any cattle, milch cows, or other animals used for domestic purposes, and not driven through the streets of the town of Bergen to or from any market or stock yard, where the sale of such animals is effected.

SEC. 8. That all ordinances and parts of ordinances inconsistent and conflicting with this ordinance, be and the same are hereby repealed.

Passed January 6, 1868.

J. W. GILMORE, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved January 8, 1868.

J. M. CORNELISON, *Mayor.*

AN ORDINANCE

TO WIDEN PALISADE AVENUE FROM CRAWFORD STREET TO THE NEWARK PLANK ROAD, TO THE WIDTH OF FIFTY FEET.

The Mayor and Councilmen of the Town of Bergen, by their title, the Town of Bergen, do ordain as follows :

SEC. 1. That Palisade avenue, in the town of Bergen, be widened to the full width of fifty feet from Crawford street to the Newark plank road, the boundaries of said improvement to be defined by the commissioners hereinafter named, by locating with certainty the centre and side lines of said Palisade avenue, as surveyed and determined upon by them, in making the proposed improvement.

SEC. 2. That John S. Sutphen, Daniel Van Winkle, Samuel C. Nelson, three discreet, impartial, and disinterested persons, residents and freeholders in said town, be and they are hereby appointed commissioners, who shall be duly sworn or affirmed to examine into the whole matter impartially and to the best of their judgment, skill and ability, who shall cause a survey and map to be made of said improvement, in accordance with the foregoing requirements, and in accordance with the requirements of the town charter, and report thereon agreeably to the provisions of the thirtieth section of the charter of the town of Bergen.

SEC. 3. That all the costs, charges, and expenses incurred in making the said improvement shall be assessed upon and paid by the lands and real estate benefitted by said improvement in proportion to the benefit received by said lands and real estate.

SEC. 4. That the above work be done and improvement made under the direction of the committee on streets from the Board of Councilmen, or such person as they may appoint to superintend the same.

Passed February 3, 1868.

J. W. GILMORE, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved February 5, 1868.

J. M. CORNELISON, *Mayor.*

AN ORDINANCE

TO AMEND AN ORDINANCE ENTITLED AN ORDINANCE TO WIDEN PALISADE AVENUE, FROM CRAWFORD STREET TO THE NEWARK PLANK ROAD, TO THE WIDTH OF FIFTY FEET

The Mayor and Councilmen of the Town of Bergen, by their "title," the Town of Bergen do ordain as follows :

SEC. 1. That the name of Abraham P. Newkirk as one of the commissioners named in said Ordinance, be substituted for Daniel Van Winkle.

Passed February 17, 1868.

J. W. GILMORE, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved February 18, 1868.

J. M. CORNELISON, *Mayor.*

AN ORDINANCE

TO LAY OUT AND OPEN A STREET SIXTY FEET IN WIDTH IN THE TOWN OF BERGEN TO BE CALLED ROSE STREET.

The Mayor and Councilmen of the Town of Bergen, by their title, the "Town of Bergen," do ordain as follows :

SEC. 1. That a street sixty feet in width be laid out and opened in the Town of Bergen, from Grove street to Grant avenue, the center line of said street to commence in the westerly line of said Grove street, distant two hundred and seventy-three feet and nine-tenths of a foot, from the northerly line of Ocean street; the side center line to run thence in a straight line westerly to a point in the easterly line of said Grant avenue, distant five hundred and fifty-nine feet and three-tenths of a foot from the northerly line of Ocean street aforesaid; the said street to run at right angles to the

said Grant Place, as per profile accompanying petition now on file, and the same to be known by the name of Rose street.

SEC. 2. That Sidney Keyes, John V. R. Vreeland and Charles N. Betts, three discreet impartial and disinterested persons, residents and freeholders in said Town be, and they are hereby appointed commissioners, who shall be duly sworn or affirmed to examine into the whole matter impartially and to the best of their judgment skill and ability, who shall cause a survey and map to be made of said improvement in accordance with the requirements of the Town Charter and report thereon agreeably to the provisions of the thirtieth section of the Charter of the Town of Bergen.

SEC. 3. That all the costs, charges and expenses incurred in making the said improvement, shall be assessed upon and paid by the lands and real estate benefitted by said improvement in proportion to the benefit received by said lands and real estate.

SEC. 4. That the above work be done and improvement made under the direction of the Committee on Streets, from the Board of Councilmen, or such person as they may appoint to superintend the same.

Passed March 9, 1868.

J. W. GILMORE, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved March 11, 1868.

J. M. CORNELISON, *Mayor.*

AN ORDINANCE

TO EXTEND JACKSON AVENUE TO THE FULL WIDTH OF SIXTY FEET FROM COLUMBIA STREET TO GRANT AVENUE.

The Mayor and Councilmen of the Town of Bergen, by their title, the "Town of Bergen," do ordain as follows:

SEC. 1. That Jackson avenue, in the Town of Bergen be extended to the full width of sixty feet from the present ter-

minus at Columbia street in a straight line to Grant avenue, the side lines of said Jackson avenue so extended to be and strike said Grant Avenue at right angles.

SEC. 2. That Peter Henderson, Garret Vreeland and Charles N. Betts, three discreet, impartial and disinterested persons, residents and freeholders in said town, be and they are hereby appointed Commissioners, who shall be duly sworn or affirmed to examine into the whole matter impartially and to the best of their judgment, skill and ability, who shall cause a survey and map to be made of said improvements, in accordance with the requirements of the Town Charter, and report thereon, agreeably to the provisions of the thirtieth section of the Charter of the Town of Bergen.

SEC. 3. That all the costs, charges and expenses incurred in making said improvement, shall be assessed upon and paid by the lands and real estate benefited by said improvement in proportion to the benefit received by said land and real estate.

SEC. 4. That the above work be done and improvement be made under the direction of the committee on streets from the Board of Councilmen, to such person as they may appoint to superintend the same.

Passed March 9, 1868.

J. W. GILMORE, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved March 11, 1868.

J. M. CORNELISON, *Mayor.*

AN ORDINANCE

TO WIDEN MONTICELLO AVENUE NORTH, FROM THE NEWARK PLANK ROAD TO THE FULL WIDTH OF SEVENTY FEET, AND TO EXTEND THE SAME AS WIDENED TO HUDSON AVENUE.

The Mayor and Councilmen of the Town of Bergen, by their title, the Town of Bergen, do ordain as follows:

SEC. 1. That Monticello avenue, in the town of Bergen,

be widened north from the Newark Plank Road until it intersects the land owned by Everett, and land formerly owned by Jacob J. Van Riper, to the full width of seventy feet, by widening it four feet six inches on each side, and that from such terminus the said Monticello avenue be extended to Hudson avenue to the full width of seventy feet "as widened," the east line of such extension to be in a straight line from a point in the east side of said avenue as widened at its northern terminus, to the northeast corner of Bergen avenue and Park street, as shown by the diagram accompanying the petition now on file in this behalf.

SEC. 2. That Peter Henderson, Charles N. Betts, Abraham P. Newkirk, three discreet, impartial and disinterested persons, residents and freeholders in said town, be and they are hereby appointed commissioners, who shall be duly sworn or affirmed to examine into the whole matter impartially and to the best of their judgment, skill and ability, who shall cause a survey and maps to be made of said improvement, in accordance with the requirements of the town charter, and report thereon agreeably to the provisions of the thirtieth section of said charter.

SEC. 3. That all the costs, charges, and expenses incurred in making the said improvement, shall be assessed upon and paid by the lands and real estate benefitted by said improvement, in proportion to the benefit received by said lands and real estate.

SEC. 4. That the above work be done, and improvement made under the direction of the Committee on Streets from the Board of Councilmen, or such persons as they may appoint to superintend the same.

Passed March 16, 1868.

J. W. GILMORE, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved March 18, 1868.

J. M. CORNELISON, *Mayor.*

AN ORDINANCE

TO WIDEN PALISADE AVENUE, HUDSON AVENUE, AND CEDAR BUSH ROAD, BETWEEN THE POINTS, AND TO THE EXTENT, AND IN THE MANNER HEREINAFTER DESIGNATED.

The Mayor and Councilmen of the Town of Bergen, by their title, the Town of Bergen, do ordain as follows :

SEC. 1. That Palisade avenue between Hudson avenue and Cedar Bush road in the town of Bergen, be widened on the northwesterly side; that Hudson avenue, between Palisade avenue and Cedar Bush road, be widened on the easterly side; that Cedar Bush road, between Palisade avenue and Hudson avenue, be widened on the southwesterly side, so as to absorb and occupy by the said three streets in the widening thereof the triangular piece or plot of ground lying and being between said three streets named, now bounded on the southeast by Palisade avenue, on the west by Hudson avenue, and on the northeast by Cedar Bush road, and provided that said streets shall not be widened under this ordinance except as aforesaid, and that the width of each of said streets between the points named, shall not be less than fifty feet, nor more than one hundred feet when widened.

SEC. 2. That Jacob Van Winkle, John S. Sutphen and Samuel C. Nelson, three discreet, impartial, and disinterested persons, residents and freeholders in said town, be, and they are hereby appointed commissioners, who shall be duly sworn or affirmed, to examine into the whole matter impartially, and to the best of their judgment, skill and ability, who shall cause a survey and map to be made of said improvement, and designate thereon the exact width of each of said streets as widened, in accordance with the foregoing, and in accordance with the requirements of the town charter, and report thereon, agreeably to the provisions of the thirtieth section thereof.

SEC. 3. That all the costs, charges and expenses incurred in making the said improvement, shall be assessed upon and paid by the lands and real estate benefitted by said improve-

ment, in proportion to the benefit received by said lands and real estate.

SEC. 4. That the above work be done and improvement made under the directions of the Committee on Streets from the Board of Councilmen, or such person as they may appoint to superintend the same.

Passed March 23d, 1868.

J. W. GILMORE, *President.*

Attest: HENRY H. NEWKIRK, *Town Clerk.*

Approved March 27th, 1868.

J. M. CORNELISON, *Mayor.*

AN ORDINANCE.

TO AMEND AN ORDINANCE ENTITLED AN ORDINANCE TO EXTEND JACKSON AVENUE TO THE FULL WIDTH OF SIXTY FEET FROM COLUMBIA STREET TO GRANT AVENUE.

The Mayor and Board of Aldermen of the City of Bergen do ordain as follows:

SEC. 1. That the name of Abraham P. Newkirk be inserted in the place of Peter Henderson.

Passed May 25, 1868.

WILLIAM BRINKERHOFF, *President.*

Attest: HENRY H. NEWKIRK, *City Clerk.*

Approved May 27, 1868.

JOHN HILTON, *Mayor.*

AN ORDINANCE

REGULATING THE DRIVING OF CATTLE, SHEEP AND SWINE
WITHIN THE LIMITS OF THE CITY OF BERGEN.

*The Mayor and Common Council of the Town of Bergen.
do ordain as follows :*

SEC. 1. That it shall not be lawful for any person or person or persons to drive or cause to be driven within the limits of the City of Bergen any drove or droves of cattle, sheep or swine, contrary to the provisions and specifications of this ordinance.

SEC. 2. That such droves of cattle, sheep and swine may be driven through Palisade avenue until the completion of Summit street, and thereafter through Summit street to Academy street, through Academy street to the cattle station on the line of the New Jersey Railroad in said city, thence along Mill road to Hudson avenue, along Hudson avenue to Jersey City and Bergen Point Plank road, along said Plank road to Washington avenue, along Washington avenue to Walnut street, along Walnut street to River street, along River street to the Abattoir, and shall not be driven through or upon any other street or avenue of this city without the permission in writing of the Committee on Streets of this Common Council, and shall be driven according to the directions or specifications following, that is to say : That when any drove shall number not more than fifty cattle, or two hundred sheep, or fifty swine, two competent drivers at least shall be employed in driving the same. That when such drove shall number not more than one hundred cattle, then such drivers shall be so employed, and when such drove shall number more than one hundred cattle, four such drivers shall attend upon the same. And that for every additional hundred sheep or fifty swine over the number of two hundred sheep or fifty swine, as above mentioned, an additional driver shall be employed for such purpose.

SEC. 3. That any person or persons, body or bodies corporate, or their servants or agents, that shall disregard or violate the provisions or specifications in this ordinance con-

tained, or any of them, shall jointly or severally for every such offence forfeit and pay the sum of twenty dollars, to be recovered in the manner directed by the City Charter; and every person convicted of such offence shall be committed until the same be paid, and that it shall be the particular duty of the members of the Police Department of this city to attend to the enforcement of the provisions of this ordinance.

SEC. 4. That no drove or droves of cattle, sheep or swine shall be driven in, upon or through any of the streets in the city of Bergen on the Sabbath day, between the hours of eight o'clock in the morning and seven o'clock in the evening.

SEC. 5. That an ordinance entitled an ordinance regulating the driving of cattle, sheep or swine through the streets of the town of Bergen, approved the eighth day of January, 1868, and all other ordinances and parts of ordinances in any way conflicting with the provisions of this ordinance, are hereby repealed.

Passed May 18, 1868.

WM. BRINKERHOFF, *President.*

Attest: HENRY H. NEWKIRK, *City Clerk.*

Approved May 20, 1867.

JOHN HILTON, *Mayor*

AN ORDINANCE

TO PROVIDE FOR THE IMPROVEMENT OF VIRGINIA AVENUE BY GRADING, CURBING AND GUTTERING.

The Mayor and Board of Aldermen of the City of Bergen do ordain as follows:

SEC. 1. That Virginia avenue in the city of Bergen be graded to the established grade throughout its entire length, and also curbed and guttered.

SEC. 2. That all the costs, charges and expenses incurred in completing said improvement be assessed and paid agreeable to and in pursuance of the provisions of the city charter.

SEC. 3. That said improvement be made under the direction of the Committee on Streets, and said committee be authorized to appoint a superintendent of said work.

Passed June 1, 1868.

WM. BRINKERHOFF, *President.*

Attest: HENRY H. NEWKIRK, *City Clerk.*

Approved June 3, 1868.

JOHN HILTON, *Mayor.*

AN ORDINANCE

TO PROVIDE FOR THE EXTENSION AND OPENING OF NEWKIRK PLACE TO THE FULL WIDTH OF SIXTY FEET; FOR FILLING UP SUCH EXTENSION WHERE NECESSARY, AND GRADING THE STREET FROM PALISADE AVENUE TO WAYNE STREET AND NAMING IT.

The Mayor and Board of Aldermen of the City of Bergen do ordain as follows :

SEC. 1. That the street known as Newkirk place, in the City of Bergen, be extended and opened to the full width of sixty feet from its present easterly terminus, in a straight line and parallel with Church street, to the westerly line of the Old Mill road, and thence in an easterly direction until it intersects or extends to Wayne street as now laid out in Jersey City, the centre line thereof from the westerly line of the Old Mill road. to be in a straight line with the centre line of Wayne street aforesaid, as shown by the diagram or map accompanying the petition for this improvement; and that the said street, so extended, be filled up where necessary, and that the said street be graded from Palisade avenue, in the City of Bergen, to Wayne street aforesaid; and that said street be called *Wayne street.*

SEC. 2. That all the costs, charges, and expenses incurred in making and completing said improvement be assessed and

paid agreeably to and in pursuance of the provisions of the city charter.

SEC. 3. That said improvements be made under the direction of the committee on streets, and said committee be authorized to appoint a superintendent of said work.

Passed June 15, 1868.

WM. BRINKERHOFF, *President.*

Attest: HENRY H. NEWKIRK, *City Clerk.*

Approved June 17, 1868.

JOHN HILTON, *Mayor.*

AN ORDINANCE

TO ADOPT A PLAN OF SEWERAGE AND DRAINAGE FOR THAT PART OF THE CITY EAST OF BERGEN AVENUE AND WEST OF THE MORRIS CANAL.

The Mayor and Board of Aldermen of the City of Bergen do ordain as follows :

SEC. 1. That the general plan of sewerage and drainage heretofore approved by the Board of Water Commissioners, as shown on a map of the part of the city above described, dated May, 1868, be and the same is hereby adopted as the general plan of sewerage and drainage for said portion of the city.

SEC. 2. And be it ordained, that all sewers and drains within the said district be constructed conformably to said plan, except only such alterations from time to time as may be found necessary, and which shall be altered by an ordinance of the said Mayor and Aldermen.

Passed June 15, 1868.

WM. BRINKERHOFF, *President.*

Attest: HENRY H. NEWKIRK, *City Clerk.*

Approved June 17, 1868.

JOHN HILTON, *Mayor.*

AN ORDINANCE

DECLARING NUISANCES AND PROVIDING FOR THEIR ABATE-
MENT.

*The Mayor and Board of Aldermen of the City of Bergen
do ordain as follows :*

SEC. 1. That all sunken lots, and all parts or portions of lots which now are or may hereafter become covered with stagnant water, emitting noxious or unhealthy odors ; all filth, stagnant water, or other unwholesome or offensive matter or substances in any lot or lots whatever, or along the shores of the City of Bergen ; all sinks, cesspools, privies, or excavations emitting noxious or unhealthy odors or smells ; all dead animals found within the limits of the City of Bergen ; all manure unloaded, piled, or placed in, upon or along any street, road, or highway within the City of Bergen, or in or upon any lot adjacent to any street, road, or highway ; every manufactory for chemical works in which shall be generated any smoke, substance, vapor, or gas, offensive to the senses or injurious to the health of persons within the neighborhood ; every manufactory, mill, or other establishment for the grinding of bones or boiling the flesh therefrom, or otherwise for converting the same into manure ; every manufactory or establishment for making or generating spirits of turpentine, coal tar, lamp black, or other liquid or substance emitting noxious, unhealthy, or injurious vapors, gas, odors, or smells ; all wooden or other sewers not capable of being put to practical use, and emitting noxious vapors or doing damage to adjoining property, shall be considered and are hereby declared to be nuisances.

SEC. 2. That it shall be lawful for the Mayor or any of the Aldermen of the City of Bergen, or for the Street Commissioner, upon complaint in writing made to them, or either of them, to enter into and upon any land, tenement, building, or other premises, for the purpose of ascertaining whether any nuisance exists therein or thereon in violation of any of the provisions of this ordinance, and that it shall not

be lawful for any person or persons to obstruct or resist any such officer in the discharge of such right or duty, under the penalty of twenty dollars for each and every offense.

SEC. 3. That it shall be the duty of the street commissioner to serve a notice, in writing, upon the person or persons, or corporation, or their agents or servants, having or suffering any of the annoyances in the first section of this ordinance declared to be nuisances, requiring him, her, or them, to abate such nuisance within the space of twenty-four hours from the time of the service thereof, under the penalty hereinafter prescribed; and in case the person or persons, or corporation, their agents or servants, having or suffering any of the annoyances in the first section declared to be nuisances, are unknown to or cannot be found by the street commissioner, then a notice in writing placed upon, or adjacent to such nuisance for the space of twenty-four hours, shall be deemed sufficient, and of the same validity as if served personally.

SEC. 4. That every person or persons, or corporation, their agent or agents, servant or servants, who shall refuse or neglect to obey the requirements of the street commissioner, as set forth in the notice hereinbefore mentioned, within the time named in such notice for abating such nuisance, shall for each and every such offence forfeit and pay the sum of twenty dollars for each twenty-four hours the same shall continue after the expiration of the time mentioned in said notice, to be sued for and recovered before the Recorder of the city of Bergen, in the manner by law prescribed, and the person or persons convicted of violating any of the provisions of this ordinance shall stand committed until said penalty shall be paid.

SEC. 5. That in case the notice mentioned in the third section of this ordinance shall be disregarded by the person or persons, or corporation, their agents or servants, by whose act or neglect any of the nuisances mentioned in the first section of this ordinance exist, it shall be lawful for the street commissioner to abate the said nuisance by the removal of the same, or of such parts or portions of the machinery, or

other matter or thing, as may be used in creating said nuisance, and have the same carted or taken to some secure place within the said city—and if the owner or owners of the same shall not demand the same and pay the costs of such removal, together with the penalty or penalties mentioned in the fourth section of this ordinance, within ten days after the removal thereof, it shall be the duty of the street commissioner to advertise the same for sale by notices in writing, signed by him, and put up in three of the most public places in the ward whence the same was taken, at least five days before the time appointed for the sale, and at the time named in such notice the same shall be sold to the highest bidder; and so much of the proceeds of such sale as shall be necessary to defray the said expenses of removal and sale, shall be paid into the city treasury by the said street commissioner; and also the penalty or penalties in the fourth section of this ordinance named; and the surplus arising from such sale, if any, shall be paid to such person or persons as shall exhibit to said street commissioner satisfactory proof that they are entitled to the same.

SEC. 6. In case the notice mentioned in the third section of this ordinance shall be disregarded by the person or persons, or corporation, their agents or servants, by whose act or neglect any of the nuisances mentioned in the first section of this ordinance exist; and in case there shall be no machinery, matter or thing used in creating said nuisance, to be removed and sold as aforesaid, it shall be the duty of the street commissioner to abate such nuisance in such manner as he may deem necessary and proper, doing no damage to property which is not necessary in order to abate such nuisance. And the said person or persons, or corporation, their agents or servants, by whose act or neglect such nuisance existed prior to its abatement by said street commissioner, shall be liable to the Mayor and Board of Aldermen of the City of Bergen for all moneys paid, laid out and expended for the abatement of such nuisance, to be sued for and recovered before the recorder in the manner prescribed by law.

SEC. 7. That all ordinances and parts of ordinances incon-

sistent with this ordinance be, and the same are hereby repealed.

Passed June 29th, 1868.

WM. BRINKERHOFF, *President.*

Attest: SAMUEL McBURNEY, *City Clerk.*

Approved July 1, 1868.

JOHN HILTON, *Mayor.*

AN ORDINANCE

TO FIX THE SALARIES OF OFFICERS FOR THE YEAR ENDING
THE FIRST MONDAY OF MAY, 1869.

The Mayor and Board of Aldermen of the City of Bergen, do ordain as follows:

SEC. 1. There shall be paid to the several officers named in this section the following annual salaries, to be paid in monthly instalments, to wit:

To the City Clerk the sum of Twelve Hundred Dollars.

To the Collector of Revenue the sum of Thirteen Hundred Dollars.

To the Treasurer the sum of Seven Hundred Dollars.

To the Corporation Attorney the sum of One Thousand Dollars.

To the Overseer of the Poor the sum of Two Hundred Dollars.

To the Street Commissioner the sum of Five Hundred Dollars.

To the Superintendent of Schools the sum of Five Hundred Dollars.

To the clerk of the Board of Education the sum of Three Hundred Dollars.

To the Health Physician the sum of One Hundred Dollars.

To the Sergeant-at-Arms the sum of Five Hundred Dollars ;

For which he shall, in addition to his duties as Sergeant-at-Arms, take charge of all the apartments occupied by the city in Library Hall, keeping them all clean and in good order, at his own expense, performing the duties of janitor, under the direction of the Board of Aldermen.

To the Recorder, for the first, being the present year, the sum of three hundred dollars ; for the second year the sum of four hundred dollars ; for the third year the sum of five hundred dollars.

To the publishers of the two papers selected for that purpose, the sum of seven hundred and fifty dollars each, for publishing the proceedings of the Board of Aldermen, the Board of Water Commissioners, and the Board of Education, and for furnishing at each meeting of the Board of Aldermen, for the use of the members thereof, fifty manuals in pamphlet form, containing the proceedings of said Board.

SEC. 2. To the Assessor of the First Ward, the sum of five hundred dollars.

To the Assessor of the Second Ward, the sum of four hundred dollars.

To the Assessor of the Third Ward, the sum of four hundred dollars.

To the Assessor of the Fourth Ward, the sum of four hundred dollars.

To the Judges of Election of the several wards, the sum of twelve dollars each, for their services as rendered at each election.

To the Ward Clerks of the several wards, the sum of fifteen dollars each, for their services as rendered at each election.

To the Board of Commissioners of Assessments shall be paid each, for each assessment, the sum of ten dollars, to be assessed upon the property included in each assessment, for which the services are rendered.

To the Commissioners of Assessment for establishing or altering the grade of, and widening streets, shall be paid each, for each assessment, the sum of ten dollars, to be as-

essed upon the property included in each assessment, for which the services are rendered.

SEC. 3. All ordinances or parts of ordinances heretofore passed inconsistent with the provisions of this ordinance are hereby repealed.

Passed June 29, 1868.

WILLIAM BRINKERHOFF, *President.*

Attest: SAMUEL MCBURNEY, *City Clerk.*

Approved July 1, 1868.

JOHN HILTON, *Mayor.*

AN ORDINANCE

FOR THE APPOINTMENT OF A COMMISSION FOR THE LOCATION OF STREETS UPON LANDS NOT LAID OUT INTO LOTS AND BLOCKS.

The Mayor and Board of Aldermen of the City of Bergen do ordain as follows:

SEC. 1. That Cornelius C. Reypen, a freeholder and resident of the First Ward of said city, John Brinkerhoff, a freeholder and resident of the Second Ward of said city, Delos E. Culver, a freeholder and resident of the Third Ward of said city, Robert L. Smith, a freeholder and resident of the Fourth Ward of said city, and John P. Culver, one of the City Surveyors of said city, be and they are hereby appointed, pursuant to the thirty-ninth section of the charter of said city, a commission for the purpose of designating by map or maps, the proper location of all streets to be hereafter laid out in the City of Bergen, upon lands which have not been laid out in city lots, and dedicated to public use as streets.

SEC. 2. That said Commissioners above named shall perform the duties required of them in and by the thirty-ninth section of the act of the Legislature of New Jersey, entitled "An act to incorporate the City of Bergen," approved March 11th, 1868.

SEC. 3. That the said Commissioners shall file the map or maps required to be made by them, together with a full and minute report of their proceedings and determination, under said section of the charter, with the City Clerk, within six months from the time this ordinance goes into effect, which report shall contain a detailed account of all costs and expenses attending their proceedings under this ordinance.

SEC. 4. That said Commissioners shall be allowed as compensation for their services, the sum of five dollars for each day by them occupied in the performance of their duties under this ordinance, and they shall have power to allow for surveying and draughting and mapping, done by their directions, such reasonable compensation as to them shall seem proper and just, which expenses for surveying and draughting and mapping, may be allowed and paid for by the Board of Aldermen, out of any moneys in the treasury not otherwise appropriated; but said expenses, as well as the compensation of said Commissioners, shall be included in the assessment to be made pursuant to the fortieth section of said act of the Legislature, for cost and expenses of the proceedings by this ordinance authorized.

Passed June 29, 1868.

WM. BRINKERHOFF, *President.*

Attest: SAMUEL McBURNEY, *City Clerk.*

Approved July 1, 1868.

JOHN HILTON, *Mayor.*

AN ORDINANCE

TO PAVE BRAMHALL AVENUE WITH BELGIUM BLOCK PAVEMENTS AND CURB THE SAME.

The Mayor and Board Aldermen of the City of Bergen do ordain as follows:

SEC. 1. That Bramhall avenue from Bergen Point Plank Road to Ocean street, be paved with Belgian block pave-

ment, between the present gutters and curbed, commencing on the center line of Bergen Point Plank Road, on the easterly line, extending thence westerly to Ocean avenue.

SEC. 2. That all the cost, charges and expenses incurred in making and completing said improvement be assessed and paid agreeably to and in pursuance of the provisions of the city charter.

SEC. 3. That the said improvement be made under the direction of the Committee on Streets and Sidewalks, and said committee be authorized to appoint a superintendent of said work.

Passed June 29, 1868.

WM. BRINKERHOFF, *President.*

Attest: SAMUEL MCBURNEY, *City Clerk.*

Approved July 1, 1868.

JOHN HILTON, *Mayor.*

A SUPPLEMENT

TO THE ORDINANCE ENTITLED "AN ORDINANCE TO WIDEN MONTICELLO AVENUE NORTH FROM NEWARK PLANK ROAD TO THE FULL WIDTH OF SEVENTY FEET, AND TO EXTEND THE SAME AS WIDENED TO HUDSON AVENUE," APPROVED MARCH 18, 1868.

The Mayor and Board of Aldermen of the City of Bergen do ordain as follows:

SEC. 1. That the Commissioners of Assssments for street improvements be, and they are hereby substituted in the place of the commissioners named in the second section of the ordinance to which this is a supplement, the said commissioners in said section named, having failed to qualify and serve under their said appointment, and it shall be the duty of the commissioners of assessments hereby substituted

to examine into the whole matter referred to them, impartially and to the best of their judgment, skill and ability; and to cause a survey and preliminary map to be made of said improvement, distinguishing each lot or parcel of land by numbers on said map; and to estimate the whole cost of said improvement according to the best of their judgment, and assess such estimated costs upon the lands and real estate benefitted, in proportion to the benefits received, estimating the benefit to be done to the residue of any lot or parcel of which part may be taken for such improvement, in the same manner as to other lands; and to report the names of the owners of the lots or parcels, as far as practicable, with the amount assessed to each, and file their said report and map pursuant to the charter of said city, and the said commissioners of assessments shall include in their said report and map, as a part of the costs and expenses of the improvement required by said ordinance, the value of the lands to be taken and the damages that will be done to any district, lot or parcel of land or tenement, by taking the same or any part thereof for said improvement.

SEC. 2. That all the costs, charges and expenses incurred in making the said improvement, shall be assessed upon and paid by the lands and real estate benefitted thereby, in proportion to the benefit received by said lands and real estate, and in all respects in accordance with the provisions of the Charter of the City of Bergen.

SEC. 3. That so much of the ordinance to which this is a supplement as is inconsistent with the provisions of this ordinance, be and the same is hereby repealed.

Passed July 6, 1868.

WM. BRINKERHOFF, *President.*

Attest: SAMUEL MCBURNEY, *City Clerk.*

Approved July 8, 1868.

JOHN HILTON, *Mayor.*

AN ORDINANCE

REGULATING RESTAURANTS AND BEER SALOONS.

*The Mayor and Board of Aldermen of the City of Bergen,
do ordain as follows :*

SEC. 1. The Board of Aldermen may, by resolution, passed by at least seven concurring votes, and approved by the Mayor, or such action as is necessary in case of non-approval by him of ordinances or resolutions affecting the interest of the city, license any person or persons to keep a restaurant and beer saloon, or either, to be kept within said city, in the manner and upon the terms provided for by this ordinance. The yeas and nays upon the passage of such resolution shall in all cases be recorded upon the minutes.

SEC. 2. No license to keep a restaurant and beer saloon, or either, shall be granted, unless the application for such license shall certify that such establishment will conduce to the public good, signed by at least twelve freeholders in, and residents of the ward in which such establishment is intended to be kept; and no such license shall be granted until the next stated meeting of the Board of Aldermen after the application is received, provided such freeholders, or any of them, shall not be applicants, or an applicant for, or keeper of a restaurant and beer saloon, or either.

SEC. 3. Every such license shall expire and be utterly void and of no effect on and after the first of June next ensuing the granting of the same.

SEC. 4. The price of a license to keep a restaurant and beer saloon, or either, shall be fixed from time to time by the Board of Aldermen by resolution; and in no case shall the charge for a license to keep a restaurant and beer saloon be less than seventy-five dollars; and to keep a beer saloon only, not less than seventy-five dollars.

SEC. 5. Every license issued under this ordinance shall be sealed with the corporate seal of the city of Bergen, signed by the Mayor and attested by the City Clerk, and shall be in the words following :

“City of Bergen, to wit: The Mayor and Board of Aldermen of the City of Bergen do hereby allow and license
 , of the ward of the City of Bergen to keep a restaurant and beer saloon [or a restaurant or beer saloon, as the case may be], from the date hereof until the first Monday of June now next ensuing, unless sooner revoked, upon condition, nevertheless, that the said
 shall, during the said term, keep and observe all the laws of the State of New Jersey, and the ordinances of the said city, and shall keep the said restaurant and saloon [or said restaurant or said saloon, as the case may be], closed on the Christian Sabbath. In testimony whereof, the corporate seal of said city is hereto affixed, and these presents are signed by the Mayor and attested by the City Clerk, this day of
 , A. D., eighteen hundred and ”

SEC. 6. No license shall entitle any person to keep a restaurant and beer saloon, or either, in any other place than that which is designated in said license, nor shall the same be assignable without the consent of the Board of Aldermen.

SEC. 7. The Board of Aldermen may revoke or annul any such license that shall be granted, in case the person so licensed shall offend against any part of this ordinance, or any law of the State applicable to such business.

SEC. 8. A true and correct list of all licenses which shall be granted by virtue of this ordinance shall be kept by the City Clerk in a book to be provided for that purpose, which book shall at all times be open to the inspection of all persons desirous to see the same.

SEC. 9. No person or persons licensed as aforesaid shall on the Christian Sabbath, or first day of the week, commonly called Sunday, within the limits of the city of Bergen, keep open such restaurant and beer saloon, or either, under the penalty of twenty dollars for each offence.

SEC. 10. No person or persons shall, on the Christian Sabbath, or first day of the week, commonly called Sunday, sell, furnish, or cause to be sold or exposed for sale, any ale, cider, porter, lager beer, or other beer, or spirituous or intoxicating liquors of any kind, mixed or unmixed, in any place

within the limits of the city of Bergen (except licensed druggists, upon the prescription of a practising physician), under the penalty of twenty dollars for each offence.

SEC. 11. That no person (except a person or persons licensed to keep a beer saloon, or restaurant and beer saloon, or inn and tavern, as heretofore specified), shall by himself, or herself, or his or her clerk, servant or agent, at any time sell or expose for sale, any ale, cider, porter, lager beer, or other malt liquor, or any spirituous or intoxicating liquors, or any mixed liquors, part of which is intoxicating (except licensed druggists, upon the prescription of a practising physician), in less quantities than one gallon, no part of which shall be drunk on the premises where the same shall be sold, under the penalty of fifteen dollars for each offence.

SEC. 12. That every person licensed under the provisions of this ordinance to keep a restaurant and beer saloon, shall cause the words "Licensed Restaurant and Beer Saloon" to be placed on or at the main entrance, on the outside of the building where the same is kept, under the penalty of ten dollars for every neglect so to do; and every person who is licensed to keep a beer saloon shall, in like manner indicate the same by the sign "Licensed Beer Saloon," under the same penalty for each omission.

SEC. 13. That the terms "restaurant and beer saloon," used in this ordinance, shall not be taken or construed to mean a place where liquors alone are sold, but the same shall be taken and construed to mean only such place wherein transient travellers may be supplied, at all proper times, with such food or meals as they may require.

SEC. 14. Any penalty arising under this ordinance may be recovered before the Recorder, in the manner provided by the charter of the city of Bergen, which penalty, when recovered, shall be paid into the city treasury.

Passed July 20, 1868.

WM. BRINKERHOFF, *President.*

Attest: SAMUEL MCBURNEY, *City Clerk.*

Approved July 24, 1868.

JOHN HILTON, *Mayor.*

AN ORDINANCE

TO AUTHORIZE THE CONSTRUCTION OF A MAIN SEWER, WITH THE NECESSARY MAN-HOLES AND RECEIVING BASINS, FROM THE CENTRE LINE OF JACKSON AVENUE TO FISH CREEK, UPON THE CENTRE LINE AND THE CENTRE LINE PRODUCED OF CLAREMONT AVENUE.

The Mayor and Board of Aldermen of the City of Bergen do ordain as follows :

SEC. 1. That a main sewer, with the necessary man-holes and receiving basins, be and the same is hereby authorized and directed to be constructed, under the charge of the Water Commissioners, according to the plan, dimensions and grade, heretofore adopted for the same, between the following points: commencing at the intersection of the centre lines of Jackson avenue and Claremont avenue, thence running easterly upon the centre line of said Claremont avenue to the westerly line of the Bergen Point Plank Road and continuing thence in the same course, upon the centre line of Claremont avenue produced to the easterly terminus of said main sewer at Fish creek.

SEC. 2. That this ordinance be referred to the Committee of Assessments for Street Improvements, who shall examine into the whole matter impartially, and to the best of their judgment, skill and ability, and shall cause a survey and preliminary map to be made of said improvement, distinguishing each lot or parcel of land by numbers on said map, and shall estimate the whole cost of said improvement according to the best of their judgment, and shall assess such estimated costs upon the lands and real estate benefitted in proportion to the benefits received, according to the form, force and effect of the charter of the City of Bergen in this behalf; and that all the costs, charges and expenses incurred in completing the said improvement, be assessed upon and paid by the lands and real estate benefitted thereby, in proportion to the benefit received by said lands and real estate,

according to the provisions and effect of the said charter in this behalf.

Passed July 27, 1868.

WM. BRINKERHOFF, *President.*

Attest: SAMUEL McBURNEY, *City Clerk.*

Approved July 29, 1868.

JOHN HILTON, *Mayor.*

AN ORDINANCE

TO AUTHORIZE THE CONSTRUCTION OF A MAIN SEWER, WITH THE NECESSARY MAN-HOLES AND RECEIVING BASINS, IN JACKSON AVENUE FROM THE CENTRE LINE OF GRANT AVENUE TO THE WESTERLY LINE OF PARK STREET.

The Mayor and Board of Aldermen of the City of Bergen do ordain as follows:

SEC. 1. That a main sewer, with the necessary man-holes and receiving basins, be and the same is hereby directed to be constructed, under the charge of the Water Commissioners, upon the centre line of Jackson avenue from the centre line of Grant avenue to the westerly line of Park street; that said sewer be built of brick, and of the dimensions following, to wit: from the centre line of Grant avenue to the centre line of Grove street, the said sewer to be two feet and six inches in diameter in the clear, and from the centre line of Grove street to the westerly line of Park street the said sewer to be two feet in the clear.

SEC. 2. That this ordinance be referred to the Committee of Assessments for Street Improvements, who shall examine into the whole matter impartially and to the best of their judgment, skill and ability, and shall cause a survey and preliminary map to be made of said improvement, distin-

guishing each lot or parcel of land by numbers on said map, and shall estimate the whole cost of said improvement according to the best of their judgment, and shall assess such estimated costs upon the lands and real estate benefitted in proportion to the benefits received, according to the form, force and effect of the charter of the City of Bergen in this behalf; and that all the costs, charges and expenses incurred in completing the said improvement, be assessed upon and paid by the lands and real estate benefitted thereby, in proportion to the benefit received by said lands and real estate, according to the provisions and effect of the said charter in this behalf.

Passed July 27, 1868.

WM. BRINKERHOFF, *President.*

Attest: SAMUEL MCBURNEY, *City Clerk.*

Approved July 29, 1868.

JOHN HILTON, *Mayor.*

AN ORDINANCE

TO AMEND AN ORDINANCE TO PAVE BRAMHALL AVENUE WITH BELGIAN BLOCK PAVEMENT, AND CURB THE SAME.

The Mayor and Board of Aldermen of the City of Bergen do ordain as follows:

SEC. 1. That section first be so amended as to include the following:

That the present Belgian block pavement on said avenue be taken up and relaid on said avenue where deemed necessary by the superintendent.

SEC. 2. That all costs, charges and expenses incurred in relaying said pavement, be assessed and paid agreeable to and in pursuance of the provisions of the city charter.

SEC. 3. That the contractor for the improvement of said avenue be paid one third the cost of the Belgian block pavement in coupon improvement bonds, in accordance with the 41st section of the charter of the City of Bergen.

Passed July 27, 1868.

WM. BRINKERHOFF, *President.*

Attest: SAMUEL MCBURNEY, *City Clerk.*

Approved July 29, 1868.

JOHN HILTON, *Mayor.*

AN ORDINANCE

TO PROVIDE FOR REFILLING TO THE ESTABLISHED GRADE AND PAVING THE ROADWAY WITH BELGIAN BLOCK PAVING, REFILLING SIDEWALKS, FLAGGING AND REFLAGGING THE SIDEWALKS TO THE WIDTH OF FIVE FEET, SETTING AND RESETTING CURB WHERE REQUIRED, ON WASHINGTON AVENUE, IN THE THIRD WARD, FROM THE NORTH LINE OF COMMUNIPAW AVENUE TO THE SOUTH LINE OF WEST GRAND STREET.

The Mayor and Board of Aldermen do ordain as follows:

SEC. 1. That Washington avenue, from the north line of Communipaw avenue to the south line of West Grand street, be refilled to the established grade, the roadway paved with Belgian block paving, except such portions of the avenue required to be done by the Railroad Company, the sidewalks refilled to the established grade, and where required flagged or reflagged five feet in width, curb reset and new curb set where required.

SEC. 2. That all the costs, charges and expenses incurred in completing said improvement, excepting such portions for which the Railroad Company is liable, be assessed and paid

in accordance with the provisions of the City Charter and the supplements thereto; provided that from the north line of Communipaw avenue to the south side of the Canal Bridge, that one-half part of the expenses of the Belgian paving stone be paid by the issue of improvement coupon bonds, the said portion of said street having been paved before; and provided further, that from the north side of said Bridge to the south line of West Grand street that one-third part of the expense of the Belgian paving stone shall be paid by the issue of improvement coupon bonds.

SEC. 3. That said improvement be made under the direction of the Committee on Streets, and said Committee be authorized to appoint a superintendent of said work.

Passed August 3, 1868.

WM. BRINKERHOFF, *President.*

Attest: SAMUEL MCBURNEY, *City Clerk.*

Approved August 5, 1868.

JOHN HILTON, *Mayor.*

AN ORDINANCE

TO LAY OUT AND OPEN AN AVENUE TO BE IN CONTINUATION OF WASHINGTON AVENUE, FROM COMMUNIPAW AVENUE TO THE SOUTHERLY BOUNDARY OF THE CITY OF BERGEN.

The Mayor and Board of Aldermen of the City of Bergen do ordain as follows:

SEC. 1. That a public street or avenue be laid out and opened in said city, so as to be an extension or continuation of Washington avenue, which avenue hereby required to be laid out and opened shall be eighty feet wide, and the centre line thereof shall commence where the centre line of the present Washington avenue would, if produced, strike the southerly side of Communipaw avenue, and shall extend

southerly on a line coinciding with said centre line of the present Washington avenue produced until it strikes the southerly boundary line of the City of Bergen, and there to end; said new avenue to extend in width forty feet on each side of said centre line.

SEC. 2. That it be, and is hereby referred to the Commissioners of Assessments for Street Improvements, who shall examine into the whole matter impartially and to the best of their judgment, skill and ability, and cause a survey and preliminary map to be made of said improvement, distinguishing each lot or parcel of land by numbers on said map, and shall estimate the whole cost of said improvement according to the best of their judgment, and shall assess such estimated costs upon the lands and real estate benefitted, in proportion to the benefit received, estimating also the benefit to be done to any lot or parcel of which a part may be taken for such improvement in the same manner as to other lands, and to estimate and report the value of the lands taken for such improvement, and the erections thereon, if any, and the damages done by taking the same, and to whom the said lands so taken belong, and the interest and estate of the several owners in the same, as far as practicable; and that they make and file the said report and map in accordance with the requirements of the charter of the said City of Bergen.

SEC. 3. That all the damages, costs, charges and expenses of making said improvement by laying and opening said avenue shall be assessed upon and paid out of the lands and real estate benefitted thereby, in the manner provided in the charter of said city.

SEC. 4. That the opening of the said avenue be done under the direction of the Committee on Streets of the Board of Aldermen.

Passed August 17, 1868.

WM. BRINKERHOFF, *President.*

Attest: SAMUEL MCBURNEY, *City Clerk.*

Approved August 19, 1868.

WM. BRINKERHOFF,
Mayor ad interim.

AN ORDINANCE

TO EXTEND AND OPEN CLINTON PLACE FROM ITS PRESENT TERMINUS AT JACKSON AVENUE TO BERGEN AVENUE.

The Mayor and Board Aldermen of the City of Bergen do ordain as follows :

SEC. 1. That Clinton Place shall be extended and opened from its present terminus at Jackson avenue to Bergen avenue, so that the centre line of such extension shall be a straight line drawn from the point at which the centre lines of Clinton Place are now established, and of Jackson avenue would, if drawn and produced, intersect each other, to the point at which the centre lines of Bergen avenue and Mandeville avenue would, if drawn and produced, intersect each other; that said extension of Clinton avenue hereby provided for shall be of the uniform width of sixty feet, that is to say, thirty feet on each side of the centre line thereof above described.

SEC. 2. That it be, and is hereby referred to the Commissioners of Assessments for Street Improvements, to examine into the whole matter impartially and to the best of their judgment, skill and ability; and that they cause a survey and preliminary map to be made of said improvement, distinguishing each lot or parcel of land, benefitted thereby, by numbers on said map; and they shall also estimate the whole costs of said improvement according to the best of their judgment, and shall assess such estimated costs upon the lands and real estate benefitted, in proportion to the benefits received by each lot or parcel on said map, estimating the benefit to be done to the residue of any lot or parcel of which part may be taken for such extension and opening in the same manner as to other lands; and to estimate and report the value of the lands taken for such extension and opening in the same manner as to other lands; and to estimate and report the value of the lands taken for such extension and opening, and the improvements and buildings thereon, and the damages that will be done by taking the

same; and they shall further report to whom said lands so taken belong, and the interest and real estate of the several owners, as far as practicable, and shall file their said report and map with the Clerk of said City of Bergen, pursuant to the directions of the charter of said city.

SEC. 3. That all the damages, expenses, and costs of proceedings for making said extension and opening of Clinton Place, shall be assessed upon and paid by the lands or real estate benefitted thereby, in accordance with the provisions of the charter of said city in that behalf.

Passed August 17, 1868.

WM. BRINKERHOFF, *President.*

Attest: SAMUEL MCBURNEY, *City Clerk.*

Approved August 19, 1868.

WM. BRINKERHOFF,
Mayor ad interim.

AN ORDINANCE

TO PROVIDE FOR THE WIDENING OF FRANKLIN STREET TO THE UNIFORM WIDTH OF FIFTY FEET, BETWEEN BERGEN AVENUE AND MONTICELLO AVENUE.

The Mayor and Board of Aldermen of the City of Bergen do ordain as follows:

SEC. 1. That Franklin street, from Bergen avenue to Monticello avenue, be widened and opened to the uniform width of fifty feet, so that the same shall extend in width twenty-five feet on each side of the centre line of said Franklin street, as it has hitherto existed.

SEC. 2. That it be and it is hereby referred to the Commissioners of Assessments for that improvement to examine into the whole matter impartially, and to the best of their judgment, skill and ability; and to cause a survey and preliminary map to be made of said improvement, distinguishing each lot or parcel of land by numbers on said map, and

to estimate the whole cost of said improvement according to the best of their judgment; and to assess such estimated cost upon the lands and real estate benefitted in proportion to the benefits received; estimating also the benefit to be done to any lot or parcel of which a part may be taken for such improvement, in the same manner as to other lands; and to estimate and report the value of the lands taken for such improvement and the erections thereon, if any, and the damages done by taking the same, and to whom the lands so taken belong, and the interest and estate of the several owners in the same, as far as practicable; and that they make and file their said report and map in accordance with the requirements of the charter of the said City of Bergen.

SEC. 3. That all the damages, costs, charges and expenses of making the said improvement, shall be assessed upon and paid out of the lands and real estate benefitted thereby, in the manner directed by the charter of said city.

SEC. 4. The opening of said widening of Franklin street to be done under the direction of the Committee on Streets, and that all buildings, if any, and erections of every kind on said proposed widening, be removed therefrom.

Passed August 17, 1868.

WM. BRINKERHOFF, *President.*

Attest: SAMUEL MCBURNEY, *City Clerk.*

Approved August 19, 1868.

WM. BRINKERHOFF,
Mayor ad interim.

AN ORDINANCE

TO PROVIDE FOR GRADING CARTERET AVENUE AND FLAGGING THE SIDEWALKS IN SAID AVENUE.

The Mayor and Board of Aldermen of the City of Bergen do ordain as follows:

SEC. 1. That Carteret avenue, between the easterly line

of Ocean street and the middle or centre of Jersey City and Bergen Point Plank Road, be graded to the established grade, and that flag stone sidewalks, four feet wide, be laid on both sides of said avenue, between the easterly side of Ocean street and the said Plank Road.

SEC. 2. That all the costs, charges and expenses incurred in completing said improvement, be assessed upon and paid by the real estate fronting on said improvement according to the benefits received, pursuant to the provisions of the charter of the City of Bergen in that behalf.

SEC. 3. That the said improvement be under the direction of the Street Committee, who are authorized hereby to appoint a superintendent of said work, if they deem it expedient so to do.

Passed August 17, 1868.

W. M. BRINKERHOFF, *President.*

Attest: SAMUEL MCBURNEY, *City Clerk.*

Approved August 19, 1868.

W. M. BRINKERHOFF,
Mayor ad interim.

AN ORDINANCE

TO GRADE, FLAG THE SIDEWALKS, AND LAY CROSSWALKS IN HIGH STREET, FROM ITS NORTHERLY TERMINUS AT THE DEEP CUT OF THE NEW JERSEY RAILROAD TO ITS SOUTHERLY TERMINUS AT PALISADE AVENUE.

The Mayor and Board of Aldermen of the City of Bergen do ordain as follows :

SEC. 1. That High street, from its northerly terminus at the deep cut of the New Jersey Railroad to its southerly terminus at Palisade avenue, be graded to the established grade, bridge-stone crosswalks laid on intersections, and the

sidewalks on each side flagged with stone flagging four feet wide.

SEC. 2. That all the costs, charges and expenses for doing said work be assessed upon and paid by the lands and real estate fronting on said improvement, according to the benefits received by reason of said improvement, pursuant to the provisions of the charter of the City of Bergen.

SEC. 3. That said work be done under the direction of the Committee on Streets, who are authorized to appoint a superintendent of said work.

Passed August 17, 1868.

WM. BRINKERHOFF, *President.*

Attest: SAMUEL MCBURNEY, *City Clerk.*

Approved August 19, 1868.

WM. BRINKERHOFF,
Mayor, ad interim.

AN ORDINANCE

FOR THE IMPROVEMENT OF ACADEMY STREET.

The Mayor and Board of Aldermen of the City of Bergen do ordain as follows:

SEC. 1. That Academy street be regulated and graded to the established grade, and the sidewalk on each side of said street flagged four feet wide, and flag stone crosswalks laid at the intersections of the crossing streets.

SEC. 2. That all the costs and expenses for doing said work shall be assessed upon and paid by the lands and real estate fronting on said improvement, according to the provisions of the charter of the City of Bergen.

SEC. 3. That said work shall be done under the direction

of the Street Committee, and said Committee are authorized to appoint a superintendent of said work.

Passed August 17, 1868.

W. M. BRINKERHOFF, *President.*

Attest: SAMUEL McBURNEY, *City Clerk.*

Approved August 19, 1868.

W. M. BRINKERHOFF,
Acting Mayor.

AN ORDINANCE

TO WIDEN PALISADE AVENUE TO THE FULL WIDTH OF FIFTY FEET, FROM CRAWFORD STREET TO THE NEWARK PLANK ROAD.

The Mayor and Board of Aldermen of the City of Bergen do ordain as follows :

SEC. 1. That Palisade avenue, in the City of Bergen, be widened to the full width of fifty feet, from Crawford street to the Newark Plank road, that the boundaries of said improvement be defined by locating with certainty the centre and side lines of said Palisade avenue as surveyed and determined upon in making the proposed improvement.

SEC. 2. That the whole matter of said improvement be referred to the Commissioners of Assessment for street improvements (appointed agreeably to the fifty-fourth section of the city charter), whose duty it shall be to examine into the whole matter referred to them impartially and to the best of their judgment, skill and ability, and to cause a survey and preliminary map to be made of said improvement, distinguishing each lot or parcel by numbers on said map, and to estimate the whole cost of said improvement according to the best of their judgment, and assess such estimated costs upon the lands and real estate benefitted, in proportion to the benefits received, and report the names of the owners of the lots or parcels, as far as practicable, with the amount assessed to each, and shall file said report and map pursuant

to the charter of said city, and the said Commissioners of Assessments shall include in the said report and map, as a part of the cost and expenses of the improvement required by this ordinance, the value of the lands to be taken and the damage that will be done to any district, lot or parcel of land or tenement by taking the same or any part thereof for said improvement.

SEC. 3. That all the costs, charges and expenses incurred in making the said improvement shall be assessed upon and paid by the lands and real estate benefitted thereby, in proportion to the benefit received by said lands and real estate, and in all respects in accordance with the provisions of the charter of the City of Bergen.

SEC. 4. That the ordinance entitled "An ordinance to widen Palisade avenue, from Crawford street to the Newark Plank Road to the width of fifty feet," approved February 5th, 1868, be and the same is hereby repealed, and that all proceedings heretofore had, if any, under said ordinance be set aside.

Passed August 17, 1868.

WM. BRINKERHOFF, *President.*

Attest: SAMUEL MCBURNEY, *City Clerk.*

Approved August 19, 1868.

WM. BRINKERHOFF,
Mayor, ad interim.

AN ORDINANCE

TO EXTEND AND OPEN COLUMBIA STREET FROM ITS PRESENT WESTERLY TERMINUS TO THE EASTERLY LINE OF BERGEN AVENUE.

The Mayor and Board of Aldermen of the City of Bergen do ordain as follows:

SEC. 1. That Columbia street shall be extended and opened from its present westerly terminus to the easterly line of Bergen avenue, so that the southerly boundary of said Co-

lumbia street already established shall be continued westerly in a straight line and direct course till it meets the easterly line of Bergen avenue, and the northerly boundary of said Columbia street already established shall be in like manner continued westerly in a straight line and direct course till it meets said easterly line of Bergen avenue.

SEC. 2. That it be and it is hereby referred to the Commissioners of Assessments for Street Improvements to examine into the whole matter impartially, and to the best of their judgment, skill and ability; and that they cause a survey and preliminary map to be made of said improvement, distinguishing each lot or parcel of land benefitted thereby by numbers on said map; and they shall also estimate the whole cost of said improvement according to the best of their judgment, and shall assess such estimated costs upon the lands and real estate benefitted, in proportion to the benefits received by each lot or parcel on said map, estimating the benefit to be done to the residue of any lot or parcel of which part may be taken for such extension and opening in the same manner as to other lands; and to estimate and report the value of the lands taken for such extension and opening, and the improvements and buildings thereon, and the damages that will be done by taking the same; and they shall report also to whom said lands so taken belong, and the interest and estate of the several owners in the same as far as practicable, and shall file their said report and map with the Clerk of said City of Bergen, pursuant to the directions of the charter of said city.

SEC. 3. That all the damages, expenses and costs of proceedings for making said extension and opening of Columbia street, shall be assessed upon and paid by the property or lands benefitted thereby, in the manner provided by the charter of said city.

Passed August 17, 1868.

WM. BRINKERHOFF, *President.*

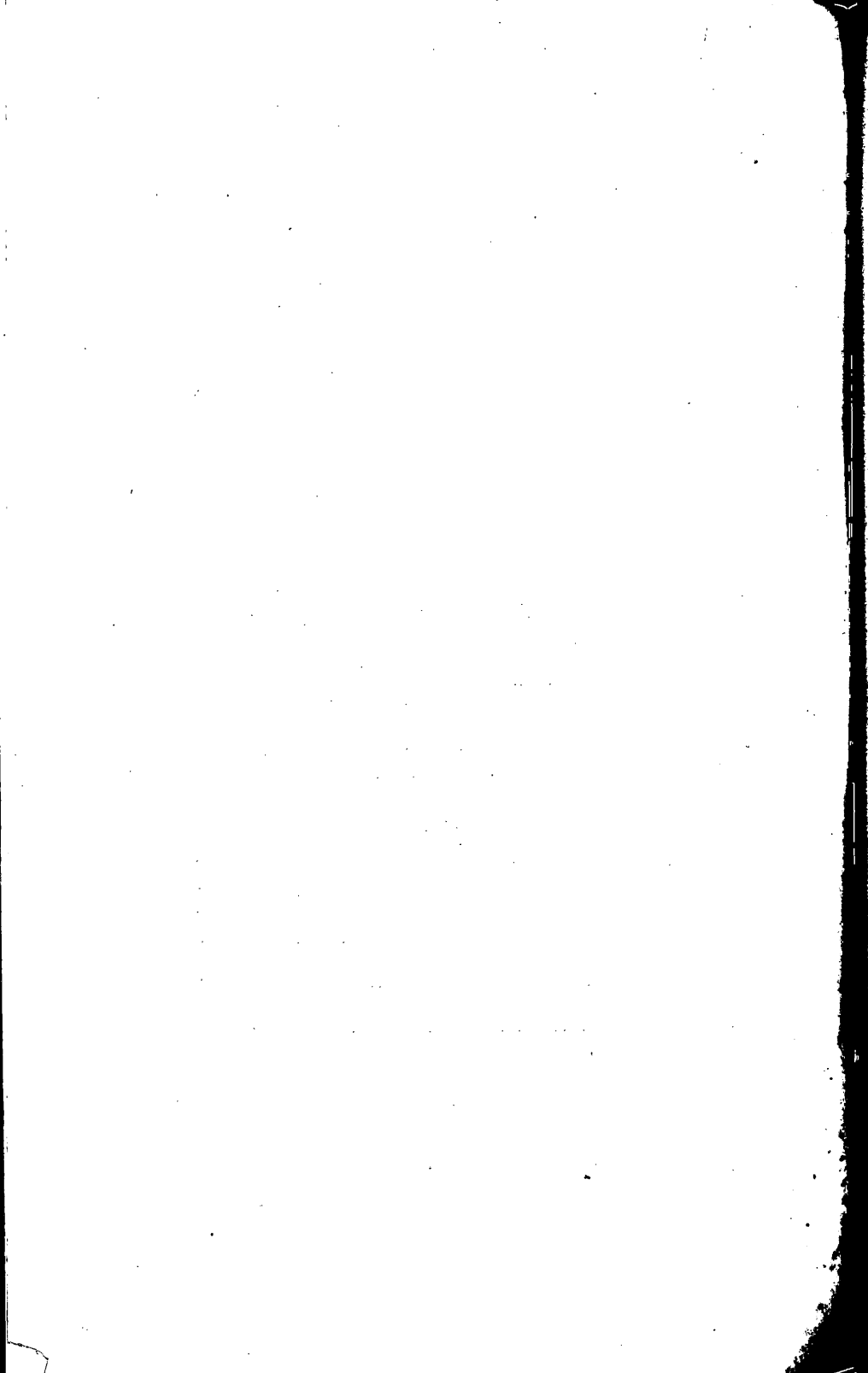
Attest: SAMUEL MCBURNEY, *City Clerk.*

Approved August 19, 1868.

WM. BRINKERHOFF,
Mayor, ad interim.

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