

*New Jersey. Laws, statutes, &c.*  
**ACTS**

2790

OF THE

**SEVENTY-THIRD LEGISLATURE**

OF THE

**STATE OF NEW JERSEY,**

AND

**FIFTH SESSION UNDER THE NEW CONSTITUTION.**



**TRENTON:**

**PRINTED BY PHILLIPS & BOSWELL.**

**1849.**

Fees of officers.

13. *And be it enacted*, That the judges, inspectors, and clerks, for holding any annual or special township election, shall severally be entitled to the sum of one dollar and fifty cents per day for their services, to be paid by the township committee of the township of Hoboken, out of the funds of said township.

14. *And be it enacted*, That this act shall take effect on the second Monday of April next.

Approved March 1, 1849.

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AN ACT to incorporate the Bordentown Water Company.

Preamble.

WHEREAS John L. McKnight, Edward Robbins, Richard Shippen, Garret S. Cannon, and Robert Hankins, associated with others as a company, under the name and style of "the Bordentown Water Company," for the use and purpose of supplying the borough of Bordentown and its vicinity with water, from the most eligible situation it can be obtained, for domestic purposes, and as a further security against loss by fire, by their petition, presented to the legislature, have requested to be incorporated, the better to enable them to carry into effect the salutary objects of their institution—therefore,

Style of incorporation and general powers.

1. *BE IT ENACTED by the Senate and General Assembly of the State of New Jersey*, That all such persons as now are or hereafter may become stockholders, shall be, and are hereby constituted a body corporate and politic, in fact and in name, by the style and title of "the Bordentown Water Company;" and by that name shall and may have continual succession, sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in all manner of actions, matters, and causes whatsoever; have a common seal, and make, change, or alter the same at pleasure, and to hold and enjoy such real and personal estate as may be necessary for the object aforesaid; that the stock of the said corporation shall be deemed personal property, and shall consist of one thousand shares, of ten dollars each; that the management of the concerns of the said company shall be intrusted to five directors, being stockholders of said company; which directors shall be chosen each and every year, at the annual meeting of the stockholders, which shall be held the first Monday in May, at such hour and place in Bordentown, as said directors shall from time to time appoint, by notices set up in three of the

Election of directors.

most public places in Bordentown, at least fifteen days previous to said election; that all elections shall be by ballot, by the stockholders, personally or by proxy, under the direction and inspection of three stockholders, not being candidates, each stockholder having one vote for two shares, two votes for five shares, and one additional vote for each succeeding five shares that he holds; and the five persons having the greatest number of votes shall be directors; that if any two or more persons have an equal number of votes, so as that five directors shall not be elected, they shall again proceed, in like manner, to elect, out of the persons so having an equal number of votes, so many as shall complete the number of directors; out of which number the said directors shall, by a plurality of their votes, elect one for their president; and in case of a vacancy in the office of any of the said directors, by death, resignation, or otherwise, others shall be elected by said directors to fill such vacancy; the directors of the preceding year shall be considered as elected for the ensuing year; *provided*, no election shall be held to elect others in their places.

2. *And be it enacted*, That the persons named in the preamble to this act be commissioners to procure subscriptions for the stock, and shall open books for that purpose at Bordentown, on the third Monday in March, eighteen hundred and forty-nine, having previously given ten days' public notice; and whenever five hundred shares shall be subscribed, each stockholder paying, at the time of subscribing, one dollar for each and every share, the said commissioners shall call a meeting of stockholders, within ten days thereafter, by giving what they may consider sufficient notice, by public notice or otherwise, for the purpose of electing directors, and transacting such other business as may come before them, at such hour and place, in the borough of Bordentown, as they may deem proper; and such directors lawfully elected, then shall pay over such moneys as they shall have received; which said meeting shall be considered the first annual meeting.

Commissioners to open books of subscription.

3. *And be it enacted*, That it shall and may be lawful for the directors, or a majority of them, to require payment of the stock subscribed, in such proportions and at such times as they, or a majority of them, may think proper, with the penalty of a forfeiture of all previous payments thereon, and that notice of the instalments required, and of the time when the same are to be made, by notice set up in the borough of Bordentown at least thirty days previous.

4. *And be it enacted*, That the directors shall be authorized, in their discretion, to appoint a secretary and other officers, agents, and servants, as they shall from time to time deem necessary for carrying into effect the powers of said compa-

Duties and powers of directors.

ny; to establish rules, regulations, and by-laws for and concerning the conduct and government of such officers, agents, and servants, and for determining the compensation to which they shall be entitled; and for and concerning the manner of making transfers of the said stock, and the conduct and government of all persons with whom they shall contract for the water for their works, so far as respects the preservation of water furnished by said company, and for the use thereof, and to restrain the waste thereof; and, by such laws and ordinances, to impose penalties and forfeitures for a neglect or refusal to comply therewith, so as that such penalty or forfeiture, in any one case, shall not exceed five dollars; which penalties or forfeitures shall be recoverable in the name of the said corporation, before any justice of the peace of the county of Burlington, with costs, in an action of debt; and that, for the purpose of effectually supplying the said borough of Bordentown and its vicinity, and its inhabitants, it shall and may be lawful to and for the said directors and company to erect works on the most eligible situation that they may think proper, and conduct along the public highways and streets any number of conduits necessary for, and calculated to supply such water through or over lands in the borough of Bordentown; *provided*, the same shall not be done without the consent and permission of the owners of property over or through which it may be necessary to pass.

Penalty for  
injuring  
works.

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

Borough  
may take  
works on  
payment of  
cost.

6. *And be it enacted*, That at any time after twenty years from the passage of this act, the borough of Bordentown, in its corporate capacity, may take from the company all the right, title, and interest of the company aforesaid, by paying first cost therefor, without interest thereon.

Restriction.

7. *And be it enacted*, That no part of the capital stock created by this act, shall be applied to any purpose, whatsoever, than the supplying of the borough of Bordentown with water, conformably to the provisions of this act.

Approved March 1, 1849.