

ACTS  
OF THE  
NINETY-FIFTH LEGISLATURE,  
OF THE  
STATE OF NEW JERSEY,  
AND  
TWENTY-SEVENTH UNDER THE NEW CONSTITUTION.



MORRISTOWN, N. J.:  
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1871

struct their railway to any point on the Morris and Essex Railroad, in the county of Essex.

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

Approved March 9, 1871.

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CHAPTER CXXXIX.

An Act to enable the city of Camden to supply the citizens thereof and inhabitants of the town of Pavonia, in the township of Stockton, with water.

WHEREAS, the city of Camden has purchased from The Camden Water Works Company its water works, and all its property, real and personal, together with its appurtenances, and all its rights, privileges and franchises thereunto belonging; therefore, Preamble.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the said city of Camden shall have the exclusive right of furnishing water to the citizens of Camden and the people in the town of Pavonia, in the township of Stockton, in the county of Camden; and to this end the said city of Camden is hereby authorized and empowered to purchase, take, hold, enjoy, convey and dispose of all such real and personal estate as may be necessary therefor; and to construct and maintain additional reservoirs, wells, aqueducts, buildings, machinery and appurtenances of every kind that may be necessary and useful for such purpose; and that the said city of Camden shall have full power and authority to lay and relay their water pipes under any of the streets of said city, or under any of the public roads and highways leading from the town of Pavonia, and through the streets of Pavonia aforesaid; and also to lay and conduct their said pipes across Cooper's Creek; *provided, always*, the same shall not in any way interfere with or obstruct the navigation of said creek; *and provided, also*, that no private property shall be taken, occupied or used by said city of Camden without the consent of the owner thereof shall be first had and obtained. City of Camden may furnish water. Powers of. Proviso.

May sell and  
rent water.

2. *And be it enacted*, That the said city of Camden may sell and dispose of the water so procured by it upon such conditions and for such rents as the city council of said city, or the persons or officers, or committee authorized by said city council, may, from time to time, prescribe; and that such rents shall draw interest at the rate of twelve per centum per annum from and after the time when they shall become due.

Interest on  
rents.

Officers of water  
works.

3. *And be it enacted*, That it shall be lawful for the city council of the city of Camden to elect or appoint any and all officers, agents, engineers, employees or committeemen, that they may deem necessary to be employed in and about the water works of said city, to define their duties, regulate their compensation, and provide for their removal; and that the said officers, engineers, agents, employees or committeemen so appointed or elected as aforesaid, by said city council, are hereby authorized and directed, at all reasonable hours, to enter any dwelling or other place where the water so furnished by said city of Camden is taken or used, and where unnecessary waste thereof is known or suspected, and examine and inquire into the cause thereof; and the said officers, engineers, agents, employees or committeemen shall have full power to examine all service pipes, stop-cocks and other apparatus connected with the water supply or drainage works, for the purpose of ascertaining whether the same are of the character and dimensions, and fixed in the manner directed in the permits issued therefor; and if any person or persons shall refuse to permit such examinations, or oppose or obstruct any such officers, engineers, agent, employee or committeemen, in performance of such duty, he, she or they so offending shall have the supply of water shut off until the required examination is made, and such alterations and repairs as may be found necessary shall be completed.

Powers of.

Penalty for in-  
terfering with.

Pipes may be  
laid.

4. *And be it enacted*, That whenever said city council shall deem it expedient that a water pipe or pipes shall be laid in any of the streets of the said city of Camden, they shall cause the same to be laid, and the owners of the ground in front whereof the same shall be laid, shall pay for the expense thereof the sum of seventy-five cents for each foot of their ground upon such street; and when so done they shall cause a particular statement and account of such expense to be filed with the clerk of said city, and such

Expense, how  
paid.

expense shall be and remain a lien upon the ground from the time of performing said work until paid and satisfied; *provided*, that the expense of laying such pipes along the intersection of any street, road, lane or alley, and erecting the necessary number of fire plugs, and for the repairs thereof, shall be provided for and paid in such manner, and be fixed by said city council, and paid for out of any moneys in the hands of the treasurer of said city not otherwise appropriated; *and provided, also*, that in making the statement and account of such expense, an allowance not exceeding one hundred feet on the longest front, shall be made on all corner lots until such front shall be used as main building fronts, and the expense for such allowance shall be provided for and paid in the same manner that fire plugs and pipes laid in the intersections are.

5. *And be it enacted*, That the said city council may order the whole or any part of said expenses to be paid out of any moneys in the hands of the treasurer of said city, and after such payment, may collect the same, with interest and costs, from the owners, and lands so liable in the same manner as the costs and expenses of grading, paving and curbing the streets, are authorized by law to be collected by said city of Camden.

6. *And be it enacted*, That the city council of the city of Camden, be and they are hereby authorized and empowered by ordinance, to charge the owners of any and every building erected along the line of any street in the city of Camden and the town of Pavonia, in the township of Stockton, in which any water pipe is laid, or shall hereafter be laid, and shall not have the water introduced on the premises, a water rent not exceeding the rent charged by said city for a single hydrant, and collect the same in the manner herein provided for, for the collection of water rents.

7. *And be it enacted*, That the said city council be and they are hereby authorized to borrow any sum not exceeding three hundred thousand dollars, for enlarging and improving the water works of said city, and laying pipes and mains in the streets of said city, and to and from the reservoir or reservoirs of said works, and to secure the payment thereof by issuing bonds under the seal of said city, and the signature of the mayor and other proper officers of said city, bearing lawful interest per annum, in such amounts, and payable at

such times, as shall be fixed by the said city council of said city; *provided*, that the moneys hereby authorized to be borrowed shall be in addition to the moneys authorized to be borrowed by the charter of said city.

**Regulations.** 8. *And be it enacted*, That the said city council of the said city of Camden shall have power and they are hereby authorized to make, ordain and establish all such ordinances, resolutions and regulations as said city council may deem necessary and proper for the distribution, supply, use and protection of the said water, and the safety, security and protection of the said water works and appurtenances thereto, and for the collection of water rents.

**Rents, how collected.** 9. *And be it enacted*, That all water rents now due or hereafter to become due to said city of Camden, may be collected and recovered in the name of the treasurer of said city of Camden, in an action of debt, or on the case, before any court of competent jurisdiction, against any person chargeable therewith; and in case of the non-payment of said water rent it shall be lawful for said city council to cause the supply of said water to be stopped.

**Penalty for non-payment.**

**Penalty for injuring works or apparatus.**

10. *And be it enacted*, That if any person shall wilfully do or cause to be done, any act or acts whatsoever to injure any engine, machine, reservoir, pipe, fire plug, hydrant or structure whatsoever, or anything appertaining to the works of said city, or whereby the same may be obstructed, stopped or injured, or shall wilfully or maliciously draw off or waste the water from any fire plug or hydrant, the person so offending shall be deemed guilty of a misdemeanor, and being thereof convicted, shall be punished by a fine not exceeding five hundred dollars, or imprisonment in the county jail not exceeding six months, or both; *provided*, such criminal prosecution shall not in anywise impair the right of action for damages by a civil suit; and the said city of Camden is hereby authorized to bring an action and recover for damages by civil suit for any such injury aforesaid, in the name of the treasurer of said city, in any court in this State having cognizance of the same.

**Proviso.**

**Penalty for polluting water.**

11. *And be it enacted*, That if any person or persons shall wilfully pollute or adulterate the water in any reservoir, aqueduct, conduit or raceway erected, built, or laid down under the provisions of this act, every person so offending shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding five hun-

dred dollars, or by imprisonment not exceeding three years, or both, at the discretion of the court before whom such conviction shall be had.

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

Approved March 9, 1871.

## CHAPTER CXL.

A Further Supplement to the act entitled "An act to incorporate the Acquackanonk Water Company," approved April ninth, one thousand eight hundred and sixty-seven.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the capital stock of said company be and the same is hereby increased to a sum not exceeding two hundred thousand dollars.

Capital stock increased.

2. *And be it enacted*, That it shall be lawful for the said "The Acquackanonk Water Company," from time to time, to borrow such sum or sums of money as may be necessary to construct and complete the works of said company, with the appendages thereto, authorized by the act to which this act is a supplement, and to issue their bonds at seven per cent. per annum interest, and to sell the same on the best procurable terms without invalidation thereof by virtue of any statute against usury; and for securing the payment of the same, full power and authority is granted to said company to pledge or hypothecate by way of mortgage, trust or otherwise, the whole or any part of the works of said company now or hereafter to be owned by said company, together with all the privileges, and appendages, and appurtenances of the said water company, and also all the franchises and chartered rights of said company, and such pledges, hypothecation, trust, and bond and mortgage shall be valid in law for securing the payment of any sum or sums of money borrowed, with the interest thereon accruing, which the same may be given to secure, and in case default shall be made in the payment of any money so borrowed and secured, the person or persons body politic or corporate, their legal representatives, successors or assigns claiming under such

May borrow money and issue bonds.

May mortgage property.

In default of payment title may pass.