

ACTS

OF THE

6

Ninety-Sixth Legislature

OF THE

STATE OF NEW JERSEY,

AND

TWENTY-EIGHTH UNDER THE NEW CONSTITUTION.



TRENTON, N. J.:

SAAR, DAY & NAAR, "TRUE AMERICAN" OFFICE, PRINTERS.

1872.

stead, who shall be elected by a majority in interest of the stockholders annually.

Authorized to  
issue certifi-  
cates, &c.

5. *And be it enacted*, That the said company are hereby authorized to make, execute and issue in the transaction of their business all necessary receipts, certificates and contracts, which shall bear the impress or stamp of the seal of the company, and shall be signed by the president and countersigned by the secretary or treasurer thereof.

May increase  
capital stock.

6. *And be it enacted*, That it shall be lawful for said company to increase the amount of its capital stock in the manner provided in and by an act entitled "An Act to authorize the establishment and to prescribe the duties of companies for manufacturing purposes," approved March second, one thousand eight hundred and forty-nine, and by the fourteenth section thereof, and by the supplement or supplements to said act.

Place of busi-  
ness.

7. *And be it enacted*, That this act may be altered, amended or repealed at the pleasure of the senate and general assembly, and that the place of business of said company shall be located in the city of Bayonne.

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

Approved March 26, 1872.

---

## CHAPTER CCCLXXI.

A Further Supplement to an act entitled "An Act to incorporate the Elizabethtown Water Company," approved March third, eighteen hundred and fifty-four.

Increase of  
capital stock.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall and may be lawful for the Elizabethtown Water Company to increase the capital stock of said company the sum of eight hundred thousand dollars, to be divided into shares of ten dollars each, and to be paid in at such times and in such installments as the board of directors of said company shall require; *provided*, that no such

Proviso.

increase of stock shall be lawful unless authorized by the stockholders of said company, by a vote of at least a majority of such stockholders in interest therein, and the same to be voted for at a meeting of such stockholders called for that purpose, of which each stockholder shall have at least ten days notice, to be given in the same manner as notice of meetings of the said stockholders are required to be given.

2. *And be it enacted*, That the said company are hereby authorized and empowered to do any and all lawful acts necessary and expedient to procure water for the domestic and public uses of the citizens of the city of Elizabeth, and places adjacent thereto; and it shall be lawful for the said company, by its officers and agents, to enter at all times upon all lands or waters in the county of Union, and survey, excavate, and bore for water, and locate pipes, drains, reservoirs, and other buildings and fixtures, doing no unnecessary damage to private property; and when said location shall have been determined upon, shall cause a map to be made of all lands, except streets now in use, which they may require for the purposes of this act and the act to which this is a supplement, and file the same in the office of the clerk of the county of Union; and then it shall be lawful for the said company, by its officers, agents or contractors, to enter upon and hold the same for reservoirs, conduits, and all other purposes necessary for completing the works hereby contemplated, and to take and use such water as they may need, subject to such compensation as is hereinafter provided.

3. *And be it enacted*, That in case of legal incapacity, or the absence of the owners of any such land or water, and in other cases where the company cannot agree with the owner or owners on the price, the company shall serve personal notice upon the owner, if known and in the state, or if unknown or out of the state, shall publish notice in one of the newspapers printed in the city of Elizabeth, that the company intends to make application to one of the judges of the court of common pleas in said county, on a day and at a place named, and not less than twenty days from the service or publication thereof, for the appointment of three commissioners; and on said day, and at the place named in said notice, the said judge shall make said appointment under his hand and seal; and it shall be the duty of said commissioners, having first taken an oath or affirmation before some person authorized to administer the same, faithfully and im-

May enter on  
lands.

Map of lands  
to be made.

Proceedings  
in case com-  
pany and own-  
ers cannot  
agree.

partially to examine the matter in question and make a true report, according to the best of their skill and understanding, to meet at such time and place as they shall designate, giving at least fifteen days notice of their said meeting, as herein before directed, and on the day so appointed to proceed to view and examine the said lands or waters, and make a just and equitable estimate of the value of the same, and assess the damages which will accrue from erecting said works or taking said lands or waters; and the said commissioners shall report in writing to the said judge, or to the parties interested, the whole amount which the company must pay each owner, stating in said reports the metes and bounds of the lands, or describing the waters for which such assessment is made; which said report the said company shall have filed in the office of the clerk of Union county, to remain on record therein; and a copy thereof, certified by the clerk of said county, shall at all times be considered as plenary evidence of the right of said company to have, hold, use, occupy, possess and enjoy the land so described, and the water so taken; and it shall be the duty of said company to pay the owner or owners the amount assessed as aforesaid; or in case the owner or owners refuse to receive the same or live out of the state, or are incapacitated by law to receive the same, then said sum shall be paid to the clerk of said county, to be by him retained for such owner; and upon making payment in either of the ways above stated, the title of the premises mentioned in the said award, and so paid for, shall be vested in said company.

Proceedings.  
in case of ap-  
peal.

4. *And be it enacted*, That if said owners, or any of them, are dissatisfied with the report of the commissioners in the preceding section, the said party so dissatisfied may appeal to the circuit court of said county at its next term, whereupon the said court shall hear and determine the whole matter in the same manner as if said company was summoned to appear before said court; and if the jury upon the trial of the cause shall find a greater sum than the commissioners have awarded or the company offered in favor of said owner or owners, then judgment thereon, with costs, shall be entered against the company, which shall constitute a lien upon the premises in question, which said lien shall have priority over any other encumbrance which said company may have given; but if the said jury shall find the same or a less amount than the company shall have offered or the commissioners awarded,

then the person appealing shall pay the costs in such manner as the court shall direct.

5. *And be it enacted*, That the provisions of the several acts to which this is a further supplement shall apply to any extension of said company's works, and work done by the company under and by virtue of this act, except so far as the same are inconsistent with the provisions of this act. \*Provisions of certain acts to apply.

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

Approved March 26, 1872.

---



---

## CHAPTER CCCLXXII.

### An Act to incorporate the Manchester Land Improvement and Manufacturing Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Joel M. Johnson, Moses Drury, Cornelius Van Winkle, Lyman Johnson and John D. Van Blarcom, and such other persons as may hereafter be associated with them, shall be and are hereby declared a body corporate and politic, in fact and in name, by the name of "The Manchester Land Improvement and Manufacturing Company." Corporators. Name.

2. *And be it enacted*, That the stock, property and affairs of said corporation shall be managed and controlled by five directors, a majority of whom shall be residents of this state, who shall after the first election of directors, hereinafter provided for, be annually elected on the second Monday of September, at such time of the day, and at such place in the state of New Jersey, as the by-laws of said corporation shall direct, and public notice of the time and place of holding such election shall be given, not less than thirty days previous thereto, in a newspaper printed in the city of Paterson; and the election of directors shall be made by such of the stockholders as shall attend for that purpose, either in person or by proxy; and all elections shall be by ballot, each share of stock being Election of directors.