

**ACTS**

**OF THE**

**EIGHTY-FOURTH LEGISLATURE**

**OF THE**

**STATE OF NEW JERSEY,**

**AND**

**SIXTEENTH UNDER THE NEW CONSTITUTION.**



**PATERSON, N. J.:**

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1860.**

## CHAPTER CCXXXIX.

AN ACT to revive the act entitled, "An act to incorporate the Rocky Hill Railroad and Transportation Company."

Former act  
revived.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the act entitled, "An act to incorporate the Rocky Hill Railroad and Transportation Company," passed the seventeenth of February, eighteen hundred and fifty-three, be and the same is hereby revived, and is declared to be in full force and effect for the term of five years from the time of the approval of this act, in all respects as if it then had become a law.

Approved March 22, 1860.

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 CHAPTER CCXL.

AN ACT to incorporate the Newton and Union Gas and Water Company.

Names of cor-  
porators.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That John K. Roberts, Richard Snowden, Samuel C. Smith, Samuel E. Shivers, William M.

Collister, John M. Paschall, Eli Tompkins, and such other persons as may be hereafter associated with them, and their successors, shall be and they are hereby ordained, constituted and declared a body politic and corporate, in fact and in law, by the name of "the Newton and Union Gas and Water Company," and shall be capable of purchasing, holding and conveying any lands, tenements, goods and chattels necessary or proper for the object of the corporation hereby created.

2. *And be it enacted*, That the amount of the capital stock Amount of capital stock. of said company shall be one hundred thousand dollars, with privilege to increase the same to three hundred thousand dollars, which shall be divided into shares of fifty dollars each, which shall be deemed personal property, and transferable in such manner as the said corporation by their by-laws shall direct.

3. *And be it enacted*, That the above named persons, or a Commissioners to receive subscriptions. majority of them, shall be commissioners to open books to receive subscriptions to the capital stock of said corporation, at such time or times and place or places as they, or a majority of them, may think proper, giving at least twenty days' notice of the same in a newspaper printed and published in the county of Camden, and that at the time of subscribing five per centum shall be paid for each share subscribed for, to the commissioners, or some one of them, and as soon as forty thousand dollars of the capital stock shall be subscribed and paid in, such commissioners, or a majority of them, shall give like notice for a meeting of the stockholders to choose five directors, a majority of whom shall be residents of this state, and such election shall be made at the time and place appointed by such of the stockholders as shall attend for that purpose, each share of the capital stock entitling the holder thereof to one vote, and the said above named persons, or any two of them, shall be inspectors of the first election of directors of said corporation, and shall certify under their hands the names of the persons duly elected, and deliver over the subscription books and moneys paid in, deducting all necessary expenses previously incurred, to the said directors,

and the time and place of holding the first meeting of the said directors shall be fixed by the persons named in the first section of this act, or any of them, and the directors chosen at such meetings shall hold their offices until the first Monday in April following said election, and until their successors shall be chosen, and there shall be an annual election of directors by the stockholders on the first Monday in April in every year thereafter, at such time and place as the board of directors for the time being shall direct and appoint, of the time and place of holding which election at least ten days' public notice shall be given in a newspaper published in the city of Camden, and the said board of directors chosen at such meeting, or at the annual election of said corporation, shall, as soon as may be after every election, choose out of their number a president, who shall be a resident of this state; and in case of the death, resignation, or removal of the president or any director, such vacancy or vacancies may be filled for the remainder of the year in which they may happen by the board of directors, or a majority of them.

Corporation  
not dissolved  
for failure to  
elect on day  
prescribed.

4. *And be it enacted*, That in case it shall happen that an election of directors shall not be made during the day when, pursuant to this act, it ought to be made, the said corporation shall not for that cause be deemed to be dissolved, but an election may be held at any other time in the manner provided by law, and the directors for the time being shall continue to hold their offices until others shall have been chosen in their places.

Duties and  
powers of  
directors.

5. *And be it enacted*, That a majority of the board of directors of the said corporation shall be competent to transact all the business of the said corporation, and shall have power to call in the capital stock of said company by such installments and at such times as they may direct; and in case of the non-payment of such installments, or any one of them, to forfeit the share or shares upon which such default shall arise, and to open the books for further subscription of stock until the whole stock subscribed amounts to the sum of three hundred thousand dollars, and to make and prescribe such

by-laws, rules and regulations as to them shall appear needful and proper, touching the management and regulation of the stock, property, estate and effects of the said corporation, and also shall have power to appoint such officers, clerks and servants as to them shall seem meet, and to establish and fix such salaries to said officers, clerks and servants as to the said board shall appear proper, and shall have power to take from said officers, clerks and servants appointed by them, such security for the faithful performance of their respective duties as they may think right and proper.

6. *And be it enacted*, That the said corporation shall have power and authority to make, build, construct and erect any and all buildings, tanks, reservoirs, works and machinery for the manufacture of gas for lighting streets, buildings, manufactories, &c., from coal, resin or other materials, and necessary and requisite to supply the inhabitants of the townships of Newton and Union, in the county of Camden, with water and with gas, and shall have power to erect gas posts, burners and reflectors in the streets, roads, alleys, lanes and avenues in said townships of Newton and Union, and to lay down gas pipes and water pipes, or pipes for conducting the water and the gas in the streets, roads, alleys, lanes and avenues of the said townships of Newton and Union, and in the streets, roads, alleys, lanes and avenues that may be the boundaries of said townships, or may be the division between said townships, or either of them, and other townships or places; and the said corporation shall have power to do all other things necessary to light the said townships of Newton and Union, or any part of said townships, or either of them, and the dwellings, stores, factories, and other places therein, and to supply the inhabitants of said townships, or any part of said townships, or either of them, with water; *provided*, that the public travel shall at no time be unnecessarily affected or impeded by the laying of the said pipes or the erection of said posts, and the streets, roads, side and cross walks, lanes, alleys and avenues shall not be injured, but all be left in as good and perfect condition as before the laying of said pipes

Company authorized to construct works.

Proviso.

**Proviso.** or the erection of said posts; *and provided also*, that no private lands shall be in any way injured or defaced without permission in writing first had and obtained from the owner or owners thereof.

**Penalty for injuring works** 7. *And be it enacted*, That if any person shall wilfully impair, injure, or wilfully do or cause to be done any act or acts whatsoever, thereby to injure any conduit, pipe, cock, machine, tank, reservoir, works, building or structure whatsoever, or any other thing appertaining to the works of the said corporation, or whereby the same may be stopped, obstructed or injured, the person or persons so offending shall be considered guilty of a misdemeanor, and being thereof convicted shall be punished by fine, not exceeding three hundred dollars, or imprisonment at hard labor, not exceeding two years, or both; *provided*, such criminal prosecution shall not in any wise impair the right of action for damages by a civil suit hereby authorized to be brought for such injury as aforesaid, by and in the name of said corporation, in any court having cognizance of the same.

**Proviso.**

**Books of account to be kept.** 8. *And be it enacted*, That the said corporation shall cause to be kept at their office proper books of accounts, in which shall be fairly and truly entered all the transactions of the corporation, which books shall at all times be open for the inspection of the stockholders.

**Limitation.** 9. *And be it enacted*, That this act shall be deemed a public act, and shall continue in force thirty years.

Approved March 22, 1860.