

**ACTS**  
**OF THE**  
**EIGHTY-FIRST LEGISLATURE.**  
**OF THE**  
**STATE OF NEW JERSEY,**  
**AND**  
**THIRTEENTH UNDER THE NEW CONSTITUTION.**



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1857.

## CHAPTER CXCIX.

AN ACT to authorize the water commissioners of the city of Hoboken to contract for and introduce water into said city, and to provide for the payment thereof.

## Preamble.

WHEREAS, under 'an act of the legislature of this state, approved March twenty-fifth, eighteen hundred and fifty-two, entitled "An act to authorize the construction of works for supplying Jersey City and places adjacent with pure and wholesome water," and the supplements thereto, the works therein authorized have been constructed, and the inhabitants of Jersey City thereby supplied with water; and it being represented to this legislature that the inhabitants of the city of Hoboken, which said city became incorporated by virtue of an act of the legislature of this state, approved March twenty-eighth, eighteen hundred and fifty-five, entitled "an act to incorporate the city of Hoboken," are desirous of using water supplied as aforesaid within their corporate limits, and power is desired to enable the water commissioners of the city of Hoboken to make contracts with the water commissioners acting under the authority of the first named acts, to introduce water into the said city of Hoboken, for the use of the people thereof, and also desire the power to raise money necessary for the accomplishment of such purposes; now therefore,

Board of water commissioners.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Edmund Charles, John M. Board, Charles Clinton, John Irelands and Edgar Broadhead, and the chairman of the council of the city of Hoboken for the time being, shall constitute the board of water commissioners of the city of Hoboken, and their successors in office, hereby are authorized and empowered to make and enter into such contracts, arrangements, and agreements, as in their discretion may be deemed advisable, and as may be agreed upon with the water commissioners for the time being holding office under the said act entitled "an act to au-

thorize the construction of works for supplying Jersey City, and places adjacent, with pure and wholesome water," and the supplements thereto, to enable said commissioners to introduce water into the city of Hoboken, for the use of the inhabitants thereof.

2. *And be it enacted*, That the said water commissioners of the city of Hoboken, and their successors in office, are authorized and empowered to make such rules and regulations as may be necessary and expedient with reference to the laying of pipe in streets, the mode of using water, and the terms upon which the same shall be used, the collection of water rents, and the enforcement of, such collection; and to make all contracts, agreements and engagements as may be deemed expedient, with reference to the purchase of materials, the purchase or use of lands and premises, the doing of work, and the employment of engineers, clerks, and agents, as may be deemed advisable or proper to carry out the purposes and intents of this act; all lands and real estate which may be purchased, held or taken, under the provisions of this act, shall be taken in the name of the mayor and council of the city of Hoboken.

Duties and powers of commissioners.

3. *And be it enacted*, That the water commissioners of the city of Hoboken, for the purpose of enabling them to defray all the costs and expenses that may be incurred under the provisions of this act, shall have authority to issue, in the corporate name of the mayor and council of the city of Hoboken, notes, bonds, scrip, or certificates of debt, to be denominated on the face "Hoboken City Water Scrip," to an amount in the whole not exceeding sixty thousand dollars, bearing an interest not exceeding seven per cent. per annum, and the said interest shall be payable semi-annually, and the principal of said debt shall be payable at periods not less than ten, or more than twenty years from date; and the said commissioners may sell the same at public or private sale, at such times as the proceeds thereof may be required for the purpose of carrying out the objects of this act, or may pledge the same at the same rate of interest, if deemed necessary or advisable, which said notes, bonds, scrip, or certificates of debt, shall not be sold for less than the par value

Water commissioners may issue bonds.

thereof, which said notes, bonds, scrip, or certificates of debt, shall be signed by the mayor of said city, and sealed with the corporate seal, and countersigned by said commissioners, or a majority of them, and a record of all such notes, bonds, scrip, or certificates of debt, shall be kept by the said commissioners, and copies of such record shall be made and delivered to the treasurer of the city of Hoboken, and the said corporation, and all the real estate within the corporate limits of the said city, and all chattels belonging to any person or persons, or corporation, residing or being within the said city, shall be made liable for the principal and interest due, or to become due on such notes, bonds, scrip, or certificates of debt.

Mayor and council authorized to raise money by tax.

4. *And be it enacted*, That the said the mayor and council of the city of Hoboken are, in addition to the powers contained in their charter, hereby authorized and empowered to raise by tax, in such mode or manner as is now prescribed by their charter, such additional sum or sums as may be deemed necessary or advisable, to pay the principal or interest of the said notes, bonds, scrip, or certificates of debt, and such additional tax shall be so assessed as to be known and designated as a water tax, distinct from other taxes, and all moneys received by the commissioners shall be deposited by them in some bank or banks of good credit, in the state of New Jersey, or the city of New York, and be made payable to the joint order of the president, and at least two other members of the board.

Terms of office of commissioners.

5. *And be it enacted*, That the above named commissioners, and the chairman of the board of councilmen of the city of Hoboken, for the time being, shall constitute the first board of water commissioners, and the said commissioners shall elect annually one of their number to be president of the board, and shall determine, by lot or otherwise, the terms during which the five of the number, other than the chairman of the board of councilmen, shall hold their offices, and these shall be as follows: one of them shall remain in office one year, one two years, one three years, one four years, and one five years, all to be computed from the first day of May next

ensuing, and the chairman of the board of councilmen, for the time being, shall, *ex officio*, be one of said board.

6. *And be it enacted*, That at the charter election to be held in said city of Hoboken, in the year eighteen hundred and fifty-eight, and every year thereafter, there shall be elected one commissioner, who shall hold his office for five years next ensuing such election, and any vacancy that shall occur in said board of commissioners, by death, resignation, or otherwise, shall be filled by the council of the said city of Hoboken; but the person or persons so appointed to fill such vacancy, shall only hold his or their office until the next charter election, and each commissioner, except the chairman of the board of councilmen, who are appointed by this act, or who shall be elected or appointed under the provisions of this act, before entering upon the duties of his office, shall give a bond for ten thousand dollars, with two good and sufficient sureties, to the mayor and council of the city of Hoboken, and to be approved by said mayor and council, for the faithful performance of their duties as such commissioners; *and be it further enacted*, that no councilman of the said city of Hoboken shall be eligible as a water commissioner, when holding office, except the chairman of the board, as aforesaid.

Annual election of commissioners.

7. *And be it enacted*, That the said commissioners shall not be entitled to take or receive any compensation for their services; but there shall be paid such and all reasonable traveling expenses, incurred while employed upon the works, which shall be paid out of any moneys raised and appropriated for the construction of the water works of the city of Hoboken.

Commissioners not to receive compensation.

8. *And be it enacted*, That the mayor and council of the city of Hoboken, shall at any time remove any commissioner, provided it shall satisfactorily appear, after reasonable notice to the parties, and hearing the causes of complaint and answers thereto, if any shall be offered, that the commissioner whose removal is sought, has been guilty of such mal-administration, or such neglect of the duties of his office, that his removal will be right and proper, and two-thirds of

Commissioners may be removed from office.

all the members elected to the said council shall concur in such removal.

No water to be used except by contract with commissioners.

9. *And be it enacted*, That the said water introduced and supplied by virtue of the said act, entitled an act to authorize the construction of works for supplying Jersey City and places adjacent with pure and wholesome water, and the supplements thereto, shall not be taken or used by the mayor and council of the city of Hoboken, or their officers or agents, except by express contract with the said commissioners, acting under the authority of the said first mentioned act.

Part of former act repealed.

10. *And be it enacted*, That all such parts of the act entitled "an act to incorporate the city of Hoboken, approved March twenty-eighth, eighteen hundred and fifty-five, as are inconsistent with the provisions of this act, are hereby repealed.

Public act.

11. *And be it enacted*, That this act is a public act and shall take effect immediately.

Approved March 20, 1857.

## CHAPTER CC.

AN ACT to authorize the Water Commissioners of the city of Hudson, to contract for and introduce water into said city, and to provide for the payment thereof.

Preamble.

WHEREAS, under an act of the legislature of this state, approved March twenty-fifth, eighteen hundred and fifty-two, entitled "An act to authorize the construction of works for supplying Jersey City, and places adjacent with pure and wholesome water," and the supplements thereto, the works therein authorized, have been constructed, and the inhabitants of Jersey City thereby supplied with water; and it being represented to this legislature that the inhabitants of the city of Hudson, which said city became