

**ACTS**  
**OF THE**  
**FIFTY-FIFTH**  
**GENERAL ASSEMBLY**

**OF THE**  
**State of New-Jersey,**

**AT A SESSION BEGUN AT TRENTON, ON THE TWENTY-SIXTH DAY OF OCTOBER, ONE**  
**THOUSAND EIGHT HUNDRED AND THIRTY.**

**BEING THE SECOND SITTING.**



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**TRENTON:**  
**PRINTED BY JOSEPH JUSTICE.**

**1831.**

holders, to serve for one year next after their election, and until their successors are chosen; and in case of the neglect or omission of the stockholders, duly to elect directors at an annual election, the said corporation shall not be thereby dissolved; but the old directors shall hold over and continue in office until a new election shall be had, either at a special election or an ensuing regular annual election, and a special election may at any time be had in such manner and form and upon such notice as the by-laws of the said company may for that purpose prescribe.

Sec. 9. *And be it enacted*, That the directors or a majority of them, or their successors in office, shall have power from time to time to make, constitute, ordain and establish all by-laws, rules, ordinances and regulations, touching the election of directors not herein provided for, and also, for the transaction of the business of the said company and the better government of the same, not repugnant to the constitution or the laws of the United States or of this state; *provided* that all contracts, engagements and responsibilities entered into on the part of the said company by the directors or a major part of them, and signed by the president, shall be binding on the said company in the like manner as any contract would be if made and entered into by any individual.

Power to make  
by-laws, &c.

Proviso.

Sec. 10. *And be it enacted*, That this act shall continue and be in force during the term of twenty-one years from the passage thereof.

Limitation.

Sec. 11. *And be it enacted*, That it shall be lawful for the Council and General Assembly at any time hereafter to amend, repeal, or modify this act as they shall see fit.

Legislature may  
repeal or modify.

Passed January 18, 1831.

## AN ACT to incorporate the Washington Aqueduct Company.

WHEREAS Aaron Vansyckel, William McCullough, Henry Hankinson, Charles Johnston, Conrad Davis, John P. Ribble, Nicholas E. Emmons, Thomas C. Barton, John G. Robbins, Gershom Rusling, John Petty, John W. Smith, Joseph Barton, Frederick Colinbock, William A. Martin and Imla Drake, having by virtue of sundry conveyances, become possessed in fee simple of certain springs of water, situate on the farm owned and occupied by John Mowder, in the township of Mansfield, county of Warren and State of New-Jersey, together with the privilege of conducting

Preamble.

c

the water of said springs into the village of Washington and its vicinity, for the purpose of supplying the inhabitants with pure water: **AND WHEREAS** aqueducts, at a considerable expense have been laid, and the water for some years past conveyed into the town; but in consequence of some of the proprietors not residing in the place, and others again who live in town and are not proprietors, decline to aid and assist to remove and repair decayed logs, although they are daily supplied with this necessary article from the aqueducts, has rendered this laudable undertaking a great burthen of a few individuals—Therefore

**Sec. 1. BE IT ENACTED** *by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same,* That the said Aaron Vansyckel, William McCullough, Henry Hankinson, Charles Johnston, Conrad Davis, John P. Ribble, Nicholas E. Emmons, Thomas C. Barton, John G. Robbins, Gershom Rusling, John Petty, John W. Smith, Joseph Barton, Frederick Colinbock, William A. Martin, and Imla Drake, and their successors and assigns, together with all others who may hereafter become stockholders, be, and they are hereby created a body corporate and politic, in fact and in law, by the name and style of the "President and Directors of the Washington Aqueduct Company," and by that name they and their successors, may have perpetual succession, and shall have power to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in all courts and places whatsoever, and may have a common seal, and may change, alter and renew the same at their pleasure, and by the same name shall be, and are hereby made capable in law of purchasing, holding, and conveying any estate, real or personal, for the purpose of conducting the said water, or any other stream which they may hereafter find necessary to supply the inhabitants of said village and its vicinity, more abundantly with water.

Name of incorporation.

Powers & privileges.

First meeting of stockholders to elect directors.

**Sec. 2. And be it enacted,** That the said stockholders shall, on the first Monday in March next, meet at the inn of John P. Ribble, in Washington, and in person or by proxy, elect five directors, all of whom shall be stockholders, a majority of whom shall be sufficient to form a quorum for business, to serve one year, and until others are elected, which directors shall immediately elect one of their number president.

Annual meeting of stockholders to elect directors.

**Sec. 3. And be it enacted,** That the said stockholders shall meet on the first Monday in March annually, or as soon after as may suit their convenience, of which time and place ten days previous notice shall be given, by any three of the stockholders, by putting up advertisements in three of the most public places in the village of Washington, for the purpose of

examining the accounts and other matters appertaining to the company's concerns, also to elect five directors for the ensuing year, who shall elect their president as is directed in the second section of this act ; and that this charter is not to be affected in any way in consequence of any irregularity in the time of meeting ; and in case of death or resignation of the president or either of the directors, the other directors may fill the vacancy from among the stockholders.

President to be chosen.

Irregularity in time of meeting not to effect the charter.

Sec. 4. *And be it enacted*, That the said stockholders may chuse a secretary and treasurer, make such by-laws, rules and regulations as to them shall appear needful and proper, touching the government of the said corporation, the management and disposition thereof; *provided* they are not repugnant to the laws of this state, and of the United States.

May elect secretary and treasurer and make by-laws.

Proviso.

Sec. 5. *And be it enacted*, That no stockholder shall be entitled to more than one vote until altered by increasing the vote agreeably to the number of shares held.

Mode of voting.

Sec. 6. *And be it enacted*, That the said directors shall keep a book or books, in which the by-laws and all other proceedings of the company shall be entered at large, which book or books shall be free for the inspection of any member whenever requested; and that no stockholder shall sell or transfer his or her stock until it is entered and all arrearage of taxes paid up.

Duty of directors.

Sec. 7. *And be it enacted*, That in order to enable the said stockholders to raise a fund sufficient to keep the aqueducts now in use, in repair, also to purchase at some future period, lead or iron pipes, or any other kind which they may see proper to convey the water through and keep them in repair, also to purchase other water and water-courses, should the present springs fail or prove unsufficient to supply the inhabitants with water, they may create a new stock and dispose of the same, *provided* the stock so created does not exceed ten thousand dollars; also tax each stockholder according to the number of shares owned, and the benefit derived from the water.

New stock may be created.

Proviso.

May tax stockholders.

Sec. 8. *And be it enacted*, That if in any case any person or persons neglect or refuse to pay the tax or taxes assessed, within twenty days after notice is given by advertisements set up in three of the most public places in the said village of Washington, that they may be prosecuted for the same in an action of debt ; and the Justice before whom the action is brought after examining the duplicate and comparing the different assessments, under similar circumstances, and hearing the witnesses offered, may enter judgment for such sum as he may think right, with costs, and issue execution for the same when required.

Delinquents may be prosecuted.

Sec. 9. *And be it enacted*, That the said company, their

Highway not to be obstructed.

agents or servants shall not, when laying the aqueducts, or at any other time obstruct any public highway so as to prevent carriages from passing and repassing without danger or inconvenience.

Triple damages for injuring property of the company.

Sec. 10. *And be it enacted*, That if any person or persons shall disturb, injure, or in any way obstruct the spring or springs, or the water or water-courses, belonging to the said company, or injure, or disturb the logs, pipes and fixtures belonging, or in any way appertaining to the aqueducts, may be sued in an action of damages in any court within this state having cognizance of the same, and on conviction, made to pay triple the amount of damages done with costs.

May enter on premises to lay aqueducts, &c.

Sec. 11. *And be it enacted*, That the said company may at all times when necessary to repair the aqueducts now in use, or others that may be put in their place or elsewhere, which they may hereafter lay, and keep the same in repair, enter on the premises, and dig such small drains or ditches as will be necessary to lay the aqueducts in, and after they are laid to cover them with the earth which they have so thrown out, with all reasonable despatch; and in case the owner or owners or possessor of the soil through which the drains or ditches so dug, conceives that he, she or they are injured thereby, and not being able to agree with the said company on the amount of damages done, that the same shall be referred to three disinterested freeholders residing in the neighborhood, or a less number as may be agreed on by the parties, who shall, if desired by either party, be sworn or affirmed as the case may be, before entering into the investigation, to determine according to the best of his or their judgment or judgments; and after viewing the premises and hearing the parties, shall make his or their award in writing within ten days, and if he, or a majority, if more than one, shall award damages, the same shall be paid by the company immediately, together with all the costs that may accrue or such a part thereof as may be considered just and right; and in case the said company neglect or refuse to refer the subject matter in dispute, then the party injured may sue for the same in an action of damages.

Amount of damages to be referred.

Company may be sued.

Legislature may repeal or modify this act.

Sec. 12. *And be it enacted*, That it shall at any time hereafter be lawful for the legislature of this state to repeal, alter or amend this act or any part thereof.

Passed January 19, 1831.