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ACTS

T. Gordon

OF THE

TWENTY-NINTH

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GENERAL ASSEMBLY

518
740

OF THE

STATE OF NEW-JERSEY.

AT A SESSION BEGUN AT TRENTON,

ON TUESDAY, THE TWENTY-THIRD DAY OF OCTOBER, ONE

THOUSAND EIGHT HUNDRED AND FOUR,

AND CONTINUED BY ADJOURNMENTS.

Being the First Sitting.



TRENTON:

PRINTED BY JAMES J. WILSON.

1804.

L. C. [unclear]

ACTS
OF THE
TWENTY-NINTH
GENERAL ASSEMBLY
OF THE
STATE OF NEW-JERSEY.

CHAP. CXXXIII.

An Act to incorporate an Aqueduct Company in the City of Burlington.

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 William Cox, Thomson Neale, Abraham Stockton, and John Hoskins, junior, and their associates, for the purpose of supplying the city of Burlington with pure and wholesome water, their successors and assigns shall be a body politic and corporate, in deed, law, fact and name, by the name, style and title of *the Burlington Aqueduct Company*; and by the said name shall have perpetual succession, and enjoy all the privileges and franchises incident to a corporation, and shall be capable of holding their capital stock, and the increase and profits thereof from time to time, and in such manner and form as they shall think proper; and of disposing of and using

Persons incorporated.

For what

Their name

Privileges and powers.

the water which they may purchase or procure from the owner or owners of the soil whereon the springs may be found, or through which the streams may pass, in such manner and form as they shall think proper; and also of purchasing, taking and holding to them, their successors and assigns, in fee simple, or for any less estate, all such lands, tenements, hereditaments, and estate, real and personal, as shall be necessary and convenient to them in the prosecution of their works, and the same to sell and dispose of at their pleasure; and also that the said proprietors, their successors and assigns, be and shall be able in law, and capable to sue and be sued, implead and be impleaded, answer and be answered, defend and be defended, in all courts of judicature whatsoever, and of doing all and every other matter, act or thing, which a corporation or body politic may lawfully do: *Provided*, That the real estate and capital stock so to be holden, shall be such only as may be requisite to promote and attain the objects of this corporation, and may be relative thereto, which objects are hereby declared to be, the bringing into and supplying the city of Burlington with pure and wholesome water.

And be it enacted, That it shall and may be lawful for the said corporation to lay and extend the said aqueduct to such places, and through any lands that may be by them, their managers or officers, thought necessary, first giving notice of their intention to the owner or owners, in writing, if in this state, or to their tenant or tenants, in possession thereof, if such there be, and making

2. *And be it enacted*, That it shall and may be lawful for the said corporation to lay and extend the said aqueduct to such places, and through any lands that may be by them, their managers or officers, thought necessary, first giving notice of their intention to the owner or owners, in writing, if in this state, or to their tenant or tenants, in possession thereof, if such there be, and making

satisfaction for any damages that may be sustained by the owner or owners of such ground, according to a reasonable agreement between the parties; but in case of disagreement between the parties as to the value or the sum to be paid for such damages, then and in such case it shall be the duty of the said parties, each to choose a reputable freeholder, and they two a third, whose judgment, or the judgment of any two of them, made in writing as to the amount to be paid to such owner or owners by the said company, shall be conclusive; and in case such owner or owners shall neglect or refuse to choose a person as aforesaid, then it shall be lawful, on the application of the said company or their officers, for any justice of the peace of the county of Burlington, to issue his venire to any constable of the county, who shall summon twelve good and lawful men of the county, not resident within the corporation of Burlington, who, upon examining the facts and premises, shall render such verdict as to them shall appear just and right, which verdict shall be conclusive between the parties.

3. *And be it enacted*, That it shall and may be lawful for such corporation to lay and extend the said Aqueduct through such of the highways or streets of the city of Burlington as they may think necessary, and for that purpose to take up and remove so much of the pavement or earth in the said streets or highways, as may be convenient and necessary for the purposes aforesaid: *Provided nevertheless*, That not more than four rods in the said highways or streets shall be

Aqueduct
may be laid
through any
of the
streets.

Provido.

dug up at one time, nor kept open more than six days: *And provided also*, That the said pavement or earth shall be replaced at the expence of the said company, in as good condition as if the same had not been removed.

4. *And be it enacted*, That the said company shall meet together as soon as may be, at the city of Burlington; of which three weeks notice shall be given by the secretary of the said company, by advertisements fixed up in three of the most public places in the said city, appointing the time and place of the said meeting; at which meeting the members present shall choose, by plurality of votes, a president, two managers, a treasurer and secretary, who shall conduct the affairs of the said company for one year, and until others shall be chosen in their stead; at which meeting, and at every subsequent meeting, each proprietor shall have one vote for each share held in his or her name in the stock of the said company, and until such choice shall be made, William Coxe shall be the president, Thomson Neale and Abraham Stockton, the managers, and John Hoskins, junior, the treasurer and secretary of the said company. And the said corporation, at their meetings, shall make such bye-laws, rules and regulations as shall be necessary for the well ordering the affairs of the company: *Provided always*, That the same be not repugnant to the laws of this state. *And further*, That the said corporation, and their successors, may make, and forever thereafter have and use, a common seal, with such device and

Company
to choose
a
president,
managers,
treasurer,
&c.

Temporary
officers
appointed.

Corpora-
tion to
make their
own bye-
laws, &c.

and make,
have and
use a com-
mon seal,

devices as they shall think proper, for sealing all and singular their deeds, contracts and other writings, touching and concerning the said corporation, and may as often as they shall think fit, alter and change the same.

A. Passed at Trenton, October 31, 1804.

CHAP. CXXXIV.

An Act to incorporate "the Associates of the Jersey Company."

WHEREAS it is represented to this Legislature, That Richard Varick, Jacob Radcliff, and Anthony Dey, have become the proprietors by purchase from Cornelius Van Vorst, of all that certain tract or parcel of land and meadow, situate, Preamble, lying and being in the township of Bergen, county of Bergen, and state of New-Jersey, commonly called Powles Hook, bounded on the east by Hudson's River, on the north by said river, or the bay commonly called Horsimus Bay, on the south by said river, or the bay commonly called Communipau Bay, and on the west by a line drawn from a stake, standing on the west side of the small creek on the south-west side of the said tract, (from which stake, the flag-staff on Ellis's Island, bears south, one degree