

*1867*  
*Acts of the Legislature, 1867, etc.*

# ACTS

OF THE

## NINETY-FIRST LEGISLATURE

OF THE

### STATE OF NEW JERSEY,

AND

TWENTY-THIRD UNDER THE NEW CONSTITUTION.



**Charles L. C. Gifford,**

PATERSON, N. J.:

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1867.

14. *And be it enacted*, That the townships of Pequanae, Assembly district. Montville and Boonton shall form part of the second assembly district of the county of Morris.

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

Approved April 11, 1867.

## CHAPTER CCCCXXXIV.

An act to incorporate the Cherry Hill Gas and Water Company.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That Johannes Lienan, Godfrey W. Zingsem, Andrew D. Mellick, John J. Van Buskirk and Charles H. Voorhees, and such other persons as may be hereafter associated with them, their successors and assigns, shall be and they are hereby ordained, constituted and declared to be a body politic and corporate in fact and in law, by the name of "The Cherry Hill 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. Names of corporators.

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

3. *And be it enacted*, That the above named persons or a 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 ten days notice of the same in a newspaper published in the county of Bergen, and that at the time of subscribing, five per centum shall be paid for each share subscribed for to the commissioners, and as soon as twenty 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 A Commission to receive subscriptions to capital stock.

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 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, and the directors chosen shall hold office until the first Monday in April following their election and until their successors are chosen, and there shall be an annual election of directors by the stockholders on the first Monday in April in every year, at such time and place as the directors for the time being shall appoint, whereof like notice shall be given as aforesaid, and said directors shall 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 remaining members of the board of directors or a majority of them.

Company  
not to be  
dissolved  
by failure  
to elect.

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

Provision

5. *And be it enacted*, That a majority of the board of directors shall be competent to transact all the business of said corporation, and shall have power to call in the capital stock of said company by such instalments and at such times as they may direct; and in case of the non-payment of such instalments or any one of them to forfeit the share or shares upon which such default shall arise 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 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, such security for the faithful performance of their respective duties as they may think right and proper.

6. *And be it enacted*, That 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 and other places, from coal or other materials, and necessary and requisite to supply the inhabitants of the village of Cherry Hill and places adjacent thereto 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 the said village and places adjacent thereto, and to lay down gas and water pipes or pipe for conducting the water and the gas in the streets, roads, alleys, lanes and avenues of said village and places adjacent thereto; and said corporation shall have power to do all other things necessary to light the said village and the places adjacent thereto, and the dwellings, stores, factories and other places in said village and places, and to supply the inhabitants thereof with water and gas; *provided*, that public travel shall at no time be unnecessarily affected or impeded by the laying of 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 or the erection of said posts.

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 whereby to injure any conduit, pipe, cock, machine, tank, reservoir, works, building or structure whatsoever, or anything appertaining to the works of said corporation, or whereby the same may be stopped, obstructed or injured, the person or persons so offending shall be deemed 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 impair the right of action for damages by a civil suit, which is 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.

May build  
and con-  
struct gas  
works.

Proviso.

Penalty for  
injury to  
works.

Proviso.

May borrow  
money.

8. *And be it enacted* That the said company shall have power to borrow money not exceeding two-thirds of their capital stock paid in, and to secure the same by bonds or other evidences of debt, bearing interest not exceeding seven per centum per annum, and mortgage upon their property, franchises and privileges, and by such other assurances as they may deem expedient.

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

Approved, April 11, 1867.

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## CHAPTER CCCCXXXV.

An act to incorporate the Long Branch Reservoir and Water Power Company.

Names of  
cooperators

1. *Be it enacted by the Senate and General Assembly of the State of New Jersey*, That Joseph H. Cooper, John Hoey, Charles Chamberlain, Samuel Laird, O. S. Bright, E. Boudinot Colt, Charles A. Stetson, I. Lester Wallack and Francis Corlies, and their associates, and all other persons who shall become subscribers to the capital stock hereby created, and their successors shall be and they are hereby incorporated and made a body politic and corporate in fact and in law, by the name of "The Long Branch Reservoir and Water Power Company."

Amount of  
capital  
stock.

2. *And be it enacted*, That the capital stock of said company shall be twenty-five thousand dollars, with liberty to increase the same to fifty thousand dollars, which shall be divided into shares of twenty-five dollars each, and paid in by the stockholders at such times, in such manner, in such instalments, and upon such notice as the directors of said company by their by-laws or otherwise may direct and appoint, and in case of the failure by any stockholder to pay his or her instalments at the time and place appointed for the payment thereof, or within thirty days thereafter, such stockholder shall incur a forfeiture of his or her shares or shares, and of all previous payments thereon, for the use of the company, and such shares shall be deemed personal property, and be transferable in such manner as the said company by their by-laws may appoint.