

ACTS

OF THE

NINETY-THIRD LEGISLATURE

OF THE

STATE OF NEW JERSEY,

AND

TWENTY-FIFTH UNDER THE NEW CONSTITUTION.



STATE OF NEW JERSEY

NEW BRUNSWICK, N. J.:
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1869.

Compensation 23. *And be it enacted*, That the compensation of said commissioners shall in no case exceed five dollars per day for each day actually employed in the duties of said trust; that the said treasurer shall receive a reasonable compensation for his services, to be regulated and fixed by the commissioners appointed by this act.

Shall take an oath. 24. *And be it enacted*, That the said commissioners shall within sixty days from the date of the passage of this act, and before they proceed to the duties of their appointment, subscribe and take an oath before the clerk of said court of common pleas, to faithfully, honestly and impartially perform the duties required of them by this act, which oath shall be filed with the said clerk.

25. *And be it enacted*, That all the expenses incident to said improvements and necessary for the completion thereof, shall be estimated by the said commissioners and assessed upon the lands benefited by said improvements.

26. *And be it enacted*, That any proceedings had by virtue of this act shall not be removed by certiorari.

27. *And be it enacted*, That this act shall be deemed and taken to be a public act.

Repealer. 28. *And be it enacted*, That all acts and parts of acts inconsistent with the provisions of this act be, and the same are hereby repealed.

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

Approved April 1, 1869.

CHAPTER CCCCXX.

A Further Supplement to the act entitled "An Act to incorporate the Hackettstown Aqueduct Company," approved March the tenth, eighteen hundred and fifty-three.

May increase capital stock. 1. BE IT ENACTED by the Senate and General Assembly of the State of New Jersey, That the capital stock of said com-

pany shall be increased to the sum of seventy-five thousand dollars.

2. *And be it enacted*, That said company shall be empowered to purchase and hold real estate to the extent of two hundred acres for the use of said company, and to sell and convey such parts thereof as they may deem necessary. May purchase and hold real estate.

3. *And be it enacted*, That it shall be lawful for said company to lay, sink and extend their pipes, conduits and branches through such of the highways of the townships of Independence and Mansfield, in the county of Warren, and the townships of Washington and Roxbury, in the county of Morris, as the directors of said company, or a majority of them, may deem advisable and for that purpose, and whenever it may be necessary to alter, remove or repair the same to dig, excavate and remove such of the soil and earth as may be necessary; and to restore the said highways to their former condition as soon as may be compatible with a judicious prosecution of the work. May lay pipes in roads and streets, &c.

4. *And be it enacted*, That said company shall have the right and privilege of taking, diverting and appropriating to the use of said company the waters of any spring, rill, rivulet, brook, pond, creek or river on any lands within three miles from said town of Hackettstown, upon making or tendering compensation to the owner or owners thereof or the person or persons affected by such taking, diverting or appropriating such waters as aforesaid, and in case said company and any person or owner cannot agree upon such compensation it shall be the duty of the said parties within thirty days' notice of any one party to the other each to choose a respectable freeholder (not a stockholder in the company) and they shall choose a third, whose judgment, or the judgment of any two of them, shall be final and conclusive; *provided*, that if either party consider themselves aggrieved by said judgment or award, such party may prosecute his appeal to be brought from or upon said judgment within sixty days in any court of competent jurisdiction. May appropriate waters to use. Proviso.

Approved April 1, 1869.