

ACTS

392

OF THE

SEVENTY-NINTH LEGISLATURE

OF THE

STATE OF NEW JERSEY,

AND

ELEVENTH UNDER THE NEW CONSTITUTION.



TRENTON:

PRINTED BY PHILLIPS & BOSWELL

1855.

be taken as the amount of capital stock paid in; the inventories shall be recorded by the secretary upon the books of the company; and the fire company are authorized to raise such sums of money, under the limitations of this act, as the necessities of the company require, until their fire engines, engine houses, reservoirs, ladders, buckets, fire hooks, and other implements and machines belonging to the association, and used for the purpose of extinguishing fires, shall amount, at a fair cash valuation, to the sum of ten thousand dollars.

3. *And be it enacted*, That the moneys hereby authorized to be raised shall be raised by tax upon the same kinds of property, and in the same manner, and be subject to the same rules and regulations, as is mentioned and described in the act to which this is a supplement, and the supplement thereto, passed March twenty-seventh, eighteen hundred and forty-five. Made of raising tax.

4. *And be it enacted*, That this act shall go into operation immediately after the passage thereof.

Approved March 29, 1855.

---

## CHAPTER CLXXXVI.

A further supplement to the "Act to authorize the construction of works for supplying Jersey City and places adjacent with pure and wholesome water," approved twenty-fifth of March, eighteen hundred and fifty-two.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the whole amount of the special tax of two cents upon each one hundred square feet of all lands within the limits of Jersey City liable to taxation, which the mayor and common council of said city are directed by the seventeenth section of the "Act to authorize the construction of works for supplying Jersey City and Tax to be paid annually to common council.

places adjacent with pure and wholesome water," to levy and collect for the payment of interest upon the debt created for the construction of the Jersey City water works, shall be paid by the said mayor and common council annually, on the third Tuesday in December, to the water commissioners of Jersey City, so long as the said tax shall continue to be levied and collected.

*Water rents.* 2. *And be it enacted,* That the water commissioners of Jersey City shall from time to time fix the prices to be charged for the use of Passaic water, where the same is taken and used, and the owner and occupier of any house, lot, or tenement shall each be liable for the payment of the price so fixed; and the said commissioners shall also, from time to time, fix a sum to be assessed annually upon all vacant lots and lots with buildings thereon in which Passaic water is not taken, if the same are situated upon any road, street, avenue, lane, alley, or court in Jersey City through or in which pipes for distributing the water are laid, which prices and sums, so fixed and assessed, shall be denominated "water rents;" and the said water commissioners shall from time to time determine and give public notice of the times and places at which the said water rents shall be due and payable, and the penalties to be charged for delaying the payments beyond the times so fixed; and the said water rents and penalties shall, until paid, be liens upon the property charged therewith; and a certified account of all such water rents and penalties for delinquency as remain unpaid at that date shall, on the twentieth day of December in each year, be delivered by the water commissioners to the mayor and common council, to be collected, under their direction, in the same manner that arrears of taxes are collected, and interest shall be charged and collected thereon at the same rate; and all laws of the state of New Jersey and ordinances of the mayor and common council of Jersey City, relating to the collection of arrears of taxes, shall be good and valid for the collection of arrears of water rents and penalties legally assessed or imposed by the water commissioners of Jersey City; and the amount of such arrears and interest, when collected, shall be paid to the said commissioners.

3. *And be it enacted*, That the water commissioners of Jersey City shall fix the aforesaid water rents or prices for water and assessments upon property situated where distributing pipes are laid, with reference to paying from the proceeds thereof the interest and principal of the "Jersey City water scrip" or bonds, as they respectively fall due; and such portions of the moneys received by the said commissioners as may remain after paying all expenses for maintaining the works and raising and distributing the water, and salaries, wages, and incidental charges, shall be applied, first, to the payment of interest upon the debt created for the construction of the works; and next, to the purchase of the "scrip" or bonds issued therefor, if the same can be obtained at reasonable rates, or if that cannot be effected, then to be safely invested by the said water commissioners, and allowed to remain as a sinking fund to be applied to the payment of the scrip at its maturity.

4. *And be it enacted*, That if application shall be made to the mayor and common council of Jersey City, by the owners of more than one half the property to be drained thereby, for a temporary sewer or sewers or drains, in any street, road, avenue, lane, or alley, not in accordance with the plan of sewerage decided upon and recommended by the water commissioners, and adopted by the mayor and common council of Jersey City, but which will not interfere with or obstruct the execution of the aforesaid plan, or its operations, when the same shall be completed, the mayor and common council shall, after publishing said application in some newspaper published in Jersey City for the period of twenty days, have authority to construct such temporary sewer or sewers or drains, and the cost of the same shall be ascertained in the same manner that the cost of permanent sewers and drains is directed to be ascertained in a supplement to the "Act to authorize the construction of works for supplying Jersey City and places adjacent with pure and wholesome water," approved March sixteenth, eighteen hundred and fifty-four, and be collected by the mayor and common council in the same manner as assessments for the improvement of streets are collected; and all the provisions

of said supplement relating to the use and management of sewers and drains, and all penalties for injuring or obstructing the same, contained in or authorized by the said supplement, shall be good and valid with respect to the temporary sewer and drains hereby authorized.

Amount due  
for water  
rents to be a  
lien.

5. *And be it enacted*, That the amount due and to become due for the use of the Passaic water or for water rents, and for the penalties and interest thereon, commencing on the first day of September, in the year one thousand eight hundred and fifty-four, and ending on the first day of May next, shall remain a lien, and be collected with the arrearages of taxes for year eighteen hundred and fifty-four, or for eighteen hundred and fifty-five, as the board of water commissioners shall determine, notwithstanding any delay in making out the return to the mayor and common council on the twentieth December last.

Commissioners  
are to make  
annual re-  
port.

6. *And be it enacted*, That the water commissioners shall, on or before the first Tuesday of May, in each year, make a careful estimate of the interest on the water debt, and cost of managing and keeping in repair and operation of water works for the ensuing year, and of the amount to be received during the same year for the use of water, water rents, and surface tax, and of the deficiency, if any, of such receipts for the payment of such expenditures, and report the same in writing to the said common council; and said deficiency said city shall raise by tax, as other city taxes are levied and collected; and said water commissioners shall, in case of any estimated deficiency, furnish a copy of said reports to the assessors of taxes in said city.

Assessment  
and collec-  
tion of same  
reported due

7. *And be it enacted*, That it shall be the duty of the assessors of Jersey City to add to the sum so reported three per cent., to cover losses and contingencies, and to assess such sum, so increased, upon all taxable property in said city, in the same manner as other taxes are assessed; and said tax shall be collected by the collectors and other officers of said city, and, if not paid at the time required by law for other city taxes, shall be collected by warrant and by sale, in the same manner as other city taxes are collected in said city, and shall be a lien upon the property, whereon the same are assessed in like manner.

8. *And be it enacted*, That all vacancies in the board of <sup>vacancies</sup> water commissioners shall be filled by the common council <sup>how supplied.</sup> until the next annual charter election for officers in said city, when the same shall be filled by an election by the people for the unexpired term; and in no case shall a water commissioner be an alderman, except the president of the board ex officio.

9. *And be it enacted*, That so much of the fourteenth <sup>Part of her-</sup> and sixteenth <sup>acter acts re-</sup> sections of the act to authorize the construction of works for supplying Jersey City and places adjacent with pure and wholesome water, approved March twenty-fifth, eighteen hundred and fifty-two, and all the provisions of the act entitled, "A further supplement to the act entitled, an act to authorize the construction of works for supplying Jersey City and places adjacent with pure and wholesome water," approved twenty-sixth (sixteenth) of March, eighteen hundred and fifty-four, and all acts or parts of acts that contravene or conflict with the provisions of this act are hereby repealed.

10. *And be it enacted*, That this act shall go into effect immediately.

Approved March 29, 1855.

---

## CHAPTER CLXXXVII.

AN ACT to incorporate the Port Monmouth Association for building on and improving certain lands located at Port Monmouth.

1. *BE IT ENACTED by the Senate and General Assembly* <sup>Names of</sup> *of the State of New Jersey*, That Joseph N. Barnes, George <sup>corporators</sup> W. Matsell, Harvey Hart, Ely De Voe, Henry A. Morford, James Eagen, Aaron Seabrook, Frederick A. Talmadge, Albert R. Speer, and others, their associates and successors, be and are hereby incorporated, under the name and style