

C H A P. DCCCXXXI.

An Act for the Relief of Persons confined for Debt.

SECT. 1. **B**E IT ENACTED by the Council and General Assembly of this State, and it is hereby enacted by the authority of the same, That the act, intituled, "An act for the relief of persons imprisoned for debt," passed the eighteenth day of March, in the year of our Lord seventeen hundred and ninety-five, shall be, and the same is hereby revived and extended, and every matter and clause thereof, to all persons now in actual confinement for debt in any of the prisons of this state.

Act of 1795
revived, &c.

2. *Be it enacted,* That it shall and may be lawful for the debtor in actual confinement at the time of passing this act, in each of the counties in this state, in which a court of common pleas will not be held, on or before the first day of December next, to apply to the sheriff of the county wherein they are confined; or which application the sheriff is hereby directed to call together three of the judges of the court of common pleas of such county, whose duty it shall be to attend at the court-house in the county to which they belong, within five days after such notice, and, when met, to make an order for the liberation of such debtors, in the same manner and under the like circumstances as the courts of common pleas are directed to proceed in and by the act, intituled, "An act for the relief of persons imprisoned for debt," passed the eighteenth day of March, in the year of our Lord seventeen hundred and ninety-five; *Provided,* That nothing in this act shall be considered as extending to any person who shall have contracted any debts intentionally to defraud any creditor.

Special court
to be called.

3. *And be it enacted,* That Isaac Lanning, a debtor now confined in gaol, in the county of Cumberland, shall be entitled to the benefit of the above recited act, in like manner as it is extended to married men.

A. D. 1799. Passed at Trenton, November 15, 1799.

C H A P. DCCCXXXII.

An Act to incorporate John Doughty and his Associates, Proprietors of the Morris Aqueduct.

WHEREAS a number of the inhabitants of Morris-Town have associated together for the purpose of supplying themselves and their neighbors with water; Therefore,

Preamble.

*Persons incor-
porated ;*

their name.

Sec. 1. **B**E IT ENACTED by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same, That John Doughty, William Campfield, James Richards, David Ford, Aaron Pierson, John Halfey, William Johnes, Gabriel H. Ford, Henry King, Caleb Russell, Daniel Phoenix, jun. Israel Canfield, Benjamin Freeman, David Mills, George O'Hara, Rodolphus Kent, Joseph Lewis, Lewis Condict, Abraham Canfield, Samuel Ogden, Elijah Holloway, Edward Mills, William Tuttle, Matthias Crane, Jonathan Dickerson and Daniel Lindley, the present proprietors of said aqueduct, their heirs and assigns, shall be a body politic and corporate, in deed, fact, name and law, by the name, style and title of "The Proprietors of the Morris Aqueduct," and by the said name, the said proprietors, their successors and assigns, shall have perpetual succession, and enjoy all 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, in such manner and form as they shall think proper, and 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.

*Aqueduct may
be laid thro
any lands, &c.*

2. *And be it enacted,* That it shall and may be lawful for the said proprietors to lay and extend the said aqueduct to such places, and through any lands that may be by them thought necessary, and to continue the same where now laid, and that it shall and may be lawful for the said proprietors, their artists and labourers, with carts, waggons and other carriages, with their beasts of draft and burden, and all necessary tools and implements, to enter upon the lands contiguous or near to the said tract of such aqueduct, and also to take and carry away any stone, gravel, sand or earth, there being most conveniently situate for making, repairing or improving such aqueduct, and the same to use in carrying on the said work, first giving notice of their intention to the owner or owners of such lands, if in this state, or to the tenant in possession thereof, if any such there be, and doing as little damage thereto as possible, and repairing any breaches they may make in the inclosures thereof, and making amends for any damages that may be sustained by

the owner or owners of such ground, according to a reasonable agreement with the said owner or owners; but if such owner or owners shall be feme covert, under age, non compos mentis, or out of the state, then according to an appraisement, to be made upon the oath or affirmation of twelve good and lawful men of the said county, to be summoned, sworn, affirmed and empanelled by virtue of a warrant from any judge of the inferior court of common pleas of the said county of Morris, who, at the request of the said company, or their lawful agent, is authorized and required to issue his warrant to the sheriff of the said county, commanding him, that by the oaths or affirmation of twelve good and lawful men of his bailiwick, he make the said appraisement and return the same forthwith, under their hands and seals, to the clerk of the inferior court of common pleas for the said county, there to be filed of record; and if the said appraisement shall appear to have been duly made, and no exceptions be taken thereto at the first or second term, after the same shall be filed in the said office, then the said court shall enter final judgment on the same, and the said company paying to the owner or owners, as aforesaid, the money in the said appraisement found, or bringing the same into the said court, over and besides the costs of the said warrant, and of executing and returning the same, shall be entitled to have and to hold, to them and their successors forever, the right, liberty and privilege of the said aqueduct, through the said lands, and shall be discharged, exonerated and freed from all suits, actions or demands brought, or to be brought against them, their artists or labourers, by reason of the premises; and if any such return of appraisement, so to be made, shall appear not to have been duly made, then the said court, upon the application of the said proprietors, or their lawful agent, as often as the same may be necessary, is required to award a warrant de novo; and upon the return of the same being approved of by the said court, judgment shall be entered thereupon; and upon payment, or bringing into court all such monies, as by the said appraisement shall be found, the same shall be as valid and effectual, to all intents and purposes, as if the said first return had been approved of by the said court, and final judgment entered thereon.

And be it further enacted by the authority aforesaid, That the said proprietors shall, as soon as conveniently may be, meet together at Morris-Town, in the county of Morris aforesaid, of which ten days notice shall be given by the president of the said proprietors, in the public news-paper printed in said town of Morris, appointing the time and place of said meeting; at which meeting the said proprietors shall choose, by plurality of votes, a president and such other officers as they shall judge

Compensation to be made for damages done,

and damages, how to be ascertained.

President and other officers, how to be appointed.

ably of
of the
wards,
s, Ga-
x, jun.
Hara,
n Can-
William
Lindf-
ire and
l, fact,
rietors
id pro-
succes-
corpo-
k, and
h man-
shafing,
s, in fee
heredi-
ry and
and the
hat the
be able
nplead-
d in all
ny other
ic may
for the
uch pla-
ught ne-
at shall
and la-
th their
d imple-
the said
way any
ntly situ-
and the
notice of
if in this
ch there
repairing
thereof,
ained by

necessary, who shall conduct and manage the business to them assigned of the said proprietors, for one year, and from thence until other officers shall be elected in their place; at which meeting, and at every other and subsequent meeting, each proprietor shall have one vote for every share he shall hold in the said concern; and the said proprietors, at their meetings, may make such laws, rules and orders as shall be necessary for the well ordering of the affairs of the said proprietors, provided the same be not inconsistent with the laws of this state; also, that the said proprietors, their successors and assigns shall and may make, and forever thereafter, have and use a common seal, with such device or devices as they shall think proper, for sealing all and singular deeds, contracts and other writings touching and concerning the said corporation, and may, as often as they shall think fit, alter and new make the same or any other their common seal.

May use a common seal.

4. *And be it enacted by the authority aforesaid,* That the said proprietors shall be, and they are hereby exonerated from the payment of any fees on the passing of this act, any law to the contrary notwithstanding.

A. Passed at Trenton, November 19, 1790.

C H A P. DECCXXXIII.

A Supplement to an Act, intitled, "An Act making Provision for carrying into Effect the Act for the Punishment of Crimes."

SECT. 1. **B**E IT ENACTED by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same, That the inspectors of the state-prison shall, from and after the passing of this act, be entitled to receive the sum of one dollar per day, for every day necessarily employed in the duties of their appointment, on an order drawn on the treasurer of this state, by the president of the board of inspectors and signed by any two of the said inspectors.

Allowance to the inspectors of the state-prison.

How costs may be remitted.

2. *And be it enacted,* That the governor, or person administering the government, shall have power to remit any costs or prosecution which are or shall be due on any criminal imprisoned in the state-prison, on a recommendation of any two of the inspectors of said prison and certificate from the visiting physician