

10. SEC. 5. That any person or persons, his, her or their agent, upon presenting to the person having taken up any drift lumber or boards, as aforesaid, a written claim thereto, verified by oath or affirmation in manner aforesaid, and paying the compensation for having saved the same, provided by the first section of this act, together with the expenses of having advertised the same, shall be entitled to the immediate possession thereof, and, as against the person or persons having taken up such lumber or boards, such claim, verified as aforesaid, shall be, in all courts of this state, conclusive evidence of title; *provided*, that nothing in this section contained shall be so construed as in any wise to affect the title to the said lumber or boards, as between such claimant and any other claimant of the same.

Person presenting claim and paying compensation to have possession of lumber.

Supplement.

Approved March 20, 1857. P. L. 1857, p. 65.

11. SEC. 1. That the provisions of the act to which this is a supplement, shall be extended to all rails, posts and other valuable lumber, boats, scows, skiffs, barges or other craft which may be found adrift, or lodged on the land of any person or persons; *provided*, that the compensation for securing any boats, skiffs, scows, barges or other craft, shall be one dollar for each boat, scow, skiff, barge or other craft.

Provision of act extended to all rails, posts, etc., adrift.

Titles.

1. Bill in chancery may be maintained to settle title to lands.
2. Ticket issued with subpoena to state object of suit.
3. No decree for costs against defendant suffering decree *pro confesso* against him.
4. Answer of defendant claiming any estate what to specify.
5. On application of either party an issue at law may be directed.
6. Final decree to settle rights of all parties.

An act to compel the determination of claims to real estate in certain cases, and to quiet the title to the same.

Approved March 2, 1870. P. L. 1870, p. 20.

1. That when any person is in peaceable possession of lands in this state, claiming to own the same, and his title thereto or to any part thereof is denied or disputed, or any other person claims, or is claimed to own the same or any part thereof, or any interest therein, or to hold any lien or encumbrance thereon, and no suit shall be pending to enforce or test the validity of such title, claim or encumbrance, it shall be lawful for such person so in possession to bring and maintain a suit in chancery to settle the title of said lands, and to clear up all doubts and disputes concerning the same; the bill of complaint in such suit shall describe the lands with certainty, and shall name the person who claims, or is claimed or reputed to have such title or interest in, or encumbrance on said lands, and shall call upon such person to set forth and specify his title, claim or encumbrance, and how and by what instrument the same is derived or created.^(a)

Bill in chancery may be maintained to settle title to lands.

2. That with the subpoena in such suit, there shall be issued a ticket to each defendant, describing the lands with precision, stating the object of the suit, and that if the defendant claims any title or interest to, or encumbrance upon said lands, he is required to answer said bill, but not otherwise.

Ticket issued with subpoena to state object of suit.

3. That no decree for costs shall be had in such suit against any defendant who suffers a decree *pro confesso* against him, or who shall answer disclaiming all title to, interest in, or encumbrance on said lands; but this court shall, in such cases, without further proof, decree that such defendant has no estate or interest in, or encumbrance on said lands, or any part thereof; and any defendant who shall by answer, duly verified by oath, deny that he claims or ever has claimed, or pretended to have any estate, interest or encumbrance, in or upon said lands, or any part thereof, shall be entitled to his costs in said suit.

No decree for costs to be had against defendant suffering decree *pro confesso* against him.

(a) See *Powell v. Mayo*, 9 C. E. Gr. 178, 11 C. E. Gr. 150. *Havens v. Thompson*, 8 C. E. Gr. 321, 325. *Holmes v. Chester*, 11 C. E. Gr. 79.

Answer of defendant claiming any estate, what to specify.

4. That if any defendant shall answer claiming any estate, or interest in, or encumbrance on said lands, or any part thereof, he shall in such answer specify and set forth the estate, interest or encumbrance so claimed, and if not claimed in or upon the whole of said lands, he shall specify and describe the part in or upon which the same is claimed, and shall set out the manner in which, and the sources through which such title or encumbrance is claimed to be derived.

On application of either party an issue at law may be directed.

5. That upon application of either party, an issue at law shall be directed to try the validity of such claim, or to settle the facts, or any specified portion of the facts upon which the same depends, and the court of chancery shall be bound by the result of such issue, but may, for sufficient reasons, order a new trial thereof, according to the practice in such cases; and when such issue is not requested, or as to the facts for which the same is not requested, the court of chancery shall proceed to inquire into and determine such claims, interest and estate, according to the course and practice of that court; and shall, upon the finding of such issue, or upon such inquiry and determination, finally settle and adjudge whether the defendant has any estate, interest or right in, or encumbrance upon said lands, or any part thereof, and what such interest, estate, right or encumbrance is, and in or upon what part of said lands the same exists.

Final decree to settle rights of all parties.

6. That the final determination and decree in such suit, shall fix and settle the rights of the parties in said lands; and the same shall be binding and conclusive on all parties to the suit; but if any defendant to such suit, shall, either at the time of the decree *pro confesso* against him, or at the final decree, be an infant or *non compos mentis*, such party, his heirs or assigns, at any time within two years after the termination of such disability, may appear in said suit, and apply for a rehearing, and thereupon such decree shall be opened as against such party, and the cause may proceed as if no decree had been made in the same against him.

Townships.

1. Townships incorporated.
2. Boundaries.
3. Process, how served.
4. Town meetings, when held.
5. Who entitled to vote.
6. Presiding officer chosen.
7. Preservation of order.
8. By-laws made.
9. To be recorded.
10. To provide for destroying noxious animals.
11. Power to raise money.
12. Election of officers.
13. Vacancies, how filled.
14. Who to notify special meetings.
15. How notice given.
16. And to keep minutes.
17. To certify appointments to county clerk.
18. How, if made by committee.
19. Oath of officers.
20. Certified and filed.
21. Refusal to serve.
22. Forfeit for refusal to serve.
23. Clerk's papers delivered to successor.
24. Certain sections to be read at town meeting.
25. Collector to give bond.
26. One years' service to exempt.
27. Hour of meeting may be changed.
28. Surveyors in Cape May.
29. Money for education.
30. Abstract of ratables.
31. Who entitled to vote at town meetings.
32. Part of section 5 repealed.
33. Clerk may administer official oaths.
34. Oath of clerk.
35. Clerk to make out account of yearly expenses, etc.
36. Penalty for failure of clerk to make out account.
37. Compensation of township committee and clerk.
38. Overseers of poor to give bond.
39. Chosen freeholders to file accounts of expenses.
40. Duty of township committee.
41. When townships authorized to hold election by ballot.
42. Officers of election.
43. Judge of election.
44. Election, when opened and closed.
45. Plurality of votes to elect. Vacancies.
46. Clerk to notify persons elected to fill vacancies.
47. Reports of township officers.
48. Judges and clerk of election not eligible to certain offices.
49. Interest on bonds to be raised by tax.
50. Time of holding annual election of township officers.
51. Election of township committee.
52. Appointment of chairman and treasurer.
53. What moneys raised by tax to be paid treasurer.
54. Bonds, how issued and signed.
55. Mode of submitting resolution.
56. Special town meeting, how conducted.
57. When township divided, township election to be held in each district.
58. Mode of canvassing votes.
59. Supply of water, how contracted for.
60. Suits for moneys paid on assessments which have been set aside, stayed.
61. Proceedings for re-assessment.
62. Re-assessment to be according to the benefits.
63. Compensation to judge.
64. Court to make rules of practice, &c.
65. Contract of township committee, etc., authorized with city authorities for supply of water.
66. May acquire and construct necessary works.
67. May issue bonds.
68. May make contracts for construction of works, &c.
69. Two or more towns or townships may unite in contracts.
70. Repealer.