

Duty of the superintendents in case of the removal of any patient from one asylum to the other.

before authorized and directed, it shall be the duty of the superintendent of the asylum from which he is removed, to deliver to the superintendent of the asylum to which he is removed, the official documents and papers under the authority of which the said patient was received and under which he is detained, and the said documents and papers shall be as full and ample authority for detaining such patient in the asylum to which he is removed, as if such patient had not been so removed.

An act relative to county lunatic asylums.

P. L. 1873, p. 138.

Approved April 4, 1873.

Allowance to be paid by the state for each county patient in county lunatic asylum.

129. SEC. 1. That the sum of one dollar per week for each county patient confined in any county lunatic asylum, established by the board of chosen freeholders of such county, shall be paid by the state treasurer on the warrant of the comptroller, to the director of such board of chosen freeholders, upon a statement to be furnished by him, giving the number of such county patients which may have been thus supported in said asylum, during the preceding quarter, computing from the first day of January, one thousand eight hundred and seventy-three.

Lyceums, Libraries, &c.

1. Corporations authorized.
2. Certificate of incorporation.
3. On recording incorporated.
4. May hold, purchase, &c., real estate.
5. Powers.
6. Trustees to be elected and their powers.
7. Capital limited.

8. Lyceum may connect therewith circulating library.
9. May accept gifts, etc., of real and personal property.
10. Annual election of trustees of such library.
11. Increase of capital stock of lyceums, &c., heretofore incorporated.
12. Restrictions and liabilities.
13. May increase number of trustees or directors.

P. L. 1854, p. 448
 " 1856, p. 47.
 " 1857, p. 409.
 " 1860, p. 96.
 " 1867, p. 272.

An act to incorporate associations for the establishment of lyceums, libraries and literary and scientific societies.

Revision—Approved April 9, 1875.

Corporations authorized.

1. That it shall be lawful for any number of persons exceeding four to associate together for the establishment of lyceums, public libraries, whether of general literature or of books of theology, medicine, law, science or art, or for the establishment of museums, or for the promotion of scientific or educational purposes, or of improvement in debate or general literature; and for better forwarding any of such purposes, to purchase, hire or erect any building or buildings in this state for the use of such association.

Lyceums, libraries, museums, education, debating societies.

Certificate of incorporation.

2. Such person so associated shall make, sign and acknowledge a certificate setting forth the corporate name by them chosen, the place where and the purpose for which such association is formed and intended, the capital stock and the shares into which it is divided, and the name, residence and number of shares of each stockholder, and file the same in the office of the clerk of the county where such association is to be established and carried on, who shall thereupon record it in a book to be provided for that purpose.

Where filed.

On recording incorporated.

3. Upon making and recording such certificate, the said persons, their successors and assigns, shall become and be a body politic and corporate, and possessed of all the powers mentioned and set forth in the first section of the act concerning corporations.

May hold, purchase, &c., real estate.

4. It shall be lawful for every such corporation to hold, purchase, convey, lease or hire, any real estate necessary for the purposes thereof, to erect any building thereon, and the same with its appurtenances to build, use, enjoy and mortgage, for the use of such association.

Powers.

5. It shall be further lawful for every such corporation to let and rent for any lawful purpose, any part or parts of such building and premises not needed for the purposes of such association, and to apply the rents thereof to its use.

6. Such persons so associated shall, within three months after such incorporation, and annually thereafter by a vote of the majority, elect any members of their said association not exceeding seven, to be trustees of such corporation, who shall thereupon choose from their number a president, and such other officers and assistants as may be required; and such trustees shall have power to frame, establish and ordain, from time to time, such by-laws, ordinances and regulations for the government of such corporation and the advancement of the purposes thereof, as they shall judge best; *provided*, the same be not repugnant to the constitution or laws of this state, or the United States.

Trustees to be elected and their powers.

7. The capital of any such corporation, shall not exceed the sum of fifty thousand dollars.

Capital limited.

Supplement.

Approved April 21, 1876. P. L. 1876, p. 262.

8. SEC. 1. That it shall and may be lawful for any lyceum in this state to connect therewith a circulating library, under such regulations as to the said lyceum may seem proper.

Lyceum may connect therewith circulating library.

9. SEC. 2. That for the establishment, maintenance and increase of such library, the said lyceum shall have power to accept and receive gifts, grants, bequests and devises of real and personal property by deed, will or otherwise.

May accept real and personal property.

10. SEC. 3. That at each annual election for officers of said lyceum, there shall be elected a board of trustees for said library, consisting of seven members of said lyceum, whose duties shall be such as may be assigned by the by-laws of said society; and that until the next annual election in the month of December, in the year of our Lord one thousand eight hundred and seventy-six, the president of said lyceum shall appoint said board of trustees.

Annual election of trustees of said library.

An act concerning associations or incorporations for the establishment of lyceums, libraries and literary and scientific societies.

Approved April 13, 1876. P. L. 1876, p. 122.

11. SEC. 1. That whenever the directors or trustees of any lyceum, library, literary or scientific association or incorporation, which may have been heretofore incorporated by any special act of the legislature of New Jersey, shall deem it necessary to increase the capital stock of such association or incorporation, and shall at any regular meeting of such directors or trustees, resolve that such increase is necessary and specify the amount of such increase, the said directors or trustees shall thereupon make a certificate thereof, under the hands of the president and secretary or treasurer of such association or incorporation, with the corporate seal thereof attached thereto, and file the same in the office of the secretary of state, and upon said certificate being so made and filed, the said capital stock of said corporation or association shall be increased to the amount mentioned in said certificate.

Increase of capital stock of lyceums, etc., heretofore incorporated.

Certificate, and where filed.

12. SEC. 2. That for all capital stock which may be issued under and by virtue of such certificates, the associations or incorporations—the directors or trustees of which shall file such certificates—and the directors or trustees and stockholders thereof, shall be entitled to all the benefits and subject to all the liabilities arising from and contained in the act entitled “An act to incorporate associations for the establishment of lyceums, libraries, and literary and scientific societies,” and also shall be entitled to the same benefits and subject to the same liabilities, to which the original stockholders in such associations or incorporations are entitled or subject under and by virtue of the provisions of the special act under and by which such association or incorporation shall be incorporated.

Restrictions and liabilities.

13. SEC. 3. That any such association or incorporation may increase the trustees or directors thereof to any number not exceeding fifteen; *provided*, that notice for two weeks, once a week, of the intention to make such increase, shall be inserted in one or more newspapers published in the township or city where such incorporation or association may be located, or if no newspaper be published in such township or city, then in one or

May increase number of trustees or directors. Proviso.

more newspapers published in the county where the said association or incorporation is situated; and after such notice shall have been given, the then board of trustees or directors may elect, by ballot, the trustees or directors proposed to be added; but all elections thereafter shall be had in the manner provided by law.

Mandamus.

1. Return to be made to the first writ.
2. Proceedings thereon, when it is returned.
3. If damages recovered there shall be no other suit.

4. Court may grant time to plead and make return.
5. Writ of error may be sued out to remove judgment.

Rev. 160.

An act for the better regulation of proceedings upon writs of mandamus.

Passed December 2, 1794.

R. S. 996.

Return to be made to the first writ.

1. That where any writ of *mandamus* shall issue out of the supreme court directed and delivered to any person or persons, who, by law, is or are required to make a return to such writ, such person or persons shall make his or their return to the first writ of *mandamus*.

Proceedings thereon when it is returned.

2. That from and after the passing of this act, as often as any writ of *mandamus* shall issue out of the said supreme court, and a return shall be made thereunto, it shall and may be lawful to and for the person or persons, suing or prosecuting such writ of *mandamus*, to plead to or traverse all or any the material facts contained within the said return; to which the person or persons, making such return, shall reply, take issue, or demur; and such further proceedings, and in such manner, shall be had therein, for the determination thereof, as might have been had, if the person or persons, suing such writ, had brought his or their action on the case for a false return; and if any issue shall be joined on such proceedings, the person or persons suing such writ, shall and may try the same in such place as an issue joined in such action on the case should or might have been tried; and in case a verdict shall be found for the person or persons suing such writ, or judgment given for him or them upon a demurrer, or by *nil dicit*, or for want of a replication, or other pleading, he or they shall recover his or their damages and costs, in such manner as he or they might have done in such action on the case as aforesaid; and such damages and costs shall and may be levied by *fieri facias*, or *capias ad satisfaciendum*, as in other cases; and a peremptory writ of *mandamus* shall be granted, without delay, for him or them for whom judgment shall be given, as might have been if such return had been adjudged insufficient, and in case judgment shall be given for the person or persons making such return to such writ, he or they shall recover his or their costs of suit, to be levied in manner aforesaid.

If damages recovered, a bar.

3. *Provided always*, if any damages shall be recovered, by virtue of this act, against any such person or persons, making such return to such writ as aforesaid, he or they shall not be liable to be sued in any other action or suit, for the making such return.

Court may allow time to make return and plead.

4. That it shall and may be lawful to and for the said supreme court to allow to such person or persons respectively, to whom any writ of *mandamus* shall be directed, or to the person or persons, who shall sue or prosecute the same, such convenient time respectively to make a return, plead, reply, rejoin or demur, as to the said court shall seem just and reasonable.

P. L. 1870, p. 39.

Supplement.

Approved March 17, 1870.

Writ of error may be sued out to remove judgment, etc.

5. SEC. 1. That in all cases when upon any such proceedings had upon *mandamus* as mentioned in the act to which this is a supplement, judgment shall be given upon a verdict, or upon a demurrer or other issue, in fact or in law, joined upon any pleadings in pursuance of said act, it shall be lawful for any party to the record in any of such cases, who shall think himself aggrieved by such judgment, to sue out and prosecute a writ of error for the purpose of removing the same, and such like proceedings shall thereupon be had and taken, and such costs awarded as in ordinary cases of writs of error upon judgments in personal actions.