

## Meridian Line.

1. Chosen freeholders to erect a pillar in each county with brass plate indicating true meridian.
2. Penalty for injuring or destroying.
3. Additional pillar with visible needle-point to be erected.
4. A hair-sight to be erected on the meridian standard pillar.
5. Freeholders to provide and keep a standard measure.
6. Latitude and longitude to be marked on pillar.
7. Surveyors to test variation.
8. Fees of clerk for recording certificate of variation, &c.

An act for the erection of a true meridian line standard in each county of the state, and for the protection of the same.

P. L. 1863, p. 12.

Approved February 4, 1863.

Chosen freeholders to erect a pillar in each county with brass plate indicating true meridian.

1. That it shall be the duty of the board of chosen freeholders of each county of the state, within the space of six months next ensuing after the passage of this act, or in case any new county shall be created at any time hereafter then within six months of the time when the act creating said county shall have become a law, to erect at some public spot adjacent to each court-house of each county, a good and substantial pillar, upon whose summit there shall be firmly and immovably placed a brass plate, in which shall be indented a line, indicating the true meridian; and to inclose and protect the same properly, the said pillar and inclosure to be subject to the custody of the county clerk, to be free to the access of any surveyor of lands, or civil engineer, residing in said county, or engaged in surveying therein, for the purpose of testing the variation of the compass for the time being; and to cause the said meridian line to be verified at any time when required so to do by order of the circuit court of the said county; and that the expense of the said erection, inclosure and verification shall be provided for by the said board of chosen freeholders, after the mode in which other expenses chargeable to the county are provided.

Penalty for injuring or destroying.

2. That any person or persons who shall willfully erase, alter, deface, displace, destroy or otherwise injure said line, or plate, or pillar or any part thereof, or destroy, break down or carry away the inclosure aforesaid, or any lock, bar, bolt, or any part thereof, the said person or persons so offending shall be deemed to be guilty of felony, and upon conviction thereof before any court of competent jurisdiction, shall be punished by a fine not less than fifty, and not exceeding five hundred dollars, or by imprisonment in the penitentiary of the state, during a term not less than one, nor more than three years, or both, at the discretion of the court.

### Supplement.

Approved March 24, 1864.

P. L. 1864, p. 460.

Additional pillar with visible needle-point to be erected.

3. SEC. 1. That in addition to the pillar provided for in the act to which this is a supplement, it shall be the duty of the board of chosen freeholders of each county of the state to cause to be erected an additional pillar at a point not less than one hundred feet in distance from the pillar before provided for, and upon the same meridian line, upon the summit of which shall be placed a distinctly-visible needle-point, which pillar shall be guarded by the like restrictions, and protected by the same penalties, as provided for the management and protection of the pillar provided for in the act to which this is a supplement.

A hair-sight to be erected on the meridian standard pillar.

4. SEC. 2. That upon the summit of the meridian standard pillar provided for in the first section of the act to which this is a supplement, there shall be erected a hair-sight, in such a manner that a straight line passing through the center thereof, and continued until the same shall strike the center of the needle-point provided for in the previous section of this act, would be in and upon the line of the true meridian, running north and south.

5. SEC. 3. That it shall be furthermore the duty of the board of chosen freeholders in each county to provide and keep a standard measure of one rod in length, by which surveyors of lands in said county may compare, test and verify their several chains ; the said standard measure to be kept under the control and in the custody of the county clerk, and to be accessible to all surveyors as aforesaid, under such restrictions and regulations as may be deemed by the said board of chosen freeholders to be compatible with the safety and proper preservation of the said standard measure.

Freeholders to provide and keep a standard measure.

6. SEC. 4. That it shall be furthermore the duty of the board of chosen freeholders of each county wherein the pillar provided for by the act to which this is a supplement shall have been erected, to cause to be determined the accurate latitude and longitude of the pillar aforesaid, reckoning the latter from the meridian of Washington, and to have the said latitude and longitude marked, distinctly and legibly, in degrees, minutes, seconds and parts of seconds, on the pillar aforesaid.

Latitude and longitude to be marked on pillar.

7. SEC. 5. That it shall be the duty of each and every surveyor engaged in surveying land within any county of this state, to test and note the actual variation of his compass from the true meridian line, at least once in every year, and to deposit a copy of the same, with the date and time of such test, and to deposit a certificate embodying the same with an affidavit verifying its correctness, with the clerk of the county in which he may reside, to be by him recorded in a book provided for that purpose ; and every surveyor neglecting or refusing to comply with the provisions of this section shall be liable to the penalty of fifty dollars, to be sued for and recovered, with costs, as debts of like manner are recovered, before any justice of the peace, by the corporation of said county, or by any person, for its use and benefit, to be applied on recovery to such county uses as said corporation shall direct.

Surveyors to test variation.

8. SEC. 6. That for recording each certificate of variation, and affidavit of the correctness of the same appended, and for copies or abstracts of the same, and for drawing certificate and seal therefor, the county clerk shall be allowed the same fees as are now allowed by law for similar services in regard to other matters of record in his office, the said fees to be paid by the parties presenting the same for record, or demanding abstracts or copies, or the drawing of said certificate and the affixing of said seal. (1)

Fees of clerk for recording certificate of variation, &c.

(1) For supplement relating to counties of Salem and Cumberland, see P. L. 1869, p. 566.

## Mills and Mill-Dams.

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| <ol style="list-style-type: none"> <li>1. Toll allowed to millers.</li> <li>2. Penalty for taking unlawful toll.</li> <li>3. Millers to keep toll measures.</li> <li>4. Waste-gates to be constructed in mill-dams when required by township committee.</li> <li>5. Persons not complying liable for damages.</li> <li>6. When water overflows dam, owner to raise gate.</li> <li>7. Person aggrieved may appeal.</li> <li>8. Restriction of act.</li> <li>9. Height of dam may be raised upon compensation to persons damaged.</li> </ol> | <ol style="list-style-type: none"> <li>10. Upon petition, justice of supreme court to appoint commissioners to assess damages.</li> <li>11. Commissioners to take oath and estimate damages.</li> <li>12. Proceedings in case of appeal from decision of commissioners.</li> <li>13. No right to raise dam until award is paid.</li> <li>14. Provisions of act not to affect mill of other persons on which a mill dam has been lawfully erected, &amp;c.</li> </ol> |
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### An act to ascertain the toll of millers.

Passed May 25, 1799.

R. S. 1057.

1. That every miller shall be allowed, for toll, one-tenth part of a bushel, and no more, out of every bushel of grain which he shall grind, including bolting ; except malt, out of each bushel of which he shall be allowed one quart, and no more.

Toll allowed to millers.

2. That if any miller shall take or receive a greater toll for grinding than is allowed by this act, he shall, for every such offense, forfeit and pay three dollars, to be recovered by action of debt, with costs, by any person who shall sue for the same. (a)

Penalty for taking unlawful toll.

(a) On a suit for these penalties, the verdict must show on what offenses the conviction was had. *Westbrook v. Van Auken*, 2 South. \*478.