

to be had, and the said issue to be tried at the next term of said court to be holden in said county upon like notices and in like manner as other issues in the said court are tried ; and it shall be the duty of the jury to determine whether the said mill is of use and benefit to the people of this state, and that the raising of said dam to the height proposed is necessary for the effective working of said mill for which said dam is designed, and if they shall so determine, then they shall assess the damages to be paid by the party so raising or proposing to raise such dam ; and the said court shall render judgment upon the verdict of such jury, and if damages are assessed shall render judgment for such damages with seventy-five per centum thereof to be added thereto, and said court may award costs to either party, at its discretion ; *provided, however*, if the jury shall be applied for by the owner of the land so damaged or proposed to be damaged, and shall assess a less sum than was awarded by the commissioners, then the costs shall be paid by the said applicant or applicants, and either deducted out of the sum awarded or execution issued therefor, as the court may direct.

Proviso.

No right to raise dam until award is paid.

Provisions of act not to affect mill of other persons on which a mill-dam has been lawfully erected, &c.

Act not applicable to navigable waters, &c.

13. SEC. 5. That no person or persons shall derive any right to raise said dam until he has paid or tendered to the person or persons likely to be damaged thereby the amount of such adverse award or judgment.

14. SEC. 6. That the provisions of this act shall in no way affect any mill of other persons on which a mill-dam has been lawfully erected and used, nor the right of any owner of such mill or mill site, unless the right to maintain on such last-mentioned site shall have been lost or defeated by abandonment or otherwise ; neither shall they affect the right of any town, township, borough or city in any highway or bridge which such town, township, or borough or city may by law be liable to keep in repair, nor shall said provisions be applicable to any navigable waters in this state, nor in any way interfere with any right or privilege heretofore granted to any person or corporations by any act of the legislature of this state ; this act shall not take away the right of any person injured by the raising of said dam to sue the party raising said dam, or maintaining it thus raised, for any damage suffered thereby.

Money.

An act regulating the money of account in this state.

R. S. 798.

Passed February 21, 1799.

Money of account to be expressed in dollars, &c.

1. That from and after the fourth day of July next, the money of account of this state shall be expressed in dollars or units, dimes or tenths, cents or hundredths, and mills or thousandths ; a dime being the tenth part of a dollar, a cent the hundredth part of a dollar, and a mill the thousandth part of a dollar ; and that all accounts in the treasury of this state, all accounts in the treasuries of the different counties of this state, all assessment rolls and duplicates, and all decrees, verdicts, judgments and executions, in the courts of justice of this state, from and after the said fourth day of July next, shall be made, kept, entered and expressed in conformity to this act, and not otherwise. [See INTEREST.]

Monuments, Museums and Statues.

1. Associations for erecting monuments or statues.
2. Certificate of incorporation, what to contain and where filed.
3. Upon making and recording certificate, to be a body corporate.
4. Election of trustees. Powers of.
5. Failure to elect trustees yearly not to work dissolution.
6. When association may loan and invest moneys.
7. Power to collect moneys loaned.
8. Governor authorized to procure collection of designs of pottery, &c.
9. Expenses, how paid.
10. Custody of collection of scientific objects and military relics.
11. Room where preserved to be open to public.
12. Association for making collections of art, erecting museums and monuments.
13. Certificate of incorporation.

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| <p>14. How acknowledged, where recorded and filed.</p> <p>15. Upon making of such certificate, to be body corporate. Powers.</p> <p>16. Power to make by-laws.</p> <p>17. Boards of chosen freeholders may appropriate money for county monuments in certain cases.</p> <p>18. Money may be expended for purchase of land.</p> <p>19. Monument to be erected under supervision of a joint committee.</p> <p>20. Boards of chosen freeholders may appropriate money for</p> | <p>monuments commemorative of the soldiers and sailors of the late war.</p> <p>21. When money may be expended.</p> <p>22. How monuments erected.</p> <p>23. Museum of the geological survey established.</p> <p>24. Board of managers and curator.</p> <p>25. Suitable rooms in the state-house to be provided.</p> <p>26. Name of museum.</p> <p>27. Commission to prepare rooms for a museum.</p> <p>28. Commissioners and their duties.</p> |
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An act to incorporate associations for the erection and maintenance of monuments and statues.(1)

Approved March 19, 1878. P. L. 1878, p. 143.

1. That it shall be lawful for any number of persons to associate together for the purpose of erecting and maintaining monuments or statues to commemorate important historic events occurring within this state, or in honor of distinguished men ; and for the better accomplishment of such purposes, to purchase or receive by gift or devise any land not exceeding five acres and any legacies or donations for the object contemplated by the association, and that such association may hold and enjoy the same free from all taxation.

Association for erecting monuments or statues.

Association to be free from tax.

2. That such persons so associated shall make, sign and acknowledge a certificate setting forth the corporate name by them chosen, the purpose for which such association is formed and intended, the place where the proposed monument or statue is to be erected, and file the same in the office of the clerk of the county where such association is to be established, who shall thereupon record it in a book to be provided for that purpose.

Certificate of incorporation, what to contain and where filed.

3. That upon making and recording such certificate, the said persons and their successors 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.

Upon making and recording certificate, to be a body corporate.

4. That such persons so associated shall, within three months after such incorporation, and annually thereafter, by vote of a majority of those present, elect any members of this association, not exceeding twenty, 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 said trustees shall have power, from time to time, to establish and ordain such by-laws and regulations for the government of such corporation and the advancement of the purpose thereof, as they shall judge proper and necessary ; *provided*, the same shall not be repugnant to the constitution or laws of this state or of the United States.

Election of trustees.

General powers of the trustees.

Proviso.

5. That no association which shall become a corporation under the provisions of this act shall be considered as dissolved for or by reason of its neglecting or failing to elect trustees yearly and every year on the day designated by law, but the trustees last elected shall continue in office with all the powers and duties vested in and devolving upon trustees duly elected on the day designated by law, and until a new election shall be had, and all property which such association may have lawfully acquired shall continue to be vested in said corporation in their corporate name, as if trustees were elected annually on the day designated.

Not to be dissolved by failure to elect trustees on the day designated by law.

Supplement.

Approved February 4, 1879. P. L. 1879, p. 15.

6. SEC. 1. That it shall and may be lawful for any association incorporated under the provisions of the act to which this is a supplement, whenever there shall be in the treasury of such association moneys which have been or shall be donated for the purposes for which such association was or may be incorporated, but not sufficient in amount to accomplish such purposes, to loan such moneys, or any part thereof, by order of and under the direction of the executive committee of such association, at the legal

Authorized to loan and invest moneys donated.

(1) For "An act relative to the Monmouth battle monument," see P. L. 1881, p. 105, and supplements, P. L. 1883, p. 91, and 1886, p. 166. For "An act relative to the Trenton battle monument," see P. L. 1887, p. 166.

rate of interest, and to invest the same either upon bond and mortgage on real estate, or in securities of the United States or of the state of New Jersey, or of any county within said state, and to keep the same invested until such time as the trustees of such association shall determine that the accumulations of interest, together with the principal, shall be sufficient for the purposes for which said association was incorporated.

Collections of moneys loaned and interest due.

7. SEC. 2. That such association shall have power to collect the moneys so loaned or sell the securities on which the same shall be invested, and all interest growing due thereon, under the direction of the executive committee of such association, and shall apply the moneys so derived to the purpose for which such association was incorporated, whenever the trustees shall determine, as provided in the preceding section.

An act to provide for the collection and care of specimens of artistic pottery, porcelain and glassware for industrial and scientific purposes.

P. L. 1879, p. 114.

Approved March 11, 1879.

Governor authorized to procure specimens of pottery, &c.

8. SEC. 1. That the governor of this state be and he is hereby authorized to procure in the name of the state, by gift or loan, a collection of objects of suitable designs in pottery, porcelain and glass, to serve as models and objects for the aid and instruction of potters, glassmakers, designers, decorators and students; and the governor is hereby authorized to cause to be prepared a suitable room in the state-house for the care and preservation of the said collection; and the said room shall be kept open at reasonable hours so that the said collection shall be at all proper times subject to examination by artists, designers, manufacturers and the public at large.

Expenses, how paid.

9. SEC. 2. That the expenses incurred by the governor in procuring the said collection shall be paid by the state treasurer on the warrant of the comptroller; *provided*, that the sum of the expense so incurred shall not exceed one thousand dollars.

Joint resolution to provide for the care of the geological collection and military relics of the state.

P. L. 1882, p. 273.

Approved March 22, 1882.

Preamble.

WHEREAS, The valuable collection of specimens of minerals of this state, and other articles belonging to the geological department, prepared for the international exposition at Philadelphia, in the year one thousand eight hundred and seventy-six, is now deposited in a room in the state-house at Trenton, known as the geological museum; *and whereas*, the said room also contains prepared specimens of the several native woods of the state, specimens of the clay deposits and many other objects of scientific interest, as well as the flags borne by the New Jersey regiments in the late civil war, and other military relics, all of which are objects of attraction and interest to the people of this state, and should be carefully preserved and at all proper times open to the inspection of the people of this as well as other states; therefore,

Custody of collection of scientific objects and military relics.

10. SEC. 1. That the care of the said collection of scientific objects and military relics be confided to the governor and quartermaster-general of this state and the state geologist, who shall have power and authority to receive as gifts, or procure by exchange, such further specimens of the mineral wealth, or the productions of this state, as will in their judgment add to the value and public interest of the said collection.

Room where preserved to be open to public.

11. SEC. 2. That the room in which the said specimens and relics are preserved shall be open to the public at such times as the above-named officers shall prescribe, and the said officers shall have authority to employ a suitable person to care for the said room, and to attend therein at such times as they shall prescribe; and the compensation of the said attendant, and such other expenses as may be incurred in the care of the said room and collection, shall be determined by the said officers, and paid in monthly payments by the state treasurer on the warrant of the comptroller; *provided*,

Attendant.

Proviso.

that the said compensation and expense shall not exceed six hundred dollars per annum.

An act to provide for the incorporation of associations for the promotion of art, and for the erection of museums and monuments.

Approved March 23, 1883.

P. L. 1883, p. 207.

12. SEC. 1. That any five or more persons of full age, a majority of whom shall be citizens of and residents within this state, who shall desire to associate themselves together for the purpose of making collections of works of art and erecting museums or galleries for art exhibitions, or erecting monuments to commemorate any of the victories of the armies of the United States, may make, record and file a certificate in writing in manner hereinafter mentioned.

Association for making collections of art, erecting museums and monuments.

13. SEC. 2. That such certificate in writing shall set forth—
 I. The name or title assumed to designate such corporation ;
 II. The place or places in this state where the purposes of such association are to be carried out ;
 III. The purposes for which the association shall be formed ;
 IV. The names of the directors who shall manage its affairs for the first year of its existence.

Certificate of incorporation.

14. SEC. 3. That such certificate shall be proved or acknowledged and recorded, as required of deeds of real estate, in a book to be kept for the recording of certificates of incorporation, in the office of the clerk of the county where the purposes of the association are to be carried out, and after being so recorded shall be filed in the office of the secretary of state ; the said certificate, or a copy thereof, duly certified by said clerk or secretary, shall be evidence in all courts and places.

How acknowledged and recorded.

15. SEC. 4. That upon making such certificate and causing the same to be recorded and filed as aforesaid, the said persons so associating, their successors and assigns, shall, by virtue of this act, be a body politic and corporate, in fact and in law, by the name stated in such certificate ; and by that name they and their successors shall have perpetual succession and power to sue and be sued, plead and be impleaded, answer and be answered unto in all courts and places whatsoever, to make and use a common seal and the same to use at pleasure, and to purchase and take, have, hold, receive and enjoy any lands, tenements and hereditaments, in fee-simple or otherwise, and any goods, chattels or property of any description, real or personal, and whether acquired by gift, grant, devise, bequest or otherwise, and the same to grant, convey, have, assign, sell or otherwise dispose of for the purposes of said association.

Shall be filed in office of secretary of state.

Shall be a body corporate.

Powers.

16. SEC. 5. That the directors of such association shall have power, from time to time, to make, alter and amend by-laws, not inconsistent with the constitution or laws of the United States, or of this state, fixing and altering the number of its directors for the management of its property and the regulation and government of its affairs, and providing for the classification of and the mode of increasing or perpetuating the directors of the association, and the mode of filling vacancies in, and removing any member from their number, and prescribing qualifications for membership of the association, and to appoint one or more superintendents or managers, and such other agents and officers as shall, in their judgment, tend to promote or advance any purpose of the association, and to prescribe their respective duties.

Shall have power to make by laws, &c.

Supplement.

Approved March 29, 1892.

P. L. 1892, p. 336.

17. SEC. 1. That whenever any monument association incorporated under and by virtue of the act to which this is a supplement shall have raised the sum of five thousand dollars, by voluntary contributions or otherwise, towards the erection of a county monument to commemorate the victories of the armies of the United States or of New Jersey soldiers

Board of chosen freeholders may appropriate money for county monuments in certain cases.

MONUMENTS, MUSEUMS AND STATUES.

Proviso.

and sailors (from said county particularly) during our late war, the board of chosen freeholders of the county in which said monument is to be erected, or the common council of the city or town in which the same is to be located, or both, may appropriate a sum not exceeding together twice said amount so raised for the erection of such monument; *provided*, that no part of such appropriation or appropriations shall be paid over or expended until said association shall have cash in the hands of its treasurer equal to at least fifty per centum of such appropriation or appropriations, and he shall have given bond in at least double the amount of both said contributions and appropriations.

Money may be expended for purchase of land.

18. SEC. 2. That any part of the money so raised or appropriated may be expended in the purchase of land for a site for such county monument, but the title of such land shall be vested in said county.

Monument to be erected under supervision of a joint committee.

19. SEC. 3. That any monument erected by moneys raised and appropriated as aforesaid shall be located and erected under the supervision of a joint committee of ten members, of whom five shall be members of such board of chosen freeholders and five members of such monument association, and approved by said board.

An act to provide for the erection of monuments commemorative of the services of the soldiers and sailors of the late war, and authorizing appropriations for such purpose.

Approved May 9, 1889.

P. L. 1889, p. 430.

Board of freeholders may appropriate money for monuments.

20. SEC. 1. That the board of chosen freeholders of any county in which there is no monument commemorative of the soldiers and sailors of the late war, may appropriate a sum not exceeding five thousand dollars for the erection of such monument.

When money may be expended.

21. SEC. 2. That no part of any such appropriation shall be expended until the organizations of veteran soldiers and sailors in such county have raised, by voluntary contribution or otherwise, a sum equal to at least fifty per centum of the amount of any such appropriation; any part of the money so raised by the veterans may be expended in the purchase of a site for such monument, the title to which land shall be vested in the county.

How monuments erected.

22. SEC. 3. That any monument erected by moneys appropriated and raised as provided in this act, shall be located and erected under the supervision of a committee to consist of not more than six members, three of whom shall be members of the board of freeholders, and three to be designated by the grand army posts in the county, and approved by the said board.

An act to provide for the establishment of a museum of the geological survey of the state.

Approved May 23, 1890.

P. L. 1890, p. 349.

Museum of the geological survey established.

23. SEC. 1. That a museum for the reception and exhibition of collections of the natural products and mineral staples of the state, and of classified collections of specimens illustrating the structural and economic geology, physical geography and natural history of the state, be and hereby is established.

Board of managers and curator.

24. SEC. 2. That the direction and management of said museum shall be committed to the board of managers of the geological survey, who shall appoint a curator therefor.

Suitable rooms in state-house to be provided.

25. SEC. 3. That the officers in charge of the state-house are hereby authorized and directed to provide a suitable room or rooms therein for the permanent location of said museum, and in connection therewith, suitable and convenient office room for the geological survey of the state, such rooms to be furnished and provided with all necessary appliances.

Name.

26. SEC. 4. That the museum hereby established shall be known as the museum of the geological survey.

MORGUES AND MORGUE-KEEPERS.

2099

An act to establish and maintain a state museum.

Approved March 20, 1895 P. L. 1895, p. 349.

WHEREAS, The governor of this state has recommended that the exhibits of the several departments of the state government at the Columbian exposition at Chicago be placed on permanent exhibition; and whereas, said exhibits would form a nucleus of an exhibit which would be of great value in showing the educational, agricultural and industrial development of the state; therefore,

Preamble.

27. SEC. 1. That the commission now having charge of the restoration of the state-house shall have power, and it shall be its duty, to cause to be prepared suitable rooms in said state-house for a museum for the preservation and display of the exhibits of the several state departments at the Chicago exposition, and for such other exhibits as may from time to time be placed therein by the commission having control of said museum, as provided in the second section of this act, and the expenses incurred in the preparation of said rooms shall be paid on the warrant of the comptroller out of any moneys in the state treasury not otherwise appropriated.

Commission shall prepare rooms for a museum.

28. SEC. 2. That the state superintendent of public instruction, the state geologist, the president of the state board of agriculture, the president of the senate and the speaker of the house of assembly are hereby constituted a commission, which commission shall have control of said museum, and shall make all necessary rules and regulations for the proper care and maintenance thereof, and said commission may appoint a curator, who shall, under the direction of the said commission, arrange and classify the several exhibits, and shall have charge of said museum and exhibits, and shall perform such other duties in connection therewith as shall be directed by said commission, and he shall be paid such a compensation as said commission shall determine, but not to exceed the sum of fifteen hundred dollars per annum, which compensation shall be paid by the state treasurer in equal monthly installments upon the warrant of the comptroller.

Of whom commission shall be composed.

Duties of commission.

Compensation of curator.

Morgues and Morgue-Keepers.

1. Amended by section 14.
2. Appointment of morgue-keepers.
3. Fees and expenses of, how paid.
4. Repealer.
5. Duty of coroners to deliver dead bodies to keeper of morgue.
6. Coroner to notify county physician to view bodies.
7. Inquest to be held if ordered by county physician.
8. Burial certificate, by whom issued.
9. Body identified delivered to friends or relatives.
10. Morgue-keepers to keep record.
11. Police officers to notify coroners of unknown dead bodies.
12. Penalty for violation of act.
13. Repealer.
14. Judges of court of common pleas to designate public morgues.

An act relative to morgues and morgue-keepers.

Approved March 4, 1879. P. L. 1879, p. 82.

1. [Amended by Sec. 14, *post.*]

2. That said judges of the court of common pleas shall have power to appoint a keeper or keepers for said morgue or morgues for a term of three years from the date of their appointment, and to define their respective districts, which keepers shall be required to take in charge the unknown dead in their respective districts in said counties; to furnish, free of charge, suitable rooms for the holding of all inquests, should they be deemed necessary, and to make such disposal of the bodies as the proper authorities may direct.

Appointment of keepers.

3. That the fees and expenses of the said morgue-keepers, for the recovery and care of the bodies of the unknown dead, be fixed by the respective boards of chosen freeholders and paid by the county collectors on bills duly passed by said boards of chosen freeholders; and provided further, that no more than the legal fees for the burial of such bodies shall in any case be allowed.

Fees and expenses, how paid.

Proviso.