

ASSEMBLY, No. 157

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 12, 1945

By Mr. LEONARD

Referred to Committee on Judiciary

AN ACT relating to public utilities corporations and their use and occupancy of the public highways, streets and other public places in this State, and supplementing Title 48 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. Whenever a public utility corporation subject to regulation by the
2 Board of Public Utility Commissioners of this State has occupied a public
3 highway, street or other public place in this State by the placing of a pole or
4 poles in, on or along any such public highway, street or other public place
5 for the purpose of supplying and distributing electricity for light, heat or
6 power, or for furnishing telegraph or telephone service, and the use and oc-
7 cupancy, as aforesaid, by such public utility corporation has continued at
8 substantially the same location or locations for a period of ten years, then
9 and in that case, such occupancy shall be presumed to be with the consent in
10 writing of the owner of the soil upon which such pole or poles have been
11 placed, and no suit, action or proceeding shall lie in any court of this State
12 for the removal of any pole or poles so placed and used, unless the same shall
13 be instituted within ten years from the time of the original occupation, as
14 aforesaid, of said public highway, street or other public place.

1 2. This act shall take effect immediately.

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