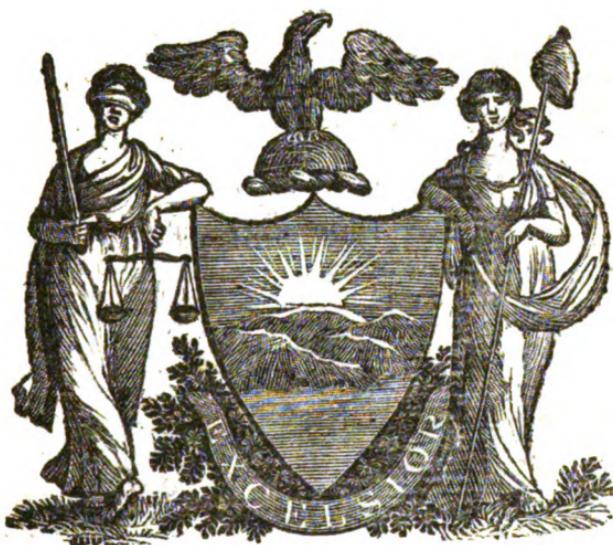


L A W S

OF THE

State of New-York.



V O L. III.

Containing
ALL THE ACTS

Passed from the Revision of 1801, to the End of the 27th Session of the Legislature, 1803.

A L B A N Y :
PRINTED BY CHARLES R. AND GEORGE WEBSTER,
1804.

VI. *And be it further enacted*, That the said first trustees shall 23 be Joseph C. Yates, Abraham Oothout, Stephen N. Bayard, Maus Van Vranken and James Murdoch, who shall hold their offices until the third Tuesday in July next, and that Joseph C. Yates shall be their president.

VII. *And be it further enacted*, That if any person or persons 24 shall wilfully do or cause any act whatsoever, whereby any of the works of the said company or any part of such works, or any matter or thing appertaining to the same, shall be injured, the person or persons so offending shall forfeit and pay to the said company, treble the amount of the damages, to be recovered by such company with costs of suit, by an action of debt in the supreme court of judicature of this state, which action shall in every instance be considered as transitory in its nature, and shall and may be triable in any county of this state.

C H A P. LXXXIV.

CONTENTS.

12. Clerk, his duty.
13. Collector, his duty.
1. Company, the first members---2. Incorporated---their style and corporate rights.
4. Election for trustees, when and how to be held.
5. President, how chosen---to act as treasurer.---8. First appointed.
6. ----- His absence how supplied.
14. Shares, transfers thereof, how made.
15. ----- Not to be held by any but a citizen of the United States.
11. Treasurer, his duty.
3. Trustees, concerns of the association to be managed by seven.
7. ----- Vacancies of, how supplied.---9. The first board appointed.
10. ----- May appoint clerks and agents, and make bye-laws, &c.

An ACT to incorporate an Aqueduct Association in the Town of Kingston, in the County of Ulster.

Passed April 9th, 1804.

WHEREAS Luke Keersted, Jonathan Hasbrouck, Jacobus S. Bruyn, together with fundry other citizens of the town of Kingston, have associated for the purpose of supplying themselves in the said town of Kingston, with pure and wholesome water, and for the use of such other of the inhabitants as may be inclined to take the same.

I. *BE it therefore enacted by the People of the State of New-York, represented in Senate and Assembly*, That Luke Keersted, Christopher Tappen, John Tremper, Abraham B. Bancker, Abraham Hoffman, Jacobus S. Bruyn, Jonathan Hasbrouck, Conrad Edmund Elmendorf, John Tappen, Frederick A. DeZeng, Lucas Elmendorf, Joseph Gasleric, and such other persons as are now interested, or hereafter may become interested in the association or company formed for supplying the said town of Kingston with water by means of conduits or aqueducts, shall be and are hereby created and made a corporation and body politic, in

fact and in name, by the name of "the aqueduct society of the town of Kingston," and by that name shall be capable in law to sue and be sued, plead and be impleaded, defend and be defended in any court of record, but shall not be capable of holding any real estate, excepting such as shall be necessary for such conduits or aqueducts in any other place than in the said town of Kingston, or any real or personal estate exceeding the annual value in the whole of three thousand dollars, exclusive of the profits or income of such conduits or aqueducts.

3 II. *And be it further enacted,* That the management and concerns of the association shall be intrusted to seven trustees, being members of the association, which said trustees shall hold their office for one year, from the first Tuesday of June in every
4 year; that an election shall be held on the Tuesday preceding every such first Tuesday of June in every year, in such place in the said town of Kingston, and at such hour, as the said trustees shall from time to time appoint, by notification to be published in one of the papers printed in the town of Kingston, at least four days before such election; that the election shall be held by such person as the members of the association present, immediately before the opening of such election, and after the hour appointed, shall by plurality of votes appoint, and such person shall, after he has then and there openly counted the votes, forthwith make a return in writing under his hand, of the result of such election, to the clerk of the trustees, and the seven
5 persons having the greatest number of votes, shall be the trustees; and the trustees shall on the first Tuesday of June in every
6 year, elect one of their number president, who shall be their treasurer; that in case the president shall be absent from any
7 meeting, the trustees present may appoint one of their number to be president for their meeting; and that in case of vacancy in the office of any of the trustees by death or otherwise, others shall be elected to fill such vacancy or vacancies, by the mem-
8 bers of the association, in the manner aforesaid, and that Luke
9 Keersted be the first president; and that the said Luke Keersted, Jonathan Hasbrouck, John Tremper, Lucas Elmendorf, John Tappen, Conradt Edmund Elmendorf and Abraham B. Bancker, be the first trustees of the association, and to remain in office until the first Tuesday in June in the year one thousand eight hundred and five.

10 III. *And be it further enacted,* That the trustees shall have power to elect and appoint a clerk and collector, and such other agents as may be necessary to carry into effect the objects of the association, to make and ordain all such bye-laws, rules and regulations, relative to the said conduits or aqueducts, as they may deem proper and necessary, for the superintendance, regulation and management of the same, and of such as may be added thereto, and for the alteration, preservation and reparation thereof; and for the equal assessment and collection amongst the proprietors of the said aqueducts, in proportion to their respective rights or shares, of all costs and expenses arising in the execution of all such bye-laws, rules and regulations afore-

said ; and shall have power to adjust, apportion and credit to any individual of said association, all such monies which may have been by him or her laid out in and about the said conduits, and to impose penalties for the violations of the said bye-laws and regulations ; and further, to institute such suits in the name of such association, as may be necessary to recover damages that may be done to the said aqueducts, or for any penalty imposed as aforesaid : *Provided*, That no penalty to be imposed by virtue of any such bye-laws or regulations as aforesaid, shall be contrary to the laws of this state or the United States, or exceed the sum of two hundred dollars for any one offence.

IV. *And be it further enacted*, That the said treasurer shall 11 receive and pay out all monies collected by virtue of this act, agreeable to the orders and directions of the said trustees ; and 12 the said clerk shall enter in writing in a book for that purpose, all the proceedings of the said association or company, when convened as aforesaid under this act ; and the said collector 13 shall levy and collect all such taxes and sums of money so as aforesaid, to be voted in pursuance of this act, agreeable to such tax list or assessment roll, as shall be made out and delivered to him by the said clerk, the same being by him first certified and subscribed, and shall pay the same monies to the treasurer of the association, and the collector shall have the like powers, and proceed in like manner in the said collection, as is by law prescribed to the collectors of any town, in the collection of the contingent charges of the county.

V. *And be it further enacted*, That all transfers of shares in the 14 said association or company, shall be made and entered in a book to be provided for that purpose, under the directions of the president, that the same shall be personal estate, and be transferable only on the books of the said company, in such manner as the said president and directors may prescribe : *Pro-* 15 *vided*, That they shall not at any time be held by any person not a citizen of this state or of the United States.

C H A P. LXXXVIII.

C O N T E N T S.

1. Company incorporated...their style and corporate rights.
5. ----- May use such land and water as they may deem requisite.
8. ----- Prohibited from taking any spring without consent of owner.
6. Damages, compensation for, how made.--7. Disagreement as to, how [settled.]
2. Election; how notified and held.
3. Officers and Agents, how long to hold their office...4. Their duties.

An ACT for incorporating an Aqueduct Association in the Town of Coxsackie, in the County of Greene.

Passed April 9th, 1804.

WHEREAS Dorrance Kirtland and divers other persons have associated with intent to supply the village in the said town with good and wholesome water : Therefore,

Z