

L A W S
OF THE
STATE OF NEW YORK,

PASSED AT THE

NINETY-FIFTH SESSION

OF THE

LEGISLATURE,

BEGUN JANUARY SECOND, AND ENDED MAY FOURTEENTH, 1872,
IN THE CITY OF ALBANY.

VOL. I.



ALBANY:
V. W. M. BROWN, PUBLISHER.
1872.

and pay over, to said treasurer as hereinbefore required, or which he shall fail to pay over, after accounting for, and the book so required to be kept by him shall be presumptive evidence against said justice as to the amount of such fines, so far as they shall stand recorded there; and the amount of such fines may be further proved by other and extrinsic evidence. And the trustees of said village of Flushing, upon proving the amount of such fines collected by said police justice, and which shall not be paid over by him, as aforesaid, shall be entitled to judgments against said police justice, from time to time, for amounts being three times the amount of fines so proven to have been collected by said police justice, and which shall not be paid over by him to the said treasurer of the village of Flushing, in pursuance of the requirements of this act; with supreme courts costs, whether the amount recovered shall be over or under fifty dollars, which, when collected, shall be paid over to the treasurer of said village to the account of said trustees.

§ 10. This act shall take effect immediately.

Chap. 43.

AN ACT to incorporate the Little Falls Water-works Company.

Passed February 16, 1872; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. Zenas C. Priest, William I. Skinner, Harry Burrell, Lorenzo Carryl, John P. Shaver, Jean R. Stebbins, Martin W. Priest, Charles Benedict, Titus Sheard, Joshua J. Gilbert, Watts T. Loomis, Seth M. Richmond and Wells Sponable, and all persons as are or may be hereafter associated with them, are constituted a body corporate, by the name of the Little Falls Water-works Company.

Names of corporators.

Name of corporation.

§ 2. The object of this incorporation is to procure and furnish a supply of pure and wholesome water for the village of Little Falls.

Objects of corporation.

Capital
stock,

§ 3. The capital stock of this company shall be fifty thousand dollars, divided into shares of one hundred dollars each. The capital stock may be hereafter increased to one hundred thousand dollars, should the directors of the company at any time so determine, provided the increase shall first be authorized by the stockholders representing a majority in amount of the stock. The stock shall be considered personal property and shall be transferable and assignable upon the books of the corporation.

Stock to
be person-
al prop-
erty.

Meeting to
be held on
2d of May,
1872.

§ 4. A majority of the persons named in the first section of this act shall meet at such place and time as they may select in the village of Little Falls, Herkimer county, New York, on the second day of May, eighteen hundred and seventy-two, or such other day as they may select, upon giving notice thereof, in a newspaper printed and published in said village of Little Falls.

Affairs to
be man-
aged by
board of
directors.

§ 5. The concerns of this corporation shall be managed by thirteen directors, who shall be stockholders in said corporation, seven of whom shall constitute a quorum for the transaction of business, and who shall hold their offices for one year and until others are chosen in their places. The directors shall be chosen annually in the village of Little Falls, on the first Monday of May, at such time and place as the directors may appoint. The first election shall be held on the first Monday of June, eighteen hundred and seventy-two. Two weeks' notice of such election shall be given, by publication, at least once a week for two consecutive weeks in a newspaper published in the village of Little Falls. Each stockholder shall be entitled to one vote on each share of stock held by him or her for at least twenty days previous to an election. Voting shall be by ballot and may be in person or by proxy.

Directors,
how
chosen.

Officers to
be ap-
pointed.

§ 6. The directors shall annually appoint a president, secretary and treasurer, and such other officers as they shall deem necessary, who shall hold their offices for one year and until others shall be elected in their places, and they may make and ordain such by-laws and regulations as they may deem necessary and proper for the management of their business not contrary to the laws and Constitution of the State of New York.

§ 7. The directors may require payment of subscriptions to the stock at such times and in such portions as they may see fit, under the penalty of forfeiting such stock and all previous payments thereon, or may sue for and recover all such subscriptions. Notice of the time and place of the payment of all subscriptions shall be given by publication, for two successive weeks, at least once in each week previous to such time, in a newspaper published in the village, or by written notice served personally upon each subscriber to such stock at least two weeks prior to the time of payment.

Subscriptions to stock when payable.

Notice of time and place of payment to be given.

§ 8. The persons named in the first section of this act shall be the first directors of said corporation, and shall hold their office until the first Monday of June, eighteen hundred and seventy-two and until others are chosen in their places. In case of vacancy in the direction, by reason of death or resignation of any director, or by ceasing to be a stockholder, it may be filled by the remaining directors until the next annual election, and until some other person shall be elected to fill the place. The directors herein named may appoint three persons to be inspectors of election at the first election of directors, after which the stockholders shall, at the annual election, choose three inspectors of the next election. If no inspectors shall be chosen at any annual election, the directors may appoint them, from time to time. The directors may remove all officers appointed by them, and appoint others in their places, and fill all vacancies in offices. If at any time an election of directors does not take place on the day appointed by this act, the corporation shall not, in that case, be dissolved, but an election may be held on any other day, in such manner as shall be prescribed by the directors or provided for by the by-laws. Two weeks' public notice of such election shall be given in a newspaper published in said village.

Vacancies, how filled.

Inspectors of election.

Failure to hold election not to dissolve corporation.

§ 9. The said corporation may purchase, lease and may hold, take by devise or gift, any real estate, or the waters of any spring, pond or stream, and the right of water-way and conduits, pipes and reservoirs necessary for the objects of the corporation. It may, with the consent of the trustees of said village of Little Falls,

May acquire real estate, etc.

enter upon and use any highway, road, lane, street or public grounds, through which the said corporation may deem it proper and necessary to conduct or convey the water, and may lay and construct any reservoirs, pipes, conduits, aqueducts, culverts or hydrants, or other necessary works thereon, doing no unnecessary damage, and restoring such highways, roads, lanes, streets or public grounds to their proper condition for public use, as nearly as may be, as they were before said entry.

Rules and regulations.

§ 10. Said company is hereby authorized and empowered to make and establish rules and regulations for the preservation; distribution and use of said water and to prevent waste, and may establish prices to be paid therefor, and collect and enforce payment for the use of such water, and in case of non-payment, may cut off and withhold the supply of water. And so far as respects the preservation and use of their water-works, restraining waste, it may make regulations and impose penalties for any violation thereof.

Trustees of village may contract for use of water, etc.

§ 11. The trustees of the village of Little Falls may contract with said company for the use of its water, so far as it may deem it necessary, for the extinguishment of fires, and with its consent may construct hydrants for the use of the fire department of the village, and lay pipes thereto, and it may make by-laws and regulations with suitable penalties, to secure the property of said water-works company, and to prevent damage thereto.

Penalties for injuries to water-works.

§ 12. Any person who shall maliciously or willfully destroy or injure any of the works or property of said company, or who shall maliciously or willfully commit any act, which shall corrupt or injuriously affect, or tend thus to affect, the water of the company, or the sources from which said company shall be supplied with water, shall be guilty of a misdemeanor, and may be punished by fine, not exceeding two hundred dollars, or imprisonment in the county jail, or Albany penitentiary, not exceeding one year, or both such fine and imprisonment in the discretion of the court, and shall forfeit and pay to said company treble the damages sustained thereby, to be recovered in any court having cognizance thereof, with costs of the action.

§ 13. The corporation hereby created shall possess the powers, and be subject to the provisions of title three, chapter eighteen, of the first part of the Revised Statutes, so far as the same are applicable, and not otherwise provided for in this act.

Powers of corporation.

§ 14. The stockholders of said company shall be jointly and severally liable in proportion to the amount of their stock, for all debts that may be due and owing to their laborers, for services performed in behalf of said company.

Liabilities of stockholders.

§ 15. This act shall take effect immediately.

Chap. 44.

AN ACT in relation to the filing of the certificate of incorporation of "The Keating Lumber Company."

Passed February 16, 1872.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. Upon filing with the clerk of the county of Chemung a copy of the original certificate of incorporation of "The Keating Lumber Company," now on file in the office of the Secretary of State, duly authenticated by the said Secretary, the said company shall be deemed to have been duly incorporated as of the tenth day of December, eighteen hundred and sixty-six, and all acts of said company shall be as valid and effectual as though a duplicate of said original certificate had been duly filed in said county clerk's office on that day.

Copy of original certificate to be filed in Chemung county clerk's office.

§ 2. This act shall not defeat the rights of any parties now having actions or claims against the said company or the individual members thereof.

This act not to defeat rights of any parties.

§ 3. This act shall take effect immediately.