

New York (State). Statutes.
L A W S

OF THE

State of New-York.



V O L. V.

Containing
ALL THE ACTS of the 30th—and the **PUBLIC ACTS** of the
31st and 32d Sessions of the Legislature—1807, 1808 and 1809 ;

Also,
THE TITLES OF THE PRIVATE ACTS.

Albany :
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1809.

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- 9 III. *And be it further enacted*, That the persons so appointed to take the said census, shall be and are hereby respectively authorized to administer an oath to and examine any person touching the pre-
- 10 mises, to enable them to execute the duties enjoined ; and if any person shall, whether upon oath or otherwise, give to any such person appointed to take the said census false information, either as to number or qualification of any persons as electors, such person, so offending, shall forfeit the sum of twenty-five dollars, to be recovered, with costs of suit, before any justice of the peace, to the
- 11 use and benefit of any person who shall prosecute therefor ; and if any of the said persons whose duty it shall be to appoint proper persons to take the said census, or any of the persons so appointed, or any county treasurer, or any other person on whom any duty is imposed by this act, shall refuse or neglect to perform the duty enjoined upon them respectively, every such person so offending, shall forfeit and pay to the people of this state the sum of one hundred and fifty dollars, to be recovered by the attorney-general, with costs of suit, by action of debt or information, in any court of record having cognizance thereof.
- 12 IV. *And be it further enacted*, That the accounts of the persons taking the said census shall be audited by the supervisors of the county, and thereupon be assessed, collected and paid as part of the contingent expenses of the same county ; and if it shall be necessary in any case to transmit to the secretary of this state the said returns by special messenger, such messenger shall be allowed at and after the rate of eighteen cents per mile for his travel, going only, to the secretary, to be paid by the treasurer of the state, upon the certificate of the secretary thereof.
- 13 V. *And be it further enacted*, That the secretary of this state shall, without delay, after receiving the said returns, make and report to the legislature a general account of the electors of the state, in the manner prescribed by the eighth section of the said recited act.

C H A P. C I X.

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AN ACT to incorporate the Waterford Aqueduct Company, and for other Purposes.

Passed April 3, 1807.

WHEREAS certain persons have associated for supplying the village of Waterford with wholesome water by means of aqueducts. Therefore;

I. *BE it enacted by the People of the State of New-York, represented in Senate and Assembly, That* Jacobus Van Schoonhoven, James Oliphant, Samuel Stewart, John Hazard, Daniel G. Garnsey, and such other persons as may be associated for the purpose aforesaid, shall be and are hereby made and created a corporation and body politic, by the name of "The Waterford aqueduct company," and by that name shall be capable in law to sue and be sued, plead and be impleaded in any court whatever, and may have a common seal, and alter and change the same at pleasure ; and may hold, enjoy and convey such real and personal estate as may be necessary for the attainment of the object aforesaid, not exceeding two thousand dollars in the whole, exclusive of the profits or income of the said aqueducts. 2

II. *And be it further enacted, That* the stock of said company shall consist of two hundred shares of twenty-five dollars each. 3

III. *And be it further enacted, That* the aforesaid associates shall cause to be opened a book in the village of Waterford, giving three days notice of a time and place certain, that the inhabitants may have an opportunity of subscribing for the stock or shares of the said company, and when the shares shall be taken up it shall be the duty of the associates to give three days public notice of a time and place certain for the stockholders to meet for the purpose of choosing five trustees to manage the affairs of the company ; which election shall be by ballot, each stockholder having one vote for each share, and the five persons having the greatest number of votes shall be the trustees of said company for one year, at the expiration of which the company shall, in like manner, choose five stockholders to fill their places ; and the day of the week and month, on which such election shall be, shall for ever thereafter be the annual day of election to said company. 4 5

IV. *And be it further enacted, That* the trustees shall, when elected, proceed to elect one of their number for chairman, and that the chairman and trustees shall choose a treasurer, clerk, and such other officers as may be necessary to carry into effect the object of this incorporation. 6 7

V. *And be it further enacted, That* whenever any vacancy of trustees of said incorporation shall happen by death, removal or otherwise, a meeting of the stockholders may be called at a time and place certain, by order of the said chairman and trustees, and the vacancy filled in the manner as aforesaid. 8

VI. *And be it further enacted, That* the trustees shall have authority to make all contracts for and in behalf of said company, and to ordain such bye-laws and rules as they may deem necessary for the promotion and preservation of said institution, and to impose penalties not exceeding the value of three dollars for each offence or breach of such bye-laws, rules and regulations, and to prevent injuries to conduits or aqueducts of the company, or drawing water therefrom without due authority from the trustees aforesaid : *Provided,* such bye-laws shall not be inconsistent with the constitution and laws of the United States nor of this state. 9

- 10 VII. *And be it further enacted*, That the shares in the said Waterford aqueduct company shall be taken, deemed and considered to be personal estate, and shall and may be transferable, and the transfers of said shares shall be made and entered by the clerk of said corporation, in a book kept by him for that purpose.
- 11 VIII. *And be it further enacted*, That it shall be lawful for the trustees for the time being, to call and demand from the stockholders respectively all such sums of money by them subscribed or to be subscribed, at such times and in such proportions as they shall see fit, under pain of forfeiture of their shares and all previous payments thereon to the said company, always giving however thirty days previous notice of such call and demand.
- 12 IX. *And be it further enacted*, That it shall be the duty of the trustees to make half-yearly dividends of so much of the profits of the said Waterford aqueduct company as to them or a majority of them, shall seem advisable.
- 13 X. *And be it further enacted*, That all actions brought by virtue of this act may be actions of debt, and the special matter shall be given in evidence.
- 14 XI. *And be it further enacted*, That if said company shall have occasion to take possession of any ground for the attainment of the object aforesaid, it shall be their duty to agree with the owner or owners of such ground for such privilege; and in case of disagreement, it shall be the duty of said company to apply to two or more of the judges of the court of common pleas of the county of Saratoga, who shall appoint, under their hands and seals, three disinterested persons, as appraisers of said ground, whose determination, when complied with by said company, shall be final between the parties.
- XII. *And whereas*, by the act of February twentieth, one thousand eight hundred and seven, entitled "An act to amend an act, entitled "An act to vest certain powers in the freeholders and inhabitants of part of the town of Brooklyn, in Kings county," the boundary of the fire-district, as described in the first section of said act, is incomplete. For remedy whereof, *Be it further enacted*,
- 15 That the limits of the fire-district, in the town of Brooklyn, be extended from the still-house, along the East-river southwardly, to the public landing near the dwelling house of Ralph Patchin; thence eastwardly, up the road, leading from the said landing, to its junction with Redhook-lane; thence along said Redhook-lane to where it intersects the road leading from Brooklyn ferry to Bedford; thence, a northeast course, to the head of the Wallebogh mill-pond, and thence, in the original line of demarcation, to the place of beginning, any thing in the above recited act to the contrary notwithstanding.

C H A P. CX.

AN ACT for the Relief of Uriah Gregory.

Passed April 3, 1807.

BE it enacted by the People of the State of New-York, represented in Senate and Assembly, That it shall be lawful for the