

SUPPLY OF WATER.

To the editors of the Argus.

Observing in your paper of the 23d inst. a notice of the proceedings of the Common Council relative to the project of supplying the city with water from the Patroon's creek, and in which it is stated that the matter was referred back to a committee for further consideration because the consent of the *Water Works company* was necessary before taking any decisive step: they having the *exclusive right* to supply the city with water,—I was induced to look into the *charter* of that company. Had it been that the *exclusive right* to supply the city with water, had been granted to that company, it would have been a most extraordinary fact in the history of legislation: but it is not so; such privilege is not granted either *expressly* or by *implication*. The charter of the *Albany Water Works company* will be found in the *third volume of Webster's and Skinner's edition of the Statutes of this State*, page 67, by which the company were authorized to create a stock of \$40,000, which by a statute passed in 1813, (see session laws of 1813, being the 36th session, chap. 31), they are permitted to increase to \$80,000. The only other statute respecting the *Water Works company* that has come under my observation, relates to the *stock* owned by the corporation of the city, and the election of *trustees*, which is to be found in the same third volume of the laws above quoted at page 316. The charter authorizes the company to lay any number of conduits, necessary to supply the city with water, through or over any lands in the city of Albany or town of Watervliet; and to conduct and lay their conduits below the surface of any street or public highway in the city or town before mentioned; but it confers no *exclusive right* or privilege whatever.

Deeming it of great importance as well to the convenience and comfort of the inhabitants as the safety of property in the western part of the city, that the project under the consideration of the common council should be carried into effect; and being satisfied from the notice in your paper, and from the report of what was said when the subject was discussed in common council, that a misapprehension prevailed as to the right of the *Water Works company*, I have thrown together these suggestions for the consideration of the citizens. The rights of that company should by no means be invaded, and if they can furnish a supply of water for every part of the city, no other company should be incorporated for that purpose, nor should the corporation ask for power to bring water into the city; but it is understood even the dwellings on the west side of the Parks cannot have the benefit of the water of that company; and if so of course all that portion of the city lying west of that range of buildings must look elsewhere for a supply of water. Under such circumstances it would seem to be the duty of the corporation not to hesitate, but now when an opportunity is afforded to obtain water from a source which has always been a desideratum, and which with the utmost ease may be carried to the roofs of our highest buildings for the extinguishment of fires, to close the bargain forthwith, and apply to the legislature at its ensuing session for the necessary powers to conduct the water into the city; reserving to the *Albany Water Works company* every inch of ground they have hitherto occupied, and forbidding the corporation or any new company that may be created from *pouching upon their manor*. This it is presumed would satisfy that company, whilst at the same time all would be secured which the public have a right to demand.