

L A W S  
OF THE  
STATE OF NEW-YORK,

PASSED AT THE

SEVENTY-EIGHTH SESSION

OF THE

L E G I S L A T U R E ,

BEGUN JANUARY SECOND, AND ENDED APRIL FOURTEENTH, 1855, IN THE  
CITY OF ALBANY.



ALBANY:  
VAN BENTHUYSEN, PRINTER.

.....  
1855.

## Chap. 30.

AN ACT further to amend an act entitled "*An act to incorporate the Williamsburgh Water Works Company,*" passed April 16, 1852.

Passed February 24, 1855, three-fifths being present.

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

Name.

§1. The powers, rights and privileges granted by an act of incorporation, passed April 16, 1852, and by an amendatory act passed June 8, 1853, are hereby renewed, re-granted, and continued to the corporation thereby created, which shall hereafter be known and called "*The Brooklyn Water Company,*" under which name the acts and doings of the said corporation are hereby confirmed. The directors of said company shall proceed to receive subscriptions to such of its capital stock as has not been subscribed, in such manner as they shall direct.

Subscrip-  
tions to  
stock.

Real es-  
tate.

§ 2. For the purpose of supplying the consolidated city of Brooklyn, and its vicinity, with pure and wholesome water, said company may purchase, take and hold any real estate necessary for the purpose, and by its agents, directors, servants or other persons employed, may on making compensation therefor, in the manner provided for in the act hereby amended, enter upon the lands of any person or persons which may be necessary for that purpose, and may take the water from any springs, ponds, wells, fountains and streams, and divert and convey the same to said city, and may lay and construct any pipes, conduits, aqueducts, canals, wells, reservoirs, or other works or machinery, necessary or proper for said purpose, upon any lands so entered upon, purchased, taken or held. Said corporation may as aforesaid, enter upon any lands, streets, highways, roads, lanes or public squares, through which they may deem it proper to carry the water from said springs, fountains, ponds, rivers, streams, wells and reservoirs ; and lay and construct therein any pipes, conduits, aqueducts, canals, or other works for that purpose, and construct sewers or drains therein, by agreement with the said city corporation for the purpose of carrying off

said water, leaving the said lands, streets, highways, roads, lanes or public squares in the same condition, as nearly as may be, as they were before said entry. But said company shall not enter upon or dig into any street, avenue, lane or public square, of the city of Brooklyn, for the purpose of laying pipes or conduits therein, until permission from the common council of the city of Brooklyn for that purpose, shall be first had and obtained.

§ 3. In laying pipes and conduits, and constructing or erecting works in the streets, lanes, and public squares of the city of Brooklyn, the company shall conform to such regulations as the common council of said city shall prescribe.

Regulations  
for pipe  
laying

§ 4. The said company shall furnish water to the city of Brooklyn for the purpose of extinguishing fires, and for other public use, upon such terms as may be agreed upon between them, and in case of disagreement, the compensation for the use of the said water for the extinguishment of fires, shall be determined by the appraisal of three disinterested men. And the said company may make any agreements, contracts and leases for the sale, use, and distribution of water, as may be agreed upon between said company and any person or persons, associations, and corporations, which agreements, contracts, grants, and leases, shall be valid and effectual in law.

Water for  
extinguish-  
ing fires.

§ 5. All the stockholders of this company shall be severally and individually liable to the creditors of said company, to an amount equal to the amount of stock held by them respectively, for all debts and contracts made by said company, until the whole amount of the capital stock fixed and limited by the directors of the company shall be paid in, and a certificate thereof shall have been made and recorded in the clerk's office of Kings county.

Liability of  
Stock-  
holders.

§ 6. The corporation of the consolidated city of Brooklyn, is hereby authorised to subscribe to the capital stock of the said company, the amounts which the late cities of Brooklyn and Williamsburgh were by the said acts authorised to subscribe, and to issue and sell its bonds in payment therefor. Or it may purchase that amount of the stock of that company.

City may  
subscribe  
for stock.

§ 7. If the corporation of the city of Brooklyn shall at any time within twenty years after the passage of this act, make provision for repayment to the stockholders of the said company, for the amount of capital stock actually

City may  
purchase  
capital  
stock.

paid in and expended by them, together with twenty per cent premium on the amount thus actually paid in and expended by said company, and assume the outstanding debts and contracts of the said company; then the said water works, together with all lands, fixtures and appurtenances, shall vest in and become the property of the city of Brooklyn. And the corporation of the said city of Brooklyn is hereby authorized to make such purchase, and to issue and sell its bonds in payment therefor.

Price of  
water.

§ 8. The said company shall furnish water to the citizens of Brooklyn, wherever its pipes are laid, at a price not exceeding the rates now charged for Croton water by the city of New York.

Taxes.

§ 9. No taxes shall be assessed on the capital stock or property of this company, until it shall have earned seven per cent per annum on its capital paid in.

Sale of  
land and  
streams.

§ 10. The corporation of the city of Brooklyn is hereby authorised to sell to the said company any of its lands, streams, and water privileges in the counties of Kings and Queens, upon such terms and conditions as may be agreed upon by the respective parties.

Proviso.

§ 11. Nothing in this act contained shall be so construed as to interfere with the rights, privileges, powers, and immunities, now held by the city of Brooklyn.

§ 12. The eighth, fourteenth, sixteenth, nineteenth, twenty-second and twenty-sixth sections of the act to incorporate the Williamsburgh water works company, passed April 16, 1852, and the third, fourth, fifth, sixth, seventh, eighth and tenth sections of the act amending the same, passed June 8, 1853, are hereby repealed.

§ 13. This act shall take effect immediately.

## Chap. 31.

*AN ACT authorising the common council of the city of Brooklyn to borrow money for school purposes.*

Passed February 24, 1855, three-fifths being present.

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

§ 1. The common council of the city of Brooklyn, in the county of Kings, is hereby authorised to borrow, on