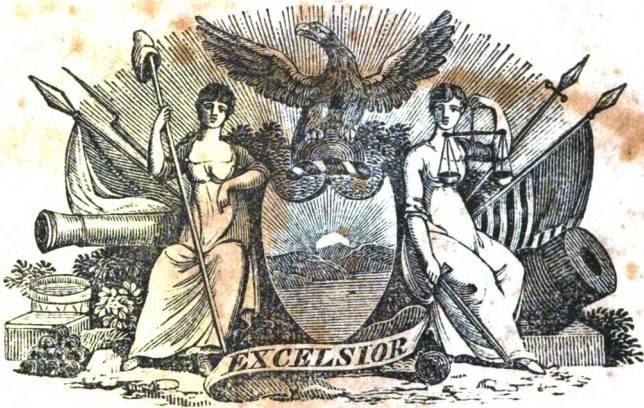


L A W S
OF THE
State of New-York,
PASSED AT THE
FIFTIETH SESSION,
OF THE
LEGISLATURE,
BEGUN AND HELD AT THE CITY OF ALBANY,
The Second day of January, 1827.



ALBANY:
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1827.

and for the use and benefit of said village, and shall refuse or neglect to pay the same to him, to prosecute every such offender in the name of the trustees, for monies had and received to and for the use of said village; and the treasurer shall annually at the time and place of holding the village elections, exhibit an account of all monies received into or paid out of the treasury during the preceding year, specifying the several objects and purposes to which the same shall have been applied.

14. *And be it further enacted*, That the trustees, treasurer and collector to be elected by virtue of this act, shall hold their respective offices until the first Tuesday in June next, after their election, as aforesaid, and until a new election shall be made pursuant to this act, and until the officers so last chosen shall have taken and subscribed the oath or affirmation, and given the security required by this act. Duration of office.

15. *And be it further enacted*, That it shall be duty of the trustees to give notice to the inhabitants, of all public meetings, at least one week previous thereto; in which notice the principal objects of the meeting shall be set forth, and the same shall be put up in at least three of the most public places in the village; and the trustees may call a meeting of the inhabitants whenever they may deem it expedient: *Provided*, That ten days notice shall be given of the annual meeting for the choice of trustees. Notice of meetings.

16. *And be it further enacted*, That it shall be lawful for the trustees to direct and require the inhabitants or owners of dwelling-houses and other buildings within the limits aforesaid, to provide themselves with such and so many fire-buckets, to be ready in such houses and other buildings, for the purposes of extinguishing fires, as they shall think proper. Fire buckets.

17. *And be it further enacted*, That any justice of the peace of said county of Chautauque, residing in said village of Jamestown, and any freeholder and inhabitant of said village, shall be and hereby are declared competent, respectively to try or serve as jurors, or give testimony in any cause wherein the said trustees are parties, notwithstanding any remote interest they may have in the event of such suit, as members of the corporation of said village. Jurors.

18. *And be it further enacted*, That this act be and it is hereby declared to be a public act, and that the same be construed in all courts and places benignly and favourably for every beneficial purpose therein mentioned; and that it shall be lawful for the legislature at any time to repeal or amend this act. Public act.

CHAP. 58.

AN ACT to incorporate the Buffalo Hydraulic Association.

Passed March 8, 1827.

1. *BE it enacted by the People of the State of New-York, represented in Senate and Assembly*, That John G. Camp, Reuben B. Heacock and Frederick B. Merrill, and such other persons as now are or hereafter may become interested in the association, formed Corporation created.

- for supplying the village of Buffalo with water, and producing hydraulic privileges for manufacturing purposes in said village by dams, dikes, and raiseways, shall be and hereby are created a body politic and corporate, in fact and in name, by the name of the "Buffalo Hydraulic association," for the purposes aforesaid, and for no other purpose whatsoever, and by that name shall be capable in law, of suing and being sued, pleading and being impleaded, in any court whatsoever, to have a common seal, and to change and alter the same at pleasure, to purchase, take, hold, and convey any estate real or personal: *Provided*, Such real estate be necessary to effect the object of the incorporation.
- Name.**
- Proviso.**
- Directors.** 2. *And be it further enacted*, That it shall be lawful for any three of the persons to be associated, or such others as with them shall associate, to convene the said members of said corporation, at some proper and convenient place in the said village, first giving six days previous notice in writing, of the time and place, to be put up in two of the most public places in said village, and such of the members of the said association, being at least a majority of the whole number thereof, as shall so convene, shall and are hereby authorised by a vote of the majority present, to elect five directors for said corporation, who shall hold their offices for one year, and until others are chosen, which directors shall have power to appoint such agents as they shall deem necessary, and to make and ordain all necessary by-laws, rules, and regulations for the superintendence and management of said corporation, and for the equal assessment and collection of taxes among the members thereof, in proportion to their respective interest, and to impose penalties for the violation of such by-laws, and to institute such suits in the name of the corporation for the recovery of any penalty, or sums of money, which may accrue to said corporation, imposed as aforesaid.
- May enter on lands.** 3. *And be it further enacted*, That it shall be lawful for the said corporation, or their authorised agent or agents, to enter into and upon, and to take any lands or tenements through which it may be necessary to conduct the said water, for the purposes aforesaid, after having paid the owners and possessors of said lands and tenements such damages as may be agreed upon between the parties.
- May contract with Seneca Indians.** 4. *And be it further enacted*, That it shall be lawful for such corporation, or their authorised agent or agents, to contract and agree with the Seneca tribe of Indians on the Buffalo reservation, under the superintendence and advice of the agent of the said Indians, to enter into and upon the Buffalo reservation, and take the waters of the Buffalo creek, for the purpose of supplying said village with water, and also to use the same for hydraulic machinery, and also to make use of any lands that may be necessary for conducting the said water for the purposes aforesaid: *Provided*, That nothing in this section contained shall be so construed as to affect the rights of persons owning the right of pre-emption to said Buffalo reservation.
- Proviso.**
- Penalties.** 5. *And be it further enacted*, That if any person or persons shall wilfully do or cause to be done any act or acts whatsoever, whereby the works of the said corporation, or any dams, dikes, embankments, fences, or any engine, machine or device whatsoever, shall become impaired, weakened, injured or destroyed, the per-

son or persons so offending, shall forfeit and pay the said corporation, double the amount of damages sustained by means of such offence or injury, to be recovered in the name of the said corporation, with costs of suit, by action of debt, to be brought in any court of record in this state, which action shall be considered as transitory in its nature, and shall and may be tried in any county in this state.

6. *And be it further enacted*, That the capital stock of said ^{Stock} company shall be twenty-five thousand dollars, with liberty to increase it to fifty thousand dollars, to be divided into shares of one hundred dollars each, which shall be deemed personal property, and transferable in such manner as the said corporation shall by by-laws direct.

7. *And be it further enacted*, That such part of the said waters ^{Sale of water.} as may be used by said corporation, in supplying the village of Buffalo with water, shall be used and sold by said corporation, under such prudential rules and regulations as the trustees of said village may prescribe.

8. *And be it further enacted*, That the stockholders of said corporation shall be holden jointly and severally, to the nominal ^{Responsibility.} amount of their stock, for the payment of all debts contracted by the said corporation, or by their agents; and any person or persons having any demand against the said corporation, may sue any stockholder or stockholders in any court having cognizance thereof, and recover the same, with costs: *Provided*, That no stockholder shall be obliged to pay more in the whole, than the amount of the stock he may hold in the said company at the time the debt accrued.

9. *And be it further enacted*, That this act shall be deemed a ^{Public act.} public act, and shall be benignly and favourably construed for the purposes therein expressed and declared, in all courts and places whatsoever.

10. *And be it further enacted*, That the legislature may at any ^{Power to repeal.} future time alter, modify or repeal this act.

CHAP. 59.

AN ACT to divide the Town of Nunda, in the County of Allegheny, into three Towns.

Passed March 8, 1827.

1. *BE it enacted by the People of the State of New-York, represented in Senate and Assembly*, That from and after the passing of ^{Nunda.} this act, all that part of the town of Nunda, east of the Cottinger tract, and north of lots number thirty-six, thirty-five, thirty-four, thirty-three, thirty-two and thirty-one, on the Norton tract, shall be a separate town by the name of Nunda, and the first town meeting shall be held at the house of James M. Heath in said town, on the first Tuesday of April next.

2. *And be it further enacted*, That all that part of the town of ^{Portage.} Nunda, on the Cottinger tract, north of lots number one hundred and ten, two hundred and thirty-six, two hundred and thirty-seven, two hundred and thirty-eight, two hundred and thirty-nine, two