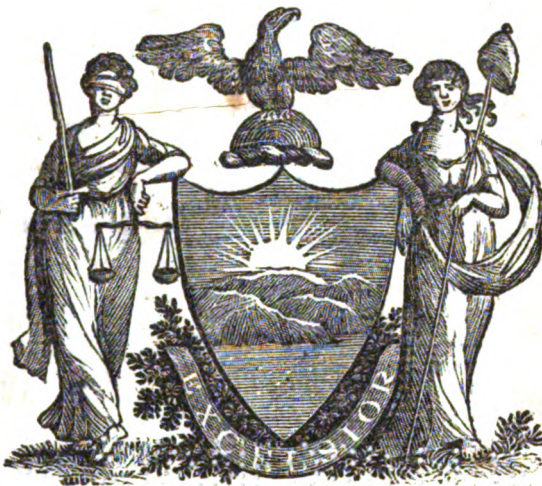


L A W S

OF THE

State of New-York.



V O L. IV.

Containing
ALL THE ACTS

Passed at the 28th and 29th Sessions of the Legislature, 1804-5 and 1806.

Alban :
PRINTED BY WEBSTERS AND SKINNER.

1806.

Samuel Parker, his heirs or assigns, being aliens, to hold the said lands otherwise than under the restrictions mentioned in the said act.

C H A P. XXXIII.

CONTENTS.

1. Commissioners of highways to lay out a certain road.
3. Long-Clove road, to be kept in repair by tax on certain towns.
4. Tax for road, how to be levied, collected and paid.
2. Width of road, not to be less than two nor more than four rods.

AN ACT concerning Roads in the County of Rockland.

Passed March 7, 1806.

- 1 **B**E it enacted by the People of the State of New-York, represented in Senate and Assembly, That the commissioners of highways for the town of Orange, in the county of Rockland, shall be and hereby are authorized to lay out a road through the farm of Cornelius I. Blauvelt, in said town, so as to intersect two public roads leading to a public landing on Hudson's river, which shall be of such width as the commissioners laying the same road, shall think proper to direct. *Provided*, the same shall not be more than four nor less than two rods wide, any thing in the seventeenth section of the act aforesaid, to the contrary notwithstanding.
- 2
- 3 II. *And be it further enacted*, That the road commonly called the Long-Clove road, near the Harverstraw-landing, shall for the future be kept in repair by a tax on the freeholders and inhabitants of the towns of Haverstraw, Hempstead and Clarkstown, which tax shall be levied, collected and paid in the same manner and proportion as the tax for the repairing the road called Short-Clove road, near said landing, is by law directed to be levied, collected and paid.
- 4

C H A P. XXXIV.

CONTENTS.

24. Act of incorporation, declared public, and to be construed favorably.
2. Aqueduct association, style and corporate rights.
23. Aqueducts, may be laid along the sides or across highways, with proviso.
 1. Body corporate, Ozias Coleman, Jun. and others made.
 2. Company, style and rights.
 4. Authorized to open a book of subscription.
14. May enter upon lands, and make use of fountains, with proviso.
5. Election, first, who to notify . . . 7. Anniversary day of . . . 21. May be held on any other day.
3. Estate, limited in object and amount.
6. Directors, five to be chosen . . . 8. Three a quorum . . . 10, 13. Their powers.
22. Incapacitated from acting when election is not held on anniversary day.
18. Penalty for injuring the works of the company.
9. President, directors to choose.
11. Shares, apportioned for voting.
12. Stock, limited to 500 shares . . . 19. Personal property . . . 20. Made transferable.
17. Streets, surplus dividends to be appropriated for repairing.
9. Treasurer, directors to choose . . . 15, 16, 17. His duty.

AN ACT to incorporate the Fort-Ann Aqueduct Association.

Passed March 7, 1806.

- 1 **B**E it enacted by the People of the State of New-York, represented in Senate and Assembly, That Ozias Coleman, Jun.

George Clerk, Joel Tubbs, Lemuel T. Bush, Jeremiah Conklin, and such other persons as may become associated with them for supplying the village of Fort-Ann, in the county of Washington, with wholesome water, by means of aqueducts, shall be and are hereby made and created a corporation and body politic, by the name of the "President, Directors and Company of the Fort-Ann Aqueduct Association," and by that name they shall be capable in law to sue and be sued, plead and be impleaded in any court of record, and to hold and enjoy such real and personal estate, as may be necessary for the attainment of the object aforesaid, not exceeding five thousand dollars in the whole, exclusive of the profits or income of the said aqueducts.

II. *And be it further enacted,* That it shall and may be lawful for the persons above named, to do and perform the several duties herein after mentioned, that is to say : they shall on or before the first day of June next, procure a book, and in that enter as follows : We whose names are hereunto subscribed, do for ourselves and our legal representatives, promise to pay the president, directors and company of the Fort-Ann aqueduct association, the sum of ten dollars for each share of stock in said company set opposite to our respective names, in such manner and proportion, and at such time and place, as shall be determined by the said president and directors ; which book shall be left with one of the above mentioned persons, at his place of abode, who shall keep the same open for the purpose of receiving subscriptions, and every subscriber shall at the time of subscribing, pay to the aforesaid person, the sum of seventy-five cents on each share so subscribed for ; which money paid as aforesaid, shall by him be paid to the treasurer of said company, as soon as he shall be appointed ; and Ozias Coleman, Jun. George Clerk, Joel Tubbs, Lemuel T. Bush and Jeremiah Conklin, or a majority of them, as soon as two hundred shares are subscribed for, shall cause an advertisement to be affixed up, in at least three public houses within the town of Westfield, in said county, giving at least ten days notice of the time and place where the said subscribers shall meet for the purpose of choosing five directors, who shall be stockholders, for the purpose of managing the concerns of the said company for one year, and the day of choosing the said directors shall thereafter be the anniversary day for choosing directors ; and any three of the said directors shall be a quorum, and capable of transacting the business of the said corporation, and the said directors, elected by a plurality of the votes of the stockholders, shall immediately proceed to the choice of a president and treasurer from their own body, and the said president and directors may meet from time to time, at such time and place as they may think proper, and shall have power to make such bye-laws, rules and regulations, not inconsistent with the laws or constitution of this state, or of the United States, as shall be necessary for the well ordering of the said corporation, with a power of declaring forfeited all previous payments made on the respective shares, whose whole sum or any part thereof, is not paid at the time and place specified by the said president.

- 11 and directors : *Provided*, that no person shall have more than ten votes, whatever number of shares he may hold, and that each person shall be entitled to one vote for every share by him held under that number.
- 12 III. *And be it further enacted*, That the said president and directors, may continue to receive subscriptions to the stock of said corporation, until there shall be five hundred shares subscribed, and shall have power to appoint such agents, clerks and workmen, as shall be necessary for executing the business of said corporation.
- 13
- 14 IV. *And be it further enacted*, That it shall be lawful for the said company, and any person or persons employed by them, or acting under them, to enter into and upon, and freely to make use of any land, fountains of water, or streets, for the purpose of supplying the said village of Fort-Ann, with good and wholesome water ; and to lay and conduct any number of pipes or aqueducts through or over any of the said lands : *Provided*, the said president and directors first agree with the owners of the said lands, through and over which the said pipes or aqueducts may pass.
- 15 V. *And be it further enacted*, That the treasurer of the said company, shall receive and pay out all monies collected by virtue of this act, agreeable to the order and directions of the said president and directors, and he shall keep a just and true account of all the yearly income of the said company, and as soon as the same shall amount to fourteen per centum per annum, for each and every year on the whole of the capital expended over and
- 16
- 17 above all expenses, it shall be his duty, and he is hereby required to pay the surplus to such person as the said president and directors shall appoint for the purpose of repairing the streets in said village.
- 18 VI. *And be it further enacted*, That if any person or persons shall injure, deface, dig up or break, or destroy, or otherwise wilfully injure any of the said works of the said company, he, she or they shall forfeit and pay the sum of twenty dollars, to be recovered by the treasurer of the said company, in an action of debt, for their use with costs, in any court having cognizance of the same.
- 19 VII. *And be it further enacted*, That the stock of the said company, shall be personal property, and subject to be transferred agreeable to the rules and regulations prescribed by the president and directors of the said company.
- 20
- 21 VIII. *And be it further enacted*, That if the election for directors of the said company, shall not be held on the day of the annual election for the said directors, it shall be lawful for the said election to be held on any after day to be appointed by the said president and directors, in like manner and with like effect as
- 22 if the same had been held at the usual time, and the said directors in office shall in that case be incapacitated after the said election day, from performing any act as directors, other than such as may be necessary to give such election effect.

IX. *And be it further enacted*, That it shall and may be lawful 23
for the said company, or any person or persons employed by them
or under them, to lay or conduct any of the said aqueducts for
the purpose aforesaid, on the side or sides, or across any public
highway, provided they do not ultimately injure the same.

X. *And be it further enacted*, That this act is hereby declared 24
to be a public act, and that the same be construed in all courts
favorably and benignly, for every beneficial purpose therein con-
tained.

C H A P. XXXV.

AN ACT to alter the Name of "The Albion Benefit Society in the
City of New-York."

Passed March 7, 1806.

BE it enacted by the People of the State of New-York, represent-
ed in Senate and Assembly, That the society incorporated and
known by the name of "The Albion Benefit Society of the city
of New-York," shall hereafter be called and known by the name
of "The Albion Benevolent Society of the city of New-York,"
with all the powers, privileges and immunities now enjoyed by
the said society, and every act heretofore done by the said society
under whatever name, shall be valid to all intents and purposes
whatsoever, and enure to the benefit of the said society.

C H A P XXXVI.

CONTENTS.

21. Act of incorporation declared public, and to be favorably construed.
1. Body corporate, Jacob Powell and others, made.
2. Company, style and rights. . . 4. Authorized to open subscription books.
6. Directors, five to be chosen. . . 8. Three a quorum. . . 10, 13. Their powers.
20. Incapacitated from acting if election is not held on anniversary day.
5. Election, first, when and by whom to be notified. . . 7. Anniversary day of.
19. If not held on anniversary day, may be held on any other.
3. Estate, limited to 15,000 dollars.
14. Fountains, company, may make use of.
14. Lands, company may make use of.
16. Penalty, for injuring works of company.
9. President, directors, to choose.
12. Stock, limited. . . 17. Personal estate. . . 18. Transferable.
9. Treasurer, directors to choose. . . 15. His duty.
11. Votes apportioned.

AN ACT for incorporating the Newburgh Aqueduct Association.

Passed March 7, 1806.

BE it enacted by the People of the State of New-York, repre- 1
sented in Senate and Assembly, That Jacob Powell, George
Monell and Charles Clinton, and such other persons as may be-
come associated with them, for supplying the village of New-
burgh, in the county of Orange, with wholesome water, by
means of aqueducts, shall be and are hereby made and created a 2
corporation and body politic, by the name of the President, Direc-
tors and Company of the Newburgh Aqueduct Association, and