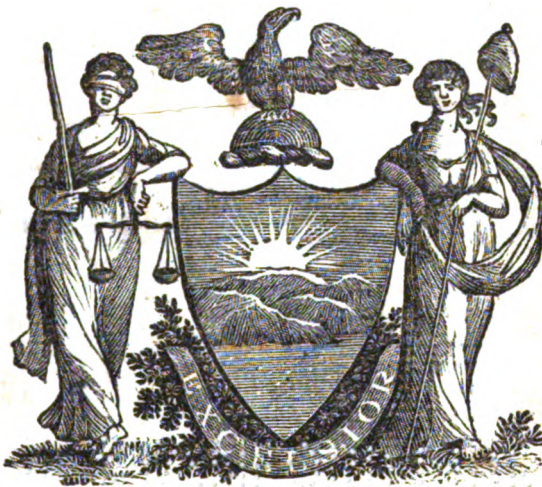


L A W S

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.

wick bridge company shall be and they are hereby authorized to add sixty shares to the capital stock of said incorporation, which said shares shall constitute and be considered as a part of the personal property of said company.

II. *And be it further enacted*, That instead of the toll directed to be taken and received by virtue of the act hereby amended, the said company shall hereafter be allowed to demand, receive and take, for the use of said incorporation, of and from all and every person passing through the said gate, a toll not exceeding the following rates, to wit : For every score of sheep or hogs, five cents ; for every score of cattle, mules or horses, ten cents ; for every cart drawn by one horse, five cents ; for every phaeton, chariot, coach or coachee, twenty-five cents ; for every stage-waggon or other four wheel carriage drawn by two horses, ten cents ; for every common waggon drawn by two horses eight cents ; for every sleigh drawn by one or two horses, four cents, and two cents for every additional horse ; for every cart drawn by two oxen, mules or horses, five cents, and for every additional ox, mule or horse, one cent, and in like proportion if drawn by a greater or less number of horses, mules or oxen ; for every chair, gig or sulkey, ten cents ; for every man on horseback, four cents, and for every foot passenger, one cent.

C H A P. CXXII.

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An ACT for the better regulating and protecting the Aqueducts in the Village of Fort-Edward.

Passed April 10, 1805.

WHEREAS the proprietors of the aqueducts at the village of Fort-Edward, in the town of Argyle, in the county of Washington, have represented by the petition of their association for the purpose of supplying themselves and others with water, by means of aqueducts, and have already at a considerable expense conducted the water from the fountain to the store-house of Doctor John Lawrence, at the village aforesaid, the benefits arising from which aqueducts are likely to be lost for want of adequate provisions made by law, for the regulating and managing the said aqueducts, and for obliging each proprietor thereof, to bear and defray his proportionable part of the expenses attending such aqueducts and in amending, superintending and managing the same : Therefore,

- 1 I. *BE it enacted by the People of the State of New-York, represented in Senate and Assembly*, That it shall and may be lawful for the said proprietors and such other persons as shall be admitted as such, hereafter, from time to time, to convene at such

time and place, at the said village of Fort-Edward, as a majority of the said proprietors shall appoint, due notice of such time and place of meeting being first given, by causing the same notice to be put up at least at three public places in the said village, not less than five days previous to such meeting, and at each and every of such meetings the said proprietors shall have power to make, ordain and declare all such bye-laws, ordinances, rules, regulations and directions relative to such aqueducts, as they or the major part of them may deem proper for the superintendence, regulation and management of the same, and for the extension, alteration, preservation and repairing thereof, and for the equal assessment and collection amongst the proprietors of all cost and expenses attending the same, and shall have full power to make, ordain, limit and provide such pains, forfeitures and penalties as they may think proper, for enforcing the observation and performance of the said bye-laws, rules and regulations, to be prosecuted for by the inspectors hereinafter mentioned, in their own names, and recovered in any court having cognizance thereof, by action of debt or otherwise, to the use of the said proprietors, to be by them appropriated for the support and maintenance of the said aqueducts: *Provided*, That no such pain, penalty or forfeiture shall exceed the sum of ten dollars: *And provided always*, That such bye-laws, ordinances, rules, regulations or directions, be not contrary to or inconsistent with the constitution, laws and statutes of this state or of the United States. 2

II. *And be it further enacted*, That the said proprietors, or a majority of them, at any of such meetings, may vote any sum or sums of money which they shall think fit, not exceeding one hundred dollars in any one year, to be assessed and levied on the said proprietors in proportion to their respective rights or shares, to defray the expenses of the necessary alterations, additions and repairing of such aqueducts or the fountains thereof, or for the compensation to the inspectors, treasurer and collector hereafter mentioned, and to elect three or more discreet persons for inspectors of the said aqueducts, one discreet person for their treasurer, and one discreet person as their collector, each of whom shall continue in office until others be duly chosen. 3 4

III. *And be it further enacted*, That the said inspectors, or a majority of them, shall have power and are hereby authorized and directed, from time to time, to examine, inspect, superintend, manage and direct the said aqueducts agreeably to such bye-laws, rules and ordinances as the said proprietors, or a majority of them, shall from time to time hereafter make and declare, touching the same or the management thereof, and shall have power to prosecute in their own names for all trespasses which may at any time be done or committed by any person or persons upon or against the said aqueducts, and to recover the amount of all damages occasioned by such trespasses, in any court having cognizance of the same, to the use of the said proprietors, to be appropriated as aforesaid, and shall meet and duly assess upon the proprietors aforesaid all such sum or sums of money, costs and expenses so as aforesaid to be voted by the said proprietors, and shall further 5

do and perform all such duties as shall or may be lawfully committed to them by any laws, rules or ordinances of the said proprietors.

6 IV. *And be it further enacted,* That the said treasurer shall keep a book, in which he shall fairly enter all receipts, advances and expenditures of all sums of money by him received, advanced or paid out, and shall likewise do and perform all other duties committed to him by any rule, ordinance or law to be made in pursuance of this act, and shall, as clerk of the said proprietors, keep the minutes of all the votes, resolutions and transactions of the said proprietors, at their several meetings so to be held as prescribed by this act, in a proper book by him to be kept for such purpose.

7 V. *And be it further enacted,* That the said collector so to be chosen, shall collect all such taxes and sums of money so as aforesaid to be voted by the said proprietors, agreeably to such tax-list or assessment-roll as shall be made out by the said inspectors as aforesaid, within thirty days after the same shall be delivered to him, and shall pay the monies so by him to be collected, into the hands of the treasurer; and in case the proprietors aforesaid, or any of them, shall refuse or neglect paying his or their proportion of such taxes or sums of money within the time limited for such payment, then it shall be lawful for such collector to collect the same, by exposing and selling at public vendue, after giving ten days previous notice thereof, in at least three public places in the said village, the right or share of such delinquent of, in or to the said aqueducts, rendering the overplus monies (if any) after deducting the costs and expenses of such sale, to the owner or owners thereof.

And to the end that the whole number of the said proprietors of the said aqueducts may always hereafter be known, and the number and proportion of their several rights and shares therein ascertained with the greater ease and precision,

8 VI. *Be it further enacted,* That the said treasurer shall keep a proper book, in which he shall duly enter the names of all the proprietors of the said aqueducts, together with their several rights or shares of, in or to the same, according to such bye-law or rule as the said proprietors, or a majority of them, shall make hereafter for such purpose, and shall also duly enter a note or memorandum of every transfer, lease or assignment made or hereafter to be made of any right or share of, in or to the said aqueduct, according to such bye-law or rule as the said proprietors shall hereafter prescribe, which entry, so to be made by the said treasurer, shall be deemed evidence of such transfer, lease or assignment, and no person shall be considered a proprietor of the said aqueducts after six months from the passing of this act, until the evidence of his right or share be so registered, nor entitled to draw or use the waters from the said aqueducts by virtue of any title or claim not so registered.