

PRIVATE LAWS

OF THE

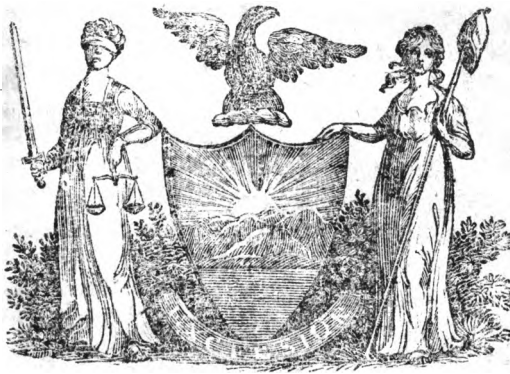
State of New-York,

PASSED AT THE THIRTY-THIRD SESSION

OF THE

LEGISLATURE,

BEGUN AND HELD AT THE CITY OF ALBANY THE THIRTIETH DAY
OF JANUARY, 1810.



ALBANY :

PRINTED BY SOLOMON SOUTHWICK,

PRINTER TO THE STATE.

1810.

ALH

A. D. 1810.
 Commissioner appointed

And be it further enacted, That John L. Norton, be and he is hereby appointed a commissioner, in addition to those already appointed in and by the act hereby amended.

CHAP. XCII.

An Act to amend an act, entitled "*an act to establish a turnpike corporation for improving and making a road from the village of Waterford, in the county of Saratoga, to the village of Johnstown, in the county of Montgomery,*" passed the fourth of April, one thousand eight hundred and six.

Passed 23d March, 1810.

BE *it enacted by the people of the state of New-York, represented in senate and assembly,* That the commissioners to be appointed in pursuance of the act hereby amended be and they are hereby directed to lay out said turnpike road in the most convenient and direct route from the village of Waterford aforesaid to the village of Ballston Spa, and from thence to Johnstown, in the county of Montgomery.

And be it further enacted, That Jesse Tracy, of the village of Waterford, and Epenetus White, junior, of the village of Ballston Spa, be and they are hereby appointed commissioners, in addition to those appointed in the act hereby amended, (with the exception of Alfred White,) to receive subscriptions for the stock of said corporation, and that the said commissioners shall provide blank books and open the same by the first day of June next, agreeably to the act hereby amended.

And be it further enacted, That as soon as one hundred shares shall be subscribed for, and the sum of five dollars on each share paid, the said commissioners shall cause an advertisement to be inserted in the newspapers as directed by the act aforesaid.

CHAP. XCIV.

An Act to incorporate the *Johnstown aqueduct company.*

Passed 30th March, 1810.

BE *it enacted by the people of the state of New-York, represented in senate and assembly,* That William A. Reid, Caleb Johnson, Daniel Holden, Caleb J. Grinnel and William Van Voast, and such other persons as may become associated with them for supplying the village of Johnstown with wholesome water by means of aqueducts;

Company incorporated.

shall be and are hereby made and enacted a corporation and body politic, by the name of "The Johnstown aqueduct company," and by that name 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 profits or income of the said aqueducts.

A. D. 1810.

And be it further enacted, That it shall and may be lawful for the persons above named, or either of them, or of their associates, by notice to be published in the newspaper printed in the said village, or served personally on the members of the said company, or left at their usual places of abode, at least three days previously to any meeting, to convene the company at some convenient place in the said village, and such of the members, being at least a majority of the whole number, as shall so convene, shall be authorized by a vote of the majority present to elect five trustees, a treasurer, clerk and collector of the company, and to appoint such other agents and superintendents as may be necessary to carry into effect the objects of this incorporation, which trustees, or a majority of them, shall have power to make and ordain such bye-laws, rules and regulations as they may deem necessary to attain and preserve the objects aforesaid, to impose penalties, not exceeding ten dollars for one offence, for a breach of such bye-laws, rules and regulations, and to prevent injuries to the conduits or aqueducts of the company, or drawing water therefrom without due authority from the company, and to assess and collect from the members of the company their just and equal shares of the expenses that may be incurred in and about the concerns of the company, and to institute such suits as may be necessary to recover all such monies as may become due to the company for water distributed by the said conduits.

Election of trustees and other officers

Powers of the trustees.

And be it further enacted, That the said treasurer shall receive and pay out all monies collected by virtue of this act, subject to the orders of the company, and the said clerk shall, in a book provided for that purpose, enter in writing all the proceedings of the company when convened as aforesaid, and shall make out and deliver to the collector a tax list or assessment roll, by him duly certified, of all such taxes or sums of money as may be collectable of the members of the company by virtue of this act, which collector shall proceed to collect the monies contained in such

Duty of the treasurer,

of the clerk,

of the collector.

A. D. 1810.

tax list, in like manner as the collector of any town is by law authorized to levy and collect the taxes committed to him for that purpose, and shall pay over the monies by him collected to the said treasurer.

Transfer of shares.

And be it further enacted, That all transfers of shares in the said company shall be made and entered in writing in a book for that purpose, under such regulations as may be prescribed by the company.

Land necessary for the objects of the corporation.

And be it further enacted, That for the purpose of effectually supplying the said village of Johnstown with water, it shall and may be lawful to and for the said trustees and company to lay and conduct any number of conduits necessary for and calculated to supply such water through or over any lands in the village of Johnstown, and in case of the disagreement with the owner or owners of any lands or tenements as to the compensation to be made for the injury committed by such operations, or if the owner or owners thereof be out of the state, feme covert, under age, or insane, that then and in every such case it shall be lawful for any justice of the peace, of the county of Montgomery, upon the application of the said trustees, to appoint three indifferent persons, being freeholders, to appraise such damages, and they or any two of them shall with all convenient speed make such appraisement, and report the same to the justice who shall have made such appointment, in writing, subscribed by them, which report the said justice shall forthwith cause to be filed in the office of the clerk of the said county, with a certificate, to be subscribed by him, of his having made such appointment, that the said trustees shall thereupon pay to the owner or owners of such lands or tenements, or person or persons, legally authorised to receive the same, whenever he, she or they shall demand it, the amount of such damages, and shall forthwith, after such appraisement shall have been completed, pay to such justice all the costs, charges and expenses attending the making of the said appraisement and perfecting such report; which payments shall be deemed a full compensation for such injury; and that it shall and may be lawful to and for the said trustees and company to conduct and lay their conduits below the surface of any street or public highway in the said village or town of Johnstown, putting such street or highway in as good condition as the same was before such conduits were laid.

Company may erect pumps and stocks in the streets of the village.

And be it further enacted, That it shall and may be lawful for the said company to erect pumps and put stocks in

any street in the said village which may be necessary for the accommodation of such persons as may wish the same, and also at such places as the trustees of the said village may request for the extinguishment of fires.

A. D. 1810.

CHAP. XCV.

An Act to amend an act, entitled "*An act for the relief of John Swaney,*" Passed March 30th, 1810.

BE it enacted by the people of the state of New-York, represented in senate and assembly, That the treasurer of this state shall, on the warrant of the comptroller, pay to the chamberlain, of the city of New-York, the arrears of the sum allowed to John Swaney, for his subsistence, by the act hereby amended, to be applied towards procuring lodging, cloathing, and subsistence, according to the directions of the said act: *Provided always,* That the said chamberlain shall deliver to the comptroller a certificate from the president of the Medical society in the city of New-York, that the said John Swaney remains unable to maintain himself.

And be it further enacted, That it shall be the duty of the treasurer, to pay to the said chamberlain, on the warrant of the comptroller, the sum of fifty dollars annually hereafter, towards procuring lodging, cloathing and subsistence for the said John Swaney, according to the directions of the act hereby amended: *Provided always,* That the said chamberlain shall deliver to the comptroller a certificate from the president of the Medical society in the city of New-York, that the said John Swaney remains unable to maintain himself.

CHAP. XCVIII.

An Act for the relief of Jonas C. Baldwin and for other purposes. Passed March 30th, 1810.

BE it enacted by the people of the state of New-York, represented in senate and assembly, That the further time of one year be allowed to Jonas C. Baldwin, from and after the passing of this act, for completing the bridge, which by a law, passed the seventh day of April, in the year one thousand eight hundred and seven, entitled "an act, authorising Jonas C. Baldwin to build a toll bridge across the Seneca river, in the county of Onondaga," he was

Time of erecting a toll bridge over the Seneca river extended 1 year.