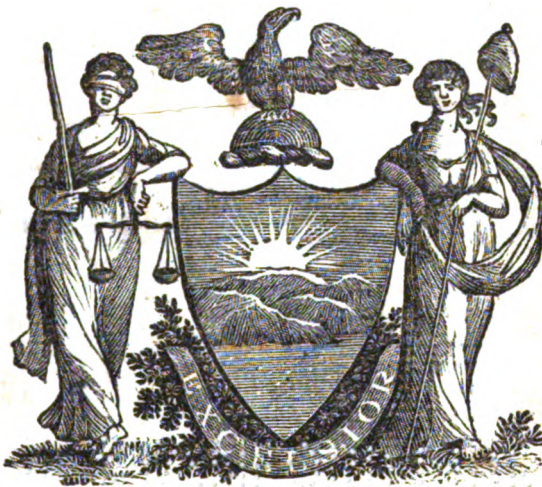


# L A W S

OF THE

## State of New-York.

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V O L. IV.

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Containing  
**ALL THE ACTS**

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

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Alban :  
**PRINTED BY WEBSTERS AND SKINNER.**

1806.

ant to the directions of the ninth section of the act entitled "An act to provide for the incorporation of religious societies," any former law to the contrary notwithstanding.

- 2 II. *And be it further enacted,* That no religious corporation shall be dissolved for neglecting to exhibit an account and inventory as aforesaid within the time limited by the above recited act: *Provided,* such account and inventory be exhibited within two years after the expiration of every three years prescribed for that purpose by the above recited act.
- 3 III. *And be it further enacted,* That it shall be lawful for the chancellor of this state, upon the application of any religious corporation, in case he shall deem it proper, to make an order for the sale of any real estate belonging to such corporation, and to direct the application of the monies arising therefrom by the said corporation, to such uses as the same corporation, with the consent and approbation of the chancellor, shall conceive to be most for the interest of the society to which the real estate so
- 4 fold did belong. *Provided,* That this act shall not extend to any of the lands granted by this state for the support of the gospel.

C H A P. XLIV.

AN ACT for the Relief of Andrew Bedford and others.

Passed March 14, 1806.

**W**HEREAS it appears that there remains in the office of the surveyor-general, certain class-rights unlocated, the property of Cornelius C. Schoonmaker, which, while the laws authorizing locations were in force, entitled him to locate twelve hundred acres of unappropriated land, and that the same had been laid on lands determined by the commissioners of the land-office, not to be vacant—

*Be it therefore enacted by the People of the State of New-York, represented in Senate and Assembly,* That it shall be lawful for the commissioners of the land-office, and they are hereby authorized to grant unto the heirs and devisees of Cornelius C. Schoonmaker, one thousand two hundred acres of unappropriated and unimproved lands in the eastern district of the state, in such proportions as they would have been entitled to if the same had been vested in the said Cornelius C. Schoonmaker at the time of the execution of his last will and testament. *Provided,* That all the expenses of the survey thereof, and other incidental expenses that may arise thereon, shall be paid by the said heirs and devisees of the said Cornelius C. Schoonmaker.

C H A P. XLV.

CONTENTS.

11. Act of incorporation, public, and to be favorably construed.
1. Body corporate, William Alexander, and others made.
9. Collector, his duty and powers.
2. Company, style and rights. . . 4. How convened. . . 6. Powers and privileges.
3. Estate, limited.
7. Lands, company may enter upon and take, &c. with proviso.
5. Officers to be elected. . . 8. Their duty.
10. Shares, transfers of, how made.

AN ACT to incorporate an Aqueduct Association in the Village of Little-Falls, in the County of Herkimer.

Passed March 14, 1806.

I. **B**E it enacted by the People of the State of New-York, represented in Senate and Assembly, That William Alexander, William Carr, Clark Shurtleff, Daniel Bellows, Samuel F. Hooker and Robert Beasley, and such other persons as may become interested in the association or company, formed for supplying the village of Little-Falls, in the county of Herkimer, with water by means of conduits or aqueducts, shall be and hereby are created a body politic and corporate, in fact and in name, by the name of the "Aqueduct Association in the Village of Little-Falls," and by that name shall be capable in law to sue and be sued, plead and be impleaded, in any court of record, but shall not be capable of holding any real estate excepting such as may be necessary for such conduits or aqueducts, in any other place than within the said village, or any real or personal estate exceeding the annual value in the whole of five thousand dollars, exclusive of the profits or income of such conduits or aqueducts.

II. *And be it further enacted*, That it shall and may be lawful for any three of the said persons, so associated or to be associated, by a notice to be given in writing at two of the most public places in the said village, five days at least previous to any meeting, to convene the said company or association at the most convenient and public place in the said village, and such of the members of the said association, being at least a majority of the whole number as shall so convene, shall and are hereby authorized by a vote of a majority present, to elect and appoint a treasurer, clerk and collector of such association, and such other agents as may be necessary to carry into effect the object of the association; to make and ordain all such bye-laws, rules and regulations, relative to the said conduits or aqueducts, as they may deem proper and necessary for the superintendence, regulation and management of the same, and of such as may be added thereto; and for the alteration, preservation and reparation thereof, or for the equal assessment and collection amongst the proprietors of the same aqueducts, in respect to their respective rights or shares, of all costs and expenses arising in the execution of all such bye-laws, rules and regulations aforesaid; and to impose penalties for the violation of the said bye-laws and regulations; and further to institute such suits in the name of said company or association, as may be necessary to recover damages that may be done to the said aqueducts, or for any penalty imposed as aforesaid, with costs of suit: *Provided*, That no penalty, to be imposed by virtue of any such bye-laws or regulations as aforesaid, shall be contrary to the laws of this state, or exceed twenty-five dollars for any one offence.

III. *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 their authority, to enter into and upon and freely to make use of any land, which they shall deem necessary for the purpose of conducting a plentiful supply of pure and whole-

some water to and through the said village of Little-Falls ; and to erect any dams or works across or upon any stream or streams of water, or any other place or places where they shall judge proper, for the raising such stream or streams of water, or turning the course thereof, or for making use of such streams or places for constructing or working of any necessary engines, and to construct, dig or cause to be dug any canal or trenches whatever, for the conducting of such springs, streams or any other quantity of water, from any source or sources that they may see fit ; and to raise and construct such dikes, mounds and reservoirs, as they may judge proper, for securing and conveying such supply of water as aforesaid, to and through the said village ; and to survey and lay out all such streams as they may think proper, in order to ascertain the best mode of furnishing such supply ; and to lay and conduct any number of pipes, conduits or aqueducts, through or over any of the said lands as they may see fit, to or towards the said village, and in any and every part of the said village : *Provided*, the said company obtain the consent of the owners of the said land, from which the water is to be taken, and through and over which the said canals, pipes or aqueducts may pass.

- 8 *IV. And be it further enacted*, That the treasurer shall receive and pay out all monies collected by virtue of this act, agreeable to the orders and directions of the association ; and the said clerk shall enter in writing, all the proceedings of the said association or company, when convened as aforesaid under this act ; and the said collector shall levy and collect all such taxes and sums of money, so as aforesaid to be voted in pursuance of this act, agreeable to such tax-list or assessment-roll, as shall be made out and delivered him by the said clerk, the same being first by him certified and subscribed, and shall pay the same monies over to the treasurer of the said association ; and the said collector shall have the like powers and proceed in the like manner in the said collection, as is by law prescribed to the collector of any town in the collection of the contingent charges of the county.
- 10 *V. And be it further enacted*, That all transfers of shares in the said association or company, shall be made and entered in a book to be by them provided for that purpose, under such regulations as may be prescribed by the said association.
- 11 *VI. And be it further enacted*, That this act is hereby declared to be a public act, and that the same be construed in all courts and places, favorably and benignly, for every beneficial purpose therein contained.

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C H A P. XLVI.

AN ACT to annex a Part of the Town of Philips to the Town of Fishkill, in Dutchess County.

Passed March 14, 1806.

**B**E it enacted by the People of the State of New-York, represented in Senate and Assembly, That from and after the passing of this act, all such part of the town of Philips as lies north and west of a line be-