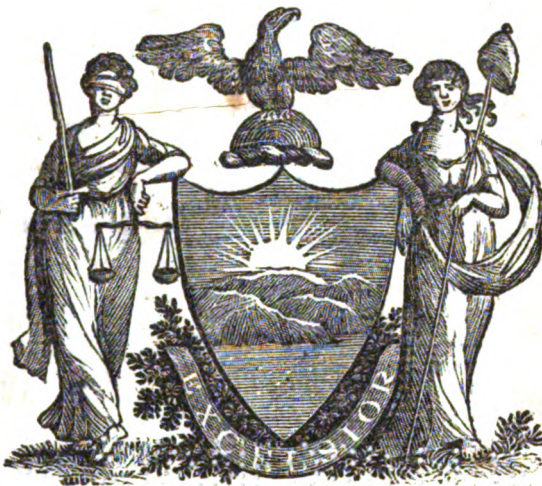


L A W S

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.

Albany :
PRINTED BY WEBSTERS AND SKINNER.

1806.

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

by that name shall be capable in law to sue and be sued, plead and
3 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 fifteen thousand dollars in
the whole, exclusive of the profits or income of the said aqueducts.

4 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 May next, procure three books, and in each
of them 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 Newburgh Aqueduct Association,
the sum of ten dollars for each share of stock in the 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; one of each books shall be left with each
of the above named persons at their places 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 either of the
5 aforesaid persons the sum of two dollars on each share so subscribed
for; and the said Jacob Powell, George Monell and Charles Clinton,
as soon as seven hundred shares have been subscribed, shall cause
an advertisement to be inserted in the newspapers printed in the
said village, giving at least ten days notice of the time and place
6 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
7 choosing the said directors shall thereafter be the anniversary day
for choosing directors; and any three of the said directors shall
8 be a quorum, and capable of transacting the business of said corporation;
9 and the said directors elected by a plurality of the votes of the
stockholders, shall immediately proceed to the choice of a president
10 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 by-laws,
rules and regulations, not inconsistent with the laws of this state,
nor 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 full sum
or any part thereof is not paid at the time and
11 place specified by the said president 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 the
said corporation, until there shall be fifteen hundred shares sub-
13 scribed, and shall have power to appoint such agents, clerks and
workmen, as shall be necessary for executing the business of the
said corporation.

IV. *And be it further enacted,* That it shall be lawful for the 14
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 lands, fountains or streets which they shall deem necessa-
ry for the purpose of conducting pure and wholesome water to
and through the said village of Newburgh, 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 agree with
the owners of the said lands through and over which the said
pipes or aqueducts may pass.

V. *And be it further enacted,* That the treasurer of the said 15
company shall receive and pay out all monies collected by virtue
of this act, agreeably to the orders and directions of the said pre-
sident and directors; and he shall keep a just and true account
of 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
above all expenses, it shall then be his duty and he is hereby di-
rected and required to pay the overplus, if any there be, over to
the treasurer of the village of Newburgh, to be applied to the use
of a night-watch in the said village, agreeable to the direction of
the trustees thereof.

VI. *And be it further enacted,* That if any person shall injure, 16
deface, dig up, break down or destroy any of the works of the said
company, he or she shall forfeit and pay the sum of twenty dol-
lars, to be recovered by the treasurer of the said company in an
action of debt for their use with costs, in any court having cog-
nizance of the same.

VII. *And be it further enacted,* That the stock of this company 17
shall be deemed, taken and considered as personal property, and 18
subject to be transferred agreeably to the rules and regulations
prescribed by the president and directors of the said company.

VIII. *And be it further enacted* That if the election for direc- 19
tors of the said company shall not be held on the day of the an-
nual election for the said directors, it shall be lawful to make
such election at any other day, to be appointed for that purpose
by the said president and directors, in like manner and with like
effect as if the same had been held at the usual time, and the di- 20
rectors in office shall in that case be incapacitated after the said
anniversary 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 this act is hereby declar- 21
ed 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. XXXVII.

AN ACT for the Relief of Aaron Colton.

Passed March 7, 1806.

I. **B**E it enacted by the People of the State of New-York, repre-
sented in Senate and Assembly, That it shall be lawful