

L A W S
OF THE
State of New-York,
PASSED AT THE FORTY-SECOND, FORTY-THIRD AND
FORTY-FOURTH SESSIONS
OF THE
LEGISLATURE.
From January 1819 to April 1821.

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VOL. V.



ALBANY:

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OPPOSITE THE CITY-HALL, NEW-YORK.**

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1821.

sors, and paid as other contingent expenses and charges of the county.

VIII. *And be it further enacted*, That whenever the said court-house, to be erected as aforesaid, shall be so far completed, as in the opinion of the first judge of the county of Allegany, shall be convenient to hold courts therein, then it shall be the duty of the courts of common pleas and general sessions of the peace, to adjourn their court from the present court-house of said county, to the new court-house in said village of Angelica; and the court-house to be erected as aforesaid, shall thenceforth be the court-house of the county of Allegany.

Courts when to be held in new c. house.

CHAP. CXXXV.

AN ACT relative to the Village of Newburgh.

Passed April 4, 1820.

I. *BE it enacted by the People of the State of New-York, represented in Senate and Assembly*, That for discharging the appraisement authorised to be made by the act, entitled "An act to amend the act, entitled an act to enable the trustees of the village of Newburgh to supply the inhabitants thereof with pure and wholesome water," passed April 5th, 1817, and for paying the expenses and interest that may have accrued upon the said appraisement, the trustees of the said village are hereby empowered, upon their corporate bond or bonds, or any other security they may be able to give, or upon a specific pledge or hypothecation of the tax to be laid on the said appraisement, to loan of any person or body politic, a sum of money sufficient for the purposes aforesaid, not exceeding the sum of five thousand dollars, which said loan shall be repaid and discharged with the monies to be raised by virtue of the act above mentioned, and at such time and times, and in such proportion, as the said trustees shall in their discretion, direct to be assessed and collected.

50004. mgy be borrowed by trustees.

How to be repaid.

II. *And be it further enacted*, That the interest of the said loan may be provided for and paid by the said trustees, either out of the contingent funds of the said village, or at their discretion by an assessment or charge to be laid by them, on those of the freeholders and inhabitants of the said village, who shall use the said water, or who shall own or reside upon the lots to, or adjoining which, aqueducts are or shall be laid for carrying said water.

Interest of the loan how defrayed.

III. *And be it further enacted*, That the trustees of the said village shall exact and receive each year, for every license by them granted, to any person to retail strong or spirituous liquors, to be drank in his or her store or shop, a sum not less than ten, nor more than twenty-five dollars; and that the money so raised shall be applied towards the contingent expenses of the said village.

Excise duties

IV. *And be it further enacted*, That the second section of the act, entitled "An act to amend the act, entitled an act vesting further powers in the trustees of the village of Newburgh," passed March 19th, 1819, be and the same is hereby repealed. *Provided*, That nothing in this act shall be so construed, as to interfere with the right of the commissioners of the excise of the town of

A section repealed.

Proviso.

Newburgh to grant licenses to retail strong and spirituous liquors, but they shall continue to exercise the same powers, and be entitled to exact the same sums for granting such licenses, as if this act had not been passed.

CHAP. CXXXVI.

AN ACT for the relief of the Children and Devisees of Frederick Davoue, deceased.

Passed April 4, 1820.

Preamble.

WHEREAS the children and devisees of Frederick Davoue, deceased; and the executors of his will, have, by their memorial, represented to the legislature that they are unable to sell and dispose of the real estate of the testator, without great sacrifice, for want of sufficient power contained in his will : Therefore,

Trustees appointed, and their powers.

BE it enacted by the People of the State of New-York, represented in Senate and Assembly, That the executor, and any two of the children of the testator, being of full age, and such further or other person as the chancellor shall deem proper to appoint, be and they are hereby declared to be trustees of all the real estate whereof the said Frederick Davoue died seised within this state, with full power to grant, bargain, sell and convey, all and singular, such part or parts thereof as they shall deem most conducive to the interest of the estate, and to make and execute to the purchaser or purchasers thereof, in fee, such deeds or conveyances as may be necessary for granting and conveying the same :

Proviso.

Provided always, That the chancellor shall approve of, and consent to the same, before the sale is consummated ; and shall also be of opinion that such sales are for the interest of the devisees under the said will : And provided further, That before any such

Further proviso.

deeds or conveyances shall be executed, the trustees and executor aforesaid, shall execute one or more bonds to the people of this state, to be filed in the said court of chancery, in such penalty and with such surety or sureties, as the chancellor shall approve and direct, conditioned for the faithful execution of the trust hereby granted, and to render an account of such trust whenever the said court of chancery shall require the same, and to abide such orders or decrees as the said court shall make touching the faithful disposition and distribution of the proceeds of such sales, so to be received by such trustees and executor.

CHAP. CXXXVII.

AN ACT authorising the President, Directors and Company of the Banks therein mentioned, to return to the Stockholders of said Banks, part of the Capital Stock paid in by them.

Passed April 4, 1820.

Preamble.

WHEREAS the president, directors and company of the Mohawk bank, have by their petition under their common seal, re-