

L A W S
OF THE
STATE OF NEW YORK,

PASSED AT THE
NINETIETH SESSION

OF THE
LEGISLATURE;

BEGUN JANUARY FIRST, AND ENDED APRIL TWENTIETH, 1867,
IN THE CITY OF ALBANY.

VOL. I.



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L A W S
OF THE
STATE OF NEW YORK,

PASSED AT THE

NINETIETH REGULAR SESSION OF THE LEGISLATURE, BEGUN
THE FIRST DAY OF JANUARY, AND ENDED THE
TWENTIETH DAY OF APRIL, EIGHTEEN
HUNDRED AND SIXTY-SEVEN, AT
THE CITY OF ALBANY.

Chap. 1.

AN ACT to amend an act entitled "An act to incorporate the Oswego Water Works Company," passed May fourth, eighteen hundred and sixty-three."

Passed January 10, 1867; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. The first section of the act entitled "An act to incorporate the Oswego Water Works Company," passed May fourth, eighteen hundred and sixty-three, is hereby amended by striking out the name of Hamilton Murray, deceased, and inserting in lieu thereof the name of Daniel G. Fort.

§ 2. The second section of said act is hereby amended so as to read as follows: The capital stock of said company shall be two hundred thousand dollars, and shall be divided into shares of one hundred dollars each, but may at any time be increased by the directors of the company, provided that such

Capital
stock.

capital stock shall not be increased so as to exceed the sum of four hundred thousand dollars.

§ 3. The third section of said act is hereby amended so as to read as follows: Books of subscription to the capital stock of said company shall be opened under the direction of the corporators hereinbefore named, and subject to such rules as they may prescribe, and the stock of said company shall be considered personal property, and shall be assignable and transferable on the books of the company.

Stock personal property, and assignable.

§ 4. The fourth section of said act is hereby amended so as to read as follows: The business of said company shall be managed by nine directors, who shall be stockholders and residents of the city of Oswego, and who shall hold their offices for one year, and until others are chosen in their places. The annual election of directors shall be held on the first Wednesday of May in each year, at such place in the city of Oswego, and at such hour of the day as the directors, for the time being, shall appoint. Notice of every election shall be published once in each week for three weeks immediately preceding such election in two newspapers published in said city. Each stockholder shall be entitled to one vote upon each share of stock held by him or her at the time of, and which shall have been held by him or her for thirty days next previous to, such election. The elections shall be by ballot, and votes may be given either in person or by proxy.

Directors, number, election of, &c.

§ 5. The fifth section of said act is hereby amended so as to read as follows: The first election of directors shall be held as soon as the capital stock shall have been subscribed, and due notice of such election given, and the directors then elected shall hold their offices until the first Wednesday of May, one thousand eight hundred and sixty-eight, and until others are chosen in their place. In case of vacancy in the direction by reason of the death or resignation of any director, or of his ceasing to be a stockholder, or by his removal from the city of Oswego, it may be filled by the remaining directors until the next annual election, or until some other person shall be elected to fill the same. The corpo-

First election.

Vacancies.

ration herein named may appoint three persons, who shall be stockholders, to be inspectors at the first election, after which the stockholders shall choose three such inspectors at the annual elections. If no inspectors are so chosen, the directors may appoint them from time to time. If, at any time an election of directors shall not take place on the day appointed by this act, the corporation shall not for that reason be dissolved; but an election may be held on any other day in such manner as shall be provided for by the by-laws or shall be prescribed by the directors.

§ 6. The eighth section of said act is hereby amended so as to read as follows: For the purpose of supplying the city of Oswego with pure and wholesome water, the said company may purchase, take, and hold any real estate, and by their directors, agents, servants or other persons employed may enter upon the lands of any person or persons which may be necessary for said purpose, and may take such water from the Oswego river, or any lake, springs, ponds or streams as may be determined by the board of directors of the corporation hereby created, and divert and convey the same to said city, and may lay, construct, alter and repair any pipes, conduits, aqueducts, wells, reservoirs or other piers, pumps, works or machinery necessary or proper for said purpose, upon any lands so entered upon, purchased, taken or held, said corporation may, as aforesaid, enter upon any lands, streets, highways, roads, lanes or public squares through which they may deem it proper to convey the water from said river, lake, springs, ponds, streams, wells and reservoirs, and lay, construct, alter, repair and replace any pipes, conduits, aqueducts or other works for that purpose, leaving the said lands, streets, highways, roads, lanes and public squares in the same condition, as nearly as may be, as they were before said entry; but the said company shall not lay and construct said pipes, conduits, aqueducts and other works through any private garden, court-yard or building lot without the written consent of the owner thereof.

Powers of
company to
carry out
its objects.

§ 7. The sixteenth section of said act is hereby amended by striking out the word "shall" in the

first line, and inserting in lieu thereof the word "may."

§ 8. The twenty-second section of said act is hereby amended so as to read as follows: The said corporation may borrow such sum or sums of money as may be necessary to complete said work, and for other purposes authorized by this act, in the whole not to exceed the amount of the capital stock actually paid in and expended, and for that purpose may issue and dispose of their bonds for any amount so borrowed, and the company is hereby authorized to mortgage any or all of their corporate property or privileges, to secure the payment of such bonds; and the said directors may confer on the holder of any bond they may issue for any money so borrowed, the right to convert the principal due thereon into stock of the said corporation, at any time not exceeding five years from the date of said bond, under such regulations as the directors may see fit to adopt, and for such purpose the said corporation are authorized to increase its capital stock to the amount so borrowed, whenever the persons or any of them to whom such money is due shall elect to convert the same into stock; but nothing herein contained shall be construed to authorize an increase of the capital stock of said company beyond the sum of four hundred thousand dollars.

Amount
company
may bor-
row.

Bonds, &c.

§ 9. This act shall take effect immediately.

Chap. 2.

AN ACT to extend the time for the collection of the Special Bounty Tax in the town of York, in the county of Livingston, and to authorize John W. Howe to collect the balance of said tax remaining uncollected, with interest thereon.

Passed January 15, 1867; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. The time for the collection of the taxes, now levied and uncollected in the town of York, in the county of Livingston, upon the tax roll and war-