

LAWS

OF THE

STATE OF NEW-YORK,

PASSED AT THE

FIFTY-EIGHTH SESSION

OF THE

LEGISLATURE,

BEGUN AND HELD AT THE CITY OF ALBANY,

THE SIXTH DAY OF JANUARY, 1835.



ALBANY:

PRINTED BY E. CROSWELL, PRINTER TO THE STATE,
FOR
WM. & A. GOULD & CO. ALBANY,
AND
GOULD, BANKS & CO. LAW BOOKSELLERS, NEW-YORK.
.....

1835.

CHAP. 175.

AN ACT to incorporate the Rochester water works company.

Passed April 29, 1835.

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

§ 1. All persons who shall become stockholders pursuant to this act shall be, and are hereby constituted a body corporate by the name and description of "The Rochester Water Works Company," to be located in the city of Rochester. Corporation created.

§ 2. The said body is constituted for the purpose of supplying the city of Rochester with pure and wholesome water. Purpose.

§ 3. The capital stock of the said company shall be ten thousand dollars, to be divided into shares of twenty-five dollars each; and the said company shall have power to demand and enforce by law the payment of every sum of money subscribed to the stock of said company. Stock.

§ 4. The directors may demand from the stockholders respectively all such sums of money by them subscribed, at such times and in such proportions as they shall think proper, under penalty of forfeiting their respective shares and all previous payments thereon, for the use and benefit of said company. Calls on stockholders.

§ 5. James Seymour, Isaac Hills, Isaac R. Elwood, George W. Pratt and Charles J. Hill are hereby appointed commissioners to receive subscriptions to the said capital stock. Subscriptions

§ 6. The commissioners shall open a subscription book for said stock, on such day and at such place in the city of Rochester, as they shall appoint, and shall give at least fourteen days previous notice of such time and place in one or more of the newspapers published in said city. Book to be opened.

§ 7. The commissioners may from time to time continue to receive further subscriptions, until the whole capital stock shall be taken up; and in case there shall be subscriptions to more than the amount of such stock, it shall be the duty of such commissioners to apportion the same among the subscribers thereto, in such manner as they shall deem most advantageous to the interests of the company. Further subscriptions.

§ 8. The first election of directors shall be held at such time and place in the said city, as shall be directed by the commissioners herein before appointed, and the directors then to be elected shall hold their offices for one year, com- First election.

mencing on the first Monday in December next after such election.

Directors. § 9. The affairs and concerns of said company shall be conducted by five directors, being stockholders and residents of the city of Rochester, who shall be elected on the first Monday of December of every year, at such place within said city as a majority of the directors for the time being shall, by resolution to be entered upon their minutes, appoint, and shall hold their offices for one year, and until others are appointed in their stead.

Notice of election. § 10. Public notice of every election under this act shall be given by the directors, not less than fourteen days previous to holding such election, by an advertisement to be inserted in one or more of the newspapers printed in said city; and such election shall be holden under the inspection of two stockholders, to be appointed by the directors for the time being, and shall be made by ballot, by a plurality of votes, allowing one vote for each and every share; and the stockholders not present may vote by proxy.

Officers. § 11. The directors of said company shall have power, from time to time, to appoint so many officers, clerks and servants, for carrying on the business of the company, and with such compensation as to them shall seem proper.

By-laws. § 12. The directors for the time being shall also have power to make and prescribe such by-laws, rules and regulations, as they may deem necessary to promote and accomplish the objects of the company; but they shall at no time exact higher rates for the use of their water than will be sufficient to pay an annual dividend of twenty per cent over and above all expenses.

Conduits. § 13. The said company shall also have power to lay any number of conduits necessary for carrying water from said springs or streams of water through any intermediate lands to any part of said city, by paying the owner or owners of such lands damages therefor, to be ascertained in the manner hereinafter mentioned.

Compensation for damages. § 14. In case there shall be any disagreement as to the compensation which such owner or owners ought to receive for damages done to his or their lands, then and in such case it shall be lawful for the circuit judge of the eighth district, or one or more of the judges of the Monroe county common pleas, upon the application of either of the directors or the person claiming such damages, and ten days after notice of such application given to the adverse party, to appoint three disinterested persons, being freeholders, to appraise such damages, who shall report to such judge or judges, such appraisal in writing; which report shall be filed in the office of the clerk of the county of Monroe.

Conduits § 15. The said company shall have power to lay their conduits under the surface of any of the streets or high-

ways in said city, subject to such regulations as the corporation of said city shall from time to time establish.

§ 16. The said company shall be subject to the provisions contained in the third and fourth titles of the eighteenth chapter of the first part of the Revised Statutes. General power.

§ 17. The legislature may at any time alter, modify or repeal this act or any of its provisions. Right to repeal.

CHAP. 176.

AN ACT to incorporate the village of Fulton.

Passed April 29, 1835.

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

§ 1. All that part of the town of Volney, in the county of Oswego, comprised within the following limits, that is to say: Beginning at the southwest corner of the State Reservation, at Oswego Falls; thence along the south and east sides thereof to State-street; thence along the public highway northeasterly to the four corners at the eastern boundary of Steen's location; thence along the line of said location to the north line thereof; thence west to the centre of the Oswego river; thence along the centre of said river to the place of beginning; shall hereafter be known and distinguished as the village of Fulton: and the inhabitants residing within the bounds aforesaid shall hereafter, henceforth and forever, be a body politic and corporate, by the name of "The Trustees of the Village of Fulton;" and may erect any public buildings, or construct any reservoirs for water, and keep in repair such buildings and reservoirs for the public use and benefit of said village. Corporation created.

§ 2. The inhabitants of said village, residing therein and qualified to vote at town meetings, shall meet on the first Tuesday of June next, at the Fulton house in said village, at nine o'clock in the forenoon of that day, and then and there elect by ballot five trustees, one of whom shall be upon the ballot designated as president of the said village, one treasurer, one collector, one overseer of highways, and police constable; who shall, each and every of them, be inhabitants of the said village, qualified to vote as aforesaid; and whose duty it shall be, within five days after notice of his election, to take an oath or affirmation, before any justice of the peace of said village, or commissioner of deeds, or judge of the court of common pleas of said county, faithfully to perform the duties of his office. And the justice or justices of the peace of the town of Volney, residing within the said village, shall attend and preside as inspec- Meetings of inhabitants.