

L A W S  
OF THE  
STATE OF NEW YORK,

PASSED AT THE  
EIGHTY-SIXTH SESSION

OF THE  
LEGISLATURE,

BEGUN JANUARY SIXTH, AND ENDED APRIL TWENTY-FIFTH, 1863, IN THE  
CITY OF ALBANY.



ALBANY:  
WEED, PARSONS AND COMPANY, PRINTERS.  
1863.

the care of the superintendent of the poor of such county, and the said superintendent is hereby required to receive such insane convict under his charge; they may also discharge and deliver any convict whose sentence has expired, and who is still insane, to his relatives or friends, who will undertake, with good sureties to be approved by said superintendent of the state lunatic convict asylum, for his peaceful behavior, safe custody and comfortable maintenance without further public charge; and no convict shall be retained in the said state lunatic convict asylum after the expiration of his sentence to the state prison, unless by the order of the county judge of the county in which said asylum is situated; and the said county judge, upon the application of the said superintendent, shall proceed to investigate the question of the insanity of such convict, and shall cause two respectable physicians to be designated by him to examine said convict, and upon their evidence under oath, and upon such other testimony as he shall require, shall decide the case as to his insanity, and if he is satisfied that such convict is insane shall make an order that the said convict shall be retained in the said asylum until he is recovered of his insanity, or is otherwise discharged according to law; and the fees of such physicians and witnesses shall be audited by the state prison inspector in charge, and shall be a charge against the State, to be paid by the comptroller out of the general fund; but such fees shall not in any one case exceed the sum of ten dollars.

§ 3. This act shall take effect immediately.

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## Chap. 140.

AN ACT to amend the charter of the Rochester Water Works Company, and to authorize such company to borrow money, and to secure the payment thereof by bonds and mortgage.

Passed April 17, 1863; three-fifths being present.

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

SECTION 1. Section eight of the act entitled "An act to incorporate the Rochester Water Works Company,"

passed April sixteenth, eighteen hundred and fifty-two, is hereby amended so as to read as follows :

§ 8. For the purpose of supplying the said city of Rochester and its environs, and the farms, families and buildings along the route, and in the neighborhood of the works of said company, 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 purposes, and may take the water from any springs, ponds, fountains, wells, rivers, streams or lakes, and divert and convey the same to the said city, and may lay and construct any pipes, conduits, aqueducts, wells, reservoirs, and other works or machinery necessary or proper for said purposes, upon any lands so entered, purchased, taken or held, and 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 springs, ponds, fountains, wells, rivers, streams or lakes, and lay and construct any pipes, conduits 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 or court yard without the written consent of the owner thereof.

May hold  
real estate.

May take  
water.

§ 2. It shall be lawful for the directors of said company to borrow, on the credit of said company, any sum or sums not exceeding, in the aggregate, four hundred thousand dollars, for a term not less than fifteen years, at a rate of interest not exceeding seven per cent per annum, such interest to be payable semi-annually, at such times and place or places as the said directors may appoint; and to cause to be executed, in the name of said company, bonds therefor, with or without interest warrants attached, under the seal of said corporation, and with the signatures of the president and secretary, or such other officers of the corporation as the directors may designate. The bonds may be in such sums, and in such form, as said directors may deem expedient.

Directors  
may borrow  
money.

May mortgage property.

§ 3. To secure the payment of the principal and interest of such bonds, the said directors may cause to be executed, in the name of said company, in the same manner in which said bonds shall be executed, a mortgage upon the whole, or any part of the property of said company, to one or more trustees, to be named by said directors, in such form and with such provisions as to the said directors shall seem proper, provided that nothing contained in such mortgage shall deprive said company of the right to manage and control its water works and property, and to receive the rents and income thereof to its own use, so long as and whenever it shall not be in default, in the payment of principal or interest upon said bonds.

May dispose of bonds.

§ 4. The directors of said company may dispose of such bonds to such persons or corporations, and upon such terms as they shall deem most advantageous to said company; and the money which shall be received thereon shall be applied in payment of the cost of obtaining the rights of land and water which are required for the construction and use of the water works mentioned in their charter, and of the cost of constructing and putting in operation said water works, and for no other use or purpose whatever.

## Chap. 141.

AN ACT authorizing the city of Buffalo to grant lands to the Young Men's Association of the city of Buffalo, or to said association, and the Grosvenor Library.

Passed April 17, 1863; three-fifths being present.

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

SECTION 1. The mayor and common council of the city of Buffalo are hereby authorized and empowered to grant to The Young Men's Association of the city of Buffalo, or to said Association and "The Grosvenor Library," or either of them, the interest of said city, in any lands in said city, for the purpose of erecting proper