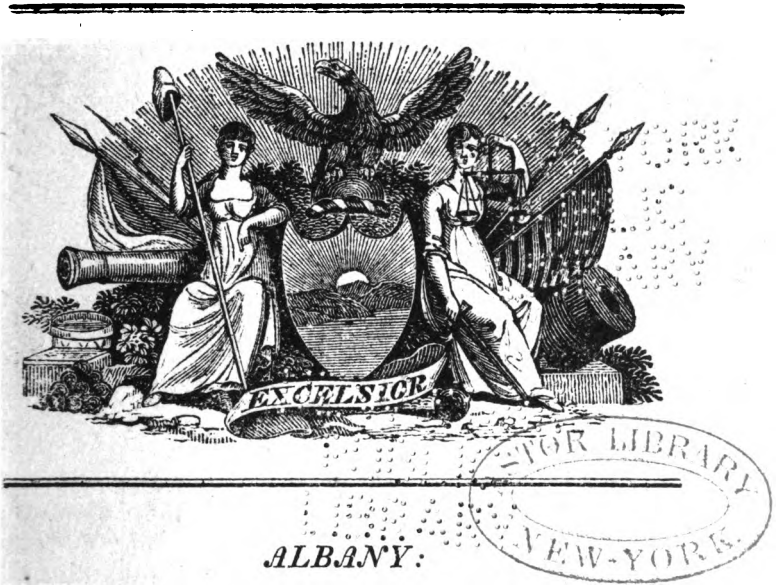


L A W S
OF THE
State of New-York,
PASSED AT THE
FORTY-NINTH SESSION
OF THE
LEGISLATURE,
BEGUN AND HELD AT THE CITY OF ALBANY,
The Third day of January, 1826.



ALBANY:

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FOR
WILLIAM GOULD & Co. ALBANY,
AND
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.....
1826.
WV

CHAP. 144.

AN ACT to incorporate the Watertown Water Company.

Passed April 10, 1826.

1. *BE it enacted by the People of the State of New-York, represented in Senate and Assembly,* That Marinus W. Gilbert, Orin Stone, Noah W. Keniston, Orville Hungerford, Henry Caswell, and such other persons as may become associated with them for supplying the village of Watertown, in the county of Jefferson, with water by means of aqueducts, shall be and are hereby created a body corporate and politic, by the name of "The Watertown Water Company," and by that name they shall be capable in law to sue and be sued, plead and be impleaded, in any court whatever, and to hold and enjoy such real and personal estate as may be necessary for the attainment of the object aforesaid, not exceeding ten thousand dollars in the whole, exclusive of the profits or income of the said aqueducts. Corporation
Name
General powers

2. *And be it further enacted,* That the stock of the said company shall be deemed personal property, and shall consist of one thousand shares of ten dollars each. Stock

3. *And be it further enacted,* That it shall and may be lawful for the persons above named to do and perform the several duties hereinafter mentioned, that is to say : they shall, on or before the first day of June next, procure a book, and in that enter as follows : " We, whose names are hereunto subscribed do, for ourselves and our legal representatives, promise to pay the Watertown Water Company the sum of ten dollars each for each share of stock in 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 trustees of the said Watertown Water company," which book shall be left with one of the above mentioned persons, at his place of abode, who shall keep the same opened for the purpose of receiving subscriptions for said stock : and every subscriber shall, at the time of subscribing, pay to the aforesaid persons the sum of fifty cents on each share by him subscribed, which money paid as aforesaid shall by him be paid to the treasurer of said company as soon as he shall be appointed ; and Marinus W. Gilbert, Orin Stone and Orville Hungerford, or any two of them, as soon as four hundred shares are subscribed for, shall cause an advertisement to be affixed up in at least three public places within the village of Watertown, in said county, giving at least ten days notice of the time and place when and where the stockholders of said company shall meet for the purpose of choosing five trustees, who shall be stockholders, for the purpose of managing the concerns of the said company for one year, and the day for choosing the said trustees shall thereafter be the anniversary day for choosing trustees ; and any three of the said trustees shall be a quorum, and capable of transacting the business of the said corporation, and the trustees elected by a plurality of the votes of the stockholders shall and 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 Subscriptions how and by whom received
Notice for election of trustees
Quorum
By-laws

the laws or constitution of this state or 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, when the whole sum or any part thereof is not paid at the time and place specified by the said trustees.

Subscriptions
may continue

4. *And be it further enacted,* That the said trustees may continue to receive subscriptions to the stock of the said company until there shall be one thousand shares subscribed : *Provided,* That so much stock shall be necessary for the purposes herein contemplated.

Proviso

Trustees to
appoint offi-
cers

5. *And be it further enacted,* That the trustees shall be authorised in their discretion to appoint a clerk, a treasurer, a superintendent, and such other officers, agents and servants as they shall from time to time deem necessary for carrying into effect the powers vested in said company, to declare the dividends on the stock of the said company, to establish rules and regulations, by-ordinances and by-laws for and concerning the conduct and government of such officers, agents and servants, and for determining the compensation to which they shall be entitled, and for and concerning the manner of making transfers of the said stock, and the conduct and government of all such persons as shall use the water from their works, so far as respects the preservation of the water furnished by the said company, and the use thereof, and to restrain the water thereof, and by such by-laws and ordinances to impose penalties for a neglect or refusal to comply therewith : *Provided,* That the penalty in any one case shall not exceed the sum of ten dollars.

Declare divi-
dends, make
by laws, &c

Proviso

Trustees may
enter upon
lands

6. *And be it further enacted,* That it shall be lawful for the said trustees, and any person or persons employed by them or acting under their authority, to enter in and upon, and freely to make use of any land which shall be necessary for the purpose of conducting a supply of pure and wholesome water to any part of said village of Watertown, and to erect any dam or works across or upon any stream or streams of water, or any other place or places where they shall judge proper for the raising such stream or streams of water, or turning the course thereof, or for making use of such streams or places for constructing or working of any necessary engines, and to construct, dig or cause to be dug, any canal or trenches whatsoever, for the conducting of such springs or streams of water from any source or sources that they may see fit, and to raise and construct such dykes, mounds and reservoirs as they may judge proper for securing and conveying such supply of water as aforesaid to any part of said village, and to survey and lay out all such streams as they may think proper, in order to ascertain the best mode of furnishing such supply, and to lay out and construct any number of pipes, conduits or aqueducts, through or over any part of the said lands and village as they may see fit, and to agree with any owner or owners of any lands, tenements or hereditaments that may be damaged or affected by any of the said operations, for a reasonable compensation, to be made to him, her or them for such lands, tenements or hereditaments, or the use thereof, as may be used or occupied for the purposes aforesaid, or any of them, or for any damage which he, she or they may sustain in using such lands, or the conducting, digging, laying, raising, repairing or making from time to time any such dams, reservoirs, aqueducts, canals, trenches, pipes, conduits, dykes or mounds as aforesaid ; but in case of disagreement,

Erect dams

Canals, &c

Compensa-
tion to owner

then the same shall be appraised and determined by any three reputable freeholders of the town of Watertown, to be chosen and agreed upon by the parties; and in case of refusal or neglect by either party to nominate and appoint such appraisers, then they shall be appointed by any three judges of the court of common pleas for the county of Jefferson not interested in the premises, at the request of either party, and the said company shall pay to the said owners respectively the sum reported by said appraisers under their or any two of their hands and seals, in full compensation for the same.

How determined

7. *And be it further enacted,* That this act be and is hereby declared to be a public act, and that the same be construed in all courts and places favorably and benignly for every beneficial purpose herein expressed.

Public act

8. *And be it further enacted,* That any person who shall wilfully commit trespass by digging up any of the said pipes or conduits, or stopping up the same, or shall wilfully and maliciously obstruct the free course of water through said pipes or conduits, or shall wilfully injure or destroy any of the works, pipes, conduits, penstocks or reservoirs of said company, or shall wilfully and maliciously injure or destroy any of the dykes, mounds or other erections of the said company, shall be deemed guilty of a misdemeanor, and being convicted thereof by due course of law, shall be punished by fine or imprisonment, at the discretion of the court before which such conviction shall be had: *Provided always,* That such imprisonment shall not exceed the term of ninety days, nor such fine the sum of fifty dollars.

Injuring pipes, &c how punished

Proviso

9. *And be it further enacted,* That the said trustees shall and may lay their conduits below the surface of any street or public highway in said town, putting such street or highway in as good condition as the same was before the conduits were laid: *Provided,* That nothing herein contained shall be so construed as to authorise the said company to erect any mills or machinery, or use or employ the water, dams, mounds and trenches for any other object than that of supplying the said village with water for domestic and culinary purposes, or to enter upon or take possession of any lands or tenements for the purposes herein expressed, without the consent of the owner or owners thereof first had and obtained.

Duty of trustees in using highway

Proviso

Limitation

10. *And be it further enacted,* That the legislature may, at any time hereafter, alter, modify, amend or repeal this act.

Legislature may repeal

CHAP. 145.

AN ACT to provide for the colored Persons who are occupants of Lots in New-Stockbridge.

Passed April 11, 1826.

1. *BE it enacted by the People of the State of New-York, represented in Senate and Assembly,* That it shall and may be lawful for the commissioners of the land-office to cause letters patent to be issued to the persons respectively, who have been reported by the appraisers of lands in New-Stockbridge, as colored persons, for the

Duty of commissioners of land-office &c