

# 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:

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1835.

## CHAP. 29.

AN ACT *relative to supplying the village of Whitehall with pure and wholesome water.*

Passed March 12, 1835.

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

§ 1. It shall and may be lawful for Justin Smith, his heirs and assigns, or any person or persons employed by him or them, or acting under his or their authority, to lay down and construct his or their aqueducts, conduits, pipes, penstocks, and reservoirs, below the surface of any street, highway, lane or alley, or public ground within the village of Whitehall in the county of Washington, putting such street, highway, lane or alley, or public ground immediately in as good and safe condition as the same was before the said works were made; but he or they shall not, in making or repairing said works, obstruct the public in the use of any street, highway, lane, alley or public grounds. Aqueducts, &c.

§ 2. It shall be lawful for the said Justin Smith, his heirs and assigns, to place and construct penstocks, reservoirs and watering-troughs, at or near the side or sides of any street, highway, lane, alley or public ground, within said village, subject to the consent and restrictions of the trustees of the said village, and such restrictions and regulations as such trustees may from time to time adopt, putting such street, highway, lane, alley or public ground in as good condition as the same previously was in, and without unreasonable delay. Penstocks, & watering troughs.

§ 3. It shall not be lawful for any person or persons being inhabitants of the village of Whitehall, to draw, take, use or carry away, any water at or from any of the penstocks, pumps, conduits, aqueducts or reservoirs appertaining to the said works, without a written permit from the said Justin Smith, his heirs or assigns, or his or their agent or agents, duly authorized to grant the same. Permits.

§ 4. Any inhabitant of the said village, who shall draw, take, use or carry away, any water at or from any of the penstocks, pumps, conduits, aqueducts or reservoirs, appertaining to the said works, without the written permit mentioned in the third section of this act, shall for each offence forfeit to the said Justin Smith, or his heirs or assigns, the sum of one dollar over and above the damages resulting from his or her wrongful act; but no person shall be liable to pay such sum who shall have applied to the said Justin Smith, his heirs or assigns to purchase said water, and shall have offered a reasonable price therefor, and sufficient security for the payment thereof. Penalty.

Right to  
repeal.

§ 5. The legislature may at any time alter, modify or repeal this act.

## CHAP 30.

AN ACT to incorporate the Young Men's Association for mutual improvement, in the city of Albany.

Passed March 12, 1835.

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

Corporation  
created.

§ 1. The members of the Young Men's Association for mutual improvement, in the city of Albany, and all persons who shall hereafter be associated with them, are hereby created a body corporate, by the name of "The Young Men's Association for mutual improvement, in the city of Albany," for the purpose of establishing and maintaining a library, reading-rooms, literary and scientific lectures, and other means of promoting moral and intellectual improvement; with power, for such purposes, to take by purchase, devise or otherwise, and to hold, transfer and convey, real and personal property, to the amount of fifty thousand dollars: and also, further to take, hold and convey, all such books, cabinets, library, furniture and apparatus, as may be necessary for attaining the objects, and carrying into effect the purposes of the said corporation.

Officers.

§ 2. The control and disposal of the funds, property and estate, and the direction and management of the concerns of the said corporation, shall be vested in an executive committee; to consist of the president, the first, the second and the third vice-presidents, the corresponding secretary, recording secretary, the treasurer, and ten managers of the said corporation; who shall be elected annually to their respective offices, by such of the members of the said association as are or may be entitled by the by-laws, to vote at such elections.

Debating  
society.

§ 3. In addition to the officers mentioned in the second section of this act, the several officers of the debating society now organized by the said association shall, so long as the said corporation shall see fit to continue the said debating society as a department thereof, and no longer, be ex officio members of the said executive committee, with the like powers, privileges and duties as the other members thereof.

Present offi-  
cers to hold  
until next  
election.

§ 4. The several officers of the said association, at the time of the passage of this act, shall continue to hold their respective offices as officers of the corporation hereby created, until the next annual election, unless in case of a va-