

N. N. Chittenden

L A W S

1845

OF THE

STATE OF NEW-YORK,

PASSED AT THE

SIXTY-SEVENTH SESSION OF THE LEGISLATURE,

BEGUN AND HELD IN THE CITY OF ALBANY,

THE SECOND DAY OF JANUARY, 1844.



ALBANY:

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FOR

WILLIAM AND A. GOULD AND CO. ALBANY,

AND

GOULD, BANKS AND CO. LAW BOOKSELLERS, NEW-YORK.

1844.

CHAP. 297.

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

Passed May 7, 1844, by a two-third vote.

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

Aqueducts
may be laid.

§ 1. It shall and may be lawful for George Pettibone, 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, pentstocks* 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 they or he shall not in making or repairing said works, obstruct the public in the use of any street, highway, lane, alley or public grounds.

Reservoirs
&c.

§ 2. It shall be lawful for the said George Pettibone, his heirs and assigns, to place and construct pentstocks,* 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.

Restriction.

§ 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 pentstocks,* pumps, conduits, aqueducts, or reservoirs appertaining to the said works without a written permission from the said George Pettibone, his heirs or assigns, or his or their agent or agents duly authorized to grant the same.

Penalty.

§ 4. Any inhabitant of the said village who shall draw, take, use or carry away any water at or from any of the pentstocks,* 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 George Pettibone, 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

* So in the original.

George Pettibone, his heirs or assigns, to purchase said water, and shall have offered a reasonable price therefor, and sufficient security for the payment thereof.

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

CHAP. 298.

AN ACT to incorporate the Eastern Collegiate Institute in the city of New-York.

Passed May 7, 1844, by a two-third vote.

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

§ 1. John M. Krebs, James R. Whiting, John K. Hardenbrook, John J. Cisco, Isaac Ferris, Thomas Hunt, James Marsh, Isaac Wood, Ebenezer Platt, Lathrop L. Sturgis, David B. Keeler, Richard E. Purdy, George J. Price, Joseph Hoxie, John Gray and such other persons as may associate with them, are hereby constituted a body corporate : by the name of the Eastern Collegiate Institute of the city of New-York, to be located in the seventh ward of the city of New-York ; for the purpose of establishing, maintaining and conducting a seminary of learning for the education of males. Corporation created.

§ 2. The estate, property and concerns of the said corporation, shall be managed by a board of fifteen trustees. Trustees.

§ 3. The persons named in the first section of this act shall be the first trustees of said corporation, and shall be divided by lot into three classes. The term of service of the first class, shall expire on the third Monday of January next : that of the second, in one year ; and that of the third, in two years thereafter. First trustees.

§ 4. On the third Monday of January, one thousand eight hundred and forty-five, and on the third Monday of January in each succeeding year, there shall be an election of five trustees, who shall hold their offices for three years, and until others shall be elected in their places ; the elections shall be by ballot, and by a plurality of the members or stockholders present. Election.

§ 5. The said institute shall be subject to the visitation of the regents of the university, and shall participate in the distribution of the literature fund, whenever the regents shall be satisfied that it has complied with the requisitions which would authorize them to incorporate the same. Subject to visitation of regents.