

L A W S  
OF THE  
STATE OF NEW YORK,

PASSED AT THE

NINETY-FIFTH SESSION

OF THE

LEGISLATURE,

BEGUN JANUARY SECOND, AND ENDED MAY FOURTEENTH, 1872,  
IN THE CITY OF ALBANY.

VOL. I.



ALBANY:  
V. W. M. BROWN, PUBLISHER.  
1872.

And, wherever such adjoining lands one-half or more of which are improved, shall be bounded by or upon either bank of a stream of water not navigable, the fence viewers of the town, in which the same are situated, shall direct in the manner hereinafter mentioned, upon which bank of such stream, and where upon such bank, the division fence shall be located, and the portion thereof to be kept and maintained by each of such adjoining owners.

Fence viewers to direct location of division fence.

§ 2. This act shall take effect immediately.

## Chap. 378.

AN ACT to amend an act entitled "An act to supply the city of Binghamton with pure and wholesome water," passed April twenty-fifth, eighteen hundred and sixty-seven, and the acts amendatory thereof.

Passed April 25, 1872; three-fifths being present.

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

SECTION 1. The water commissioners of the city of Binghamton shall have power to borrow from time to time upon the credit of the city of Binghamton, in addition to the sums they are already authorized to borrow by existing acts a sum not to exceed twenty-five thousand dollars, upon such terms of credit not exceeding thirty years, and at a rate of interest not exceeding seven per centum per annum, as shall seem to them for the best interest of the said city; and to secure said loan, said commissioners are authorized to make, execute and deliver bonds which shall be signed by them or any three of them as such commissioners; which said bonds shall be made payable in such respective amounts and at such respective times as such commissioners shall deem best, not exceeding thirty years and a rate of interest not exceeding seven per cent. per annum; and the same and the interest thereon shall be a valid lien against said city, and the credit of said city is pledged for the payment of the same; and the money so bor-

Water commissioners authorized to borrow additional sum and issue bonds.

Bonds, when payable.

Money borrowed, how expended.

rowed shall be appropriated by said commissioners to the payment of the indebtedness created by them in excess of the one hundred and eighty thousand dollars already expended by them, and to the payment of such further expenditures as they shall deem necessary in the proper discharge of their duties as such commissioners, agreeably with the provisions of the aforesaid act. No such bonds shall be sold at less than their par value.

Special election to be held.

§ 2. As soon after the passage of this act as two-thirds of the common council of said city shall so determine by resolution, the said common council shall order a special election, at which the question shall be submitted whether the tax herein authorized for the purpose aforesaid shall be levied and collected from the city as herein provided, and said commissioners shall not proceed with their duties, nor issue any bonds under this act unless the majority of the voters voting at such election shall vote in favor of said tax. Notice of such special election shall be given, and the same shall be held and conducted, and the votes given thereat canvassed, and a certificate made and filed according to the provisions of title thirteen of the act incorporating said city, so far as the same may be applicable, and any person authorized by said title thirteen to vote at a special election and no other, shall be entitled to vote at such special election. If upon the canvass of the votes cast at such election, it shall appear that the majority of the votes cast at such election were for "special tax," the clerk of said city shall serve a written notice thereof upon said commissioners, who shall thereupon proceed with the duties imposed upon them by this act.

Notice to be given.

Commissioners not to borrow money unless authorized by vote.

§ 9. This act shall take effect immediately.