

L A W S

OF THE

STATE OF NEW YORK,

PASSED AT THE

NINETY-EIGHTH SESSION

OF THE

LEGISLATURE.

BEGUN JANUARY FIFTH AND ENDED MAY TWENTY-SECOND, 1875,  
IN THE CITY OF ALBANY.



ALBANY :  
HUGH J. HASTINGS, PUBLISHER.  
1875.

reformation and the future benefit and advantage of such children, provided that the charge and power of said managers upon and over said female children shall not extend beyond the age of eighteen years.

Powers of managers over children, when to cease.

§ 8. Whenever the said department for females of the Western House of Refuge shall, in the opinion of the managers, be in readiness for the reception of persons committed thereto, the said managers shall make duplicate certificates thereof, one of which shall be transmitted by mail to the Governor of this State, and the other of which shall be filed in the office of the clerk of the county of Monroe. The Governor, on receiving such certificate, shall make an order authorizing courts in the fourth, fifth, sixth, seventh and eighth judicial districts of the State to send female delinquents to the said house of refuge, and shall file the certificate of such managers and his said order in the office of the Secretary of State; the said Secretary of State shall transmit by mail to the first judge and county clerk of each of the counties included in the judicial districts designated in said order a certified copy of such certificate and order.

Readiness for reception of children, certificates of. Order by the governor.

Certified copy of certificate and order, secretary of state to transmit.

§ 9. From and after the time of making such order, the courts of criminal jurisdiction of the several counties in the judicial districts designated in said order, shall sentence to the said house of refuge every female under the age of sixteen years who shall be convicted before such court of any felony; the said courts and the several magistrates of the said counties may, in their discretion, sentence to the said house of refuge any such female who may be convicted before them of petit larceny, prostitution or disorderly conduct.

Sentences to house of refuge.

§ 10. All provisions or existing laws, requiring the courts in any of the judicial districts named in the order to be made by the Governor under the provisions of the ninth section of this act, to sentence persons to the house of refuge in the city of New York, shall be, from and after the making of the said order, repealed, so far as the same relates to the counties embraced in the said order and shall be inconsistent with the provisions of this act.

Repeal of existing laws.

§ 11. All acts inconsistent with the provisions of this act are hereby repealed.

Repeal.

§ 12. This act shall take effect immediately.

## Chap. 229.

AN ACT supplementary to chapter seven hundred and eighty of the laws of eighteen hundred and sixty-seven, entitled "An act to supply the city of Binghamton with pure and wholesome water," and the acts amendatory thereof.

Passed May 1, 1875; 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 exceeding thirty 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

Money, water commissioners may borrow. Interest, rate of.

**Bonds.** them for the best interests 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 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 at 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 borrowed shall be appropriated by said commissioners to the payment of such expenditures as they may make, in addition to those already provided for by law, in the proper discharge of their duties as such commissioners, agreeably with the provisions of law heretofore and herein enacted in relation thereto.

**Bonds, a lien against the city. Application of money borrowed.** § 2. In case the annual receipts for water rents, after deducting all other charges upon the same provided by existing acts, shall in any year or in any respective years not be sufficient to pay the interest for that or any respective year on said loans, it shall be the duty of the common council of said city, and they are hereby directed to cause such deficiency to be assessed, levied and collected from the taxable property of said city at the same time and in the same manner as other contingent expenses of said city are assessed, levied and collected, in addition to the sums required to be raised in like manner by existing acts. And it shall be the duty of the treasurer of the said city of Binghamton to pay the annual interest upon the bonds which shall be executed and negotiated pursuant to the provisions of this act, and to pay the principal of said bonds when the same become due, and the common council of said city are hereby directed to provide the means for such payment.

**Treasurer to pay principal and interest of bonds.** § 3. It shall be the duty of the water commissioners of said city forthwith to account with the treasurer of said city, and it shall be the duty of the said treasurer forthwith to account with the said commissioners in respect to all interest coupons given by said commissioners and heretofore paid by said treasurer, and in respect to all moneys heretofore raised by said city as and for the purposes of the sinking fund provided for in the act incorporating said water commissioners, and all such coupons as have been paid shall be forthwith canceled and delivered to said commissioners, and all bonds heretofore issued by said commissioners, which shall have been paid to or purchased by said treasurer with the funds of said city, shall, to the extent of the sum to be annually raised and set apart by said city or by said commissioners for a sinking fund, to be forthwith canceled and delivered over to said commissioners, and the said commissioners shall hold such canceled bonds as evidence of their compliance with the acts and provisions of law relating to such sinking funds; and the sinking fund provided for in said act shall be hereafter kept inviolate by said commissioners, and no part thereof shall be loaned to the city of Binghamton or used by the treasurer of said city, but the said commissioners may, at any time\* have the funds for that purpose, purchase any of the bonds issued in pursuance of law by the water commissioners, and cancel the same, and hold such canceled bonds as a part of such sinking fund, provided that no bond purchased by said commissioners shall be re-issued or used for any purpose except to represent such part of said sinking fund. Any violation of the provisions of this act by any party shall be deemed a misdemeanor.

**Water commissioners to account with treasurer.** § 4. [The water commissioners of the city of Binghamton shall have the power and are hereby authorized to levy and collect a frontage tax in each and every year on all real estate lying along or facing on either

**Bonds and coupons. Cancellation of.**

**Sinking fund to be kept inviolate. Commissioners may purchase bonds.**

**Bonds not to be re-issued.**

**Frontage tax, water commissioners may levy.**

\* So in the original.

side of any street or alley in which a water main is now laid, or may hereafter be laid, said frontage tax not to exceed in any one year fifty cents for each twenty-five feet frontage or fraction thereof, of any and all tracts or parcels of land lying along or fronting on either side of any such street or alley. And the water commissioners of said city shall have a right of action against any party or parties for the collection of said frontage tax, and also against any party using the water of the said city,] and also for the collection of the water tax or rent due from any party; and all property liable to be taken for any other tax, levied by law in said city, shall be liable to be taken upon execution issued upon any judgment obtained for such taxes or rents. And any intentional violation of such regulations, rules, and by-laws, as the said commissioners are or shall be authorized to make and shall make under such authority, and publish or serve upon, or cause to be served upon the water takers of said city, shall be deemed disorderly conduct, and shall be punished as other disorderly acts are punished by the recorder of said city. And any frontage tax imposed or assessed upon any premises in said city shall, upon filing a notice thereof with the clerk of said city, become a lien upon such premises and bind the same in the same manner, and shall be enforced in the same manner as city taxes are collected by sale of real estate, and the moneys so collected shall be paid over by the treasurer to said commissioners.

Amount.

How collected.

Violation of by-laws deemed disorderly conduct.

Frontage tax, how made a lien

§ 5. At such time or times after the passage of this act as the water commissioners of said city shall request, a meeting of the electors of said city shall be called by the common council of said city upon notice published for ten days in all the daily newspapers of said city, and once in each weekly newspaper published in said city, at which the question shall be submitted whether the taxes, in such amount as shall be named by said commissioners, shall be levied and collected by said city as in this act provided; but such several amounts so named from time to time shall not in the aggregate exceed the sum of fifty thousand dollars; and the said commissioners shall not incur any liability under the said first and second sections of this act unless the majority of voters voting at such meetings shall vote in favor of such taxes. Said vote shall be by ballot, and there shall be written or printed on the ballots of those in favor of the taxes, "For the tax," and on the ballots of those opposed, "Against the tax."

Meeting of electors to be called.

Question to be submitted.

Ballots, form of.

§ 6. The water commissioners of the city of Binghamton are hereby granted the right and privilege of using the water and water power on the south side of the Susquehanna river in said city, belonging to the State of New York, known as the Rock-bottom dam and water power, and all land belonging to the State, lying two hundred and fifty feet above, and two hundred and fifty feet below said dam, and between South Water street and said river, for the purpose of supplying the city of Binghamton with good and wholesome water; and in consideration for which the said water commissioners shall keep said Rock-bottom dam in good repair, without charge to the State, under the direction of the Canal Commissioner for the middle division of the New York State canals.

Commissioners may use water power and land of the state.

Rock bottom dam to be kept in repair.

§ 7. The said water commissioners shall be exempt from all personal liability for any and all acts done by them in good faith, in pursuance of the provisions of this act.

Exemption from personal liability.

§ 8. This act shall take effect immediately.