

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. II.



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

facie evidence in like manner as provided by law as to the record of a deed.

§ 2. This act shall take effect immediately.

Chap. 557.

AN ACT to provide for supplying the village of College Point, in the county of Queens, with pure and wholesome water.

. Passed May 6, 1872; three-fifths being present.

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

SECTION 1. For the purpose of supplying the village of College Point with pure and wholesome water, the trustees of said village are authorized to negotiate and contract with the trustees of the village of Flushing for supplying the village of College Point with water from the works to be erected and maintained by the village of Flushing, and may enter into such contract for supplying such water for such term of years as shall in their judgment be for the best interest of said village of College Point, pursuant to the provisions of section eleven of the act of the Legislature of the State of New York, entitled "An act for supplying the village of Flushing, Queens county, with pure and wholesome water," passed eighteen hundred and seventy-two.

Trustees may contract for supply of water.

§ 2. The said trustees shall have power, and it shall be their duty, to borrow from time to time, for the purpose of this act, upon the credit of said village of College Point, a sum not exceeding in the whole one hundred thousand dollars, and upon such terms of credit, of not less than twenty years nor more than thirty years, as shall seem for the best interest of said village, and at a rate of interest not exceeding seven per cent. per annum; and to secure said loan, said trustees are authorized to issue bonds of said village, signed by the president and clerk, and sealed with the seal thereof, which bonds shall be made of such amounts, respectively, as said trustees shall think expedient; and the money so borrowed on said bonds shall

Trustees may borrow, not exceeding \$100,000, for such purpose and issue bonds therefor.

be appropriated by said trustees to the purpose expressed in this act, and to no other purpose whatever.

Right to use high-ways, etc., to lay pipes, etc.

§ 3. The trustees, and all persons acting under their authority, shall have the right to use the ground or soil of or under any highway or road, in said town of Flushing, or in said village of College Point, for the purpose of introducing water into and through all or any parts of said village of College Point, on condition that they shall cause the surface of such highway or road to be relaid and restored to its usual state, and all damages done thereto to be repaired; and such right shall be continued for the purpose of repairing or relaying water pipes, upon like conditions.

Rules and regulations concerning use of water, etc.

§ 4. The trustees of said village are hereby empowered, and it shall be their duty, to establish rules and regulations for and concerning the use, regulation and operation of said water-works, and may thereby impose penalties and forfeitures, for any violation of such rules and regulations, but such penalties or forfeitures shall not in any case exceed twenty dollars. Said trustees shall establish a scale of rents to be charged and paid to said trustees, from time to time, by the owners or occupants of buildings in said village, for the supply of water, to be called "water rents," apportioned to the different classes of buildings in said village in reference to their dimensions, value, exposure to fires, ordinary or extraordinary uses for stores, dwelling-houses, shops, hotels, factories, stables or other purposes, the number of occupants or consumption of water, and from time to time may either modify, amend, increase or diminish such rents; and said trustees and their agents shall be authorized at all times to enter into any building or place where water is used from supply pipes to examine as to the amount of water used and the manner of using it.

Water rates.

Supply pipes, by whom inserted and kept in repair.

§ 5. The connecting or supply pipes leading from buildings or other private property to the distribution pipes shall be inserted and kept in repair at the expense of the owners or occupants of said building or other property, and shall not be inserted or connected with the said distribution pipe until a permit therefor shall have been obtained from said trustees or their agent

duly authorized to grant the same, and all such connecting or supply pipes shall be constructed in the manner directed by said trustees or their said agent.

§ 6. The entire annual receipts for water rents, after deducting therefrom such sums as may be necessary to defray the expenses of repair of said water-works and extending the same, or the payment of such sums as may be agreed to be paid to the village of Flushing, and other necessary expenses connected therewith, and the proper supply of water to said village, shall be applied toward the payment of the interest on the loans on bonds hereinbefore authorized, and also toward the creation of a sinking fund for the payment of the principal of said loan as it shall become payable, which sinking fund shall be under the management of said trustees.

Receipts for water rents, how applied.

§ 7. In case the entire receipts for water rents, after making the deductions as in the last above section provided, shall in any year not be sufficient to pay the interest for that year on the bonds hereinbefore authorized to be issued; or in case in any year when any of the principal of the loan secured by said bonds falls due, the amount of said receipts for water rents, after making said deduction, together with the sum in the said sinking fund, shall not be sufficient to pay said principal, and also the said interest falling due that year, then it shall be the duty of said trustees to cause an amount sufficient to pay such deficiency to be assessed, levied and collected, in addition to other taxes, on and from the taxable property of said village at the same time and in the same manner as the other taxes of said village are assessed, levied and collected, and the amount so raised shall be applied to the payment of said interest or principal, or both, or the deficiency thereof not otherwise provided for.

Deficiency, if any, to be raised by tax on village.

§ 8. The trustees of said village shall take no steps to carry out the provisions of this act, and it shall not be lawful for them to do so, until the same shall be approved by a majority of the voters of said village, voting by ballot at a special election to be called and held by said trustees within three years after the passage of this act, by giving at least eight days' notice before such election, by posting such notice in at least six public

Trustees not to contract for water, etc., until provisions of this act are approved by a majority of voters of village.

Form of
ballot.

Certificate
of result to
be filed.

Subse-
quent
elections.

and conspicuous places in said village, and by publication in all the newspapers of said village, once a week for two weeks. The polls at said election shall be open during the same hours, and such election be in all things conducted as are the annual elections for trustees in said village. The ballots received at said election shall be indorsed "water-works," and in order to be canvassed shall contain the words "in favor of bonding for water-works," or the words "opposed to bonding for water-works." If a majority of the ballots so canvassed shall contain the words "in favor of bonding for water-works," then the approval above mentioned shall be considered as being obtained. A certificate of the result of said election shall be filed by the canvassers thereof, in the office of the county clerk of Queens county, within five days after said election. In case, at the election so held, the approval aforesaid shall not be obtained it shall be lawful for said trustees to call and hold subsequent elections, in all respects to be called and conducted as prescribed for said first election, but no such succeeding election shall be held within six months of the time of holding a preceding election under this act.

§ 9. This act shall take effect immediately.

Chap. 558.

AN ACT to provide for supplying the village of Whitestone, in the county of Queens, with pure and wholesome water.

Passed May 6, 1872; three-fifths being present.

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

Trustees
may con-
tract for
supply of
water.

SECTION 1. For the purpose of supplying the village of Whitestone with pure and wholesome water, the trustees of said village are hereby authorized to negotiate and contract with the trustees of the village of Flushing for supplying the village of Whitestone with water from the works to be erected and maintained by the village of Flushing, and may enter into such contract for supplying such water for such terms of years