

L A W S

OF THE

STATE OF NEW YORK,

PASSED AT THE

ONE HUNDRED AND TWELFTH SESSION

OF THE

LEGISLATURE,

BEGUN JANUARY FIRST, 1889, AND ENDED MAY SIXTEENTH, 1889,
IN THE CITY OF ALBANY.



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CHAP. 159.

AN ACT to authorize the people of the village of Attica to levy and collect a tax for the purpose of paying the indebtedness of said village, incurred in the repair of damage to the highways and sidewalks in said village caused by heavy rains and washouts in the spring of one thousand eight hundred and eighty-eight, and also to pay indebtedness in successfully defending the said village in an action, brought by John Porter for injury to his person, caused by upsetting his wagon in said village.

BECAME a law without the approval of the Governor, in accordance with the provisions of article four, section nine of the Constitution, April 18, 1889. Passed, three-fifths being present.

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

Village
tax au-
thorized.

SECTION 1. The trustees of said village of Attica are authorized to levy upon the taxable property of said village, the sum of twelve hundred dollars for the following purposes, namely: Nine hundred and fifty dollars to pay indebtedness of said village incurred in extraordinary repairs, damage to highways and sidewalks, caused by heavy rains and washouts in the spring of one thousand eight hundred and eighty-eight. Two hundred and fifty dollars indebtedness in successfully defending the said village in an action brought by John Porter for injury to his person, by upsetting his wagon in said village of Attica, and collect the same in the same manner provided by law for the levying and collecting taxes in said village for corporate purposes.

§ 2 This act shall take effect immediately.

CHAP. 160.

AN ACT to amend chapter one hundred and seventy-seven of the laws of one thousand eight hundred and eighty-seven, entitled "An act to provide for supplying the village of Sing Sing with water and authorizing the issue of bonds therefor, and to create a board of water commissioners for said village."

BECAME a law without the approval of the Governor, in accordance with the provisions of article four, section nine of the Constitution, April 18, 1889. Passed, three-fifths being present.

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

Water
supply act
amended.

SECTION 1. Subdivision three of section six of chapter one hundred and seventy-seven of the laws of one thousand eight hundred and eighty-seven, entitled "An act to provide for supplying the village of Sing Sing with water and authorizing the issue of bonds therefor, and to create a board of water commissioners for said village," is hereby amended so as to read as follows :

3. To meet any deficiency in the payment of the semi-annual interest on the bonds issued under the provisions of this act, the board of water commissioners are hereby authorized after first applying all the

Water
board may
borrow
money, to

money in its treasury applicable to that purpose, to borrow an amount sufficient to meet such deficiency and to pay such interest, which said amount the board of trustees of the village of Sing Sing are hereby authorized and directed to cause to be collected with the annual village taxes upon the receipt of a certificate from said board of water commissioners of the amount thereof, which when so collected shall be paid over by the treasurer of said village to said board of water commissioners. At each annual meeting of said board of water commissioners a detailed report shall be made by them of all moneys received and expended, and the same published in one issue of one or more of the village newspapers published in said village, before the first day of May of each year. It shall be the duty of the water commissioners to meet on the second Thursday evening after each annual village election, and organize themselves into a board, by electing a president, secretary and treasurer, and to appoint a superintendent.

meet deficiency in interest on bonds.

Annual report and how published.

Annual organization of board.

§ 2. Section seven of said act is hereby amended so as to read as follows :

§ 7. The trustees of the village of Sing Sing are hereby required and empowered, upon the certificate and at the request of the board of water commissioners of said village, to include in the amount of taxes to be raised annually in said village, such sum as shall be required and certified by said board of water commissioners, not exceeding the sum of three thousand dollars in any one year, and cause the same to be collected, which when so collected, shall be paid over by the treasurer of said village to said board of water commissioners, and applied by them to the payment of the principal of said bonds, as the same may become due.

Annual tax to pay interest and principal of bonds.

Limitation.

§ 3. For the purposes of carrying out the provisions of chapter one hundred and seventy-seven of the laws of one thousand eight hundred and eighty-seven, and fully completing the work authorized thereby, the board of water commissioners of the village of Sing Sing are hereby authorized and empowered to issue bonds in the name of the village of Sing Sing for an amount not exceeding thirty thousand dollars, and payable in not less than ten nor more than thirty years from the date thereof, bearing interest at a rate not exceeding four per cent per annum payable semi-annually, such bonds to be in addition to the bonds heretofore issued by the said board of water commissioners; under the provisions of section four of chapter one hundred and seventy-seven of the laws of one thousand eight hundred and eighty-seven, and except as herein otherwise expressly provided; such bonds to be issued and disposed of and the proceeds applied according to the provisions and requirements of section four of chapter one hundred and seventy-seven of the laws of one thousand eight hundred and eighty-seven, and subject to all the restrictions therein contained, which bonds are hereby made a charge upon the real and personal property of said village of Sing Sing.

Additional issue of village bonds authorized.

When payable and rate of interest.

Sale and application of proceeds therefrom.

§ 4. The board of water commissioners of the village of Sing Sing are hereby authorized and empowered to receive any bonds heretofore issued by them from the parties holding the same and cancel such bonds, and in lieu thereof to issue to the parties surrendering the same, registered bonds, which shall in all other respects conform to the bonds exchanged.

Exchange and cancellation of certain bonds.

§ 5. The board of water commissioners of the village of Sing Sing are hereby authorized and empowered to appoint an officer of said board, to be known* as the receiver of water rents and fire protection taxes,

Receiver of water rents, etc., appointment of.

* So in the original.

who shall hold such appointment during the pleasure of the said board, and shall, before entering upon his duties, execute to the said board of water commissioners a bond, to be given by him with two sureties in double the amount to be collected, conditioned for the faithful execution of his duties and the payment of all moneys received by him; such bond to be approved by and filed with the said board of water commissioners.

His official bond, how approved and filed.

Assessment-roll, for water and fire protection, delivery with warrant, for collection.

§ 6. As soon as possible after the first day of October in each year, and after the final determination by said water commissioners of all appeals taken from such assessments for fire protection or charges for the use of water, the said commissioners shall deliver a copy of the assessment-roll for taxes, assessments and charges for use of water and fire protection as finally adopted by them, to such receiver, to which shall be attached their warrant under their hands and seals, or a majority of them, commanding such receiver to collect from the several persons named in such roll the several sums as charged therein, who shall proceed to collect the same, giving notice of the time and place where he will attend for the purpose of receiving payment of said taxes, such notice to be as directed by the said water commissioners; all provisions of the statutes applicable to town collectors of taxes shall, as far as may be, be applied to and govern the proceedings of the receiver of water taxes and rents; and he is hereby vested with all the power and authority possessed by town collectors for the sole purpose of enforcing the provisions of this act, which said moneys shall be paid over to the treasurer of said board of water commissioners within five days after its receipt by him.

Laws applicable to collection.

Moneys collected how paid over.

§ 7. This act shall take effect immediately.

CHAP. 161.

AN ACT in relation to local improvements in the town of Flatbush, and the acquisition of the rights of a plank-road company in said town.

BECAME a law without the approval of the Governor, in accordance with the provisions of article four, section nine of the Constitution, April 18, 1889. Passed, three-fifths being present.

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

Street and sewer commissioners, appointment of.

SECTION 1. The supervisor of the town of Flatbush, the town clerk of the town of Flatbush, and the president of the board of improvement of the town of Flatbush, within ten days after the passage of this act, shall meet at the office of the town clerk in the town of Flatbush, and shall appoint five citizens, residents and freeholders in said town, as street and sewer commissioners of said town. Such appointments shall be made in writing, and shall be filed in the office of said clerk, and a duplicate thereof in the office of the clerk of the county of Kings, and the five persons so appointed shall be known and designated as street and sewer commissioners of the town of Flatbush; and as such shall have and execute the powers hereinafter conferred. Three of whom and their successors shall belong to the political party casting the highest number of votes in said town at the last general election, and two of whom shall belong to the political party casting

Commissioners, and successors, how selected.