

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.

Chap. 101.

AN ACT to amend an act entitled "An act to provide for supplying the village of Peekskill with water, and authorizing the issue of bonds therefor, and to create a board of water commissioners," passed April sixteenth, eighteen hundred and seventy-two.

Passed April 12, 1875; three-fifths being present.

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

SECTION 1. Section three of chapter two hundred and thirty-one of the laws of eighteen hundred and seventy-two, is hereby amended so as to read as follows:

Water supply, power of trustees respecting.

§ 3. Said board of water commissioners shall have the exclusive right and power to make all necessary arrangements, regulations and contracts for supplying said village with water, and to construct all works needful for that purpose; and to that end they are hereby empowered to purchase, take and hold, in the corporate name of said board, any real estate, easements or other interests in real estate required for such purpose, and by themselves, their servants and agents, may, after agreement with such owner or owners, or just compensation ascertained and provided for, enter upon the lands of any person or persons, and may lay and construct any pipes, conduits, aqueducts, wells, dams, reservoirs, and all other works or machinery necessary or proper for the purposes aforesaid, upon any lands so entered upon, purchased, taken or held, or in or upon which such easements or interests shall be purchased or acquired. Said commissioners may enter upon any lands, streets, highways, alleys or public squares, excavate for, lay, construct, alter, repair and replace any pipes, conduits, aqueducts or other works necessary to furnish an ample supply of water whenever the same shall be required, and may put in as many hydrants and in such places as they may deem proper.

Entry upon lands.

Hydrants.

§ 2. Section four of said chapter is hereby amended so as to read as follows:

Bonds.

§ 4. For the purpose of purchasing or otherwise acquiring the necessary lands, easements and other interests in real estate, paying damages to land-owners for lands, water rights, easements or other interests in real estate taken or used by said commissioners, under the provisions of this act, and for the erecting of buildings, for purchasing and putting up the required machinery, buying and laying the pipes, putting in hydrants, and for the materials, labor and all things necessary and proper to fully complete said water-works, said commissioners are hereby authorized to issue bonds in the name of the village of Peekskill for an amount not to exceed one hundred and fifty thousand dollars, and payable in not to exceed thirty years from the date thereof, and which bonds shall bear interest not exceeding seven per cent. per annum, payable semi-annually at such place as said board shall determine, which said bonds shall not be negotiated by said commissioners for less than the par value thereof, and shall not be paid to any contractor or contractors for services, nor negotiated except for cash. Said bonds shall be signed by the president and secretary of said board of commissioners, in pursuance of a resolution of said board, and shall bear the corporate seal of

Amount of.

Not to be sold below par. How executed.

the said village, and be denominated "water bonds of the village of Peekskill, New York," and are hereby made a charge upon the real and personal property of said village.

§ 3. Subdivision three of section six of said chapter 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, said board are hereby authorized, after first applying all the money in its treasury applicable to that purpose, to borrow, in the name of the village of Peekskill, an amount sufficient to meet such deficiency and to pay such interest. At each annual meeting of said board a detailed statement of all moneys received and expended by it during the preceding year, for what purpose expended, and of all amounts due for unpaid assessments or otherwise to said board, with a description of the property against which said assessments stand, and the name of the owner or owners thereof, and the names of any others, debtors to said board of commissioners, shall be prepared, and a copy thereof, within ten days after such meeting, delivered to the trustees of the village of Peekskill, who shall cause such an amount as may appear from said statement to have been borrowed by said commissioners for the payment of interest as heretofore provided, and interest on the amount so borrowed (except the interest on said bonds which shall accrue on the first day of July next, which interest said board is hereby authorized to pay out of the moneys realized from the sale of said bonds), to be added to the other next general tax of said village and collected therewith ; and shall cause the amounts of such unpaid assessments, with the interest thereon as furnished, to be levied and collected of the property of the persons against whom or whose property such unpaid assessments shall have been made by said commissioners, in like manner as is provided in the charter of said village for the collection of other taxes, and, when collected, shall be paid over to the board of commissioners.

Deficiency in interest, how provided for.

Annual statement.

Interest.

Assessments, to be levied and collected.

§ 4. Section eight of said chapter is hereby amended so as to read as follows :

§ 8. Should the commissioners be unable, for any reason, to agree with the owner or owners of any land or water rights which, or the easements or other interests in which, it may be necessary for them to take or use, in order to carry out the objects of this act, the title to the same may be acquired in the same manner, and by the like special proceedings, as are authorized and provided for obtaining title to real estate required for the purpose of a railroad corporation, under and in pursuance of the provisions of the act entitled " An act to authorize the formation of railroad corporations and to regulate the same," passed April twentieth, eighteen hundred and fifty, and any act or acts amendatory thereof or supplementary thereto.

Title to land, how acquired.