

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.

## Chap. 132.

AN ACT to amend "An act to provide for a supply of water in the city of Poughkeepsie, and for sewers therein," passed April twelfth, eighteen hundred and sixty-seven; and, also, to amend an act entitled "An act to amend an act entitled 'An act to provide for a supply of water in the city of Poughkeepsie, and for sewers therein,'" passed April twelfth, eighteen hundred and sixty-seven, passed April ninth, eighteen hundred and seventy; and, also to amend an act entitled "An act to amend an act entitled 'An act to provide for a supply of water in the city of Poughkeepsie, and for sewers therein,'" passed April twelfth, eighteen hundred and sixty-seven, passed April nineteenth, eighteen hundred and seventy-one.

Passed March 23, 1872; three-fifths being present.

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

SECTION 1. Section four of the act entitled "An act to amend an act entitled 'An act to provide for a supply of water in the city of Poughkeepsie, and for sewers therein,' passed April twelfth, eighteen hundred and sixty-seven," passed April ninth, eighteen hundred and seventy, is hereby amended so as to read as follows:

§ 4. Subdivision five of section six is hereby amended so as to read as follows:

To establish  
"water  
rents."

5. To establish a scale of annual rents to be charged and paid annually, for the supply of water, or for benefits resulting therefrom, to be called "water rents," and to be apportioned to vacant lots and to the different classes of buildings in said city in reference to their dimensions, value, exposure to fire, ordinary uses for dwellings, stores, shops, private stables and other common purposes, number of families or occupants, and consumption of water as near as may be practicable,

and from time to time to alter, modify, amend, and increase or diminish such rents in said scale, and to extend it to other description of establishments or uses; but the rents shall be so fixed and kept that the aggregate annual amount collected therefrom shall be at all times equal to at least five per cent. on the loan or loans authorized by this act, over and above all expenses of repairs, salaries, extension of water pipes, and appropriations to the sinking fund hereinafter provided for, excluding the amount expended for sewers, sewerage and for damages by reason of the taking down the dams upon the said Falkill creek, and securing the control of and making improvements and alterations of said creek. Hotels, factories, stables, livery stables, and other buildings, establishments and trades, which consume extra quantities of water, shall pay, in addition to the rents established by the scale aforesaid, such sums as the water commissioners shall direct, which shall be paid in advance to the said water commissioners, before any permit to use such water shall be given; which sum so collected shall be paid to the chamberlain of said city, to the credit of the "Water Stock of the city of Poughkeepsie," excluding the amount expended for sewers, sewerage and for damages by reason of the taking down the dams upon the said Falkill creek, and securing the control of and making improvements and alterations of said creek.

"Water rents" to be at least five per cent. on amount of loans authorized by this act above expenses and appropriations.

Increased rates for hotels, etc.

§ 2. Section eight of an act entitled "An act to amend an act entitled 'An act to provide for a supply of water in the city of Poughkeepsie, and for sewers therein,' passed April twelfth, eighteen hundred and sixty-seven," passed April ninth, eighteen hundred and seventy, is hereby amended so as to read as follows:

§ 8. It shall be the duty of said water commissioners to complete the extension of the distribution pipes, and cause the necessary sewers to be made through the fire limits of said city, in their discretion, without unnecessary delay; and, after this is done, then to extend such pipes through any of the public streets, avenues, lanes or alleys in said city, at least one hundred and sixty rods yearly, and every year, until said waters are introduced in such part or parts of said city as the public

Duty of commissioners.

interest may require, and to superintend the laying down of the same, and to keep a correct account of the expenses therefor, and return the same to the common council of said city as soon as the extended work shall have been completed; the expense of all which shall be paid by the chamberlain of said city, on the order of said commissioners, out of the money collected from said water rents. The said water commissioners shall divide the city into sewer districts, and shall, from time to time, report to the said common council the cost and expense of constructing said sewers, or any of them, in each district; and said common council are hereby authorized and empowered to assess, levy and collect a tax sufficient to defray the cost and expense of such sewer or sewers, in each district as follows:

Sewer districts.

Cost of lateral sewers.

The cost of all lateral sewers, and of all mains, and main branch sewers used as laterals, to the extent of three dollars per linear foot, shall be paid by an assessment on the lots fronting on the street through which the same may run, one-half thereof on the front of lots on each side of said street, or section of streets, and of and from the owners or occupants thereof, in proportion to the number of feet in front of such lots, on said street or streets, and the common council of the city of Poughkeepsie are hereby authorized to collect said assessments, in their discretion, in equal sums, in one and two years from date of assessment, with interest, and, in the meantime, to issue certificates therefor; and such assessments, until paid, shall be a lien on the respective lots liable therefor, and shall be collected at the respective times named in said certificates: one-half thereof, with interest on the whole assessment, in one year, and the other half thereof, with interest thereon, in two years from date; and any lot on which such assessment is a lien, may be discharged therefrom by the payment of said assessment, and interest, to the common council, or the officer having authority to receive the same, no interest to be charged to any person paying the same within ten days after public notice of such assessment; said assessment, when due, to be collected in the manner now provided by law for the collection of assessments or taxes in the

Assessments to be a lien on lots.

city of Poughkeepsie. All costs and expenses of the main sewers, and main branch sewers, and laterals, above said sum of three dollars per linear foot, of man-holes, silt basins, street crossings and slidings of corner lots, and extra frontage of triangular lots, in each of the sewer districts of said city, shall be brought into a general fund by said common council, to be known as the "sewage debt," and said common council shall have power, and are hereby authorized to issue bonds, or debt certificates therefor, with interest, payable at such times and in such amounts as they shall determine, from ten to twenty years from date; and such bonds or certificates, and interest, shall be a lien on the whole city, and shall be paid in the same manner, by tax on all the real and personal property of said city, as other city taxes are paid. And said common council are hereby authorized to determine what depth of lot siding on a street, in any sewer district, and what front of a triangular lot, shall be exempt, and not subject to assessment as front, under the provisions of this act; provided, however, that in the Falkill district the whole cost of the main and main branch sewers along the bed of the Falkill, and between Catharine street and the Hudson river, shall be assessed upon the city at large, until the same shall be in condition to be used as laterals, when they shall be paid for at the rate of three dollars per linear foot, one-half on each side of the street, by the owners of lots in condition for using the same, such cost or amount to be a lien on the said lots, and to be assessed and collected in the manner hereinbefore provided for the assessment and collection of the cost of lateral sewers, and said tax of three dollars per foot, in all said sewer districts, when collected, shall be at once applied by the common council of the city of Poughkeepsie, to the payment of the cost of the construction of said sewers, or the payment of any indebtedness or obligation heretofore or hereafter incurred or contracted for the purpose of such construction.

Cost of main sewers.

Common council to issue bonds.

Certain sewers to be assessed on city at large.

§ 3. Section one of chapter five hundred and ninety-four of the Laws of eighteen hundred and seventy-one, amending section four of chapter three hundred and

thirty-three of the Laws of eighteen hundred and sixty-seven, is hereby amended so as to read as follows:

§ 1. Section four of an act entitled "An act to provide for a supply of water in the city of Poughkeepsie, and for sewers therein," is hereby amended so as to read as follows:

Common council to raise by loan \$450,000, and issue stock.

§ 4. The common council of said city shall raise by loan, from time to time, as required by said water commissioners, a sum not exceeding four hundred and fifty thousand dollars, by the creation of a public fund or stock, to be called "water stock of the city of Poughkeepsie," which shall bear interest not exceeding seven per cent. per annum, to be payable within fifty years from the time of the issue thereof, and shall be disposed of at not less than its par value; and the money realized therefrom shall be paid over to said water commissioners by the chamberlain of said city, as required by them, on their draft, and applied only to carry into effect the provisions of this act; said stock shall be a lien on the taxable property of said city, real or personal, and the money necessary to pay the principal and interest on said stock shall, as it matures, be levied and collected on the taxable property therein, as hereinbefore provided. All costs, damages and expenses of taking and improving said Falkill creek for the purposes of sewerage in said city, and for extinguishing the rights of the mill-owners, and of persons entitled to the use of said waters, and which are not extinguished by assessments upon any lands and premises bordering on said ponds or creek, as provided by section five of said act, shall be reported by said water commissioners to the common council of said city, who shall cause the same to be raised on the credit of said city, and paid over to said water commissioners to be paid by them to the persons entitled to the same; and said common council are hereby authorized to issue bonds of said city, payable at such times within fifty years from the time of issuing the same, with lawful interest annually, as said common council may determine.

Stock to be a lien on city.

§ 4. Section eleven of chapter three hundred and thirty-three, of the Laws of eighteen hundred and sixty-seven is hereby amended so as to read as follows:

§ 11. The water rents shall be collected from the owners or occupants of all vacant lots and of all such buildings, respectively, which shall be situated upon lots adjoining any street, avenue, lane or alley in said city in which the distributing pipes are or may be laid, and from which they can be supplied with water, and said rents shall be, like State and county taxes, a lien and charge upon such houses, buildings and lots as is herein provided.

Water rents, how collected.

§ 5. Sections three, four and seven of chapter one hundred and fifty-eight of the Laws of eighteen hundred and seventy, are hereby amended as follows: By striking out the words "excluding the amount expended under section five of this act," where they occur therein, and inserting in place thereof as follows: excluding the amount expended for sewers, sewerages and for damages by reason of the taking down the dams upon the said Falkill creek, and securing the control of, and making improvements and alterations of said creek.

§ 6. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

§ 7. This act shall take effect immediately.

## Chap. 133.

AN ACT to amend an act entitled "An act in relation to the establishment of a normal and training school in the village of Plattsburgh," to be called "The Plattsburgh Normal and Training School," passed May seventh, eighteen hundred and sixty-nine.

Passed March 23, 1872; three-fifths being present.

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

SECTION 1. Section one of the act passed May seventh, eighteen hundred and sixty-nine, entitled "An act in relation to the establishment of a normal and training school in the village of Plattsburgh, to be called the Plattsburgh Normal and Training School," is hereby amended so as to read as follows: