

L A W S
OF THE
STATE OF NEW YORK,

PASSED AT THE
NINETY-SECOND SESSION

OF THE
LEGISLATURE,

BEGUN JANUARY FIFTH, AND ENDED MAY TENTH, 1869,
IN THE CITY OF ALBANY.

VOL. I.



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Chap. 425.

AN ACT to legalize certain acts of Richard F. Hall, John A. Russell and George B. Moshier, in the village of West Troy.

Passed April 29, 1869.

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

Canal across Water street authorized.

Width thereof.

Dock and bridge to be built.

SECTION 1. Richard F. Hall, John A. Russell and George B. Moshier are hereby authorized to open and maintain a canal across Water street, between Genesee and Huron streets, in the village of West Troy, to connect the waters of the canal basin, of which the said persons are part owners, with a side cut canal on the premises of the parties aforesaid, providing the said canal across Water street shall not exceed twenty feet in width, and providing that the parties aforesaid shall properly dock the same, and shall place and maintain a bridge across the said canal at Water street aforesaid for the convenience of public travel.

§ 2. This act shall take effect immediately.

Chap. 426.

AN ACT relative to the village of Ballston Spa.

Passed April 29, 1869; three-fifths being present.

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

Trustees may borrow money for water-works.

SECTION 1. The trustees of the village of Ballston Spa shall have power to borrow on the credit of the said village, for the purpose of completing the water works of said village, eight thousand dollars, or such less sum as they shall deem sufficient, in the manner and when authorized so to do, as provided in the act entitled "An act to amend an act entitled an act to amend and consolidate the several acts relative to the village of Ballston Spa, passed April twelfth, eighteen hundred and fifty-five," passed May ninth, eighteen hundred and sixty-eight, provided that the trustees may, in their dis-

cretion, issue bonds payable at any time within twenty-eight years after the same are issued. They shall also have power to fix from time to time the water rates, making such discrimination in the amount thereof as they shall deem proper, and adopt such by-laws and regulations in regard to the said water works and the collection of the rates as they shall deem proper. In all cases where the water is taken or supplied to any building, lot or premises, any amount due and payable and unpaid for water rates shall be a lien upon such real estate, and enforced and collected as provided in section thirty-seven of the act entitled "An act to amend and consolidate the several acts relative to the village of Ballston Spa," passed April twelfth, eighteen hundred and fifty-five.

May issue bonds therefor.

May fix water rates.

Regulations for water-works.

Water rates to be a lien upon lands.

§ 2. Section eight of the act entitled "An act to amend and consolidate the several acts relative to the village of Ballston Spa," passed April twelfth, eighteen hundred and fifty-five, is hereby amended so as to read as follows :

§ 8. The said village (except the bridges therein) shall be a road district, exempt from the superintendence of the commissioners of highways of the town of Milton and the town of Ballston ; and the trustees of said village shall be commissioners of highways for said village, and shall have the same powers and be subject to the same duties over the roads, streets and alleys of said village as commissioners of highways in towns, except that in making their annual estimate and assessment of highway labor, they shall not be required to assess any greater number of days' work in the aggregate than they shall deem necessary. And they shall have power to appoint one or more overseers who shall have the same powers within the bounds of said village, and be subject to, and liable to the same duties and penalties as overseers of highways in towns, subject, nevertheless, to the other provisions of this act. The trustees in making the assessment for highway labor may take the last assessment roll of the village as a basis.

Village to be a road district.

Trustees to have powers of highway commissioners.

May appoint overseers of highways in village.

§ 3. The twenty-fifth subdivision of section forty-five of the said act is hereby amended so as to read as follows :

Trustees to
make by-
laws.

Penalties
for viola-
tion here-
of.
How re-
covered.

Publication
of by-laws.

Collector's
fees.

Expense of
making and
improving
sidewalks
to be a lien
on lands.

Notice to
land own-
ers.

25. To make such by-laws not inconsistent with the laws of this State or of the United States, as they shall deem proper, to carry into effect the provisions of this act and of other laws applicable to said village, and the powers vested in any officer thereof, and to prescribe penalties not exceeding twenty-five dollars for each violation of any such by-law, to be recovered in an action before any justice of the peace of the town of Milton or the town of Ballston, but no such by-law shall prescribe any penalty for any act which shall be prohibited, and for doing which a penalty shall be prescribed by the laws of this State; and no such by-laws shall take effect until two days after it shall have been published in all the newspapers printed in said village, or until four days after copies thereof shall have been posted in ten public places in said village, of which publication or posting an affidavit shall be made and filed with the village clerk within six days after it shall take place, and shall be presumptive evidence of such publication or posting.

§ 4. Section twenty-eight of the last mentioned act is hereby amended by striking out the words "Any person may pay his tax at the time and place so designated on paying two per cent fees thereon," and inserting in place thereof, "Any person may pay his tax at the time and place so designated on paying one cent for every dollar of such tax, and one cent upon every fractional part of a dollar in addition, or every sum less than one dollar."

§ 5. Section thirty-two of the said last mentioned act is hereby amended so as to read as follows :

§ 32. The expense of making, repairing or improving any such sidewalks, as specified in the last preceding section, opposite to and on the same side of the street with any lot, shall be a lien thereon, and if the owner thereof be a resident of said village, the trustees, or one of them, shall give him notice of the manner in which such sidewalks are required to be made, repaired or improved, and of the time, not less than ten days, for repairing, and not less than twenty days for making or improving, within which it may be done by him at his own expense, under the superintendence of the trustees.

§ 6. Section forty-six of the said last mentioned act is hereby amended by adding thereto the following subdivisions:

18. To appoint watchmen, and remove the same at their pleasure, prescribe their powers and duties, and fix their compensation to be paid from the treasury of said village. Trustees may appoint watchmen.

19. To prevent and regulate the running at large of dogs within the said village. Dogs.

20. To prohibit and prevent all transient and non-resident merchants and shopkeepers of every description, and all traveling, non-resident and itinerant hawkers and peddlers, excepting those licensed by the State, from selling or offering for sale any goods, wares or merchandise in said village, without first obtaining a license therefor from the trustees, who may demand and receive from each person applying for such license a sum not exceeding twenty-five dollars, as a condition for granting the same, to be paid into the village treasury; such license to run no longer than prescribed by the trustees. Licensing of hawkers and peddlers.

§ 7. This act shall take effect immediately.

Chap. 427.

AN ACT to establish an asylum for orphan, friendless and illegitimate children of German origin.

Passed April 29, 1869.

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

SECTION 1. Peter Roedel, Alexander Lange, Frederick Buschhaupt and their successors are hereby made a body corporate, under the name and title of the Association for the relief and protection of friendless children of German origin, and are hereby empowered to rent or purchase real estate in the city of New York or Brooklyn for the purpose of founding and endowing an asylum to support and educate orphan, friendless and illegitimate children of German origin, and apply the funds left by Philipp Stoppelbein, deceased, in trust, to his executors, Peter Roedel, Alexander Lange, for that purpose. Corporators.
Objects of association.
Funds to be applied.