

# L A W S

OF THE

STATE OF ~~NEW~~ YORK,

PASSED AT THE

ONE HUNDRED AND THIRTEENTH SESSION

OF THE

## LEGISLATURE,

BEGUN JANUARY SIXTH, 1890, AND ENDED MAY NINTH, 1890,  
IN THE CITY OF ALBANY.



ALBANY:  
BANKS & BROTHERS, PUBLISHERS.  
1890.

is situated, confirmed or completed last before the local authorities shall have given their consent, excepting such property owned by such city, town or village, the value of which shall be ascertained and determined by allowing therefor the same price or value as is shown by such assessment-roll to be the value of the equivalent in size and frontage of any adjacent property on the same street. In case the consent of property owners required by any provision of this act can not be obtained the company so failing to obtain such consents may apply to any general term of the supreme court, held in the district in which the road of such company is proposed to be constructed, for the appointment of three commissioners to determine, after a hearing of all parties interested, whether such railroads ought to be constructed and operated.

tained and determined.

Application to court for commissioners.

§ 2. This act shall take effect immediately.

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## CHAP. 484.

AN ACT to amend chapter five hundred and eighty-nine of the laws of eighteen hundred and sixty-eight, entitled "An act to incorporate the Chateaugay Water-Works Company," and to legalize and confirm certain proceedings and official acts of said water-works company, and its officers in diverting water and laying pipes.

APPROVED by the Governor June 4, 1890. Passed, three-fifths being present.

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

SECTION 1. Section nine of chapter five hundred and eighty-nine of the laws of eighteen hundred and sixty-eight, entitled "An act to incorporate the Chateaugay Water-Works Company," is hereby amended so as to read as follows:

§ 9. For the purpose of supplying Chateaugay village and vicinity to an extent of one mile beyond the present corporate limits thereof with pure and wholesome water, the said company may purchase, take and hold any real estate, and by its directors, agents, servants or other persons employed, may enter upon lands of any person or persons, which may be necessary for said purpose, and may take such water from any springs, ponds or streams, as may be determined by the commissioners appointed as hereinafter named, and divert and convey the same to said village and vicinity, and may lay and construct any pipes, conduits, aqueducts, wells, reservoirs or other works or machinery necessary or proper for said purpose, upon any lands so entered upon, purchased, taken or held. Said corporation may, as aforesaid, enter upon any lands, streets, highways, roads, lanes or public squares, through which it may deem it proper to convey the water from said springs, ponds, streams, wells and reservoirs, and lay and construct any pipes, conduits, aqueducts or other works for that purpose; leaving the said lands, streets, highways, roads, lanes and public squares, in the same condition, as nearly as may be, as they were before said entry, but the said company shall not lay and construct said pipes, conduits, aqueducts and other works, through any private garden or building lot, without the written consent of the owner thereof.

Powers of corporation.

§ 2. All the proceedings and official acts of the officers and directors of the Chateaugay Water-Works Company, and all the acts of said com-

Proceedings and

official acts  
legalized.

pany or any of its officers, in diverting and conveying water, or in extending, laying or constructing any pipes, conduits, aqueducts, wells, reservoirs or other works or machinery to any extent within Chateaugay village, or within one mile of the present corporate limits thereof, for the purpose of supplying said village and vicinity with pure and wholesome water, shall be as valid and of the same force and effect as if the said water-works company had been authorized by said act to divert or convey water and to extend, lay or construct pipes, conduits, aqueducts, wells, reservoirs or other works or machinery within one mile outside of the present corporate limits of Chateaugay village. But nothing in this act contained shall affect any action or proceeding now pending in any court or before any ministerial or judicial officer or officers, or any right of action that may now exist.

Proviso.

§ 3. This act shall take effect immediately.

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## CHAP. 485.

AN ACT to amend chapter three hundred and thirty of the laws of eighteen hundred and eighty-seven, entitled "An act to provide for the acquisition of sites for armories for the national guard in the city of New York."

APPROVED by the Governor June 4, 1890. Passed, 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 three hundred and thirty of the laws of eighteen hundred and eighty-seven, entitled "An act to provide for the acquisition of sites for armories for the national guard in the city of New York," is hereby amended so as to read as follows:

Purchase  
of sites.

§ 3. Whenever, and as often as any site so as aforesaid selected by said armory board shall have been approved by the commissioners of the sinking fund, and duly certified as hereinbefore provided, and the survey, map or plan thereof, and a copy shall have been filed as hereinbefore provided, the said armory board may, with the approval of the board of estimate and apportionment, purchase said site, or by the counsel to the corporation of said city, make application to a special term of the supreme court in and for the first department for the appointment of commissioners of estimate; and the said court shall thereupon name three discreet and disinterested persons, being residents and citizens of New York, as such commissioners of estimate for the purpose of performing the duties hereinafter mentioned in that behalf prescribed. Twenty days' notice of such application, Sundays and holidays excluded, shall be published in the City Record, and in at least two other public newspapers published in the city of New York. Upon the appointment of said commissioners they shall severally take and subscribe an oath or affirmation, before some officer authorized to administer oaths, faithfully to perform the trusts and duties required of them by this act; which oaths shall be annexed to and filed with their report, and it shall be the duty of said commissioners, after having viewed the said lands, tenements, hereditaments and premises, required for the purpose of said armory site, to make a just and equitable estimate of the loss and damage to the respective owners, lessees, parties and persons respectively entitled to or inter-

Applica-  
tion for  
commis-  
sioners of  
estimate.

Appoint-  
ment.

Notice of  
applica-  
tion.

Oath of  
office.

Duty of  
commis-  
sioners.