

L A W S
OF THE
STATE OF NEW YORK,
PASSED AT THE
ONE HUNDRED AND TWENTY-EIGHTH SESSION
OF THE
LEGISLATURE,
BEGUN JANUARY FOURTH, 1905, AND ENDED MAY
FIFTH, 1905, IN THE CITY OF ALBANY.

VOL. II.



ALBANY:
J. B. LYON COMPANY, PRINTERS.

1905.

Chap. 614.

AN ACT to amend chapter three hundred of the laws of nineteen hundred and four, entitled "An act to revise and consolidate the several acts relative to the city of Niagara Falls" in relation to the powers of said city to acquire a water works system.

Accepted by the city.

Became a law, May 26, 1905, with the approval of the Governor. 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 two hundred and fifty-seven of chapter three hundred of the laws of nineteen hundred and four, entitled "An act to revise and consolidate the several acts relative to the city of Niagara Falls," is hereby amended to read as follows:

Acquisition
of water
supply
and con-
struction
of water
works, issue
and sale of
bonds for.

§ 257. The city may purchase a water supply and purchase, construct, maintain and regulate water works for supplying the said city and its inhabitants with water, and may purchase such water supply and lands or lease such lands either within or without the city as may be required therefor, and may issue and sell bonds for the purpose of purchasing such water supply and land, constructing or taking by condemnation proceedings a water work plant or plants as herein provided and the purchasing of real estate necessary therefor, in the same manner as is provided herein for the issuance and sale of the bonds of said city for sewer purposes, except that the limitations placed by this act upon the amount of bonds the city may issue for sewer purposes, shall not apply to the issuance of bonds for the purposes herein specified. The term of none of the bonds to be issued as in this section provided, and in section two hundred and fifty-eight hereof, shall exceed twenty years, and there shall be annually placed in the sinking fund of said city, a sum equal to one-twentieth of all the bonds that may be issued by said city as in this section provided, until the amount thus placed in the sinking fund with interest and accumulations shall be sufficient to meet all such bonds. The amounts to be annually paid or placed in the sinking fund as in this section provided, shall be taken from the water revenue of said city (if sufficient there

may be after paying other charges thereon) and any deficiency thereof levied and collected along with and as a part of the other taxes on said city. The board of public works, with the approval of the common council shall have full power and authority to contract with any person or corporation for a term not exceeding five years, to supply the city hydrants, or any portion thereof, with water. The said board shall have power and authority, except as herein provided to enter into contract with any person or corporation for a term not exceeding twenty years, to furnish said city, or any portion thereof with water for public use, and to supply all or any water mains owned or operated by said city with pure and wholesome water for public and private purposes, but no such contract shall be let except after said board has advertised for and received bids to furnish said city or a portion thereof with water for the respective terms of five, ten, fifteen and twenty years, specifying the degree of purity required, the portion of the city to be supplied, and the manner in which the same shall be supplied; and no contract shall be entered into by said board for such purposes or any of them until the same has been approved by resolution of the common council, and has been submitted to and approved by the taxpayers at a tax election called for that, or that and other purposes.

Board of public works may contract to supply city hydrants.

Contracts to supply city with water for public and private use.

§ 2. This act shall take effect immediately.

Chap. 615.

AN ACT to amend the code of civil procedure, in relation to the examination of witnesses to wills.

Became a law, May 26, 1905, with the approval of the Governor. 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 twenty-five hundred and ten of the code of civil procedure, is hereby amended to read as follows:

§ 2510. The clerk of the surrogate's court, and in the county of Kings one other clerk to be designated by the surrogate, in addition to the powers enumerated in section twenty-five hundred and nine, may exercise, concurrently with the surrogate of the county

Clerk of surrogate's court, Kings county, powers of.