

L A W S
OF THE
STATE OF NEW YORK,
PASSED AT THE
NINETY-NINTH SESSION
OF THE
LEGISLATURE.

BEGUN JANUARY FOURTH AND ENDED MAY THIRD, 1876,
IN THE CITY OF ALBANY.

VOL. I.



ALBANY :
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1876.

Chap. 254.

AN ACT to provide for laying an additional main from the Loughberry water-works in the town and village of Saratoga Springs.

Passed May 13, 1876; three-fifths being present.

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

Trustees to issue bonds.

Interest, etc.

Their delivery.

Sale. Proceeds.

Use of streets.

Lands to belong to village.

Lands may be taken by appraisal.

Village election to precede trustees' action.

SECTION 1. It shall be the duty of the trustees of the village of Saratoga Springs, after the passage of this act, to issue bonds on the faith and credit of said village, to the amount of twenty-five thousand dollars, for the purposes hereinafter specified, which bonds shall bear interest at the rate of seven per cent. per annum, with interest coupons thereto attached, payable semi-annually, at such time and places as shall be designated in said bonds, but none of the said bonds shall be of greater denomination than one thousand dollars, or run for a longer time than twenty years. The said trustees shall, upon the execution of the said bonds, deliver the same to the water commissioners for the said village to be used by them as hereinafter provided.

§ 2. The water commissioners aforesaid shall sell the bonds at not less than their par value, and with the proceeds thereof shall lay or cause to be laid or constructed a new and additional main pipe of such size and construction as the commissioners shall, after consultation and professional advice, adopt, and on such route or course as they shall select, from the Loughberry water-works to Putnam street, or some other point within the corporate limits of the said village; and for such purpose they may use and occupy any of the streets, highways and alleys in the said village, and may take and appropriate such lands and real estate or rights and easements therein, as they may deem necessary for such purpose, which lands and real estate or rights and easements, therein as they may deem necessary for such purpose, which lands and real estate or rights and easements therein so taken and appropriated, shall thereafter belong to the village of Saratoga Springs, and be subject to the same management and control as the water-works of said village.

§ 3. In case the said commissioner shall be unable to agree with the owner or owners of any lands and real estate or rights and easements therein taken and appropriated by them for the purposes aforesaid, upon the value thereof, they may apply to any court of record in this State for the appointment of three appraisers to ascertain the compensation to be made therefor, who shall be appointed in the manner provided by chapter six hundred and twenty-three of the laws of eighteen hundred and seventy, entitled "An act to provide for laying out and improving roads and avenues in the village and town of Saratoga Springs," and said appraisers shall conduct their proceedings and make their awards in the same manner and with the same effect as provided in said act, and all awards shall be paid by said commissioners out of the proceeds of the bonds authorized and issued in pursuance of this act.

§ 4. The said trustees shall take no steps in pursuance of the provisions of this act, until the same shall be approved by a majority of the voters of said village, voting at a special election to be called and held by said trustees as provided by section five of the charter of said village. But no person shall be deemed a voter under the provisions

of this act, unless his name shall appear upon the last assessment roll of said village. The ballots shall contain the words, "In favor of twenty-five thousand dollars for additional main for water," or "Opposed to twenty-five thousand dollars for additional main for water." If a majority of the ballots cast at such election shall contain the words, "In favor of twenty-five thousand dollars for additional main for water," the approval aforesaid shall be considered as given. A certificate of the result of such election shall be filed by said trustees in the office of the county clerk of Saratoga county, within five days after such election shall be held. In case at the election so held the approval aforesaid shall not be obtained, it shall be lawful for the said trustees to call and hold subsequent elections within two years after the passage of this act, in all respects to be called and conducted as prescribed for said first election; but no succeeding election shall be held within six months of the time of holding a preceding election under this act.

Qualifications of electors.
Form of ballot.

Election to be certified to county clerk.

Subsequent elections.

§ 5. This act shall take effect immediately.

Chap. 255.

AN ACT to authorize the common council of the city of Syracuse to construct a trunk sewer in Burnet, and other streets in said city, and to raise money to pay for the same.

Passed May 13, 1876; three-fifths being present.

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

SECTION 1. The common council of the city of Syracuse are hereby authorized and empowered, in their discretion, to construct a five or a six feet trunk sewer of brick, or partly five feet and partly six feet, as said common council may determine, in and through Burnet street, from Lodi street to James street, thence through James street to Pearl street, or from a point in Canal street near Lodi street through Canal street to and through Pearl street, and across Salina street and under the Oswego canal, and through or partly through Olive street, to Onondaga creek, with inlets and other fixtures necessary for the efficiency of said sewer, and for the proper drainage of that section of the city. Said sewer shall be constructed under the superintendence of the city surveyor and engineer, with such advisory engineering counsel as the mayor may select, and in accordance with the plan and map made by the sewer commissioner of said city, subject to the necessary modifications by direction of the common council of said city, providing that the cost and expense of said sewer shall not be paid out of this year's assessment and taxes.

Common council to construct sewer.

City engineer to superintend construction.

Proviso.

§ 2. To pay the cost of the construction of said trunk sewer, the common council of the city of Syracuse are hereby authorized and empowered to levy and collect the estimated expense of a thirty-six inch brick sewer upon the property which may be assessed as benefited by said sewer by the assessors of said city, in the manner as local taxes are levied and collected in said city, and the balance of the expense of constructing said trunk sewer, after deducting the amount estimated for the expense of a thirty-six inch brick sewer, shall be a general tax, and shall be levied and collected upon the taxable property of the city

Apportionment of expense.

Collection.