

UNIV. OF
CALIFORNIA
LAWS

OF THE

STATE OF NEW YORK,

PASSED AT THE

NINETY-FOURTH SESSION

OF THE

LEGISLATURE,

BEGUN JANUARY THIRD, AND ENDED APRIL TWENTY-FIRST 1871.
IN THE CITY OF ALBANY.

VOL. II.



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1871.

Report of
investiga-
tion.

or persons so appointed shall report the result of their investigation to the said court, which, if satisfied thereby that any officer, trustee or servant of said corporation has been guilty of any fraud or misconduct, may remove such person or persons, and make such further order and take further measures for securing the funds and property of said corporation as the said court shall deem expedient.

§ 14. The corporation hereby created shall be subject to the provisions of the eighteenth chapter of the first part of the Revised Statutes, as far as the same are applicable, and this act may be repealed, altered, or amended at any time hereafter.

General
provisions
appli-
cable.

§ 15. The trustees and officers of this corporation shall be subject to the provisions and penalties of chapter one hundred and thirty-six of the laws of eighteen hundred and fifty-seven.

§ 16. This act shall take effect immediately.

Chap. 916.

AN ACT to supply the village of Yonkers with pure and wholesome water.

Passed May 10, 1871; three-fifths being present.

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

Trustees
to call
special
election

May
create a
bonded
debt.

To supply
village
with
whole-
some
water.

Election,
how to be
con-
ducted.

SECTION 1. A special election shall be held in and for the village of Yonkers, to be called by the board of trustees, at which election there shall be submitted to the tax-payers of said village, the question of the creation of a bonded debt not exceeding two hundred and twenty-five thousand dollars for the construction of a system of water-works to supply said village with pure and wholesome water.

§ 2. Such election shall be held under the direction and supervision of the trustees of said village, who, or a quorum of whom, shall preside as inspectors, and such election shall be conducted in the same manner, and governed by the same laws, except as hereinafter provided at the annual village election.

§ 3. Said trustees, or a quorum of their number, shall canvass the votes given at such election, and openly declare the result, and shall make and subscribe a certificate of such canvass, which shall set forth the whole number of votes cast, and the number for and against the proposed bonded debt.

Trustees to canvass votes and declare result.

§ 4. The number of ballots to be cast at said election shall be two, one of which shall be indorsed "water-works," and, upon the inside of said ballot, shall be written or printed, or partly written and partly printed, the words, "for the bonded debt for the construction of water-works," or "against the bonded debt for the construction of water-works."

Ballots, how indorsed.

How ballots shall be worded.

§ 5. Every person qualified to vote for village officers, in said village, owning property liable to be assessed for taxes in said village shall be entitled to vote at such election upon the question of said bonded debt.

Who entitled to vote.

§ 6. If, on the canvass of the ballots indorsed "water-works" cast at such election, a majority thereof shall be found to contain the words "against the proposed bonded debt for the construction of a system of water-works," no further proceedings shall be had under the provisions of this act; if, on such canvass, a majority of said ballots shall be found to contain the words "for the bonded debt for the construction of water-works," then, in that case, and from and after the due recording of the certificate of the inspectors as hereinbefore provided, the commissioners elected as hereinbefore provided shall proceed with their duties under this act. The board of trustees of the village of Yonkers shall have power to employ engineers, surveyors and such other persons as may be necessary for the purpose; and they shall adopt such plans as in their opinion may be most feasible for procuring a supply of pure and wholesome water for said village, which plans shall embrace proper distribution pipes and supplies for all streets and places where in the opinion of said board of trustees it shall be of interest to the village, and shall ascertain the probable amount of money necessary to carry the same into effect, and report the same to the Legislature at the next annual session.

How to determine result for bonding village.

Commissioners to proceed with their duties.

Board of trustees may employ engineers and surveyors.

May adopt plans for procuring supply of water for village.

Shall report amount necessary to next Legislature.

§ 7. This act shall take effect immediately.

Chap. 917.

AN ACT to extend and improve Fourth street, in the city of Brooklyn.

Passed April 10, 1871; three-fifths being present.

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

Fourth street extended.

SECTION 1. Fourth street, in the city of Brooklyn, is hereby extended from its present terminus at North Thirteenth street, in the fourteenth ward, in a direct line to the intersection of Norman avenue and Orchard street, in the seventeenth ward of said city of Brooklyn, the said extension or continuation to conform in width with the line of Fourth street, as now laid down in the commissioners' map of the city of Brooklyn.

Shall conform to commissioners' map.

Supreme Court to appoint three commissioners.

Duty of commissioners, compensation, etc.

§ 2. Within thirty days after the passage of this act, upon the application of the corporation counsel of the city of Brooklyn, the Supreme Court, at a special term thereof, held in and for the county of Kings, shall appoint three commissioners to appraise the value of any property taken for the purposes mentioned in this act, who shall immediately proceed with their duties, and, within sixty days after their appointment, file their report in the office of the clerk of the county of Kings. They shall be allowed to use any maps now on file in said county, and employ such assistance as may be necessary. They shall be each entitled to receive three dollars per day for each day of actual service.

Board of assessors to assess expense of extension.

§ 3. The board of assessors of the city of Brooklyn shall assess one-half of the expense of the extension of said street, under the provisions of this act, upon the real property within one hundred feet of the easterly and westerly lines of said street as extended, lying between North Thirteenth street and the intersection of Norman avenue and Orchard street aforesaid, and the remaining one-half they shall assess upon any lands within the said district of assessment in the said city of Brooklyn, that in their judgment shall or may be benefited by said extension.

§ 4. The board of assessors shall apportion and assess the amount of such expenses and damages, in the manner hereinbefore provided, upon the several lots, pieces or parcels of land in said assessment district, according to the benefit derived by each of said lots, pieces or parcels of land from said improvement, and shall make a report in writing of the assessment so made, in such form as the assessments for opening streets are usually made in said city, so far as the same is not inconsistent with this act; and before proceeding to sign the same shall give ten days' notice in the corporation newspapers of the time and place when and where the parties interested can be heard; and, after hearing such parties as may appear before them, the board of assessors shall proceed and complete their report, making such corrections therein as they may deem just and equitable, and sign the same; and thereupon the said report shall be final and conclusive upon all persons interested in and affected by the said assessments. The board of assessors shall cause the said report to be filed in the office of the street commissioner of the said city, and thereupon the said assessments shall be chargeable upon the lands assessed, and shall be a lien thereon, and collected in the manner provided by the laws now in force in relation to the opening of streets in the city of Brooklyn.

Assessments to be according to benefits derived.

Notice of ten days to parties interested.

Assessors to make and sign report.

To file report in office of street commissioner.

§ 5. Upon the confirmation of the report of the commissioners, the common council of said city shall proceed without petition to fill in, bridge over, regulate and pave the said street so extended.

Common council then to improve street.

§ 6. All laws now in force in the city of Brooklyn relating to the opening, grading, and improvement of streets in said city, so far as consistent with the provisions of this act, shall be deemed to apply hereto; and all acts and parts of acts inconsistent herewith are hereby repealed.

General provisions.

§ 7. This act shall take effect immediately.