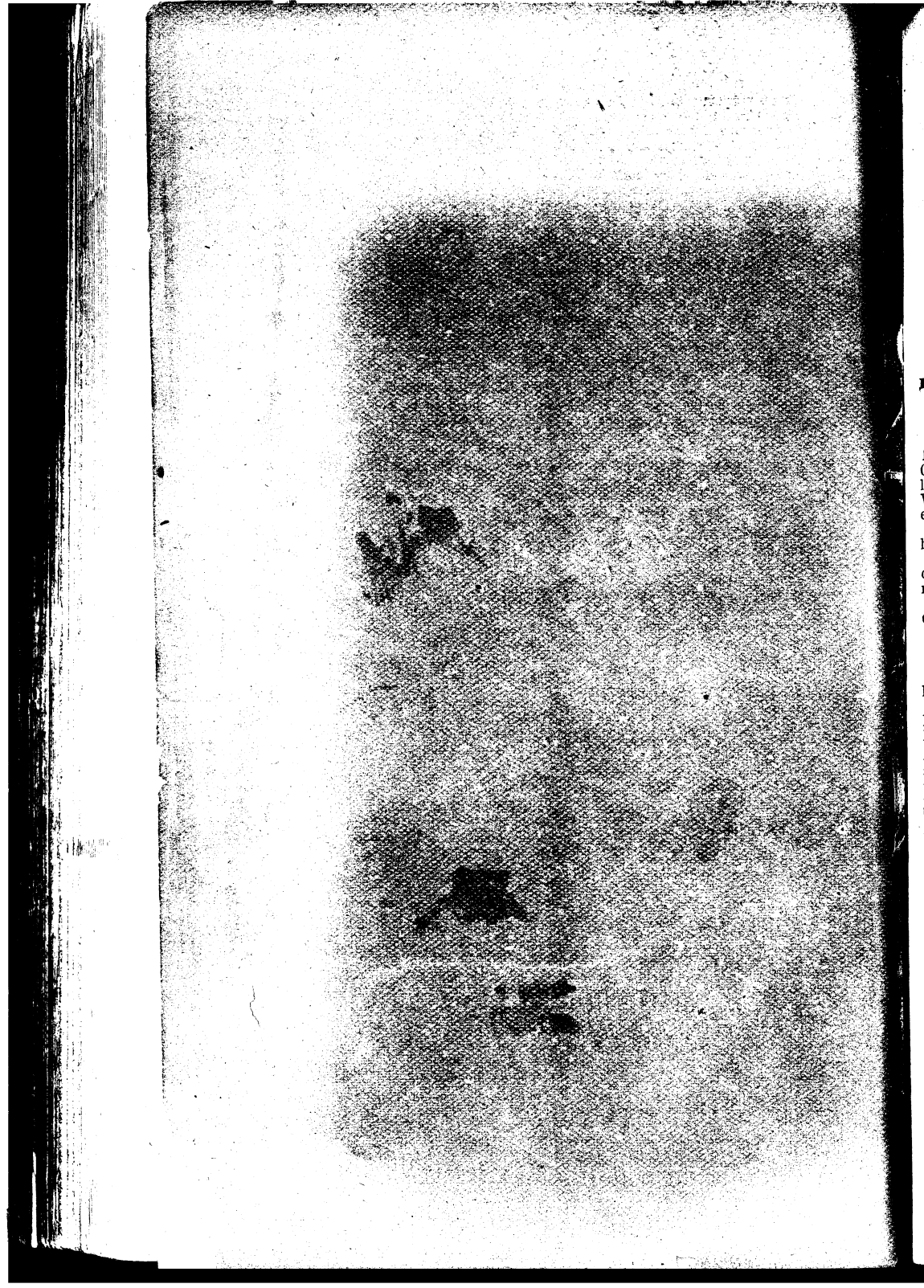




1867-8



# IN COMMON COUNCIL,

1867--8.

**In Common Council---April 1, 1867.**

## ORGANIZATION OF THE NEW BOARD.

Present—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Copeland, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons.

On motion of Ald. Spencer, Ald. Guggenheim was appointed temporary President.

On motion of Ald. Taylor, the rules of the old Board were adopted as the rules of the new, until otherwise ordered.

On motion of Ald. Groot, the Board proceeded to ballot for a permanent President, when

James H. Kelly received 15 votes,

George Taylor received 13 votes.

James H. Kelly was declared appointed.

Ald. Graham moved to adjourn. Lost as follows:

Ayes—Ald. Graham, Guggenheim, Relyea, Ratt, Taylor, Burke, Woodruff, Bingemer, Mauder, Miller—10.

Nays—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Carroll, Mutchler, Copeland, Brown, Kelly, Paine, Adelman, Cuarters, Horcheler, Quin, Parsons—18.

Ald. Cram moved that a committee of three be appointed to inform His Honor Mayor Fish, of the organization of the Board, and ascertain if he had any communication to send in. Carried.

The Chair appointed as such committee, Ald. Cram, Brown, Miller.

The committee, having waited upon His Honor the Mayor, returned with the following

### INAUGURAL ADDRESS:

GENTLEMEN OF THE COMMON COUNCIL:—Again another of our municipal fiscal years are numbered among the past; and again we enter upon another new year; and by the blessings of a kind Providence the people of our beautiful city, in their usual and quiet manner, through the inestimable franchise have selected and elected the men of their choice; and into whose hands they this day commit, with a cheerful and confiding confidence, the financial and prudential affairs of the government, together with all the great and growing interests of the city.

And, gentlemen, in accepting and assuming the government—the great responsibilities so willingly and cheerfully confided to your care—you

are charged with grave and important trusts, which it is believed each of you fully and clearly realize; and that each will vie with the other in striving with the utmost zeal and fidelity to discharge all the various duties that devolves upon him in such a manner as not only to gain the approbation, confidence and esteem of your immediate constituents, but the public generally. Such management will give to our city an impetus and further the developments of its grand and abundant resources.

Our city combines and possesses in an eminent degree all the elements requisite to success; it has abundant natural advantages, which, combined with the many enterprising and public spirited men of means in our midst, together with a large population of intelligent, enterprising and happy people, make Rochester really a most desirable city to live in. Its course is onward and upward; it is making rapid and gigantic strides in the arts and sciences, and in all kinds of improvements. It is destined to be one of the greatest manufacturing cities in the Union. Manufactures of every name and every kind are daily springing up in our midst; many capitalists from abroad are seeking our welcome and friendly greeting; real estate and property of all kinds are being sought after and purchased by many of our own as well as capitalists from abroad. Lands, it is found, can be obtained cheaper here than in most of cities.

We are favored with large amounts of public stocks within our borders. Having six constantly used railway tracks radiating from a common centre to an enlarged circumference. We have the great artificial channel—the main artery of the Empire State—running through our city, connecting us with the ocean and the great chain of lakes and the boundless West, and which is one of the greatest sources of pride, convenience and wealth of the Empire State; and its financial influence is felt in every city and village, as well as in all the remotest part of the State, which, if properly cared for by the people, is in importance and usefulness but yet in its infancy. It brings to and transports from our city annually millions of our own and the products of the world. We are surrounded with a beautiful and productive farming country, inhabited by an intelligent and thrifty people. We have the grand and noble Genesee running through our midst, with its unparalleled and inexhaustible supply of water, forming the most abundant hydraulic privileges, turning already innumerable shafts,

wheels and spindles, providing employment for thousands of honest, happy and sturdy mechanics, who are the "bone and sinew" of our city, and who contribute in so large and eminent a degree towards the rapid advancement and onward progress so noticeable in our city. It is also gratifying to know that some of our wealthiest men are now erecting many modern and elegant blocks of buildings; and as there is quite an active demand for medium tenant houses, it is hoped they will ere long turn their attention in this direction. Such dwellings would be quickly taken and pay the owner a good return, and soon sell at a handsome advance.

#### WATER WORKS.

It is now believed to have become a settled fact that we are to have water soon introduced into our city. This is a thing long desired, and when the work now begun shall be completed, and the water introduced, the eight parks scattered over the city sending heavenward powerful streams of water from beautiful fountains, and when the various hydrants are distributed throughout our streets, the inhabitants enjoying its blessings, and in the full possession and fruition of which, then will commence a new era in Rochester.

#### COAL.

From present indication it is believed and hoped that ere long we shall have an abundant supply of both anthracite and bituminous coal at materially reduced rates. Such a thing is most desirable, and strong efforts are now being made which cannot fail of having the most beneficial results to our city and people.

#### CITY TAXES

Have for the past few years been on the increase, made necessary and consequent upon the war;—there is no city in the Union which so encouraged the General Government, and which set so noble an example of fidelity and loyalty to the grandest government and country in the world as did the *City of Rochester*. She excelled all in hastening to the rescue, and in promptly sending brave soldiers into the field to seek out and subdue the enemy to our Commonwealth, and which soldiers in the battle field nobly, heroically and honorably maintained and sustained, not only their own prowess and valor, but also, in an eminent degree, the credit and honor of our city and county; as an evidence of which, look at the many noble men left in a soldier's grave, and the many limbless survivors—which lives and limbs were sacrificed in upholding our common Flag. Many of these limbless men are now in our midst seeking employment. Shall such men be forgotten? Heaven forbid.

Gentlemen, it is hoped that these noble and worthy soldiers will not be forgotten in the distribution of the offices in your gift. During the war for the Union, which shook our country from the center to the circumference, our whole people were alive to the great stakes at issue, liberal and generous with their means even to a fault; and it is a pleasure to dwell upon such noble traits of character for sympathy, fidelity, appreciation and liberality.

The taxes upon our city so heavy, have, it is believed reached their maximum; and after this year will, it is presumed, gradually recede to their minimum; and with intelligent and proper reforms and economy, such as I am confident from my knowledge of you will at once be in-

augurated, and consequent upon which our city will become one of the thriftiest and pleasantest inland cities known under and covered by the American Flag.

#### FINANCIAL.

The following statement will show the financial condition of our city:

The Total Bonded Debt is.....	\$1,001,500 00
Floating.....	92,490 00
Making the total Bonded and Floating debt to this time.....	\$1,093,990 00
The foregoing liabilities were incurred for the following purposes and time, viz:	
For City Hall Loan in the year 1850.....	\$ 30,000
Stock.....	30,000
For Rochester & Gen. Valley Railroad loan in year 1853.....	252,000
For Main St. Bridge Loan in years 1853 and 1852.....	45,000
For Main, Andrew and Court Street Bridges Loan in 1857.....	50,000
For Deep Hollow Loan in 1857.....	6,000
For floating debt for Overdrafts, &c. to the year 1858.....	57,000
For Clarissa St. Bridge Loan, 1862.....	15,000
For Steam Fire Engines Loan, 1862.....	20,000
For floating debt for Overdrafts, &c. to the year 1862.....	66,000
For Soldiers Bounty Loan, 1864.....	330,500
For relief of Soldiers' Families and to reimburse for Substitutes Loan, 1864.....	100,000
For Flood Loan in the year 1864.....	30,000
For Armory Site Loan in 1866.....	18,000
For relief of Soldiers' Families in year 1866.....	6,500
For Overdrafts of the stated funds in year 1866.....	34,900
For Overdrafts of Board of Education Building Fund in 1866.....	749
For Overdrafts of Repair Fund in 1866.....	2,341
	\$1,093,990 00

The average interest on the bonded debt is 6½ per cent., and the amount of interest paid annually on the same is.....\$65,000 00  
The Overdrafts by the Council of the stated funds the past fiscal year are as follows, viz. 34,900 00  
For the support of Soldiers' Families..... 6,500 00  
By the Board of Education for Overdrafts of the Building Fund, \$749; Repair do. \$2,341, making..... 3,090 00

Making Overdrafts thus far paid by the Treasurer in the year 1866.....\$44,490 00

The eighteen thousand dollars borrowed or the purchase of the Armory site it is expected will be assumed by the county, and this amount and interest, reimbursed to the city. The amount for flood repairs of \$30,000 in the years 1864 and 1865, it is understood may be reimbursed to the city.

There is a bill now pending, as I am informed, in our Legislature, which if it passes and becomes a law, authorizes the Council to levy and collect this amount upon and from those who were "deemed to be benefited," by reason of such repairs, and it is presumed this will be done, and the city reimbursed the total amount and interest; but it seems to me of doubtful propriety.

The present bonded debt of \$1,001,500 falls due and will have to be provided for during the following years, viz:

1867.....	\$ 103,000
1868.....	107,000
1869.....	125,000
1870.....	62,000
1871.....	22,000
1872.....	17,000
1873.....	272,000
1874.....	3,000
1875.....	3,000
1876.....	45,000
1877.....	73,000
1878.....	20,000
1879.....	0,000
1880.....	20,000
1881.....	27,000
1882.....	103,990
	\$1,001,500

## ASSETS OF THE CITY.

City Hall.....	\$ 50,000
Centre Market.....	30,000
Fire Engines, Houses and Lands, Horses, &c. &c.....	50,000
School Property, Houses, Land, Libra- ries, &c.....	175,000
Rochester & Gen. Valley RR. Stocks.....	300,000
Mortgage on property on Front St.....	7,000
Public Parks — Mechanics, Brown, Jones, Franklin, Washington, Wads- worth, Centre and Caleonia.....	150,000
Uncollected Taxes, being first Lien, and drawing 15 per cent. interest.....	20,000
	\$782,000

Which amount deducted from the total Bonded and Floating Debt and liabilities of our city, leaves only an indebtedness over and above its property of \$311,990.

**Stated City Funds**—The amount of Stated City Funds that you are authorized to raise in each fiscal year to carry on the government, and which it is presumed you will find it necessary to raise the present year, is—

For the Lamp Fund.....	\$ 23,000
.. Police.....	16,000
.. Contingent.....	15,000
.. Fire Department.....	18,000
.. Highway.....	10,000
.. Poor.....	30,000
.. Park.....	2,000
.. Board of Health.....	4,000
.. Sewer Repair.....	1,000
.. Several Main Avenues.....	3,500

Amount of Stated City Funds.....	\$192,500
For the payment of Bonds falling due this year.....	103,000
.. Interest on the Bonded Debt.....	65,000
Estimated interest on the Floating Debt.....	5,000

## OVERDRAFTS.

Overdrafts by the Board of Education in 1866..... \$ 3,000 00

Overdrafts by the late Council of the stated funds during the fiscal year of 1866, as far as paid, is as follows, viz.:

Police Fund.....	\$15,000 00
Contingent Fund.....	7,000 00
Fire Department Fund.....	5,000 00
Lamp Fund.....	4,000 00
Highway Fund.....	2,000 00
Board of Health Fund.....	1,000 00
Sewer Repair Fund.....	400 00
Relief Fund.....	6,500 00
Overdrafts paid during the fiscal year of 1866.....	\$41,400 00

Overdrafts paid during the fiscal year of 1866..... \$4,490 00  
If the same system of relief of soldiers families is to be continued for the present as the passed year, it will be necessary to raise for that Fund at least..... 5,000 00

## BOARD OF EDUCATION.

This Board, although having over drawn its Building and Repair Fund \$3,000 00, will have, it is understood some \$3,000 00 surplus in the Teachers' Wages and Contingent Fund at the end of their fiscal year I presume they will call upon and ask you to raise for them for the present year about as follows, viz.:

For Teachers' Wages and Con- tingent Expenses.....	\$45,000 00
For Building Fund.....	10,000 00
For Repair Fund.....	3,000 00
Making for the Board.....	\$58,000 00

Making to be raised this fiscal year about... \$ 402,990 00

Last year there was raised \$248,900—it being some \$54,000 less last than the present year; but it will be borne in mind that, by request of the Board, in 1865-6 the Legislature passed a law abolishing the office of Comptroller, and authorized the taking of the \$40,000 then to the credit of the Sinking Fund and apply it to the payment of the Bonds falling due in 1866—which was done, and which reduced the taxes last year that amount. The amount to be levied this year will be some \$15,000 more than last if the \$40,000 had not been so applied.

The School Superintendent informs me that Districts No. 5, 6 and 16 are overcrowded and have more scholars than can be accommodated; that they had last year to turn away from No. 5 some thirty scholars for want of room; were compelled to hire a small dwelling, poorly lighted and miserably ventilated, into which they put some seventy from No. 6; and that No. 16 has some fifty more than can be comfortably accommodated;—from which statement it would seem there is an imperative necessity for more room in these several Districts. In view of these facts the Board caused a bill to be prepared, which was approved by the retiring Council and which has been introduced and, I understand, has passed the Legislature, it signed by His Excellency the Governor, authorizing you to raise an additional ten thousand dollars for building purposes. But, gentlemen, it seems to me that if you raise for them for building, ten thousand dollars only, that, after reimbursing the over draft of \$749, will leave them \$9,251, with which it is believed they can furnish room to conform to their present necessities. Our schools are the pride of Rochester, and are accomplishing an important mission; they are growing into great usefulness and importance. There are seventeen in full and successful operation—one academy, twelve Grammar, and four Intermediate, with a corps of one hundred and thirteen excellent teachers, composed of 12 males and 101 females. Amount annually paid for teachers' wages, \$44,000 00; the several schools consume some 400 tons of coal per annum; number of scholars belonging thereto, 5,401. Average daily attendance, 4,828. It is a source of gratification to note the progress and high state of perfection they have reached; it is hoped and believed that they will continue onward in their career of usefulness. Their facilities should be adequate to the demands upon them. The doors to the halls of learning should be thrown wide open and made free to all. It is believed that money invested in this way will make the highest return to ourselves and posterity for all time. I respectfully recommend them to your most favorable consideration.

## FLOODS.

The great flood of 1864 will not soon be forgotten, neither will the one of 1867, although the latter was of far less magnitude than the former, yet both were of the most alarming character. It is not sound policy to slumber on when our common enemy is gathering strength and liable at least once a year to precipitate itself like a mighty and irresistible avalanche upon our unsuspecting people, sweeping away and destroying valuable property and driving the inhabitants from their houses and homes.

I have made a hasty examination of the cause of the late overflowing of parts of the Third and Eighth Wards. When the banks were overthrown a few weeks since, I believe that that portion of the Triangle Lot situated between the Valley Railroad and Genesee Valley Canal along the river line, commencing at the north abutment of said Railroad Bridge, and running southwesterly some six hundred feet—the surface of which ground was washed out and carried away to the depth of from one to two feet, during the great flood of 1864; and when the River is but moderately high, it overflows this Triangle Lot between said Railroad track and

Valley Canal, filling up and overflowing the towpath for nearly a mile in extent, filling said canal; and the water, after passing northerly, again overflows, emptying itself into large portions of the Third and Eighth Wards. This, it is believed, will continue to be the result on the return of each spring, and until some remedy is applied. The only practical one that I can see, will be by raising the banks some three or four feet from the abutment of said bridge to the high bank, or by building a substantial wall. The latter, of course, would be more reliable and necessarily much more expensive.

It seems to me to be clearly the work of the State to do, but it will never be done, or the needed protection afforded to our city without the most united and energetic action of your Board. The country south, along the source of the river is constantly changing, and the danger that threatens us increasing from year to year, and this matter is getting to be of the highest and most vital importance to our whole people. Therefore I most earnestly recommend the appointment of an efficient committee to take this matter connected with these two floods, into serious and active consideration, to the end that protection and relief may be afforded at the earliest practicable moment.

#### POLICE.

Having in years gone by, in common with many of you and others, labored for a change in our Police System from what it then was to a more stable and reliable force, and have lived with others to see and rejoice over its successful workings, resulting from our combined efforts. It is one of the most important arms of our city government, and seems, thus far, to have given our people quite general satisfaction. A good, substantial, energetic and faithful Police force is of the highest importance for the protection and well-being of our city. The Commissioners who organized and systematized the working of the institution are entitled to much credit for their assiduity. Their position oftentimes is very trying and perplexing—heavy pressure being brought at times by applicants and their friends upon them for place; and as they alone are charged with and held responsible to the People (as they should be) for judicious appointments, it needs great forbearance and decision of character, together with good judgment, discrimination and urbanity in order not to offend, and to be enabled to discharge the duties incumbent upon them and according to the dictates of their own deliberate judgment. The Police force now in the employ of the city is effective and energetic; and our citizens have good reason to be proud of them. Under and by virtue of the office I now hold, I become one of the members of the Commission, and having no enemies to punish or friends to reward, shall fearlessly and faithfully co-operate with the other members in maintaining the *purity, fidelity and effectiveness* of the force, and so discharge these responsible duties in common with the other members as to inure the greatest good to the greatest number.

#### SANITARY.

Although the plague that has stalked abroad in foreign lands, and in many cities of our country, it has not as yet invaded our own, nevertheless it is of the very highest and most

vital importance to the people that the most active and thorough measures be taken to clean, cleanse and purify the city in every part to the end that nothing be left undone, or any thing be left in our midst that will invite or attract the terrible scourge; therefore, I most earnestly and respectfully suggest and recommend the appointment of an experienced, effective and trustworthy Board of Health, and that they be so appointed as to be entirely in and under your control; that, it seems to me, would be eminently proper, as you are mainly held and charged with the great responsibilities thereof.

#### GENERAL MANAGEMENT OF CITY AFFAIRS.

We all take office under many embarrassments—you particularly so, as you will have seen that our city at this time is under heavy responsibilities, and for the past few years, as aforesaid, our taxes have necessarily been heavy and onerous, and former councils have made many heavy local improvements, reaching into the hundreds of thousands of dollars, which, in some instances, have been quite a hardship to the tax-payers. While I have always favored improvements and an onward march when such were for the public good, or asked for by a majority of those to be assessed; it, however, at this time strikes me that our people should be allowed a breathing spell, so far as it is found practicable, and time to recuperate, and for the time being no large or expensive local improvements be inaugurated, except such as are found expedient or demanded by a "majority petition." And when such improvements are undertaken, a carefully prepared specification should be furnished upon which to predicate bids, and when the work is let, a carefully drawn contract, guarding the rights of the taxpayer as well as binding the contractor to guard the work from accident, holding him responsible, and compelling him to do it strictly according to specification. It has got to be a frequent practice for committees to allow work under their charge to be slighted and contractors extra compensation. This is a very pernicious habit and should be done away with. Some contractors bid low to get the work, expecting to be treated leniently and to secure extra compensation. This seems to me to be all wrong. It is a matter of right and fairness to deal business-like and as generously toward all the contractors as justice to the taxpayer will permit; but heretofore much looseness with some of the committees has been apparent, and a reform is very desirable.

#### CITY OFFICERS.

By the amendment of the City Charter in 1865 the Clerk and Attorney holds office two years, and therefore the present incumbents hold over, and it is fortunate they are both good officers. Had I not had the honor of a seat for a number of years with many of you, and well knowing the peculiarly trying situation that you now occupy, should hardly feel at liberty in addressing you on so delicate a subject. A great pressure is being brought at this time to bear upon each of you who are in the ascendant, and I may be allowed to say what is well understood, that while it is a good stroke of policy to treat all applicants for office and their friends kindly and politely, still, gentlemen, our duty is first to the community, and it is to be hoped that you will act with good judgment and dis-

ordination, and upon your own convictions of right, having in view the appointment of men the best qualified and the best adapted to fill the several offices in your gift. Such appointments will give to the public who are so directly interested, confidence and satisfaction, and you reason to be proud of your selection.

COMMITTEES.

Again I venture to suggest that the organization of your Board is a very important matter, and for you all a particularly trying time, as I have had good reason to know. Many times heretofore men of very limited experience, and those least adapted for the important trusts, have lead the most important committees, while the best qualified, by experience and tact, have been placed at the head of comparatively unimportant committees. This order of things, gentlemen, should be reversed.

It is particularly gratifying to know that you now have "good material" on both political sides of the house from which to make your committees. I respectfully suggest that great care and discretion be exercised in the formation of your Committees irrespective to individual preferences, having in view only the general good of the city--appointing men, to run the important Committees, who by long experience, adaptations and fidelity, have heretofore proved themselves qualified to lead them. Each member owes it as a religious duty to cheerfully and earnestly lend his aid and co-operation in this matter to the end that the business of the city may be most profitably, effectually and economically administered. I take the further liberty to suggest that a carefully prepared set of rules be adopted and that they be strictly adhered to; that the standard and dignity of the Common Council be raised and carefully and scrupulously maintained; and that if any member so far forgets himself in the heat of discussion as to commit a contempt upon the dignity of the Council he should be held to a rigid accountability. I this day, gentlemen, enter in common with yourselves upon the discharge of the various duties that devolve upon me by virtue of the office I now hold, and I shall devote my entire time and energies to the full and faithful discharge of them all, and shall at all times and in all places strive to assist and cooperate with you in all that pertains to the great interests confided to our care, to the end that all the business to be done by me and by yourselves, and by us all together, shall be so done as to ensure the greatest good to our city, and the greatest number of the community.

HENRY L. FISH.

Rochester, April 1, 1867.

Ald. Kelly moved that the Message be read. Ald. Groot moved as an amendment that it be received, filed and published. Carried. Ald. Carroll moved that the Board proceed to ballot for a Street Superintendent. Carried.

FIRST BALLOT.

Thomas Purcell.....	11
Benjamin Butler.....	14
Wm. H. Moore.....	2
Blank.....	1
No choice.....	

SECOND BALLOT.

Benjamin Butler.....	15
Thomas Purcell.....	13
Benjamin Butler was declared appointed.	

Ald. Ratt moved to adjourn.

Carried as follows :

Ayes—Ald. Spencer, Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller—15.

Nays—Ald. Qualtrough, Groot, Andrews, Remington, Mutchler, Copeland, Brown, Kelly, Paine, Charters, Horcheller, Quin, Parsons—13.

Adjourned.

B. FRANK ENOS, Clerk.

Common Council, April 2d, 1867.

REGULAR MEETING.

The President of the Board, Ald. James H. Kelly, presiding.

No quorum being present, the Board, on motion of Ald. Groot, adjourned for one week.

B. FRANK ENOS, Clerk.

Common Council, April 4th, 1867.

SPECIAL MEETING.

The President of the Board, Ald. J. H. Kelly, presiding.

Present—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Copeland, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons.

Ald. Guggenheim rose on a question of privilege, and offered the following resolution :

Resolved, That all the proceedings of the Common Council had on April 1st, 1867, in relation to the alleged election of President of the Board and Street Superintendent be and the same are hereby declared null and void.

The President ruled the resolution out of order.

Ald. Guggenheim appealed from the decision of the Chair.

The appeal was sustained as follows :

Ayes—Spencer, Cram, Lutes, Graham Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller, —15.

Nays—Ald. Qualtrough, Groot, Andrews, Remington, Mutchler, Copeland, Brown, Kelly, Paine, Charters, Horcheler, Quin, Parsons, —13.

Ald. Quin moved to postpone the resolution indefinitely. Lost as follows :

Ayes—Ald. Qualtrough, Groot, Andrews, Remington, Mutchler, Copeland, Brown, Kelly, Paine, Charters, Horcheler, Quin, Parsons,—13.

Nays—Ald. Spencer, Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller,—15.

Ald. Groot moved its postponement until the second regular meeting. Lost as follows :

Ayes—Ald. Qualtrough, Groot, Andrews, Remington, Mutchler, Copeland, Brown, Kelly, Paine, Charters, Horcheler, Quin, Parsons,—13.

Nays—Ald. Spencer, Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller,—15.

Ald. Groot moved to adjourn. Lost as follows :



Ayes—Ald. Qualtrough, Groot, Andrews, Remington, Mutchler, Copeland, Brown, Kelly, Paine, Charters, Horcheler, Quin, Parsons.—13.  
Nays—Ald. Spencer, Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller.—15.

The President at this stage of the proceedings presented the following

STANDING COMMITTEES.

Finance—Ald. Paine, Guggenheim and Cram. Streets and Bridges—Ald. Cram, Groot and Mutchler.

Public Improvements—Ald. Copeland, Taylor and Quin.

Support and Relief of the Poor—Ald. Groot, Remington and Cram.

Fire Department—Ald. Spencer, Andrews and Relyea.

Contingent Expense—Ald. Remington, Guggenheim and Andrews.

Law—Ald. Taylor, Ratt and Woodruff.

Sewers—Ald. Adelman, Lutes and Mauder.

Opening Streets—Ald. Brown, Parsons and Graham.

Police—Ald. Burke, Bingemer and Mauder.

Lamps—Ald. Horcheler, Charters and Brown.

Markets—Ald. Mauder, Groot and Horcheler.

Schools—Ald. Andrews, Parsons and Miller.

Parks—Ald. Qualtrough, Paine and Spencer.

City Property—Ald. Woodruff, Adelman and Horcheler.

Wooden Buildings—Ald. Ratt, Carroll and Mauder.

Ordinances and Rules—Ald. Relyea, Miller and Woodruff.

Grievances—Ald. Bingemer, Adelman and Ratt.

Charter Amendments—Ald. Guggenheim, Groot and Cram.

Public Health—Ald. Carroll, Parsons and Quin.

Excise—Ald. Adelman, Graham and Charters.

Hackney Coaches—Ald. Graham, Brown and Carroll.

Mt. Hope—Ald. Parsons, Quin and Paine.

Reservoir and Water Works—Ald. Mutchler, Remington and Groot.

Surveys, Maps and Records—Ald. Taylor, Spencer and Burke.

House for Truants—Ald. Mutchler, Copeland and Spencer.

Assessments—Ald. Relyea, Qualtrough and Cram.

Ald. Carroll moved the previous question. Carried as follows:

Ayes—Ald. Spencer, Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller.—15.

Nays—Ald. Qualtrough, Groot, Andrews, Remington, Mutchler, Copeland, Brown, Kelly, Paine, Charters, Horcheler, Quin, Parsons.—13.  
Resolution adopted as follows:

Ayes—Ald. Spencer, Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller.—15.

Nays—Ald. Qualtrough, Groot, Andrews, Remington, Mutchler, Copeland, Brown, Kelly, Paine, Charters, Horcheler, Quin, Parsons.—13.

Ald. Guggenheim moved to adjourn until to-morrow evening at 7½ o'clock. Carried, as follows:

Ayes—Ald. Spencer, Cram, Lutes, Guggenheim, Carroll, Mutchler, Relyea, Taylor, Brown, Kelly, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller, Quin, Parsons.—20.

Nays—Ald. Qualtrough, Groot, Andrews, Remington, Copeland, Paine, Charters, Horcheler.—8.

Adjourned.

B. FRANK ENOS, Clerk.

In Common Council—April 5, 1867.

ADJOURNED SPECIAL MEETING.

The President of the Board, Ald. J. H. Kelly, presiding.

Present—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Copeland, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin and Parsons.

The opinion of O. M. Benedict and John M'Convill relative to the legality of the proceedings of the Common Council on Monday, April 1st, 1867, being under discussion.

Ald. Carroll moved that the opinion be neither filed or published until the document upon which the opinion was based was filed with the Clerk.

Ald. Qualtrough moved as an amendment, that the reading of the Opinion be suspended until the other document was produced.

Lost as follows:

Ayes—Ald. Qualtrough, Groot, Andrews, Remington, Guggenheim, Mutchler, Copeland, Brown, Kelly, Paine, Charters, Horcheler, Quin, Parsons.—14.

Nays—Ald. Spencer, Cram, Lutes, Graham, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller.—14.

Ald. Carroll's motion was adopted.

The President presented the Opinion to the Board, which was read and received.

After a few remarks by the President, Ald. Kelly, together with his political colleagues, left the Chamber under protest.

NEW ORGANIZATION.

Ald. Carroll moved that Ald. Guggenheim be temporary chairman. Carried.

Ald. Carroll moved that the office of Street Superintendent be declared vacant. Carried.

On motion of Ald. Carroll, the Board proceeded to ballot for a Street Superintendent, when Thomas Purcell received 15 votes, and was declared appointed.

On motion of Ald. Carroll, the Board proceeded to ballot for a permanent President, when George Taylor received 15 votes, and was declared appointed.

Ald. Taylor came forward and took the chair, and made some brief remarks.

On motion of Ald. Relyea, the Board proceeded to ballot for Overseer of the Poor, when Joseph Hoffman received 15 votes, and was declared appointed.

On motion of Ald. Carroll, the Board proceeded to ballot for City Surveyor, when Daniel Richmond received 15 votes, and was declared appointed.

Ald. Guggenheim moved that the opinion of Messrs. Benedict and M'Convill be adopted. Carried as follows: All ayes.—15.

Ald. Carroll moved to ballot for Sealer of Weights and measures. Carried.

FIRST BALLOT.

Fred. Schoen.....14  
Blank.....1  
No choice.

SECOND BALLOT.

Fred. Schoen.....15  
And was declared appointed.  
Ald. Burke moved to ballot for Messenger. Carried.

FIRST BALLOT.

William H. Tracy.....14  
Blank.....1  
No choice.

SECOND BALLOT.

William H. Tracy.....15  
And was declared appointed.  
Ald. Mauder moved to ballot for Health Officer. Carried.

FIRST BALLOT.

H. H. Langworthy.....14  
No choice.

SECOND BALLOT.

H. H. Langworthy.....15  
And was declared appointed.  
On motion of Ald. Binghamer, the Board proceeded to ballot for members of the Board of Health, when William Carroll, J. Mauder, N. Thompson, A. Cram, P. Burke, William W. Carr, received 15 votes each, and were declared appointed.

Ald. Graham moved to ballot for two city physicians for the East Side of the river. Carried.

FIRST BALLOT.

W. M. Fleming.....14  
J. W. Casey.....14  
Chas. Vaill.....1  
Wm. S. Ely.....1  
Blank.....1  
No Choice.

SECOND BALLOT.

W. M. Fleming.....16  
J. W. Casey.....16  
W. M. Fleming and J. W. Casey were declared appointed.

Ald. Woodruff moved to ballot for two City Physicians for the West Side of the river.

FIRST BALLOT.

Chas. Vaill.....15  
J. D. Pond.....2  
Wm. S. Ely.....13  
Chas. Vaill was declared appointed.

SECOND BALLOT.

William S. Ely.....10  
J. D. Pond.....5  
Dr. Pratt.....1  
No choice.

Ald. Adelman moved to postpone further balloting.

Ald. Miller moved as an amendment to proceed to ballot. Carried.

THIRD BALLOT.

William S. Ely.....11  
J. D. Pond.....3  
Blank.....1  
No choice.

FOURTH BALLOT.

William S. Ely.....13  
J. D. Pratt.....3  
No choice.

On motion of Ald. Guggenheim the Board proceeded to ballot for a German Physician for the east side of the river, when

Louis Kuichling received 15 votes.

C. C. H. Miller received 1 vote.

Louis Kuichling was declared appointed.

Ald. Mauder moved to ballot for a German Physician for the west side of the river.

Ald. Lutes moved as an amendment to ballot for City Physicians for the West Side. Carried.

FIFTH BALLOT.

William S. Ely.....13  
J. D. Pond.....2  
No choice.

Ald. Miller moved to ballot for a German Physician for the West side of the river.

Ald. Ratt moved as an amendment to ballot for a City Physician for the West Side. Carried.

SIXTH BALLOT.

William S. Ely.....15  
J. D. Pond.....1  
William S. Ely was declared appointed.

Ald. Miller moved to ballot for a German Physician for the West Side. Carried.

FIRST BALLOT.

Charles E. Rider.....14  
Louis Kuichling.....1  
Blank.....1  
No choice.

SECOND BALLOT.

Charles E. Rider.....15  
And was declared appointed.

On motion of Ald. Adelman, the Board proceeded to ballot for a constable for the Eleventh Ward, when Alex. H. Waterman received 16 votes, and was declared appointed.

PETITIONS AND CLAIMS.

By Ald. Cram—Petitions of John Robb and others. Sewer Committee. H. Humphrey and others. Street Committee.

By Ald. Carroll—Petition of M. Hetzel. Wooden Building Committee.

By Ald. Relyea—Petition of Wm. S. Falls and others. Street Committee.

By Ald. Ratt—Petitions of G. W. Jacobs, J. Rhinehart, W. H. Blackmore, Ernst Kappart. Wooden Building Committee.

By Ald. Burke—Petition of Paul Spillane and others. Street Committee.

By Ald. Binghamer—Remonstrance of A. Whipple and others. Table.

By Ald. Mauder—Petition of Geo. Steinhauer. Table.

By Ald. Quin—Bill of F. C. Lauer, Jr.—table. Petitions of Jas. Buchan—Grievance Committee. N. Thompson and others—Board of Health. Hill Henry, Conrad Steinheiser—Wooden Building Committee.

REPORTS.

Ald. Quin reported in favor of the bill of F. C. Lauer, Jr. Finance Committee.

COMMUNICATIONS.

The Clerk presented the following:  
*Gentleman of the Common Council:*

I beg leave to inform you that John Shangle, who was elected to the office of Constable for the Eleventh Ward, has failed to qualify or file his acceptance of the office, according to the requirements of the City Charter.

HENRY L. FISH, Mayor.

Rochester, April 4, 1867.

Received and ordered published.  
The Clerk presented a communication from the thirteen Republican Aldermen, protesting against the action of the Board.  
Ald. Groot moved that it be received and published.

Ald. Guggenheim moved to table. Carried.  
The Clerk presented the following :

OPERA HOUSE, ROCHESTER, April 2d, '67.

To the Hon. Mayor Fish and Gentlemen of the Common Council:

The Rochester "Opera House" will be reopened on Monday evening, April 8th, 1867, for a spring and summer season.

I respectfully tender you admission at any time your business pursuits will permit.

Your obed't serv't, W. MEECH.

Received.

The Clerk presented the report of the Commissioners for the Extension of York street.

Ald. Cram moved its reference to the Committee on Opening Streets.

Ald. Adelman moved its reference back to the Commissioners, with instructions to bring in a report according to law. Carried.

Ald. Cram moved to reconsider the vote. Carried.

Ald. Cram moved that the report be referred to the Committee on Opening Streets. Carried.

The Clerk presented the following :

To the Hon. the Common Council of the City of Rochester :

GENTLEMEN: I hereby tender to you my resignation as Commissioner of Deeds

A. CHAPMAN.

Rochester, April 1, 1867.

Accepted.

The Clerk presented to the Board the "Manual of 1867," or "Red Book," with the compliments of Hon. Henry Cribben. Also "Troy City Documents," with the compliments of John L. Flagg, Mayor of Troy; and the "Municipal Reports of San Francisco for 1865-6."

Ald. Quin moved that the several documents be received with thanks, and that the Clerk procure bound copies of our Charter, &c., and forward the same to Troy and San Francisco. Carried.

#### EXECUTIVE.

Ald. Groot moved to ballot for a Police Commissioner. Carried.

George G. Cooper.....13

B. M. Baker.....3

Wm. F. Holmes.....1

No choice.

Ald. Groot moved to postpone balloting until next Tuesday evening. Carried.

#### MISCELLANEOUS.

By Ald. Quin—Resolved, That the Treasurer is hereby directed to refund Andrew J. Ross \$31.34, being the amount on one thousand dollars personal property, in accordance with the report of the Assessors, and charge erroneous assessments.

Adopted as follows: All ayes 17.

By Ald. Woodruff—Resolved, That the Clerk furnish the minutes of the Board, the ordinances and other notices to be printed, to the Daily Union and Advertiser for publication until further order of the Board. Adopted.

By Ald. Carroll—Resolved, That the Treasurer pay George W. Vaughan fifty dollars for

extra services rendered, and charge Contingent Fund.

Adopted as follows:

Ayes—Ald. Spencer, Cram, Lutes, Groot, Guggenheim, Carroll, Relyea, Taylor, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller, Quin—15.

Nays—Ald. Graham, Ratt—2.

Ald. Groot called up the protest from the thirteen Republican Aldermen.

Ald. Guggenheim moved that all action be postponed until the next meeting. Carried.

By Ald. Groot—Resolved, That the Treasurer be authorized and is hereby directed to pay to B. Frank Enos, the sum of \$100, in payment for extra labor in classifying, filing and arranging the records and papers of the City Clerk's Office, and charge Contingent Fund.

Ald. Carroll moved its postponement until the next regular meeting. Carried.

Adjourned. B. FRANK ENOS, Clerk.

### In Common Council.—April 9th, 1867

#### ADJOURNED MEETING.

Present.—Aldermen Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Copeland, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons.

Ald. Kelly moved that Ald. Guggenheim take the chair.

Ald. Groot moved as an amendment, that Ald. Guggenheim take the chair instead of James H. Kelly, President of the Board. Carried.

Ald. Kelly offered his resignation as President of the Board. Accepted as follows:

Ayes—Ald. Spencer, Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Kelly, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller—16.

Nays—Ald. Qualtrough, Groot, Andrews, Remington, Mutchler, Copeland, Brown, Paine, Charters, Horcheler, Quin, Parsons—12.

Ald. Taylor offered his resignation as President of the Board.

Ald. Carroll moved that it be accepted.

Ald. Groot moved as an amendment to accept as temporary Chairman. Lost as follows:

Ayes—Ald. Qualtrough, Groot, Andrews, Remington, Copeland, Brown, Paine, Charters, Horcheler, Quin, Parsons—11.

Nays—Ald. Spencer, Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller—15.

Ald. Carroll's motion was carried as follows, the Republican Aldermen refusing to vote, on the ground that there had been but one President of the Board, and that his resignation had already been accepted:

Ayes—Ald. Spencer, Cram, Lutes, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller—14.

The Clerk presented to the Board a communication from Secretary of State Barlow, relative to designating the places for holding elections to choose delegates to the Constitutional Convention.

Ald. Groot moved that the minutes of all the previous meetings of this Board be approved and published.

Ald. Carroll moved that action be postponed until to-morrow evening.

Carried as follows :

Ayes—Ald. Spencer, Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Kelly, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller—16.

Nays—Ald. Qualtrough, Groot, Andrews, Remington, Mutchler, Copeland, Brown, Paine, Charters, Horcheller, Quin, Parsons—12.

Ald. Qualtrough moved to suspend the rule, for the purpose of designating the places for holding the polls at the coming special election. Carried.

On motion of Ald. Quin the following places were designated :

First Ward—No. 6 Engine House, Fitzhugh street.

Second Ward—No. 3 Engine House.

Fourth Ward—Palmer's Hall, on Main street.

Fifth Ward—Whitney's Building, N. St. Paul street.

Sixth Ward—No. 32 Atwater street.

Seventh Ward—Montgomery's Grocery, corner of Monroe avenue and Union street.

Eighth Ward—H. B. Knapp's office, West avenue.

Ninth Ward—No. 337 State street.

Tenth Ward—J. Wentz's, No. 112 East avenue.

Eleventh Ward—Brick store, next to the Eleventh Ward House, Grape street.

Twelfth Ward—Hotchkin's Building, corner Mt. Hope avenue and West Alexander street.

Thirteenth Ward—John Nodecker's bakery, corner St. Joseph street and McDonald avenue.

Fourteenth Ward—Brick building owned by John Stewart, corner of North and Delevan streets.

On motion of Ald. Kelly, the Board adjourned until to-morrow evening at 7½ o'clock.

B. FRANK ENOS, Clerk.

## In Common Council--April 10th, 1867.

### ADJOURNED MEETING.

Present—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Remington, Graham Guggenheim, Carroll, Mutchler, Relyea, Copeland, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons.

Absent—Ald. Andrews.

Ald. Guggenheim moved that Ald. Ratt be temporary Chairman.

Ald. Qualtrough moved as an amendment that Ald. Guggenheim be temporary Chairman. Lost as follows :

Ayes—Ald. Qualtrough, Groot, Remington, Mutchler, Copeland, Ratt, Brown, Kelly, Paine, Charters, Quin, Parsons—12.

Nays—Ald. Spencer, Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Taylor, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller—14.

Ald. Guggenheim's motion was carried.

Ald. Groot moved that the minutes of the previous meetings be approved as published.

Ald. Carroll moved as an amendment, that the minutes of the previous meetings of the

Board be approved as published, after striking out from the meeting of April 4th all contained between the words, "the President at this stage of the proceedings presented the following," and "Ald. Carroll moved the previous question."

Ald. Groot moved to refer the whole subject to the City Attorney.

Ald. Kelly moved to postpone all action until the next regular meeting.

Ald. Bingemer moved to postpone the whole subject indefinitely. Carried as follows :

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Remington, Graham, Guggenheim, Relyea, Copeland, Ratt, Brown, Kelly, Burke, Woodruff, Bingemer, Mauder, Miller, Quin, Parsons—20.

Nays—Ald. Carroll, Mutchler, Taylor, Paine, Adelman, Charters, Horcheler—7.

Ald. Guggenheim moved a reconsideration.

Ald. Quin moved to lay the motion to reconsider on the table. Lost as follows :

Ayes—Ald. Qualtrough, Remington, Mutchler, Copeland, Brown, Kelly, Charters, Horcheler, Bingemer, Quin, Parsons—11.

Nays—Ald. Spencer, Cram, Lutes, Groot, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Paine, Woodruff, Adelman, Mauder, Miller—16.

Ald. Guggenheim's motion to reconsider was carried as follows :

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Taylor, Brown, Burke, Paine, Woodruff, Adelman, Horcheler, Mauder, Miller—20.

Nays—Ald. Copeland, Ratt, Kelly, Charters, Bingemer, Quin, Parsons—7.

Ald. Kelly's motion to postpone action until the next regular meeting was lost as follows :

Ayes—Ald. Qualtrough, Groot, Remington, Copeland, Brown, Kelly, Charters, Bingemer, Quin—9.

Nays—Ald. Spencer, Cram, Lutes, Graham, Guggenheim, Carroll, Mutchler, Relyea, Ratt, Taylor, Burke, Paine, Woodruff, Adelman, Horcheler, Mauder, Miller, Parsons—18.

Ald. Adelman moved the previous question.

Ald. Groot moved to adjourn.

The Chair ruled the motion out of order.

Ald. Groot appealed from the decision.

The Chair was sustained as follows :

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Copeland, Ratt, Taylor, Brown, Kelly, Burke, Woodruff, Adelman, Charters, Bingemer, Mauder, Miller, Quin, Parsons—25.

Nays—Ald. Horcheler.

Ald. Adelman's motion for the previous question was carried, as follows :

Ayes—Ald. Spencer, Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller—15.

Nays—Ald. Qualtrough, Groot, Remington, Mutchler, Copeland, Brown, Kelly, Paine, Charters, Horcheler, Quin, Parsons—12.

Ald. Groot moved to adjourn.

The Chair ruled the motion out of order.

Ald. Groot appealed from the decision.

The Chair was sustained as follows :

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Graham, Guggenheim, Carroll, Relyea, Copeland, Ratt, Taylor, Brown, Kelly,

Burke, Paine, Woodruff, Adelman, Charters, Bingemer, Mauder, Miller, Quin, Parsons—24.  
Nays—Ald. Remington, Mutchler, Horcheler—3.

Ald. Carroll's motion to approve of the minutes was carried as follows :

Ayes—Ald. Spencer, Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller—15.

Nays—Ald. Qualtrough, Groot, Remington, Mutchler, Copeland, Brown, Paine, Charters, Horcheler, Quin, Parsons—12.

Ald. Groot moved to adjourn.

Lost as follows :

Ayes—Ald. Qualtrough, Groot, Remington, Mutchler, Copeland, Brown, Kelly, Charters, Horcheler, Bingemer, Quin, Parsons—12.

Nays—Ald. Spencer, Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Paine, Woodruff, Adelman, Mauder, Miller—15.

Ald. Groot moved to adjourn until to-morrow evening.

The Chair ruled the motion out of order.

Ald. Groot appealed from the decision.

Ald. Groot's appeal was sustained as follows :

Ayes—Ald. Spencer, Cram, Lutes, Graham, Carroll, Relyea, Ratt, Taylor, Burke, Mauder, Miller—11.

Nays—Qualtrough, Groot, Remington, Guggenheim, Mutchler, Copeland, Brown, Kelly, Paine, Woodruff, Charters, Horcheler, Bingemer, Quin, Parsons—15.

Ald. Groot's motion to adjourn was lost as follows :

Ayes—Qualtrough, Groot, Remington, Graham, Mutchler, Copeland, Brown, Kelly, Woodruff, Charters, Horcheler—11.

Nays—Spencer, Cram, Lutes, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Paine, Adelman, Bingemer, Mauder, Miller, Quin, Parsons—16.

Ald. Groot moved to suspend the rule, for the purpose of appointing a permanent President. Lost as follows :

Ayes—Ald. Qualtrough, Groot, Remington, Mutchler, Copeland, Brown, Kelly, Adelman, Quin, Parsons—10.

Nays—Ald. Spencer, Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Paine, Woodruff, Charters, Horcheler, Bingemer, Mauder, Miller—17.

#### PETITIONS AND CLAIMS.

By Ald. Quin—Petition of Jesse Randall—W. B. Committee.

By Ald. Taylor—Petition of F. Stetzenmeyer and others. Table.

By Ald. Copeland—Petitions of Stephen Charles and J. M. Smith—W. B. Committee.

By Ald. Brown—Petition of Wm. F. Perry—W. B. Committee.

By Ald. Relyea—Petition of J. E. Hayden and others. W. B. Committee.

By Ald. Mutchler—Petition of Chas. Mountfort. W. B. Committee.

By Ald. Guggenheim—Petition of George Nalbach. W. B. Committee.

By Ald. Carroll—Petition of Dominic Mura. W. B. Committee.

By Ald. Remington—Petition of J. A. Jordan. W. B. Committee.

By Ald. Groot—Petition of J. M. Phelon, and moved its reference to the Wooden Building committee already appointed.

Ald. Taylor moved as an amendment, to re-

fer to the Wooden Building committee when appointed. Carried as follows :

Ayes—Ald. Spencer, Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller—15.

Nays—Ald. Qualtrough, Groot, Remington, Mutchler, Copeland, Brown, Kelly, Charters, Horcheler, Quin, Parsons—11.

Ald. Copeland moved to adjourn.

Lost as follows :

Ayes—Ald. Groot, Remington, Mutchler, Copeland, Brown, Kelly, Charters, Horcheler, Parsons—9.

Nays—Ald. Spencer, Cram, Qualtrough, Lutes, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Adelman, Bingemer, Mauder, Miller, Quin—17.

By Ald. Qualtrough—Petition of Martin Kennedy, and moved that the prayer of the petitioner be granted, on his filing the proper bond. Carried.

#### REPORTS.

Reports from Special Committees were called for, the Chair ruling that there were no Standing Committees.

Ald. Groot moved to adjourn.

Lost as follows :

Ayes—Ald. Qualtrough, Groot, Remington, Graham, Mutchler, Copeland, Brown, Charters, Horcheler, Parsons—10.

Nays—Spencer, Cram, Lutes, Guggenheim, Carroll, Relyea, Ratt, Taylor, Kelly, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller, Quin—16.

Ald. Kelly presented the following :

*To the Common Council of Rochester :*

GENTLEMEN: The undersigned would respectfully report that they have contracted for the improvement of Jones Square under the ordinance for same, by letting the work to Carson & Co., McCormick & Creegan, all to be completed forthwith, and the total amount for the work under the above contract is less than the ordinance of \$1,600.

J. H. KELLY,

CYRUS F. PAINE,

Rochester, March 30, 1887. Park Com.

Accepted.

#### COMMUNICATIONS.

Ald. Paine presented the following :

ROCHESTER, April 10th, 1887.

*To the Common Council of the City of Rochester:*

GENTLEMEN—I hereby respectfully tender my resignation as a member of the Common Council of the City of Rochester.

CYRUS F. PAINE.

Ald. Guggenheim moved that the resignation be not accepted.

Ald. Groot moved as a substitute to accept. Carried as follows :

Ayes—Ald. Qualtrough, Groot, Remington, Mutchler, Copeland, Taylor, Brown, Kelly, Burke, Woodruff, Adelman, Charters, Bingemer, Mauder, Miller, Quin, Parsons—17.

Nays—Ald. Spencer, Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Ratt, Horcheler—9.

Ald. Woodruff presented the following :

*To the Honorable the Common Council of the City of Rochester :*

I have the honor to resign my office as Commissioner of Deeds of the city of Rochester.

Respectfully, &c.,

CHAS. S. BAKER.

Accepted.

Ald. Kelly presented a communication from the Hon. Thos. Parsons, relative to the bill pending in the Legislature for damages received by the falling of Sophia street Bridge.

Ald. Kelly moved that a committee of three be appointed to proceed to Albany at once with the necessary papers.

Ald. Cram moved as an amendment that Ald. Groot and Quin be the committee—Carried.

The Clerk presented the list of persons who have failed to file their acceptances to the offices elected this spring.

The Clerk presented the following:

*To the President and Gentlemen of the Common Council:*

For the sake of harmony in all parties and parts of parties, I herewith resign my office of Street Superintendent, to which I was *fairly and honorably elected* by your Honorable Board.

I remain, yours, most respectfully,  
BENJ. BUTLER, Supt.

Ald. Taylor moved to receive and file.

Ald. Groot moved, as an amendment, not to accept, but to place it on file. Lost as follows:

Ayes—Ald. Qualtrough, Groot, Remington, Mutchler, Copeland, Brown, Charters, Horcheler—8.

Nays—Ald. Spencer, Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Kelly, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller, Quin, Parsons—18.

Ald. Groot moved to lay the communication on the table. Lost as follows:

Ayes—Ald. Qualtrough, Groot, Remington, Mutchler, Copeland, Brown, Charters, Horcheler, Quin, Parsons—10.

Nays—Ald. Spencer, Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Kelly, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller—16.

Ald. Taylor's motion was carried as follows:

Ayes—Ald. Spencer, Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller—15.

Nays—Ald. Qualtrough, Groot, Remington, Mutchler, Copeland, Brown, Charters, Horcheler, Quin, Parsons—10.

Ald. Kelly moved that the rule to adjourn at 11 o'clock be suspended, for the purpose of balloting for a Police Commissioner, taking action on the ordinances, and for no other.—Carried—all Ayes.

Ald. Taylor moved that when the Board adjourns, it be until to-morrow evening, and that they commence where they leave off.

Ald. Taylor moved the previous question.—Carried as follows:

Ayes—Ald. Spencer, Cram, Lutes, Remington, Graham, Guggenheim, Carroll, Relyea, Copeland Ratt, Taylor, Brown, Kelly, Burke, Adelman, Charters, Bingemer, Mauder, Miller—19.

Nays—Ald. Qualtrough, Groot, Mutchler, Woodruff, Horcheler, Quin, Parsons—7.

Ald. Taylor's motion was carried.

**ORDINANCES.**

Ald. Qualtrough moved that action on all Ordinances be postponed until the next regular meeting. Carried.

**EXECUTIVE.**

Ald. Kelly moved to ballot for a Police Commissioner. Carried.

**FIRST BALLOT.**

George G. Cooper.....	17
Jacob Howe.....	3
B. M. Baker.....	1
W. F. Holmes.....	1
Ald. Ratt.....	1
Blank.....	1

No choice.

Ald. Kelly moved to vote *viva voce*. Lost.

**SECOND BALLOT.**

George G. Cooper.....	20
Jacob Howe.....	4
B. M. Baker.....	1
Jacob Gould.....	1
No choice.....	

**THIRD BALLOT.**

George G. Cooper.....	22
W. H. Groot.....	1
Jacob Howe.....	1
John Wegman.....	1

George G. Cooper was declared appointed.—Adjourned.

B. FRANK ENOS, Clerk.

**In Common Council---April 11, 1867.**

**ADJOURNED MEETING.**

Present—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Remington, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Brown, Burke, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons.

Absent—Ald. Andrews, Mutchler, Copeland, Kelly.

**COMMUNICATIONS.**

The Clerk presented the report of the Police Justice for the month of March. Total amount received \$264. Filed.

Ald. Groot presented the following:

**REPORT ON PUBLIC LAMPS:**

*To His Honor the Mayor and Common Council of the City of Rochester:*

**GENTLEMEN**—The following are a list of the gas and kerosene lamps not lighted in the different wards in this city from April 1st to April 8th, 1867:

1st Ward—Allen st.....	1 gas lamp.
“ “ Corner Allen and King sts.....	2 kerosene.
8d “ Caledonia avenue.....	14 “
“ “ Eagle st.....	2 gas.
4th “ South St. Paul st.....	1 “
7th “ Broadway st.....	1 kerosene.
“ “ Broadway and Griffith sts.....	1 “
“ “ Griffith st.....	1 “
“ “ Marshall st.....	3 “
“ “ Pearl st.....	8 “
“ “ Pearl and Alexander sts.....	1 gas.
“ “ Marshall st.....	1 “
“ “ Chestnut st.....	1 “
“ “ Lancaster st.....	3 “
9th “ Lyell st.....	23 kerosene.
11th “ Grape st.....	2 “
“ “ Elder and Walnut sts.....	1 “
“ “ Orange and Walnut sts.....	1 “
“ “ Orange and Saxton sts.....	1 “
“ “ Saxton and Jay sts.....	1 “
“ “ Jay and Walnut sts.....	1 “
“ “ Grape and Campbell sts.....	1 “
12th “ All the lamps out but eight the 1st of this month.	
April 2d, 10 lamps not lighted.	
“ 8d, 4 “ “	
“ 5th, 8 “ “	
“ 6th, 4 “ “	
“ 7th, 3 “ “	
“ 8th, 2 “ “	

13th " North Clinton st. .... 23 kerosene.  
 St. Joseph st. .... 13  
 Yours, most respectfully,  
**SAM'L M. SHERMAN,**  
 Chief of Police.

Received, filed and ordered published.  
**ORDINANCES.**

**GRAHAM STREET IMPROVEMENT.**

By Ald. Quin—Resolved, That the City Surveyor ascertain and report to this Board the expense of improving Graham street, by grading the same from Lorimer street to Bloss street, laying a plank walk 6 feet wide on the west side from the north line of John A. Schaffer's lot to Bloss st., and constructing a stone sewer across said street.

The Surveyor submitted as such estimate, \$1,250.  
 By Ald. Quin—Resolved, That the following improvement is expedient, viz:

The improvement of Graham street, by grading the same from Lorimer street to Bloss street, laying a plank walk 6 feet wide on the west side from the north line of John A. Schaffer's lot to Bloss street, and constructing a stone sewer across said street.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$1,250, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

"One tier of lots on each side of Graham street from the north line of John A. Schaffer's lot to Bloss street."

And the Clerk is hereby directed to publish notice in pursuance of section 164 of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening, April the 30th, 1887, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

**THOMPSON STREET IMPROVEMENT.**

By Ald. Quin—Resolved, That the City Surveyor ascertain and report to this Board the expense of improving Thompson street, from Lyell street to Costar street, by grading the side walks 14 feet wide, laying a plank walk 4 feet and 8 inches wide on the west side from Lyell street to Lorimer street, and on the east side from Lyell street to Jones avenue, with the necessary cross walks, and constructing a stone sewer across Thompson and Lorimer streets. Adopted.

The Surveyor submitted as such estimate \$1,150.  
 By Ald. Quin—Resolved, That the following improvement is expedient, viz:

The improvement of Thompson street from Lyell street to Costar street, by grading the side-walks 14 feet wide, laying a plank walk 4 feet and 8 inches wide on the west side from Lyell street to Lorimer street, and on the east side from Lyell street to Jones avenue, with the necessary cross walks, and constructing a stone sewer across Thompson and Lorimer streets.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$1,150, which estimate is hereby approved.

Resolved, further, That the following portion of said City is deemed benefited and proper to be assessed for the whole expense thereof, viz:

"One tier of lots on each side of Thompson street from Lyell street to Costar street."

And the Clerk is hereby directed to publish notice in pursuance of section 164 of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, April the 30th, 1887, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

**EXECUTIVE.**

Ald. Carroll moved to ballot for Permanent President. Carried.

**FIRST BALLOT.**

William Guggenheim ..... 14  
 William H. Groot ..... 7  
 George Taylor ..... 1  
 Blank ..... 1  
 No choice.

**SECOND BALLOT.**

William Guggenheim ..... 16  
 William H. Groot ..... 5  
 William Ratt ..... 2

Ald. Wm. Guggenheim was declared appointed, and took the Chair, making a few brief remarks.

On motion of Ald. Woodruff, the Board proceeded to ballot for a Commissioner of Deeds, when John Banker received 20 votes and was declared appointed.

Ald. Quin presented the resignation of S. M. Stott, as an Inspector of Elections for the 10th Ward. Accepted.

On motion of Ald. Quin, the Board proceeded to ballot for an Inspector of Elections for the 10th Ward, when W. D. Shuart received 22 votes, and was declared appointed.

Ald. Mander moved to ballot for an Inspector of Elections for the 13th Ward. Carried.

**FIRST BALLOT.**

Geo. W. Blackmore ..... 13  
 Geo. P. Draper ..... 7  
 F. C. Laner ..... 2

No choice.

**SECOND BALLOT.**

Geo. W. Blackmore ..... 13  
 Geo. P. Draper ..... 9

No choice.

**THIRD BALLOT.**

Geo. W. Blackmore ..... 12  
 Geo. P. Draper ..... 11

No choice.

**FOURTH BALLOT.**

Geo. W. Blackmore ..... 12  
 Geo. P. Draper ..... 11

No choice.

Ald. Groot moved to postpone further balloting. Carried.

**MISCELLANEOUS.**

By Ald. Cram—Resolved, That the President of this Board be and he is hereby requested to appoint a Committee of Three, whose duty it shall be to examine into the system of relief to the soldiers' families and as to the wants and necessities of said families, and report to this Board at its next regular meeting what course and action, in their judgment, is necessary and expedient for this Board to pursue the ensuing year. Adopted.

The Chair appointed as such committee, Ald. Cram, Woodruff, Mutchler.

Ald. Groot moved to reconsider the vote on the resignation of Ald. Paine. Carried.

Ald. Groot moved that the resignation be not accepted. Carried.

By Ald. Carroll—Resolved, That the President announce the standing committees of this Board for the ensuing year. Adopted.

By Ald. Carroll—Resolved, That George P. Clarkson be and he is hereby granted permission to lay the sidewalk in front of his premises, on Mortimer Street, under the direction of the Improvement Committee and Surveyor, providing he does it within sixty days. Adopted.

By Ald. Ratt—Petition of James Fowler and others. Sewer Committee.

By Ald. Brown—Resolved, That the name of the street called Bartlett Street be and is hereby changed to Democrat Avenue.—Adopted.

By Ald. Quin—Resolved, That Jesse Randall have leave to remove a wood building, according to the prayer of her petition, she executing the necessary bond with the Mayor, guaranteeing the city against all damage. Adopted.

By Ald. Carroll—Resolved, That Dominick Muro have permission to erect a wooden building in accordance with his petition and under

the direction of the Fire Marshal, he having obtained permission of all his neighbors within 200 feet. Adopted.

By Ald. Bingeuer—Resolved, That this Board appropriate the sum of \$800 to keep South Avenue in repair. Referred to the Improvement Committee.

By Ald. Relyea—Resolved, That the attention of this Board be called to the condition of the sewer in Chatham street, north of the railroad, which is broken in several places, and that the attention of the Street Superintendent be called to the same.

Referred to the Sewer Committee.

By Ald. Quiltrough—Resolved, That Paul Spleen have leave to remove his frame house from Center street to Oak street, passing thro' Frank and Lyell sts., by filing the proper bond with the Mayor. Adopted.

By Ald. Ratt—Resolved, That J. M. Smith have leave to erect a wood building on his lot No. 5, on the south side of Spencer street, according to his petition, under the direction of the Fire Marshal. Adopted.

By Ald. Ratt—Resolved, That Ernst Kapbart building on his lot, No. 44 west side of Luke Avenue. Also, that Jacob Rhenehart have leave to erect a wooden building on lot No. 49 Atkinson street, according to their several petitions, under the direction of the Fire Marshal. Adopted.

By Ald. Ratt—Resolved, That W. H. Blackmore have leave to remove his wood building from the front to the rear of his lot on the corner of Clinton and Kelly streets, passing the same through Kelly street, on executing a bond to be approved by the Mayor, indemnifying the city against all damage caused by such removal. To be done under the direction of the Street Superintendent. Adopted.

By Ald. Remington—Resolved, That John A. Jordan have permission to erect an addition to his wood building on East Avenue, according to the prayer of his petition, under the direction of the Fire Marshal. Adopted.

By Ald. Spencer—Resolved, That the Street Commissioner be requested to examine all the bridges in the city crossing the canals, and report to this Board the condition and safety of the same. Adopted.

The President presented the following:

#### STANDING COMMITTEES.

Finance—Ald. Kelly, Spencer, Paine.  
Streets and Bridges—Ald. Cram, Carroll, Quin.  
Public Improvements—Ald. Ratt, Burke, Copeland.

Support and Relief of poor—Ald. Lutes, Groot, Cram.

Fire Department—Ald. Spencer, Relyea, Kelly.

Contingent Expenses—Ald. Woodruff, Remington, Taylor.

Law—Ald. Taylor, Paine, Andrews.

Sewers—Ald. Adelman, Mauder, Lutes.

Opening and Alteration of Streets—Ald. Burke, Quin, Brown.

Police Department—Ald. Graham, Miller, Bingeuer.

Public Lamps, &c.—Ald. Mauder, Charters, Ratt.

Markets—Ald. Bingeuer, Horecheler, Woodruff.

Schools—Ald. Quin, Cram, Paine.

Public Parks—Ald. Carroll, Kelly, Ratt.

City Property—Ald. Miller, Bingeuer, Parsons.

Wooden Buildings—Ald. Copeland, Mutchler, Charters.

Ordnances and Rules—Ald. Paine, Quiltrough, Parsons.

Grievances—Ald. Remington, Woodruff, Lutes.

Amendments to Charter—Ald. Groot, Taylor, Cram.

Public Health and Hospitals—Ald. Horecheler, Quin, Quiltrough.

Excise—Ald. Brown, Mutchler, Groot.

Hackney coaches, Carts and Porters—Ald. Mutchler, Horecheler, Copeland.

Mount Hope—Ald. Andrews, Kelly, Parsons.

Reservoirs and Water Works—Ald. Cram, Carroll, Miller.

Surveys, Maps and Records—Ald. Parsons, Andrews, Carroll.

House for Truants—Ald. Spencer, Miller, Mutchler.

Assessments—Ald. Relyea, Quiltrough, Cram.

Adjourned.

B. FRANK ENOS, City Clerk.

### In Common Council, April 16th, 1867.

#### REGULAR MEETING.

The President of the Board, Ald. Wm. Guggenheim, presiding.

Present.—Ald. Cram, Quiltrough, Lutes, Groot, Remington, Guggenheim, Carroll, Relyea, Copeland, Ratt, Taylor, Brown, Burke, Paine, Woodruff, Adelman, Charters, Horecheler, Bingeuer, Mauder, Miller, Quin, Parsons.

Absent—Ald. Spencer, Andrews, Graham, Mutchler, Kelly.

Minutes of the previous meeting approved as published.

#### PETITIONS AND CLAIMS.

By Ald. Cram—Bill of D. D. S. Brown. Street Committee.

By Ald. Lutes—Remonstrance of R. S. Walker and others. Table. Petition of McVean & Hastings, and several hundred others, and moved its reference to the Board of Health.

Ald. Groot moved its reference to a special committee of three. Lost as follows:

Ayes—Ald. Quiltrough, Groot, Remington, Copeland, Brown, Paine, Charters, Horecheler, Quin, Parsons—10.

Nays—Ald. Cram, Lutes, Guggenheim, Carroll, Relyea, Ratt, Taylor, Woodruff, Adelman, Bingeuer, Mauder, Miller—12.

Ald. Lutes' motion to refer to the Board of Health was lost.

By Ald. Remington—Petition of N. P. Osborn. Table.

By Ald. Carroll—Petition of James Gallagher. Grievance Committee. Bill of Patrick Kavanaugh. Park Committee. Petition of Israel Rice and others. Improvement Committee. Remonstrance of Wm. M. Lewis and others. Table.

By Ald. Relyea—Petition of Ellen Smith and others. Sewer Committee.



By Ald. Copeland—Petitions of H. Barrass and Wm. Wright. W. B. Committee.

By Ald. Rait—Petitions of Wm. Box and T. V. P. Pullis. W. B. Committee. Mrs. Champeny and others. Improvement Committee.

By Ald. Adleman—Bills of Robt. McIntyre, N. Osborn. Sewer Committee.

By Ald. Charters—Remonstrance of M. Schuster and others. Sewer Committee. Petition of Thos. Woodruff. W. B. Committee.

By Ald. Quin—Petition of Henry C. Frost and others. Tabled.

#### REPORTS.

Ald. Adleman reported in favor of the bill of R. McIntyre. Finance Committee.

Ald. Cram presented a report relative to relief to soldiers families. Tabled.

#### COMMUNICATIONS.

The Clerk presented the following :

MAYOR'S OFFICE, April 12, 1867.

*Gentlemen of the Common Council :*

At your meeting, held on the 5th day of April, 1867, the following resolution was offered by Ald. Carroll, viz :

"Resolved, That the Treasurer pay Geo. W. Vaughan fifty dollars for extra services, and charge contingent fund," which was adopted.

I cannot approve of this resolution. My reasons are as follows :

First—*Because* the old Board who appointed and with whom he had served had passed out of existence.

Second—*Because* there were only seventeen aldermen present, and eight of them were new members.

Third—*Because* his salary and the perquisites amount to over nine hundred dollars, being some seventy-five dollars per month, which it seems to me is a fair salary for the position.

Fourth—*Because* the practice is becoming too frequent, and no matter how liberal the salaries are fixed at the beginning, additions are made at the close of each year without reference to equivalents.

Fifth—*Because* the city funds were already largely overdrawn at the close of the fiscal year of 1866, and the contingent fund to which this is chargeable are overdrawn over seven thousand dollars.

Most respectfully,

HENRY L. FISH, Mayor.

Received, filed and ordered published.

Ald. Groot moved that the resolution referred to in the Mayor's Message be reconsidered. Carried.

Ald. Groot moved that further action be postponed until the next meeting. Carried.

Ald. Bingham presented the following, which was received, filed and order published :

*To the Honorable the Common Council of the City of Rochester :*

The undersigned Police Commissioners beg to advise your honorable body that the under the charter this Commission has no authority to retain on the Police force more than thirty men, except by the direction of your Board. The present force consists of forty-one men, and we are of the opinion that the force ought not to be reduced below forty men, with due regard to the public interest. In a city so large as Rochester, with an area of territory so extended, forty men is a number quite small

enough to do Police duty throughout twenty four hours of each of the seven days of the week.

The undersigned simply present their views briefly in respect to this matter, leaving the question to your discretion, where it is placed by the law. If you grant us the authority to increase the force above thirty men, we shall aim to exercise this authority with discretion and prudence. If you decline to do this, we shall most cheerfully comply with your decision.

HENRY L. FISH,  
HENRY S. HEBARD,  
GEO. G. COOPER,  
Commissioners, &c.

Rochester, April 16th, 1866.

#### ORDINANCES.

##### HICKORY STREET SEWER.

On motion of Ald. Adelman the Board proceeded to hear allegations in relation to the improvement described in the ordinance below :

After hearing such allegations from all persons appearing, Ald. Adelman submitted the following :

An ordinance to construct a sewer in Hickory street, from Mt. Hope avenue to South avenue.

The Common Council of the City of Rochester do ordain and determine as follows :

A tile sewer, twelve inches in diameter, in Hickory street, from Mt. Hope avenue to South avenue, shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at \$2,900, which estimate was and is hereby approved; the sum of \$2,900 being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows :

One tier of lots on each side of Hickory street, from Mt. Hope avenue to South avenue.

On which above described portion of the city the said sum of \$2,900 is hereby ordered to be assessed.

And the tax payers to be assessed for making such improvement, and for seven per cent, per annum, provided, on the amount assessed to them individually, pay their assessments in three equal payments, as follows: One third of the amount assessed within three months after the confirmation of the assessment roll, without interest; one third of the amount, with interest at the rate of seven per cent, per annum, within one year from the confirmation of said roll; and the remaining one third, with interest at the same rate, within two years from the confirmation of such roll.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and they are hereby notified

to meet for this purpose on Saturday, the 20th day of April, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote: All ayes—23.

##### GREGORY STREET SEWER.

On motion of Ald. Adelman the Board proceeded to hear allegations in relation to the improvement described in the ordinance below :

After hearing such allegations from all persons appearing, Ald. Adelman submitted the following :

An ordinance to construct a sewer in Gregory street, from Mt. Hope avenue to South avenue.

Whereas, By a resolution adopted by the Board of Health, Gregory street, between Mt. Hope avenue and South avenue, was declared a nuisance, and in the opinion of the Common Council is a nuisance; now, therefore, for the purpose of abating said nuisance, the Common Council of the City of Rochester do ordain and determine as follows :

A sewer in Gregory street from the sewer in Mt. Hope avenue to the sewer in South avenue; said sewer to be of stone, two feet square, from Mt. Hope avenue to Ashland street, and of tile, twelve inches in diameter, from Ashland street to south avenue, shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and

lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same \$3,810, which estimate was and is hereby approved: the sum of \$3,810, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

All the houses and land within the following described territory:

Beginning in the south line of the Munger tract, at its intersection with the west line of lot No. 13 in the subdivision of town lot No. 15; thence southerly along the west line of lots No. 13, 14, 15 and 16 in said town lot No. 15 to the south line thereof; thence westerly along the south line of said lot to the east line of lot No. 40 on the north side of Cypress st.; thence southerly on said line to Cypress st.; thence west on Cypress st. to the west line of lot No. 89 on the south side of said street; thence southerly along the west line of said lot and a continuation of the same, to the south line of the city; thence westerly on the south line of the city to the center of Mt. Hope avenue; thence northerly along the center of Mt. Hope avenue to the south line of the Munger tract, excepting one tier of lots on the east side of Mt. Hope avenue from Cypress street to the south line of the Munger tract; thence easterly along the south line of the Munger tract to the place of beginning; also one tier of lots on both sides of Gregory street, from Mt. Hope avenue to South avenue, on which above described portion of the city the said sum of \$3,810 is hereby ordered to be assessed.

And the tax payers to be assessed in making such improvement, may, by paying interest, as hereinafter provided, on the amount assessed to them individually, pay their assessments in three equal payments as follows: one-third of the amount assessed within three months after the confirmation of the assessment roll, without interest; one-third of the amount with interest at the rate of seven per cent. per annum, within one year from the confirmation of said roll; and the remaining one-third, with interest at the same rate, within two years from the confirmation of such roll.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 20th day of April, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed, by the following vote: all ayes—23.

#### CAYUGA STREET SEWER.

By Ald. Adelman—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a pipe sewer 12 inches in diameter in Cayuga street, from Jefferson street to Grand street. Adopted. The Surveyor submitted as such estimate, \$1,200.

By Ald. Adelman—Resolved, That the following improvement is expedient, viz:

The construction of a pipe sewer 12 inches in diameter in Cayuga street, from Jefferson street to Grand street.

And Whereas, the City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$1,200, which estimate is hereby approved.

Resolved, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of Cayuga street, from Jefferson street to Grand street.

And the Clerk is hereby directed to publish notice in pursuance of section 164 of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening, April the 30th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### JEFFERSON STREET WALK.

On motion of Ald. Ratt, the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing:

Ald. Ratt submitted the following:

An Ordinance to construct a walk on Jefferson street, from South Avenue to Cayuga street.

The Common Council of the city of Rochester do ordain and determine as follows:

A plank sidewalk, 4 feet and 8 inches wide, on both sides of Jefferson street, from South Avenue to Cayuga street, shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at \$975, which estimate was and is hereby approved; the sum of \$975, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on each side of Jefferson street, from South Avenue to Cayuga street.

On which above described portion of the city the said sum of \$975 is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 20th day of April, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote:

Ayes—Ald. Cram, Qualtrough, Lutes, Remington, Gutzgenheim, Carroll, Relyea, Copeland, Ratt, Taylor, Brown, Burke, Woodruff, Adelman, Charters, Horchler, Bingemer, Mander, Miller, Parsons—21.

Nays—Ald. Groot, Quin—2.

#### NORTH ST. PAUL STREET WOODEN RAILING.

On motion of Ald. Cram the Board proceeded to hear allegations in relation to the improvement described in the ordinance below: After hearing such allegations from all persons appearing:

Ald. Cram submitted the following:

An ordinance to construct a wooden railing on North St. Paul street.

The Common Council of the city of Rochester do ordain and determine as follows:

A wooden fence or railing on the west side of North St. Paul street, from the north end of the iron railing opposite byramton street, to a point 80 feet north of the same shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at \$125, which estimate was and is hereby approved; the sum of \$125, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

The property on the west side of North St. Paul st., in front of which the railing is to be constructed.

On which above described portion of the city, the said sum of \$125 is hereby ordered to be assessed.

And David McKay, E. T. Oatley and Charles M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 20th day of April, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote:

Ayes—Ald. Cram, Qualtrough, Lutes, Groot, Remington, Gutzgenheim, Carroll, Relyea, Copeland, Taylor, Brown, Burke, Woodruff, Adelman, Charters, Horchler, Bingemer, Mander, Miller, Quin, Parsons—21.

Nays—Ald. Patne—1.

#### AN ORDINANCE TO REGULATE THE REPAIR AND CONSTRUCTION OF WOODEN AWNINGS IN THE CITY OF ROCHESTER.

By Ald. Quin—The Common Council of the city of Rochester do ordain as follows:

SECTION 1. The owners of all Wooden Awnings now being erected, or which have been heretofore, or shall be hereafter erected in the city of Rochester, are hereby required to construct upon them, conductor pipes, which shall convey the water from them to the gutters of the streets; and also to construct or repair such awning in such a manner that they shall protect the sidewalks from leakage.

Any person who shall refuse to comply with any of the provisions of this ordinance within five days after

the service on him of a copy thereof by the City Superintendent, shall be liable to a Fine of Ten Dollars. Sec. II. Upon the recovery of a judgment for a violation of any of the provisions of this ordinance, an execution shall be issued, directing the amount to be collected of the property of the defendant, if any such can be found, and if not, then to commit the defendant to the Monroe County Penitentiary for the period of thirty days.

Ald. Taylor moved its indefinite postponement. Lost as follows:

Ayes—Ald. Cram, Remington, Relyea, Ratt, Taylor, Charters, Horcheller—7.

Nays—Ald. Qualtrough, Lutes, Groot, Guggenheim, Carroll, Copeland, Brown, Burke, Paine, Woodruff, Adelman, Bingemer, Mauder, Miller, Quin, Parsons—16.

Ordinance adopted as follows:

Ayes—Ald. Qualtrough, Lutes, Guggenheim, Carroll, Relyea, Ratt, Brown, Burke, Adelman, Bingemer, Mauder, Miller, Quin, Parsons—14.

Nays—Ald. Cram, Groot, Remington, Copeland, Taylor, Paine, Woodruff, Charters, Horcheller—9.

#### CHATHAM STREET SEWER.

Ald. Adleman presented the final ordinance for Chatham street sewer.

Ald. Mauder moved its postponement until the first regular meeting in May, 1867. Carried.

#### DELEVAN STREET SEWER.

Ald. Adleman presented the final ordinance for Delevan street sewer.

Ald. Quin moved its postponement until the second regular meeting in May. Carried.

#### BRIDGES OVER COURT AND WILLIAM STS. OUTLET SEWER.

Ald. Adleman presented the first ordinance for Bridges over Court and William sts. Outlet sewer.

Ald. Qualtrough moved its postponement for two weeks. Carried.

#### WASHINGTON STREET SEWER.

Ald. Adleman presented the first ordinance for Washington street sewer, which was lost as follows:

Ayes—Ald. Cram, Lutes, Copeland, Ratt, Taylor, Brown, Adelman, Horcheler, Mauder, Quin—10.

Nays—Ald. Qualtrough, Groot, Remington, Guggenheim, Carroll, Relyea, Burke, Paine, Woodruff, Charters, Bingemer, Miller, Parsons—13.

Ald. Qualtrough moved a reconsideration. Lost.

#### UNION STREET SEWER.

Ald. Adleman presented the first ordinance for Union street sewer.

Ald. Qualtrough moved its postponement for two weeks. Carried.

#### ALEXANDER STREET SEWER.

Ald. Adelman presented the first ordinance for Alexander street sewer.

Ald. Ratt moved its reference to the Board of Health. Carried.

#### FRANK STREET IMPROVEMENT.

Ald. Ratt presented the final ordinance for Frank street improvement.

Ald. Groot moved its indefinite postponement. Carried.

#### WALNUT STREET IMPROVEMENT.

Ald. Ratt presented the final ordinance for Walnut street improvement.

Ald. Adelman moved its postponement until the first regular meeting in June. Lost.

Ald. Quin moved its indefinite postponement. Carried.

#### MORTIMER STREET WALKS.

Ald. Ratt presented the final ordinance for Mortimer street walks.

Ald. Quin moved its postponement until May 23th. Carried.

#### STATE STREET CROSS-WALK.

Ald. Ratt presented the final ordinance for State street cross-walk.

Ald. Taylor moved its postponement for two weeks. Carried.

#### ORCHARD AND SAXTON STREETS EXTENSION.

Ald. Burke presented the final ordinance for Orchard and Saxton streets extension.

Ald. Qualtrough moved its indefinite postponement. Carried.

#### ORCHARD STREET EXTENSION.

Ald. Burke presented the final ordinance for Orchard Street Extension, which was lost as follows:

Ayes—Ald. Cram, Carroll, Relyea, Copeland, Ratt, Brown, Burke, Charters, Horcheler, Quin and Parsons—11.

Nays—Qualtrough, Lutes, Groot, Remington, Guggenheim, Taylor, Paine, Woodruff, Adelman, Bingemer, Mauder, and Miller—12.

Ald. Qualtrough moved a reconsideration. Carried. Ald. Qualtrough moved that further action be postponed until the first regular meeting in May. Carried.

#### REPAIRING WALKS, &c., ON STONE STREET.

Ald. Cram presented the final ordinance for Repairing Walks, &c., on Stone st.

Ald. Copeland moved its postponement for two weeks, and that the matter be referred to the Assessors to report whether there was a majority petition or not. Carried.

#### REPORT ON WIDENING LITCHFIELD STREET.

Ald. Taylor moved that the Report of the Commissioners for the widening of Litchfield street, published in the proceedings of March 19th, 1867, be confirmed.

Adopted as follows:

Ayes—Ald. Cram, Remington, Guggenheim, Carroll, Relyea, Copeland, Ratt, Taylor, Brown, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons—19.

Nays—Ald. Qualtrough, Lutes, Groot, Burke—4.

#### ASSESSMENTS.

Ald. Burke presented the assessment rolls for Saxton and Orchard Streets extension, which were confirmed as follows:

Ayes—Ald. Cram, Qualtrough, Lutes, Groot, Remington, Guggenheim, Carroll, Relyea, Copeland, Ratt, Taylor, Brown, Burke, Paine, Woodruff, Adelman, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons—22.

Nays—Ald. Charters—1.

#### UNFINISHED BUSINESS.

By Ald. Groot—Resolved, That the Treasurer be authorized and is hereby directed to pay to B. Frank Enos, the sum of \$100, in payment for extra labor in classifying, filing and arranging the records and papers of the City Clerk's Office, and charge Contingent Fund. Adopted as follows:

Ayes—Ald. Cram, Qualtrough, Lutes, Groot, Remington, Guggenheim, Carroll, Relyea, Copeland, Taylor, Brown, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons—22.

Nays—Ald. Ratt—1.

Ald. Mauder moved that when the Board adjourned, it be until one week from to-morrow evening. Carried.

#### EXECUTIVE.

Ald. Groot moved to suspend the rule to adjourn at 11 o'clock. Lost.

On motion of Ald. Paine the Board proceeded to ballot for a Commissioner of Deeds, when Wm. B. Levitt received 18 votes, and was declared appointed.

Ald. Quin moved to reconsider the vote on the question to suspend the rule to adjourn at 11 o'clock. Carried.

The motion to suspend the rule was carried.

#### MISCELLANEOUS.

By Ald. Quin—Resolved, That it is no part of the City Superintendent's business to remove and draw away the accumulation of ashes and other rubbish that is piled up in the streets and alleys of this city by the different owners and occupants of houses and lots, and further that the Superintendent be and it is his duty to charge at the rate of fifty cents per yard for each yard and that he collect the same.

Ald. Groot moved its indefinite postponement. Carried as follows:

Ayes—Ald. Cram, Qualtrough, Lutes, Groot, Remington, Guggenheim, Relyea, Taylor, Brown, Burke, Paine, Adelman—12.

Nays—Ald. Carroll, Ratt, Woodruff, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons—10.

By Ald. Mauder—Resolved, That Philip Stein have leave to put a wooden cornice on his

brick building on the corner of Allen and Kent streets, under the direction of the Fire Marshal. Adopted.

By Ald. Horcheler—Resolved, That the owners of property on Jefferson street be allowed to build their own walks in front of their premises under the direction of the Improvement Committee and City Surveyor, according to the prayer of their petition, if done within thirty days. Adopted.

By Ald. Charters—Resolved, That Michael Hetzel have permission to erect his building, according to the prayer of his petition, under the direction of the Fire Marshal. Adopted.

By Ald. Adelman—Resolved, That the Committee on Opening Streets be and are hereby instructed to sell the houses on Saxton street extension, at auction. Adopted.

By Ald. Adelman—Resolved, That the Clerk draw an order in favor of N. Osburn for eighteen hundred dollars and payable to his order in two years from the 16th day of April, 1867, with interest; and the City Treasurer is hereby authorized to accept the same in behalf of the city and charge to Front Street Outlet Sewer Fund. Adopted as follows:

Ayes—Ald. Cram, Qualtrough, Lutes, Remington, Guggenheim, Carroll, Relyea, Ratt, Taylor, Brown, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons—21.

Nays—Ald. Groot—1.

By Ald. Woodruff—Resolved, That the Contingent Expense Committee be instructed to contract with the Daily Union and Advertiser and the Rochester Volksblatt, for publishing the proceedings, resolutions and ordinances of the Common Council, and of the committees thereof and of the officers of said city during the next fiscal year upon the same terms and conditions as the contract made with the Evening Express and Daily Observer for the past year, less the total amount paid the Express for publishing the Penal Ordinances in book form.

Ald. Groot moved its postponement until the next regular meeting. Lost as follows:

Ayes—Ald. Qualtrough, Groot, Remington, Brown, Paine, Charters, Horcheler, Quin, Parsons—9.

Nays—Ald. Cram, Lutes, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller—13.

Ald. Qualtrough moved as an amendment that the Contingent Committee are hereby directed to obtain proposals from the proprietors of the several daily papers for publishing the proceedings of the Board and all other printing usually done by contract, and that they advertise for the same one week, and report to the Board. Lost as follows:

Ayes—Ald. Qualtrough, Groot, Remington, Brown, Paine, Charters, Horcheler, Quin, Parsons—9.

Nays—Ald. Cram, Lutes, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller—13.

Ald. Groot moved as an amendment that the Volksblatt be paid only \$800. Lost as follows:

Ayes—Ald. Qualtrough, Groot, Remington, Brown, Paine, Charters, Horcheler, Quin, Parsons—9.

Nays—Ald. Cram, Lutes, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller—13.

Ald. Groot moved to adjourn. Lost as follows:

Ayes—Ald. Qualtrough, Groot, Remington, Brown, Paine, Charters, Horcheler, Quin, Parsons—9.

Nays—Ald. Cram, Lutes, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller—13.

Ald. Groot moved as an amendment that the Union be paid \$1800. Lost as follows:

Ayes—Ald. Qualtrough, Groot, Carroll, Mauder, Quin, Parsons—6.

Nays—Ald. Cram, Lutes, Remington, Guggenheim, Relyea, Ratt, Taylor, Brown, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Miller—16.

Ald. Horcheler moved to adjourn. Lost as follows:

Ayes—Ald. Qualtrough, Groot, Remington, Charters, Horcheler, Quin, Parsons—7.

Nays—Ald. Cram, Lutes, Guggenheim, Carroll, Relyea, Ratt, Taylor, Brown, Burke, Paine, Woodruff, Adelman, Bingemer, Mauder, Miller—15.

Ald. Adelman moved the previous question. Carried as follows:

Ayes—Ald. Cram, Lutes, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Paine, Woodruff, Adelman, Bingemer, Mauder, Miller—14.

Nays—Ald. Qualtrough, Groot, Remington, Brown, Charters, Quin, Parsons—7.

Resolution adopted as follows:

Ayes—Ald. Cram, Lutes, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Paine, Woodruff, Adelman, Bingemer, Mauder, Miller—13.

Nays—Ald. Qualtrough, Groot, Remington, Brown, Paine, Charters, Horcheler, Quin, Parsons—9.

Ald. Taylor moved to reconsider the resolution changing the name of Bartlett street to Democrat avenue. Carried.

Ald. Taylor moved its indefinite postponement. Carried.

By Ald. Carroll—Resolved, That E. Huntington have permission to erect a wooden railing on the west side of North St. Paul street, from the north end of the iron railing opposite Scrantom st. to a point 330 feet north of the same, in accordance with the ordinance, under the direction of the City Surveyor, and to the satisfaction of the street committee, and within 30 days from date. Adopted.

By Ald. Remington—Resolved, That N. P. Osborn have leave to remove his wood building in accordance with the prayer of his petition. Adopted.

By Ald. Qualtrough—Resolved, That the Mayor be requested to collect of E. J. O'Neil a sum of money sufficient to cover the damage done by said O'Neil in moving his building from Furnace street to Lyell street, before cancelling his bond indemnifying the city against any and all damage done in consequence of such removal. Adopted.

Ald. Cram called up the report of the Special Committee relative to relief to soldiers families, and moved that the matter be postponed until the next meeting, and that the Mayor continue to act as heretofore. Carried.

Adjourned.

B. FRANK ENOS, Clerk.

**In Common Council—April 24, 1867.****ADJOURNED MEETING.**

The President of the Board, Ald. Wm. Guggenheim, presiding.

Present—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Remington, Guggenheim, Carroll, Relyea, Copeland, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons.

Absent—Ald. Andrews, Graham, Mutchler.  
Minutes of the previous meeting approved as published.

By Ald. Paine—Petition of J. B. Spear and others. Referred to the Assessors.

By Ald. Kelly—Petitions of C. J. Hayden and others. Improvement Committee. D. McCormick. Wooden Building Committee, with power to act.

By Ald. Ratt—Remonstrance of Charles Dana and others. W. B. Committee.

By Ald. Relyea—Bill of Inspectors of Elections 6th Ward. Contingent Expense Committee.

By Ald. Groot—Petitions of N. Sprague and J. W. Shaw. W. B. Committee. Bills of Wm. Hollister, E. Card, D. E. Fitchner, Morhardt & Stober, V. Debus. Poor Committee.

By Ald. Lutes—Bill of W. W. Carr and petition of R. A. Smith. Table.

**REPORTS.**

Ald. Qualtrough reported in favor of the bill of Pat'k Kavanaugh. Finance Committee.

Ald. Groot reported in favor of the bills of Wm. Hollister, E. Card, D. E. Fitchner, Morhardt & Stober, V. Debus, and moved their reference to the Finance Committee for payment.

The President ruled the motion out of order.

Ald. Woodruff presented the following

**REPORT OF PRINTING PROCEEDINGS, &C.**

*To the Honorable the Common Council of the City of Rochester:*

**GENTLEMEN:** The Contingent Expense Committee, who were directed by resolution passed the last meeting of your Board, to contract with the proprietors of the Daily Union and Advertiser for the publication of the proceedings, &c., of the Common Council for the ensuing year, beg leave most respectfully to make the following report:

That they have met the proprietors of said paper and reported the action of your body in relation to said publication; that upon the terms and conditions which the Committee were directed to propose, the proprietors of said paper decline to contract.

All of which is respectfully submitted.

S. R. WOODRUFF,  
GEORGE TAYLOR,

Contingent Expense Committee.  
Rochester, April 24, 1867.

Ald. Adelman moved that the report be received, filed and published.

Ald. Groot moved its reference to Ald. Remington, Guggenheim and Andrews. Lost as follows:

Ayes—Ald. Qualtrough, Groot, Remington, Brown, Kelly, Paine, Charters, Horcheler, Quin, Parson—10.

Nays—Ald. Spencer, Cram, Lutes, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller—14.

Ald. Adelman's motion was carried.

Ald. Groot presented a report relative to laying before the Legislature the damages sustained by the city, by the falling of the Sophia street bridge. Received and placed on file.

**COMMUNICATIONS.**

The Clerk presented the following:

CITY CLERK'S OFFICE,  
April 20th, 1867.

*To the Honorable the Common Council:*

**GENTLEMEN—**At a meeting of the Board of Health, held on the 19th inst., West Alexander street, from South avenue to Cayuga street; Smith street, between Frank and Bolivar streets, were declared nuisances, and the Common Council were respectfully requested to pass ordinances for the construction of a sewer in said street, between said points.

B. FRANK ENOS, Clerk.

Referred to the Sewer Committee.

**UNFINISHED BUSINESS.**

Ald. Groot called up the following:

Resolved, That the Treasurer pay George W. Vaughan fifty dollars for extra services rendered, and charge Contingent Fund. Lost as follows, it requiring a two-third vote:

Ayes—Ald. Qualtrough, Lutes, Groot, Remington, Guggenheim, Brown, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Quin, Parsons—16.

Nays—Ald. Spencer, Cram, Carroll, Relyea, Ratt, Taylor, Mauder, Miller—8.

Ald. Groot called up the petition relative to appointing Health Inspectors, and moved its reference to the Board of Health, with instructions to appoint as such Inspectors none but crippled soldiers. Carried as follows:

Ayes—Ald. Spencer, Qualtrough, Groot, Remington, Guggenheim, Carroll, Relyea, Rath Brown, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Miller, Quin, Parsons—20.

Nays Ald. Cram, Lutes Taylor, Mauder—4.

Ald. Cram called up the following:

*To the Hon. the Common Council:*

The Special Committee, to whom was referred the matter of relief to the Soldiers' families, would respectfully report: that they have not had sufficient time to examine into each and every case, but from the information obtained from personal and other observations, would recommend the adoption of the report of the Relief Committee of 1866, as follows:

Your committee would respectfully recommend that this mode of relief should now be changed to the Poor Department. The number to be assisted is constantly decreasing. Most are now receiving their pensions, and those of families will soon be in receipt of the same for their children. A generous charity should be extended to the families of those who lost their lives in their country's service, free from any restraint by way of applications, and your committee are of the opinion that this would be fully accomplished by a day set apart exclusively for their accommodation; a member of the present committee could be in attendance for a time, until the system was regulated. Most of the families assisted should

visited; some may require more than they receive, and some less. No person so proper to attend to this as the Overseer, whose duties call him in all parts of the city on similar errands.

A. CRAM,  
S. R. WOODRUFF,  
Committee.

Ald. Groot moved that the recommendation of the committee be adopted. Carried as follows:

Ayes—Ald. Spencer, Cram, Groot, Remington, Guggenheim, Carroll, Relyea, Ratt, Taylor, Brown, Kelly, Paine, Woodruff, Adelman, Charters—15.

Nays—Ald. Qualtrough, Lutes, Burke, Horcheler, Bingermer, Mauder, Miller, Quin, Parsons—9.

#### EXECUTIVE.

Ald. Paine presented the following:

ROCHESTER, April 24, 67.

To the Common Council of the City of Rochester:

GENTLEMEN:—I hereby respectfully tender my resignation as Commissioner of East Avenue. Respectfully submitted,

C. F. PAINE.

Accepted.

On motion of Ald. Paine, the Board proceeded to ballot for a Commissioner for East Avenue, when

R. Milliman received 11 votes.

D. W. Powers received 6 votes.

Scattering 3 votes.

No choice.

#### SECOND BALLOT.

R. Milliman.....	10
D. W. Powers.....	2
Peter Shoecraft.....	3
C. F. Paine.....	3
Scattering.....	4

No choice.

#### THIRD BALLOT.

R. Milliman.....	13
Peter Shoecraft.....	2
D. W. Powers.....	2
C. F. Paine.....	2
Scattering.....	2

No choice.

#### FOURTH BALLOT.

R. Milliman.....	18
Peter Shoecraft.....	4
Blank.....	1

R. Milliman was declared appointed.

B. Frank Enos offered his resignation as a Commissioner of Deeds. Accepted.

On motion of Ald. Groot the Board proceeded to ballot for a Commissioner of Deeds, when William F. Peck received 22 votes, and was declared appointed.

#### MISCELLANEOUS.

By Ald. Spencer—Resolved, That the Treasurer make the city's note for an amount not exceeding two thousand dollars, payable at three month's date, at Powers' Banking House; that he get the same discounted and credit the avails to the Truant Fund. Adopted.

By Ald. Spencer—Resolved, That the Treasurer pay J. G. Wagner eleven hundred and eighty-eight dollars for building a barn, as per contract, and charge House for Truant Fund. Adopted as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Remington, Guggenheim, Carroll, Relyea, Ratt, Taylor, Brown, Kelly, Burke,

Paine, Woodruff, Charters, Horcheler, Bingermer, Mander, Miller, Parsons.—22.

Nays—Alds. Quin.—1.

By Ald. Spencer—Resolved, That in case the State Agricultural Society hold their next State Fair at the Monroe County Fair Grounds, his Honor the Mayor be and is hereby authorized and instructed to give the Board of Managers of said grounds, or any other person or persons legally authorized by the Citizens' Committee to receive the same, all the proceeds from foreign hacks and wagons licensed for that occasion, for the purpose of defraying expenses, demanded by the State Society from the Citizens' Committee.

Ald. Kelly moved as an amendment that all moneys received for such license be credited to the Contingent Fund. Carried.

Resolution adopted as amended.

By Ald. Cram—Resolved, That the Superintendent be and he is hereby directed to remove the obstructions from Ford Street, on the west side of the Genesee Valley Canal, between Tremont Street and the south line of the Cornhill Tract, to repair the crosswalk on the corner of Allen and Fitzhugh Streets, and remove the obstructions from Water Street and Main Street Bridge. Adopted.

By Ald. Qualtrough—Resolved, That the Lamp Committee are hereby directed to cause the lamp post on the corner of State and Centre Streets to be repaired; also to deduct from the gas bill the amount charged for all lamps that are not or have not been in use steadily. Adopted.

By Ald. Qualtrough—Resolved, That the Board of Common Council does and will authorize the Board of Police Commissioners to appoint or employ such number of additional or temporary policemen as they shall deem necessary for the exigencies of the police service, not exceeding fifteen, and that such additional or temporary policemen may be retained in office until the first day of April, 1868, unless this Common Council shall at any time otherwise order; in which case the number of additional or temporary policemen so appointed or employed shall be reduced as this Board may order and direct; also that the Commissioners be respectfully requested to appoint Robert Neary and Jonathan Reynolds, one-armed soldiers, from the said fifteen.

Ald. Ratt moved, as an amendment, to strike out the word "fifteen" and insert "ten," and to strike out all after the word "ten." Lost as follows:

Ayes—Ald. Lutes, Carroll, Ratt, Taylor, Burke, Bingermer—6.

Nays—Ald. Spencer, Cram, Qualtrough, Groot, Remington, Guggenheim, Relyea, Copeland, Brown, Kelly, Paine, Woodruff, Charters, Horcheler, Mander, Miller, Quin, Parsons—18.

Ald. Qualtrough moved the previous question. Carried.

Resolution adopted as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Groot, Guggenheim, Carroll, Relyea, Kelly, Paine, Woodruff, Charters, Horcheler, Mauder, Parsons—14.

Nays—Ald. Lutes, Remington, Copeland, Ratt, Taylor, Brown, Burke, Bingermer, Miller, Quin—10.

By Ald. Lutes—Resolved, That the Treasurer pay W. W. Carr one hundred and twenty-two dollars in full for bill rendered for eight barrels flour for Poor store, and charge Poor Fund.

Ald. Groot moved its reference to the Poor Committee. Lost as follows:

Ayes—Ald. Qualtrough, Groot, Remington, Copeland, Brown, Kelly, Paine, Charters, Horcheler, Quin, Parsons—11.

Nays—Ald. Spencer, Cram, Lutes, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Bingemer, Mander, Miller—13

The resolution and bill was referred to the Finance Committee.

By Ald. Remington—Resolved, That the City Treasurer is hereby authorized to receive in full from Jonathan Dresser one hundred and eight 18-100 dollars, being the amount of general city taxes from 1859 to 1866, exclusive of interest and expenses of sale, and forty 51-100 dollars, being the amount of assessment and re-assessment for repairing walks on Monroe avenue, upon lot No. 4 in the De Forrest Tract, the same having been erroneously assessed to Jefferson White, and charge interest and expenses to erroneous assessment. Adopted.

By Ald. Remington—Resolved, That the Contingent Expense Committee are hereby directed to obtain proposals from the proprietors of the several daily papers for the publishing of the proceedings of this Board, and all other printing heretofore done under contract, and report at the next regular meeting. Adopted.

By Ald. Carroll—Resolved, That Geo. Gates be and is hereby appointed to take charge of the city wood yard in place of the present incumbent, he, the said Gates, being a soldier of the war, and having lost his leg in the service; and that Ald. Lutes be requested to see that the above resolution be carried into effect. Adopted as follows:

Ayes—Ald. Spencer, Cram, Lutes, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Bingemer, Mander, Miller—13.

Nays—Ald. Qualtrough, Groot, Remington, Copeland, Brown, Kelly, Paine, Charters, Horcheler, Quin, Parsons—11.

Ald. Mander moved to suspend the rule to adjourn at 11 o'clock. Lost.

Adjourned. B. FRANK ENOS, Clerk.

### In Common Council—April 25, 1867

#### ADJOURNED MEETING.

The President of the Board, Ald. Wm. Guggenheim, presiding.

No quorum being present, the Board adjourned.

B. FRANK ENOS, Clerk.

### In Common Council, April 30th, 1867.

#### REGULAR MEETING.

The President of the Board, Ald. Wm. Guggenheim, presiding.

Present—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Copeland, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mander, Miller, Quin and Parsons.

Absent—Ald. Andrews.

Minutes of the previous meeting approved as published.

#### PETITIONS AND CLAIMS.

By Ald. Cram—Bill against Relief fund; Table. Communication from Wm. Pitkin; Received and filed.

By Ald. Lutes—Sundry bills; Poor Committee. Petition of D. Leary and others; Street Committee.

By Ald. Groot—Sundry Petitions; Wooden Building Committee and table.

By Ald. Relyea—Remonstrance of A. J. Kurtz and others; Table.

By Ald. Taylor—Petition of Horace M. Gilman and others; Improvement Committee.

By Ald. Woodruff—Bill of C. F. Paine; Finance Committee.

By Ald. Adelman—Bill of D. Wagner—Sewer Committee; Petition of John Zipkie, Table.

By Ald. Mander—Petition of Jacob Volk and others; Improvement Committee.

By Ald. Quin—Petition of N. C. Morton; Wooden Building Committee.

By Ald. Qualtrough—Communication from N. Aylesworth; Street Committee.

By Ald. Remington—Remonstrance of Rufus Keeler and others; Table.

By Ald. Copeland—Petition R. Y. McConnell; Wooden Building Committee.

By Ald. Groot—Remonstrance of W. F. Sterritt and others; Received and filed.

#### REPORTS.

Ald. Woodruff presented the following:

*To the President and Gentlemen of the Common Council:*

GENTLEMEN:—Your Contingent Expense Committee, who were directed by resolution passed at your last meeting to receive proposals from the proprietors of all the daily newspapers of the city for publishing the proceedings of the Board, advertising the ordinances, all notices emanating from the Mayor, Clerks, Treasurers, Superintendents and other officers of the city government, and any and all of the publishing and advertising required by the Charter and which is customary, by leave most respectfully to make the following report.

That they have called upon the proprietors of all of the Daily papers of the city and solicited proposals under said resolution. That the proprietors of the Daily Volksblatt and the Daily Observer severally propose to do all the advertising, publish the proceedings of the Board and do the work which was done by the Observer last year for the sum of \$1,200 for the year. That the proprietors of the Daily Union & Advertiser and of the Daily Evening Express have united in a proposition which accompanies this report, and to which the serious attention of the Board is invited. It will be observed upon the reading of said proposition that it proposes an entire change in the system which has heretofore been followed in the matter of city printing; that instead of offering to do the work of the city for a certain sum, be the same more or less—that they propose to charge one-half their regular rates for the publication of the proceedings. In other words, *ten cents* per line, and for everything else which we require to be published, the regular rates. For the reasons which induced them to propose this change the Committee would refer you to the Communication itself. It will be borne in mind by the Board that the Charter requires the publication of a great deal of matter in two of the Daily papers, so that it is not in the power of the Board to cut off entirely the matter of printing. Still a large amount of matter has annually been published which might be

omitted without detriment to the interests of the city. The proprietors of the Democrat decline to make any proposition whatever. The Committee have endeavored to induce the proprietors of all of the papers to name a definite sum for doing all of the work. They have, however, refused so to do and make their proposal in the form of a communication which is herewith transmitted. All which is respectfully submitted.

S. R. WOODRUFF,  
GEORGE TAYLOR,

Contingent Expense Committee.

Rochester, April 30th, 1867.

*To the Common Council of the City of Rochester:*

The undersigned newspaper publishers of this city, would respectfully represent to your honorable body, that in years past the publication of the official proceedings of your Board and the legal advertisements of the corporation, has been attended with expense to the publishers considerably beyond the sums paid for such service. While the amount paid has not been at any time adequate to the cost, the increase of matter to be published has been in a far greater proportion than the increase of prices paid. Your settings are more frequent and lengthy, and the report of the proceedings often fills from four to seven columns of a daily paper. Your ordinances are very numerous, and your other legal notices requiring publication have come to be frequent and lengthy. The expense of publishing newspapers is now nearly one hundred per cent. greater than it was six or eight years since, and the value of advertising space is increased in proportion. In no city of the Union is the printing and publishing performed at so low a price in proportion to the amount as in Rochester. In Buffalo the sum paid is four or five times as great as is paid in Rochester, for no more printing, and such is the case elsewhere, so far as we are informed. The proprietors of the Express performed the city printing under a contract with the Common Council last year at a loss of several hundred dollars, as can be made apparent in figures by looking at the work performed.

Looking at this subject from a business point of view, we fail to see why we should perform this labor for the city at a loss, or at rates below what we demand for similar service of other customers. We only ask, that in considering the matter of printing, the Common Council deal with the publishers as with other citizens who are called upon to serve the city in any other capacity.

If your body will adopt a rule to pay a price for printing in accordance with the quantity of work performed, it will be but a simple act of justice toward the publishers.

For the current year we propose to publish the Clerk's report of your official proceedings for one-half the regular rates charged to the business public—that is for ten cents per line, be the quantity more or less, and we will do all your advertising at our regular rates to the public.

By giving this subject the consideration that it merits, you will confer a favor upon us and do justice to yourselves and the public.

CURTIS, MOREY & CO.,  
WILDER, TRACY & CO.

Received, filed and ordered published, providing the printers charge nothing for so doing.

Ald. Groot reported in favor of the bills of Wm. Hollister, E. Card, Morhardt & Stober, D. E. Fitchner, V. Debus. Finance Committee.

Ald. Ratt reported in favor of the bill of F. C. Lauer, Jr. Finance Committee.

Ald. Lutes reported in favor of the bills of Moore & Cole, Wehn & Goetzman, H. A. Brewster, and moved their reference to the Finance Committee for payment.

Ald. Groot objected to the reference, on the grounds that the Committee had not complied with the rules of the Board.

Ald. Lutes' motion was carried as follows:

Ayes—Ald. Spencer, Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Rati, Taylor, Burke, Paine, Woodruff, Adelman, Bingemer, Mauder, Miller,—16.

Nays—Ald. Qualtrough, Groot, Remington, Mutchler, Copeland, Brown, Charters, Horcheler, Quin, Parsons,—10.

Ald. Adelman reported in favor of the bill of D. Wagner. Finance Committee.

Ald. Spencer reported in favor of the pay roll of the Fire Department. Finance Committee.

COMMUNICATIONS.

The Clerk presented a communication from the Assessors, relative to Stone street improvement. Also, one from the Board of Health, declaring Chestnut and Prospect streets nuisances. Also, a certified copy of the following acts, passed by the Legislature at its last session:

"Erection of a bridge over the Genesee Valley Canal. Requiring the Common Council to make local assessments for the damages caused by the flood. Authorizing the city to borrow money for school purposes. Relative to the Water Works Company. Relative to taxing dogs." Received and filed.

The Clerk reported that the hack license of E. St. Jermain had been revoked by His Honor the Mayor. Received.

ORDINANCES.

UNION STREET SEWER.

By Ald. Adelman—Resolved, that the City Surveyor ascertain and report to this Board the expense of constructing a stone sewer 18 inches by 2 feet, in Union street, from a point 30 feet north of the south line of J. C. Lockey's lot to the sewer in Monroe avenue. Adopted.

The Surveyor submitted as such estimate \$1,100.

By Ald. Adelman—Resolved, that the following improvement is expedient, viz:

The construction of a stone sewer 18 inches by 2 feet in Union street, from a point 30 feet north of the south line of J. C. Lockey's lot to the sewer in Monroe Avenue.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$1,100, which estimate is hereby approved.

Resolved, further, that the following portion of said City is deemed benefited and proper to be assessed for the whole expense thereof, viz:

"One tier of lots on each side of Union street from a point 30 feet north of the south line of J. C. Lockey's lot to Monroe avenue."

And the Clerk is hereby directed to publish notice in pursuance of section 124 of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening, May the 14th, 1867, at half past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

WEST ALEXANDER STREET SEWER.

By Ald. Adelman—Whereas, by a resolution adopted by the Board of Health, April 19th, 1867, West Alexander street, from South avenue to Cayuga street, was declared a nuisance, and in the opinion of this Common Council is a nuisance, now, therefore, for the purpose of abating said nuisance,

Resolved, that the City Surveyor ascertain and report to this Board the expense of construction.



sewer 12 inches in diameter in West Alexander street from Cayuga street to the sewer in South avenue.

Adopted.

The Surveyor submitted as such estimate, \$1,850.

By Ald. Adelman—Resolved, That the following improvement is expedient, viz:

The construction of a pipe sewer 12 inches in diameter, in West Alexander street from Cayuga street to the sewer in South avenue.

And whereas, the City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$1,850, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

“One tier of lots on each side of West Alexander street from Cayuga street to South avenue.

And the Clerk is hereby directed to publish notice in pursuance of section 164 of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening, May the 14th, 1897, at half past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### CHESTNUT STREET SEWER.

By Ald. Adelman—Whereas By a resolution adopted by the Board of Health April 30th, 1897, Chestnut street, from George street to Monroe Avenue, was declared a nuisance, and in the opinion of this Common Council is a nuisance; now, therefore, for the purpose of abating such nuisance,

Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a pipe sewer one foot in diameter in Chestnut street from George street to the sewer in Monroe Avenue. Adopted.

The Surveyor submitted as such estimate \$1,000.

By Ald. Adelman—Resolved, That the following improvement is expedient, viz: The construction of a pipe sewer one foot in diameter in Chestnut street, from George street to the sewer in Monroe Avenue.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$1,000, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

“One tier of lots on each side of Chestnut street from George street to Monroe Avenue.”

And the Clerk is hereby directed to publish notice in pursuance of section 164 of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening, May the 14th, 1897, at half past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### SMITH STREET SEWER.

By Ald. Adelman—Whereas, By a resolution adopted by the Board of Health April 19th, 1897, Smith street from Frank street to Bolivar street, was declared a nuisance, and in the opinion of this Common Council is a nuisance; now, therefore, for the purpose of abating said nuisance,

Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a pipe sewer 1 foot in diameter in Smith street, from a point 50 feet west of Frank street to the sewer in Bolivar street. Adopted.

The Surveyor submitted as such estimate \$670.

By Ald. Adelman—Resolved, That the following improvement is expedient, viz:

The construction of a pipe sewer 1 foot in diameter in Smith street, from a point 50 feet west of Frank street to the sewer in Bolivar street.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$670, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

“One tier of lots on each side of Smith street, from Frank street to the sewer in Bolivar street.”

And the Clerk is hereby directed to publish notice in pursuance of section 164 of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening, May the 14th, 1897, at half past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted as follows:

Ayes—Ald. Spencer, Cram, Guzenheim, Carroll, Relyea, Copeland, Ratt, Taylor, Burke, Woodruff, Adelman, Horchler, Bingemer, Mauder, Miller, Parsons—16.

Nays—Ald. Qualtrough, Lutes, Groot, Remington, Paine, Charters, Quin—7.

#### ANSON PARK GRADING.

By Ald. Ratt—Resolved, That the City Surveyor

ascertain and report to this Board the expense of grading Anson Park, from East avenue to the south lines of George W. Miller and Joseph Robb. Adopted.

The Surveyor submitted as such estimate \$400.

By Ald. Ratt—Resolved, That the following improvement is expedient, viz: The grading of Anson Park, from East Avenue to the south lines of George W. Miller and Joseph Robb.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$400, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

“One tier of lots on each side of Anson Park, from East avenue to the south lines of George W. Miller and Joseph Robb.

And the Clerk is hereby directed to publish notice in pursuance of 164 of the City Charter, that all persons interested in the subject matter of said improvement, are, are requested to attend the Common Council on Tuesday evening, May the 14th, 1897, at half-past seven o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### WILSON STREET WALK.

By Ald. Ratt—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a plank side walk 4 feet 8 inches wide on the south side of Wilson street, from Hudson st. to North street. Adopted.

The Surveyor submitted as such estimate, \$300.

By Ald. Ratt—Resolved, That the following improvement is expedient, viz:

The construction of a plank side walk 4 feet 8 inches wide on the south side of Wilson street, from Hudson street to North street.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$300, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

“One tier of lots on the south side of Wilson street, from Hudson street to North street.

And the Clerk is hereby directed to publish notice in pursuance of section 164 of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening, May the 14th, 1897, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### FULTON STREET WALK.

By Ald. Ratt—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a plank sidewalk 4 feet 8 inches wide on the south side of Fulton street from the west line of said street to Frances street. Adopted.

The Surveyor submitted as such estimate \$510.

By Ald. Ratt—Resolved, That the following improvement is expedient, viz:

The construction of a plank sidewalk 4 feet 8 inches wide on the south side of Fulton street, from the west line of said street to Frances street.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$510, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

“One tier of lots on the south side of Fulton street, from the west line of said street to Frances street.

And the Clerk is hereby directed to publish notice in pursuance of section 164 of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening, May the 14th, 1897, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### CAYUGA STREET SEWER.

Ald. Adelman presented the final ordinance for a sewer in Cayuga street.

Ald. Groot moved its postponement for two weeks.

Lost.

Ordinance lost as follows: Ayes—Ald. Spencer, Cram, Lutes, Remington, Guzenheim, Carroll, Relyea, Copeland, Ratt, Taylor, Burke, Paine, Woodruff, Adelman, Horchler, Bingemer, Mauder, Miller, Parsons—19.

Nays—Ald. Qualtrough, Groot, Charters, Quin—4.

Ald. Qualtrough moved a reconsideration.

Ald. Qualtrough moved to postpone further action four weeks. Carried.

#### COURT AND WILLIAM STREETS OUTLET SEWER BRIDGES.

Ald. Adelman presented the first ordinance for bridges over the Court and William sts. Outlet Sewer, which was lost.

## STATE STREET CROSS-WALK.

Ald. Ratt presented the final ordinance for State street cross-walk.

Ald. Kelly moved its indefinite postponement. Carried.

## REPAIRING WALKS, &amp;c., ON STONE STREET.

Ald. Cram presented the final ordinance for Repairing Walks, &c., on Stone st.

Ald. Spencer moved its indefinite postponement.

Carried as follows:

Ayes—Ald. Spencer, Qualtrough, Groot, Remington, Guggenheim, Carroll, Ratt, Kelly, Burke, Paine, Woodruff, Charters, Adams, and Mauder—14.

Nays—Cram, Lutes, Relyea, Copeland, Taylor, Adelman, Binghamer, Miller, Quin and Parsons—10.

## GRAHAM STREET IMPROVEMENT.

On motion of Ald. Ratt the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing, Ald. Ratt submitted the following:

An ordinance to improve Graham street, from Lorimer street to Bloss street.

The Common Council of the City of Rochester do ordain and determine as follows:

Graham street shall be improved by grading the same from Lorimer street to Bloss street, laying a plank walk 6 feet wide on the west side from the north line of John A. Schaffer's lot to Bloss street, and constructing a stone sewer across said street.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at \$1,250 which estimate was and is hereby approved; the sum of \$1,250 being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

"One tier of lots on each side of Graham street from the north line of John A. Schaffer's lot to Bloss street."

On which above described portion of the city the said sum of \$1,250 is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 4th day of May, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Ald. Kelly moved as an amendment, to strike out that portion relative to constructing a plank walk also, to strike out the assessment "\$1,250," and insert "\$500." Carried.

Ordinance as amended adopted as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Remington, Carroll, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Binghamer, Miller, Quin, Parsons—21.

Nays—Ald. Mauder—1.

## THOMPSON STREET IMPROVEMENT.

On motion of Ald. Ratt the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing, Ald. Ratt submitted the following:

An ordinance to improve Thompson street, from Lyell street to Costar street.

The Common Council of the City of Rochester do ordain and determine as follows:

Thompson street shall be improved from Lyell street to Costar street, by grading the side walks 14 feet wide, laying a plank walk 4 feet and 8 inches wide on the west side from Lyell street to Lorimer street, and on the east side from Lyell street to Jones avenue, with the necessary cross walks, and constructing a stone sewer across Thompson and Lorimer streets.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at \$1,150 which estimate was and is hereby approved; the sum of \$1,150 being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

"One tier of lots on each side of Thompson street from Lyell street to Costar street."

On which above described portion of the city, the said sum of \$1,150 is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 4th day of May, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Ald. Kelly moved as an amendment, to strike out that portion relative to constructing a plank walk also; to strike out the assessment "\$1,150," and insert "\$500." Carried.

Ordinance as amended adopted as follows: All ayes—22.

## WILDER AND GRAPE STREET SEWER.

Ald. Qualtrough moved to reconsider the final ordinance for Wilder and Grape streets sewer. Lost as follows:

Ayes—Ald. Spencer, Qualtrough, Groot, Remington, Kelly, Burke, Paine, Charters, Parsons—14.

Nays—Ald. Cram, Lutes, Guggenheim, Relyea, Copeland, Ratt, Taylor, Woodruff, Adelman, Horcheler, Binghamer, Mauder, Miller, Quin—14.

## ASSESSMENTS.

Ald. Adelman presented the Assessment roll for Hudson street sewer, which was confirmed as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Remington, Guggenheim, Carroll, Relyea, Copeland, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Binghamer, Mauder, Miller, Quin, Parsons—22.

Nays—Ald. Groot, Horcheler—2.

Ald. Cram presented the Assessment roll for repairing walks on North St. Paul street, which was confirmed as follows: All ayes—24.

Ald. Ratt presented the Assessment rolls for Monroe Avenue and Wilson street walks, which were confirmed as follows: All ayes—23.

Ald. Adelman presented the Assessment roll for Wilder and Grape sts. sewer.

Ald. Taylor moved to postpone action two weeks. Carried as follows:

Ayes—Ald. Spencer, Cram, Lutes, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Adelman, Horcheler, Binghamer, Mauder, Miller, Quin—16.

Nays—Ald. Qualtrough, Groot, Remington, Copeland, Kelly, Paine, Charters, Parsons—8.

Ald. Burke presented the Assessment roll for Litchfield street widening, and the next regular meeting, May 14th, was fixed when appeals therefrom will be heard.

## MISCELLANEOUS.

By Ald. Quin—Resolved, That the City Attorney be and he is hereby authorized to take such legal steps or proceedings as in his judgment may be necessary to stop the New York Central Railroad Company from building any obstruction in Canal street, of this city. Referred to the Street Committee.

By Ald. Parsons. Inasmuch as at a previous meeting of this Board, the honesty and capability of our Clerk (after an honorable service of three years) was called into question in relation to the counting of ballots for certain officers elected on the first day of April, 1867, therefore be it

Resolved, That this Board do at this time and by this resolution fully exonerate said Clerk from all suspicion or dishonest intention which to an extent has been by certain Aldermen attributed to him. Adopted unanimously.

By Ald. Mauder—Resolved, That the Street Superintendent notify William Wolf to repair

his sidewalk on North Clinton street, in front of his house, within three days. Adopted.

By Ald. Horcheler—Resolved, That the City Street Superintendent and City Surveyor be and are hereby directed to cause the fences on Nelson street to be moved to the line of the street from Cayuga st. to Caroline street.—Adopted.

By Ald. Horcheler—Resolved, That the City Superintendent of Streets be instructed to notify the owners of property on the East side of South Avenue to repair their walks from Alexander st. to the city line, and in case of neglect that the Superintendent repair the same in accordance with the city charter. Adopted.

By Ald. Horcheler—Resolved, That the Improvement Committee be instructed to bring in an ordinance for the construction of an iron railing on the West side of South St. Paul st., in the vicinity of the so-called Ely's Mill, the old wooden railing being in a very unsafe condition. Referred to the Street Committee with instructions to see the Canal Contractor.

By Ald. Adelman—Resolved, That John Zipkie have leave to construct a tile sewer from his cellar on Whitney street into Jay street sewer. Adopted.

By Ald. Woodruff—Resolved, That the Mayor be requested to enter into contract with the proprietors of the Daily Union and Advertiser for the publication of the proceedings of the Board, &c., upon the terms proposed by them, said contract to include the publication of 50 extra copies of the proceedings in book form to be furnished for the use of the Board and city officers upon their publication, said proceedings to be bound in book form at the end of the year. Also with the proprietors of the Daily Volksblatt for the publication of the proceedings, &c., for the sum of \$1200.

Ald. Remington moved its reference to the Contingent Expense Committee, with instructions to report at the next meeting, the expense of publishing the proceedings, &c., of this meeting, at the rates proposed. Carried as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Groot, Remington, Carroll, Copeland, Kelly, Burke, Charters, Horcheler, Bingemer, Quin, Parsons—15.

Nays—Ald. Lutes, Guggenheim, Relyea, Ratt, Taylor, Woodruff, Adelman, Mauder, Miller—9.

By Ald. Woodruff—Resolved, That the Committee on Lamps be and they are authorized to have the Gas Company extend the service pipe from the main pipe at the corner of University avenue and New Main street to the lamp post and lamp now standing there. Also to extend the main pipe from Lake avenue up Jones avenue to Graham street. Lost.

Ald. Quin moved to suspend the rule to adjourn at 11 o'clock. Carried.

By Ald. Paine—Resolved, That the Treasurer make the city's notes at three months date, payable at Powers' Banking House, for an amount not exceeding in the aggregate the sum of thirteen thousand dollars (\$13,000); that he get the same discounted, and charge the discount to Contingent Fund. Adopted.

By Ald. Paine—Resolved, That the Treasurer make the city's note at three months date, payable at Powers' Banking House, for five thousand dollars; that he get the same discounted, and charge the discount to Contingent

Fund—being for renewal of note dated February 1, 1867, and falling due May 4, 1867.—Adopted.

By Ald. Paine—Resolved, That the Treasurer make the city's note at three months date, payable at Powers' Banking House, for five thousand dollars; that he get the same discounted, and charge the discount to Contingent Fund—being for renewal of note dated February 1, 1867, and falling due May 4, 1867. Adopted.

By Ald. Paine—Resolved, That the Treasurer make the city's note, payable on the 29th day of July, 1867, at Powers' Banking House, for twenty-eight thousand dollars; that he get the same discounted, and charge the discount to Damages by Flood account—being for renewal of note dated February 4, 1867, and falling due May 7, 1867. Adopted.

By Ald. Paine—Resolved, That the Treasurer make the city's note, payable the 29th day of July, 1867, at Powers' Banking House, for twenty-five hundred dollars; that he get the same discounted, and charge the discount to Home for Truants Fund—being for renewal of note dated February 8, 1867, and falling due May 11, 1867. Adopted.

By Ald. Paine—Resolved, That the Treasurer make the city's note, payable on the 29th day of July, 1867, at Powers' Banking House, for ten thousand dollars; that he get the same discounted, and charge the discount to Contingent Fund—being for renewal of note dated February 8, 1867, and falling due May 11, 1867. Adopted.

By Ald. Paine—Resolved, That the Treasurer make the city's note, payable on the 29th day of July, 1867, at Powers' Banking House, for eight thousand dollars; that he get the same discounted, and charge the discount to Site for Armory Fund—being for renewal of note dated February 12, 1867, and falling due May 15, 1867. Adopted.

By Ald. Burke—Resolved, That the Rochester City & Brighton Railroad Co. be and they are hereby directed and required, in pursuance of the second section of an ordinance relating to street railways, passed June 24th, 1862, to put in good repair the surface of the street, by filling all the holes inside the rails and for two feet four inches outside thereof on and along their tracks in the city. Adopted.

By Ald. Kelly—Resolved, That on and after May 1st, 1867 all persons in the employ of the city under direction of the Superintendent of Streets shall be required to labor only eight hours per diem; and that the amount of pay for said labor shall be no less than heretofore paid for ten hours.

Ald. Groot moved as an amendment to strike out "eight" and insert "five." Lost as follows:

Ayes—Ald. Cram, Groot, Carroll, Copeland, Horcheler, Mauder—6.

Nays—Ald. Spencer, Qualtrough, Lutes, Remington, Guggenheim, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Bingemer, Miller, Quin, Parsons—18.

Ald. Taylor moved its postponement for two weeks. Lost as follows:

Ayes—Ald. Cram, Carroll, Copeland, Ratt, Taylor, Paine, Horcheler, Mauder—8.

Nays—Ald. Spencer, Qualtrough, Lutes, Groot, Remington, Guggenheim, Relyea, Kelly, Burke, Woodruff, Adelman, Charters, Bingemer, Miller, Quin, Parsons—16.

Ald. Groot moved as an amendment, to strike out "eight," and insert "six." Lost.

Ald. Kelly moved the previous question. Carried.

Resolution adopted as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Remington, Guggenheim, Carroll, Relyea, Ratt, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Bingemer, Mauder, Miller, Quin, Parsons—20.

Nays—Ald. Groot, Copeland, Taylor—3.

Ald. Remington moved a reconsideration.

Lost as follows:

Ayes—Ald. Groot, Remington, Copeland, Taylor, Paine, Horcheler, Mauder—7.

Nays—Ald. Spencer, Cram, Qualtrough, Lutes, Guggenheim, Carroll, Relyea, Ratt, Kelly, Burke, Woodruff, Adelman, Charters, Bingemer, Miller, Quin, Parsons—17.

By Ald. Taylor—Resolved, That the City's interest in the south part of Lot No. 1 in subdivision of Lots No. 137 and 138 on the west side of North Francis street, be transferred and assigned to Elizabeth Seiler upon the payment of Forty-nine and thirty one-hundredth (\$49.30) dollars, said lot having been sold for general taxes March 2, 1865; March 3, 1864; March 5, 1863; March 7, 1861; June 21, 1859; and for Francis and Maple streets sewer May 29, 1863. Adopted.

By Ald. Taylor—Resolved, That the salary of the Mayor be fixed for the ensuing year at \_\_\_\_\_ dollars.

Ald. Groot moved to fill the blank with \$500.

Ald. Taylor moved to fill the blank with \$1,500. Carried as follows:

Ayes—Ald. Spencer, Cram, Lutes, Remington, Guggenheim, Carroll, Relyea, Copeland, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Parsons—21.

Nays—Ald. Qualtrough, Groot, Quin—3.

Resolution adopted.

By Ald. Taylor—Resolved, That the salary of the City Clerk be fixed for the ensuing year at \_\_\_\_\_ dollars.

Ald. Taylor moved to fill the blank with \$1,200. Carried.

Resolution adopted.

By Ald. Taylor—Resolved, That the salary of the Overseer of the Poor be fixed at \$1,200 for the ensuing year.

Ald. Kelly moved as an amendment to strike out "\$1200" and insert "\$1500." Lost as follows:

Ayes—Ald. Kelly, Adelman, Charters, Horcheler, Mauder—5.

Nays—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Remington, Guggenheim, Carroll, Relyea, Copeland, Ratt, Taylor, Burke, Paine, Woodruff, Bingemer, Miller, Quin, Parsons—19.

Ald. Groot moved as a substitute to strike out "1200" and insert \$1000, and his clerk to have \$900." Lost as follows:

Ayes—Ald. Groot, Remington, Copeland—3.

Nays—Ald. Spencer, Cram, Qualtrough, Lutes, Guggenheim, Carroll, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons—21.

Ald. Kelly moved as an amendment to strike out "\$1,200" and insert "\$1,400." Lost as follows:

Ayes—Ald. Groot, Kelly, Burke, Adelman, Charters, Horcheler, Mauder, Miller—8.

Nays—Ald. Spencer, Cram, Qualtrough, Lutes, Remington, Guggenheim, Carroll, Relyea, Copeland, Ratt, Taylor, Paine, Woodruff, Bingemer, Quin, Parsons—16.

Ald. Kelly moved to strike out "\$1,200" and insert "\$1,350." Lost.

Ald. Taylor moved the previous question. Carried.

Resolution adopted as follows:

Ayes—Ald. Spencer, Qualtrough, Lutes, Remington, Guggenheim, Carroll, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons—21.

Nays—Ald. Cram, Groot, Copeland—3.

By Ald. Taylor—Resolved, That the salary of the City Superintendent be fixed at \$1,500.

Ald. Kelly moved as an amendment to strike out "\$1,500" and insert "\$1,800." Lost as follows:

Ayes—Ald. Qualtrough, Carroll, Copeland, Kelly, Adelman, Charters, Horcheler, Mauder, Miller, Quin—10.

Nays—Ald. Spencer, Cram, Lutes, Guggenheim, Relyea, Ratt, Taylor, Burke, Paine, Woodruff, Bingemer, Parsons—13.

Ald. Kelley moved to strike out "\$1,500" and insert "\$1,700." Carried.

Ald. Groot moved to adjourn. Lost.

The resolution as amended was lost as follows:

Ayes—Ald. Qualtrough, Groot, Guggenheim, Carroll, Copeland, Kelly, Burke, Adelman, Charters, Mauder, Quin—11.

Nays—Ald. Spencer, Cram, Lutes, Remington, Relyea, Ratt, Taylor, Paine, Woodruff, Horcheler, Bingemer, Miller, Parsons—13.

By Ald. Taylor—Resolved, That the salary of the City Attorney be fixed at \$1,000 for the ensuing year.

Ald. Qualtrough moved as an amendment to strike out "\$1,000" and insert "\$1,100." Carried as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Groot, Remington, Guggenheim, Carroll, Copeland, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Parsons—16.

Nays—Ald. Lutes, Relyea, Ratt, Taylor, Bingemer, Mauder, Miller, Quin—8.

Resolution adopted as amended.

Ald. Taylor moved that the Surveyor's salary be fixed at \$3,000. Carried.

Ald. Taylor moved that the Messenger's salary be fixed at \$800.

Ald. Kelly moved as an amendment to make it \$900. Lost.

Ald. Taylor's motion was carried.

Ald. Taylor moved that the Chief of Police salary be fixed at \$1,500. Carried.

Ald. Taylor moved that the Street Superintendent's salary be fixed at \$1,500.

Ald. Qualtrough moved as an amendment to make it \$1,675. Lost as follows:

Ayes—Ald. Qualtrough, Groot, Guggenheim, Carroll, Copeland, Kelly, Burke, Woodruff, Charters, Mauder, Quin—11.

Nays—Ald. Spencer, Cram, Lutes, Remington, Relyea, Ratt, Taylor, Paine, Adelman, Horcheler, Bingemer, Miller, Parsons—13.

Ald. Kelly moved to make it \$1,600. Carried.

Resolution as amended adopted as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Groot, Guggenheim, Carroll, Relyea, Copeland, Ratt, Kelly, Burke, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller, Quin—18.

Nays—Ald. Lutes, Remington, Taylor, Paine, Beminger, Parsons—6.

Ald. Taylor moved that the Assessors' salary be fixed at \$1,200 each.

Ald. Cram moved that it be \$1,300. Lost.

Ald. Taylor's motion was carried.

Ald. Taylor moved that the Treasurer's salary be fixed at \$3,000.

Ald. Qualtrough moved that it be \$4,000. Lost.

Ald. Kelly moved that it be fixed at \$3,500. Carried.

Ald. Taylor's motion as amended was carried.

Ald. Taylor moved that the salary of the Police Justice be fixed at \$1,500.

Ald. Kelly moved that it be fixed at \$1,800. Carried.

Ald. Taylor's motion as amended was carried.

Ald. Taylor moved that the salary of the Clerk of the Overseer of the Poor be fixed at \$900. Carried.

Ald. Taylor moved that the salary of Health Officers and City Physicians be fixed at \$500 each, to include all vaccinations and medicines furnished. Carried.

Ald. Taylor moved that the salary of the Health Inspectors be fixed at \$50 per month for each. Carried.

Ald. Taylor moved that the salary of the Policemen be fixed at \$70 per month for each.

Ald. Groot moved that it be fixed at \$75 per month. Carried as follows:

Ayes—Ald. Cram, Qualtrough, Groot, Guggenheim, Relyea, Ratt, Kelly, Burke, Paine, Woodruff, Charters, Horcheler, Mauder, Miller, Quin, Parsons—16.

Nays—Ald. Spencer, Lutes, Remington, Carroll, Copeland, Taylor, Adelman, Bingemer—8.

Ald. Taylor's motion as amended was carried.

Ald. Charters moved to adjourn. Lost.

By Ald. Relyea—Resolved, That the Fire Department Committee be and hereby authorized to sell such horses belonging to the City Fire Department as are in their judgment unfit for service, and to purchase suitable horses to supply the department so as to put it in complete working order, as in the opinion of the Committee will be for the best interests of the city. Also to sell such old horse as is unfit for use on the steam fire engines, at the best price they can obtain for the same, and purchase leather and material for supplying the place of that sold. Also to sell the old iron, copper and such other old material as is now not in use, and belonging to the department, and report their doings to this Board at the proper time.

Ald. Groot moved its reference back to the committee, to bring in a schedule of property to be purchased and sold. Lost.

Resolution adopted.

Ald. Charters moved to adjourn. Lost.

By Ald. Relyea—Resolved, That the Committee on Fire Department be and are hereby authorized to purchase such supplies from time to time, for the use of the Department, as in their judgment will be for the interest of the city and beneficial to the Department. Adopted.

By Ald. Carroll—Resolved, That the President be and is hereby added to the regular Standing Committees of this Board. Adopted.

By Ald. Remington—Resolved, That the Mayor and Treasurer be and they are hereby empowered and directed to transfer to Hiram L. Barker, the title of Lot 72 Caledonia Tract,

north side of Edinburgh street, assessed to Benjamin Bigelow, and sold to the city March 7, 1867, for the unpaid taxes of 1866, when he shall pay to the Treasurer the amount of the unpaid taxes. Adopted.

By Ald. Remington—Resolved, That the Treasurer is hereby directed to pay each Board of Inspectors of the several Wards for services in the late election forty dollars, and charge Contingent fund. Adopted as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Groot, Remington, Guggenheim, Relyea, Copeland, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons—22.

Nays—Lutes, Carroll—2.

By Ald. Groot—Resolved, That in accordance with the report of the Special Committee upon relief to soldiers' families, adopted April 24th. 1867, the Overseer of the Poor is hereby directed to draw orders upon the City Treasurer in favor of such parties to whom it may be deemed necessary to pay money, and the Treasurer is hereby authorized and empowered to pay the same and charge the amount to the Poor Fund. Adopted.

By Ald. Groot—Resolved, That the Treasurer is hereby directed to pay John Watson \$34.50 for services rendered at the City Wood Yard from April 1st to the 26th inclusive, and charge Poor Fund. Adopted as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Remington, Guggenheim, Carroll, Relyea, Copeland, Ratt, Taylor, Kelly, Burke, Woodruff, Adelman, Charters, Horcheler, Bingemer, Miller, Quin, Parsons—22.

Nays—Ald. Paine, Mauder—2.

Ald. Groot moved that the salary of the Clerk of the Board of Health be fixed at \$300. Carried.

By Ald. Lutes—Resolved, That the Treasurer pay the following account, as per bills rendered and approved by the Poor Committee, and charge Poor Fund:

Wehn & Gætzman, for soap, \$96.50.

Moore & Cole, for sugar and fish, \$100.75.

Adopted as follows:

Ayes—Ald. Spencer, Cram, Lutes, Guggenheim, Carroll, Relyea, Copeland, Ratt, Taylor, Burke, Woodruff, Adelman, Horcheler, Bingemer, Mauder, Miller—16.

Nays—Ald. Qualtrough, Groot, Remington, Kelly, Paine, Charters, Quin, Parsons—8.

By Ald. Lutes—Resolved, That the Street Superintendent be and he is hereby instructed to remove all obstructions on Otsego street. Adopted.

By Ald. Lutes—Resolved, That the Clerk draw two orders in favor of David Wagner, and payable to his order, as follows, viz: One for four hundred dollars, payable in one year from April 30th, 1867, and one for four hundred dollars, payable in two years from the same date, both with interest; and the City Treasurer is hereby authorized to accept the same in behalf of the city, and charge Buffalo street sewer fund.

Ald. Groot moved its postponement for two weeks. Carried.

By Ald. Lutes—Resolved, That the Clerk draw two orders for three hundred and seventy-five dollars each, in favor of David Wagner, and payable to his order, one in one year from April 30th, 1867, and one in two years from the same date, both with interest; and the City Treasurer is hereby authorized to accept the

same in behalf of the city, and charge to Buffalo street private lateral sewer fund. Adopted as follows: All ayes—23.

By Ald. Qualtrough—Resolved, That the City Property Committee devise some means to provide the Reporters' desks with a softer and less dazzling light; postponed for two weeks.

By Ald. Cram—Resolved, That the Mayor be requested to appoint two men to enforce the law in relation to cattle and swine running at large; Adopted.

By Ald. Cram—Resolved, That the City Treasurer be and he is hereby directed to cancel the tax of \$3.66 against William Pitkin for the Improvement of Front Street, and charge the same to that fund; Adopted.

By Ald. Cram—Resolved, That the Street Superintendent be directed to remove all obstructions from West Alley, North of Buffalo Street, in accordance with the lines established by the Surveyor; Adopted.

By Ald. Cram—Resolved, That the Treasurer credit the Poor fund \$210.75 for wood and coal furnished the Relief Committee, and charge Relief fund. Adopted.

By Ald. Quin—Resolved, That the Improvement Committee cause the iron fence now being built on Mt. Hope and South Avenues to be painted with two coats of coal tar paint. Adopted.

By Ald. Quin—Resolved, That the Committee on Fire Department be and they are authorized to prohibit all the members of the Fire Department running or driving any of the city teams or engines over any of the canal bridges in this city except Fitzhugh street and Court street, as there is not one of the others but what is completely rotten. Adopted.

FINANCE BUDGET.

By Ald. Paine—Resolved that the Treasurer pay as follows:

CONTINGENT FUND.

Wilder, Tracy & Co., pub. proceedings, &c...	\$ 485 50
A. Nolte " " " " " "	800 00
D. D. S. Brown, " " " " " "	81 00
L. W. Brandt, " " " " " "	28 75
E. A. Raymond, disbursements.....	95 87
Ernst & Siefert, tape line for Assessors.....	11 00
Darrow & Kempshall, stationery.....	14 20
Hiram Wood, horse hire.....	5 50
Henry Hebing, iron shovel.....	1 55
Edward Gray, repairs to City Hall.....	23 79
Geo. W. Vaughan, disbursements.....	12 20
E. Wray, repairs to lock and keys.....	11 05
<b>And charge Contingent fund.....</b>	<b>\$1,014 44</b>

POOR FUND.

Wm. Hollister, services 2 weeks at Poor Office..	\$ 50 00
Edwin Card " " " " " "	10 00
Morhardt & Stober, bill of Meat per orders....	85 00
D. E. Fichtner, bread furnished Poor Store.....	407 70
Valentine Debus, Delivering Wood.....	176 25
W. W. Carr, Bill of Flour for Poor Store.....	122 00
Booe & Co, goods for Poor Store.....	5 50
H. Austin Brewster " " " " " "	24 00
<b>And charge Poor Fund.....</b>	<b>\$ 880 45</b>

FIRE DEPARTMENT FUND.

Monthly Pay Roll, Payable to George B. Harris, Chief Engineer:

Steamer No. 1, Engineer and Drivers.....	\$ 185 00
do No. 2, do. do. ....	135 00
do. No. 3, do. do. ....	185 00
do. No. 4, do. do. ....	185 00
R. B. Paine, services at Hose Depot.....	88 38
<b>.....</b>	<b>\$ 578 38</b>
Geo. B. Harris, 1 mos. salary, payable to City Treasurer, and charge Fire Department Fund.....	\$ 100 00

BUFFALO STREET SEWER.

D Wagner, work on Buffalo street sewer, and charge that fund.....\$512 00

PARK FUND.

Patrick C. Kavanagh, trimming trees, and charge that fund..... 50 00

EAST AVENUE REPAIR FUND.

C. F. Paine, bill for repairs on East avenue, and charge appropriate fund..... 68 45

BARTLETT STREET WALK FUND.

F. C. Lauer, Jr., work, &c., on Bartlett street walk, and charge that fund..... 281 40

SEWER REPAIR FUND.

Robt. McIntyre, repairing sewers, and charge that fund..... 110 60

WIDENING LITCHFIELD ST. FUND.

F. A. Whittlesey & Co., Commissioners, widening Litchfield st., and charge that fund..... 24 00

EXTENDING SEXTON ST. FUND.

C. S. Baker & Co., Com's, extending Sexton street..... 48 00  
Geo. H. Barry, searches..... 38 65

**And charge that fund.....** \$ 81 65

ORCHARD ST. EXTENSION FUND.

Geo. H. Barry, searches, and charge that fund..... 4 20

HEALTH FUND.

G. & C. Crouch, use of island, 1865, 1866, 1867... 60 00  
John Boland, burying animals..... 1 00  
J. W. Wheeler, Inspector, 12 days' services... 20 04  
A. Wollert, " " " " " .. 2 04  
J. Reynolds, " " " " " .. 20 04  
Thos. Morrison, " " " " " .. 20 04

**And charge that fund.....** \$ 141 16

Adopted as follows:  
Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Remington, Guggenheim, Carroll, Relyea, Copeland, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingermer, Mauder, Miller, Quin, Parsons—23.  
Nays—Ald. Groot—1.  
Adjudged. B. FRANK ENOS, Clerk.

In Common Council, May 14th, 1867

REGULAR MEETING.

The President of the Board, Ald. Wm. Guggenheim, presiding.

Present—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Copeland, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingermer, Mauder, Miller, Quin and Parsons.

Absent—Ald. Brown.  
Minutes of the previous meeting approved as published.

PETITIONS AND CLAIMS.

By Ald. Quin—Resignation of John H. Dennis, as Commissioner of Deeds; table. Petition of John Redhead and others; Improvement Committee. Petition of Samuel Burns and others; Grievance Committee. Bill of D. Wagner; Improvement Committee.

By Ald. Parsons—Bill of John Bauer; Fire Department Committee, to report at the next regular meeting.

By Ald. Mauder—Sundry bills; Lamp Committee. Petition of Henry Galen and others; Sewer Committee.

By Ald. Bingermer—Remonstrance of John Ireland and others; table. Remonstrance of Patrick Barry and others; Grievance Committee. Petition of A. Bardeen; Wooden Building Committee.

By Ald. Charters—Petition of James Cooper and others; Sewer Committee.

By Ald. Adelman—Sundry bills; Sewer Committee. Communication from Wm. F. Sterritt and others; received and filed.

By Ald. Woodruff—Sundry bills; Contingent Expense and Fire Department Committees. Petition of S. S. Caswell; Wooden Building Committee.

By Ald. Kelly—Bills of Cregan & McCormick; Park Committee. M. Davis; Finance Committee. Communications from R. T. Pettengill; table. Thomas McCallister and others; Fire Department Committee, to report at the next meeting.

By Ald. Taylor—Petitions of Wm. Young and others; Improvement Committee; E. V. De Graff and others; table. O. M. Rice; Wooden Building Committee.

By Ald. Copeland—Bill of McConnell & Jones. Table.

By Ald. Ratt—Bill of N. H. Smith. Finance Committee. Remonstrance of John H. Dana. Wooden Building Committee.

By Ald. Carroll—Sundry bills. Park Committee.

By Ald. Graham—Sundry bills. Finance Committee.

By Ald. Groot—Sundry petitions. Wooden Building Committee. Remonstrance of John Baker and others. Table. John Barry. Street Committee and Street Superintendent. Communication from Geo. M. Elwood. Table.

By Ald. Qualtrough—Bill of Geo. W. Vaughan. Finance Committee.

By Ald. Lutes—Sundry bills. Poor Committee. Petition of Jas. Brown. Wooden Building Committee.

By Ald. Spencer—Sundry bills. Fire Department Committee.

By Ald. Cram—Sundry bills. Street Committee.

#### REPORTS.

Ald. Spencer reported in favor of sundry bills. Finance Committee.

Ald. Quin reported in favor of the bill of D. Wagner. Finance Committee.

Ald. Adelman reported in favor of sundry bills. Finance Committee.

Ald. Carroll reported in favor of sundry bills. Finance Committee.

Ald. Mauder reported in favor of sundry bills, and moved their reference to the Finance Committee.

Ald. Burke moved that the claim of the Rochester Gas Co. be referred back to the Committee for correction. Carried as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Andrews, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Taylor, Kelly, Burke, Paine, Woodruff, Quin, Parsons—18.

Nays—Ald. Groot, Copeland, Ratt, Adelman, Chartiers, Horcheler, Bingemer, Mauder, Miller—9.

Ald. Woodruff reported in favor of sundry bills, and moved their reference to the Finance Committee.

Ald. Groot moved that the claim of F. Maseth be referred to the Mayor for payment. Lost.

Bills referred to the Finance Committee.

Ald. Lutes reported in favor of sundry bills; Finance Committee.

Ald. Cram reported in favor of sundry bills; Finance Committee.

Ald. Kelly reported in favor of the bill of Cregan & McCormick; Finance Committee.

Ald. Woodruff reported in favor of sundry bills; Finance Committee.

Ald. Woodruff presented a report relative to the cost of publishing the proceedings of the last meeting. Received and filed.

Ald. Graham presented the Report of the Police Justice for the month of April. Total amount received, \$221.20. Filed.

Ald. Lutes presented the Report of the Overseer of the Poor from the 21st of March to May 1st:

Whole amount expended.....	\$3,303.90
Less county towns and relief.....	959.25

Total for city.....	\$2,344.65
Number of families assisted, 673. Filed.	

#### COMMUNICATIONS.

The Clerk presented the following:  
MAYOR'S OFFICE,  
ROCHESTER, May 9, 1867. }

#### Gentlemen of the Common Council:

At your last meeting, held on the 30th day of April, 1867, the following resolution, offered by Ald. Groot, was adopted:

"Resolved, That the Treasurer is hereby directed to pay John Watson thirty-four dollars and fifty cents for services rendered in the City Wood Yard from the 1st of April to the 26th inclusive and charge Poor Fund."

I cannot approve this resolution for the following reasons, viz:

First—Because the Common Council never authorized the employing of this man, that the office or position is in my judgment a sinecure, that he has already drawn from the Treasury during the years 1866 and 7, \$544.50 cash, besides the free use of a building located in said yard to live in, which belongs to the city and which is equivalent at least to \$100 per year; that for all the time he has been there, going on two years, he has used wood belonging to the city, which was sawed and split to his hand at the public expense, and which as yet he has not paid one cent for, and which, sowed and split, at the lowest estimate would amount to \$57.50 per annum, which at the rate he has been paid in cash per year being.....\$469 50 cash  
And for rent of building per annum, say..... 100 00  
Wood used, including its preparation..... 57 50

Making for his services for that sinecure position.....\$627 00

This, it would seem, to be more than liberal for the services rendered, all of which was ostensibly done to save perhaps five cords of wood per year that might have been stolen, which was worth about \$50.

Second—That for a portion of the time which he claims pay for accrued after the possession of the said wood yard, and the keys to which had been demanded and which he refused to surrender. And that he now occupies said building much to the detriment and inconvenience of the city, and that he is still burning the public wood without paying for either the rent of the house or for the wood so burned, and that if he (said Watson) should pay for the wood thus used since he has been there, instead of the city owing him \$54.50, he would owe the city at least \$75.00. That the one-legged soldier, now in charge I understand is allowed \$30.00 per month for doing the same work and thinks he is well paid for the work he has to perform.

Most respectfully Yours,  
HENRY L. FISH, Mayor.

Ald. Groot moved that it be received, filed and published, and that 500 copies be printed, one half in English and one half in German.

Ald. Carroll moved as an amendment to strike out all after the word "publish." Carried.

Ald. Groot's motion as amended was carried.

Ald. Groot moved that the resolution above referred to be reconsidered. Carried.

Ald. Groot moved the adoption of the resolution.

Ayes — Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Copeland, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Miller, Quin, Parsons—26.

Nays—Ald. Mauder—1.

The Clerk presented the following :

CITY CLERK'S OFFICE,  
May 14th, 1867.

To the Common Council of the City of Rochester :

At a meeting of the Board of Health, held on the 3d inst., Tappan street, Kelly street, between St. Joseph and Joiner streets; Ambrose street, from Graham street to Lake avenue were declared nuisances. Also, on the 10th instant, Joiner street, from Atwater street to the Railroad; Orchard street, from Jay street to Smith street; Scrantom street, Sellinger street and St. Joseph street; Hunter street, from Genesee st. to the Valley Canal, were declared nuisances, and the Common Council requested to pass an ordinance for a sewer in said streets, it being necessary for the benefit of public health.

B. FRANK ENOS, Clerk.

Ald. Groot moved its reference back to the Board of Health. Lost.

Ald. Groot moved to receive, file and publish.

Ald. Taylor moved as an amendment, to strike out the word "publish."

Lost as follows:

Ayes — Ald. Lutes, Graham, Guggenheim, Carroll, Relyea, Taylor, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller—12.

Nays — Ald. Spencer, Cram, Qualtrough, Groot, Andrews, Remington, Mutchler, Copeland, Ratt, Kelly, Paine, Charters, Horcheler, Quin, Parsons—15.

Ald. Groot's motion was carried.

The Clerk presented a communication from the Treasurer, relative to unpaid taxes on personal property.

Ald. Qualtrough moved its reference to the Law Committee. Lost.

Ald. Taylor moved its reference to the Assessment Committee. Carried.

Ald. Quin moved to suspend the rule to adjourn at 11 o'clock. Lost.

Adjourned. B. FRANK ENOS, Clerk.

**In Common Council.—May 15th, 1867.**

ADJOURNED MEETING.

The President of the Board, Ald. Wm. Guggenheim, presiding.

Present — Ald. Spencer, Cram, Qualtrough, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Copeland, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin.

Absent—Ald. Lutes, Brown.

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## COMMUNICATIONS.

By Ald. Cram—Communication from McConnell & Co.

Ald. Copeland moved its reference to the Street Committee to report.

Ald. Ratt moved to lay the whole matter on the table. Lost.

Ald. Copeland's motion to refer was carried.

## ORDINANCES.

### RELATING TO ANIMALS AND NUISANCES.

Ald. Paine gave notice that he would, at the next regular meeting, introduce amendments to the Penal ordinance relating to "Animals Running at Large," and "Nuisances."

### STREET RAILROADS.

Ald. Cram gave notice that he would, at the next regular meeting, introduce the following:

By Ald. Cram—Resolved, That section 2 of the ordinance relating to Street Railroads be amended so as to read as follows:

SECTION 2. The track of said Rail Road shall be so laid as to permit the free passage of vehicles and carriages over the same, and the rails shall be laid even with the surface of the streets, and shall conform to the grades thereof as now established, or as they shall from time to time be established or altered. Said company shall, under the direction of, and as required by the Common Council of the city of Rochester, improve the streets and bridges through which their track shall be laid, upon such grade and in such manner, and with such suitable material as said Common Council shall direct, in a proper manner between the rails, and for two feet from the rails outside thereof, and shall keep the surface of the street and of such bridges inside the rails and for two feet four inches outside thereof, in good repair, and all dirt and filth removed therefrom as may be directed and required by said Common Council.

### ANSON PARK GRADING.

On motion of Ald. Ratt the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing, Ald. Ratt submitted the following:

An ordinance to grade Anson Park. The Common Council of the City of Rochester do ordain and determine as follows:

Anson Park, from East Avenue to the south lines of George W. Miller and Joseph Robb's lots shall be graded.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at \$400, which estimate was and is hereby approved; the sum of \$400 being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on each side of Anson Park, from East Avenue to the south lines of George W. Miller and Joseph Robb's lots.

On which above described portion of the city the said sum of \$400 is hereby ordered to be assessed.

And David McKay, E. T. Ostley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 15th day of May, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Ald. Qualtrough asked to be excused from voting, as he deemed the ordinance illegal. The request was not granted.

Ald. Qualtrough refusing to vote, the President declared him in contempt.

Ald. Horcheler moved to reconsider the vote not to excuse Ald. Qualtrough. Carried.

The motion to excuse Ald. Qualtrough from voting was then carried.

The ordinance was adopted as follows: All ayes—22.

### WILSON STREET WALK.

On motion of Ald. Ratt the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing, Ald. Ratt submitted the following:



An ordinance to construct a walk in Wilson street, from Hudson street to North street.

The Common Council of the city of Rochester do ordain and determine as follows:

A plank sidewalk 4 feet 8 inches wide on the south side of Wilson street, from Hudson street to North st., shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at \$300, which estimate was and is hereby approved; the sum of \$300 being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on the south side of Wilson street, from Hudson street to North street.

On which above described portion of the city, the said sum of \$300 is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 18th day of May, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote: All ayes—26.

#### FULTON STREET WALK.

On motion of Ald. Ratt, the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing.

Ald. Ratt submitted the following:

An Ordinance to construct a walk on Fulton street from the west line of said street to Frances street.

The Common Council of the city of Rochester do ordain and determine as follows:

A plank sidewalk 4 feet 8 inches wide on the south side of Fulton street, from the west line of said street to Frances street, shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at \$510, which estimate was and is hereby approved; the sum of \$510, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on the south side of Fulton street, from the west line of said street to Frances street.

On which above described portion of the city the said sum of \$510 is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 18th day of May, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote:

Ayes—Ald. Spencer, Cram, Quailtrough, Andrews, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Copeland, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mander, Miller, Quin, Parsons—25.  
Nays—Ald. Groot—1.

#### ATWATER STREET WALK.

By Ald. Ratt—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone side walk, 4 feet wide, on the north side of Atwater street, from St. Paul street to the west line of Water street. Adopted.

The Surveyor submitted as such estimate \$490.

By Ald. Ratt—Resolved, That the following improvement is expedient, viz:

The construction of stone side walk, 4 feet wide, on the north side of Atwater street, from St. Paul street to the west line of Water street.  
And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole

expense thereof, and reported the same at \$490, which estimate is hereby approved.

Resolved, further, That the following portion of said City is deemed benefited and proper to be assessed for the whole expense thereof, viz:

"One tier of lots on the north side of Atwater street, from St. Paul street to Water street."

And the Clerk is hereby directed to publish notice in pursuance of section 164 of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, May the 28th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted as follows:

Ayes—Ald. Cram, Andrews, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Copeland, Ratt, Kelly, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Miller—18.

Nays—Ald. Spencer, Quailtrough, Groot, Taylor, Burke, Mauder, Quin, Parsons—3.

#### CHATHAM STREET SEWER.

On motion of Ald. Adelman the Board proceeded to hear allegations in relation to the improvement described in the ordinance below. After hearing such allegations from all persons appearing.

Ald. Adelman submitted the following:

An ordinance to construct a sewer in Chatham street from a point fifty feet south of Baden street to the sewer in Kelly street.

The Common Council of the city of Rochester do ordain and determine as follows:

A tile sewer 12 inches in diameter, in Chatham street, from a point 50 feet south of Baden street to the sewer in Kelly street shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at \$550, which estimate was and is hereby approved; the sum of \$550, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on each side of Chatham street from Baden street to Kelly street.

On which above described portion of the city, the said sum of \$550 is hereby ordered to be assessed.

And David McKay, E. T. Oatley and Charles M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 18th day of May, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote;

Ayes—Ald. Spencer, Cram, Andrews, Remington, Graham, Guggenheim, Carroll, Mutchler, Kelly, Copeland, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller—22.

Nays—Ald. Quailtrough, Groot, Quin, Parsons—4.

#### WEST ALEXANDER STREET SEWER.

On motion of Ald. Adelman the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing.

Ald. Adelman submitted the following:

An ordinance to construct a sewer in West Alexander street, from Cayuga street to South avenue.

Whereas, by a resolution adopted by the Board of Health, April 19th, 1867, West Alexander street, from South avenue to Cayuga street, was declared a nuisance, and in the opinion of this Common Council is a nuisance, and for the purpose of abating said nuisance, the Common Council of the city of Rochester do ordain and determine as follows:

A pipe sewer 12 inches in diameter, in West Alexander street from Cayuga street to the sewer in South avenue, shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at one thousand three hundred and fifty dollars, which estimate was and is hereby approved; the sum of one thousand three hundred and fifty dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will

be benefited by said improvement is described as follows:

One tier of lots on each side of West Alexander street between Cayuga and South avenue, which above described portion of the city the said sum of one thousand three hundred and fifty dollars is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on SATURDAY, the 18th day of May, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote:

Ayes—Ald. Spencer, Cram, Quailtrough, Andrews, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Copeland, East, Taylor, Kelly, Paine, Woodruff, Adelman, Horchler, Bingemer, Mander, Miller, Quin—23.

Nays—Ald. Groot, Charters, Parsons—3.

#### UNION STREET SEWER.

On motion of Ald. Adelman the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing, Ald. Adelman submitted the following:

An ordinance, to construct a sewer in Union street, from a point 80 feet north of the south line of J. C. Locke's lot to the sewer in Monroe Avenue.

The Common Council of the City of Rochester do ordain and determine as follows:

A stone sewer 18 inches by 2 feet, in Union street, from a point 80 feet north of the south line of J. C. Locke's lot to the sewer in Monroe Avenue shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at one thousand and hundred dollars, which estimate was and is hereby approved; The sum of one thousand one hundred dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows: One tier of lots on each side of Union street from a point 30 feet north of the south line of J. C. Locke's lot to Monroe Avenue.

On which above described portion of the city, the said sum of one thousand one hundred dollars is hereby ordered to be assessed.

And David McKay, E. T. Oatley and E. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 13th day of May, 1867, at nine o'clock in the forenoon, at the Office of the City Clerk.

Passed, by the following vote:

Ayes—Ald. Spencer, Cram, Quailtrough, Andrews, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Copeland, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horchler, Bingemer, Mander, Miller, Quin and Parsons—24.

Nays—Groot—1.

#### SMITH STREET SEWER.

On motion of Ald. Adelman the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing, Ald. Adelman submitted the following: An ordinance to construct a sewer in Smith street, from a point 50 feet west of Frank street to Bolivar street.

Whereas, By a resolution adopted by the Board of Health April 19th, 1867, Smith street from Frank street to Bolivar street was declared a nuisance, and in the opinion of this Common Council is a nuisance; now, therefore, for the purpose of abating said nuisance,

The Common Council of the City of Rochester do ordain and determine as follows:

A pipe sewer 1 foot in diameter in Smith street, from a point 50 feet west of Frank street to the sewer in Bolivar street shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at \$670, which estimate was and is hereby approved; the sum of \$670, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

"One tier of lots on each side of Smith street, from Frank street to the sewer in Bolivar street."

On which above described portion of the city, the said sum of \$670 is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 18th day of May, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote:

Ayes—Ald. Spencer, Cram, Quailtrough, Andrews, Remington, Graham, Carroll, Mutchler, Relyea, Copeland, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horchler, Bingemer, Mander, Miller, Quin, Parsons—23.

Nays—Ald. Groot.

#### JERSEY STREET SEWER.

By Ald. Adelman—Resolved, That the City Surveyor ascertain and report to this Board the expense of a pipe sewer 9 inches in diameter in Jersey street, from Cross Alley to the sewer in George street. Adopted.

The Surveyor submitted as such estimate \$460.

By Ald. Adelman—Resolved, That the following improvement is expedient, viz:

The construction of a pipe sewer 9 inches in diameter in Jersey street, from Cross Alley to the sewer in George street.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$460, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on the east side of Chestnut street, from Monroe Avenue to the north line of lot No. 133 in Manhattan Square Tract.

And the Clerk is hereby directed to publish notice in pursuance of section 164 of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening, May the 28th, 1867, at half past 7 o'clock at the Common Council Hall, when allegations will be heard. Adopted.

At this point, Ald. Quailtrough was called to the chair.

#### KELLY STREET SEWER.

By Ald. Adelman—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a pipe sewer 12 inches in diameter in Kelly street from the sewer in Hanover street to the sewer in Hudson street. Adopted.

The Surveyor submitted as such estimate \$1,070.

By Ald. Adelman—Resolved, That the following improvement is expedient, viz:

A pipe sewer 12 inches in diameter in Kelly street from the sewer in Hanover street to the sewer in Hudson street.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$1,070, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of Kelly street, from Hanover street to Hudson street.

And the Clerk is hereby directed to publish notice in pursuance of section 164 of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening, May the 28th, 1867, at half past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### KELLY STREET SEWER.

By Ald. Adelman—Whereas By a resolution passed by the Board of Health April 26th, 1867, Kelly street, between Joiner street and St. Joseph street, was declared a nuisance, and in the opinion of this Common Council said street is a nuisance; now, therefore, for the purpose of abating such nuisance,

Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone sewer 18 inches by 18 inches, in Kelly street, from a point 50 feet east of Joiner street to the sewer in St. Joseph street. Adopted.

The Surveyor submitted as such estimate, \$350.  
By Aid. Adelman—Resolved, That the following improvement is expedient, viz:

The construction of a sewer 18 inches by 18 inches in Kelly street from a point 50 feet east of Joiner street to the sewer in St. Joseph street.

And whereas, the City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$350, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of Kelly street from a point 50 feet east of Joiner street to St. Joseph street.

And the Clerk is hereby directed to publish notice in pursuance of section 164 of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening, May the 28th, 1867, at half past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

Ald. Groot appealed from the decision of the Chair. The Chair was sustained as follows:

Ayes—Ald. Spencer, Cram, Guggenheim, Carroll, Relyea, Copeland, Ratt, Taylor, Burke, Paine, Adelman, Horcheler, Bingemer, Mauder, Miller, Parsons.—16.

Nays—Ald. Groot, Andrews, Remington, Graham, Mutchler, Kelly, Woodruff, Charters, Quin.—9.

#### STATE STREET CROSS-WALK.

By Aid. Cram—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone cross walk 7½ feet wide across State street at its junction with Railroad Avenue. Adopted.

The Surveyor submitted as such estimate \$190.  
By Aid. Cram—Resolved, That the following improvement is expedient, viz:

The construction of a stone cross-walk 7½ feet wide across State street at its junction with Railroad Avenue.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$190, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of State street from the south line of Alrick Hubbell's lot on the east side, and Allen street on the west side, to the north line of the N. Y. Central Railroad property.

And the Clerk is hereby directed to publish notice in pursuance of section 164 of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening, May the 28th, 1867, at half-past seven o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### NORTH ST. PAUL STREET CROSSWALK.

By Aid. Cram—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone crosswalk 6 feet wide across St. Paul street, at its junction with Pleasant street. Adopted.

The Surveyor submitted as such estimate, \$120.

By Aid. Cram—Resolved, That the following improvement is expedient, viz:

The construction of a stone crosswalk 6 feet wide, across St. Paul street, at its junction with Pleasant street.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$120, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of St. Paul street, from the north line of lot No. 29, in the Andrews and Atwater tract, to the south line of lot No. 2 in the Johnson and Seymour tract. Also one tier of lots on each side of Pleasant street, from lot No. 49 in said Andrews and Atwater tract to St. Paul street.

And the Clerk is hereby directed to publish notice in pursuance of section 164 of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening, May the 28th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Lost.

Ald. Quin appealed from the decision of the chair. The appeal was sustained as follows:

Ayes—Ald. Groot, Remington, Mauder, Relyea, Kelly, Paine, Woodruff, Charters, Horcheler, Parsons.—10.

Nays—Ald. Spencer, Cram, Andrews, Guggenheim, Carroll, Copeland, Ratt, Burke, Adelman, Bingemer, Mauder, Miller, Quin.—13.

The ordinance was then adopted.

#### IMPROVEMENT OF HANOVER STREET.

Ald. Ratt presented the final ordinance for Hanover street improvement, which was lost as follows:

Ayes—Ald. Spencer, Cram, Andrews, Graham, Guggenheim, Carroll, Relyea, Copeland, Ratt, Taylor, Burke, Woodruff, Adelman, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons.—19.  
Nays—Ald. Qualtrough, Groot, Remington, Mutchler, Kelly, Paine, Charters.—7.

Ald. Kelley moved a reconsideration. Carried.  
Ald. Kelley moved that further action be postponed until the next regular meeting. Carried.

#### CHESTNUT STREET SEWER.

Ald. Adelman presented the final ordinance for a sewer in Chestnut street, and moved its indefinite postponement. Carried.

#### ORCHARD STREET EXTENSION.

Ald. Burke presented the final ordinance for Orchard Street Extension, and moved its indefinite postponement. Carried.

#### ASSESSMENTS.

Ald. Adelman presented the Assessment Rolls for a sewer in Gregory and Hickory streets, which were confirmed as follows: All ayes—26.

Ald. Adelman presented the Assessment Roll for a sewer in Wilder and Grape streets.

Ald. Groot moved its indefinite postponement. Carried as follows:

Ayes—Ald. Spencer, Qualtrough, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Relyea, Ratt, Kelly, Burke, Paine, Woodruff, Charters, Bingemer, Miller, Parsons.—18.

Nays—Ald. Cram, Mutchler, Copeland, Taylor, Adelman, Horcheler, Mauder, Quin.—8.

Ald. Ratt presented the Assessment Roll for Jefferson street walks, which was confirmed as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Andrews, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Copeland, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons.—25.

Nays—Ald. Groot—1.  
Ald. Burke presented the Assessment Roll for Litchfield street widening, which was confirmed as follows:

Yeas—Ald. Spencer, Cram, Qualtrough, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Copeland, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Charters, Binemer, Mauder, Miller, Quin, Parsons.—24.

Nays—Ald. Adelman, Horcheler.—2.

#### UNFINISHED BUSINESS.

Ald. Adelman called up the resolution to pay D. Wagner \$800 for Buffalo street sewer.

Ald. Groot moved its postponement until the next regular meeting, and the Committee report the amount allowed for extras. Carried.

Ald. Taylor moved to suspend the rule to adjourn at 11 o'clock. Lost.

Ald. Taylor moved to adjourn until Friday evening next. Lost.

On motion of Ald. Groot the Board adjourned until to-morrow evening.

B. FRANK ENOS, Clerk.

**In Common Council—May 16th,  
1867.**

ADJOURNED MEETING.

The President of the Board, Ald. Wm. Guggenheim presiding.

Present—Ald. Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Copeland, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons.  
Absent—Ald. Spencer, Brown.

EXECUTIVE.

Ald. Quin called up the resignation of John H. Dennis, as Commissioner of Deeds, and moved its acceptance. Carried.

Ald. Groot presented the resignation of E. P. Gould and Homer Halstead, as Commissioners of Deeds. Accepted.

On motion of Ald. Groot the Board proceeded to ballot for Commissioners of Deeds, when—H. L. Robinson received 17 votes, Wm. Evans received 16 votes, R. T. Pettengill received 17 votes, Levi C. Aylsworth received 6 votes.

Messrs. Robinson, Evans and Pettengill were declared appointed.

On motion of Ald. Groot, the Board proceeded to ballot for a Commissioner of Mt. Hope Cemetery in place of Hamlet D. Scramton, whose term of office has expired, when—Hamlet D. Scramton received 19 votes, Mortimer C. Mordoff received 4 votes, William S. Thompson received 2 votes.  
Hamlet D. Scramton was declared appointed.

By Ald. Cram—Resolved, That the City Superintendent serve a notice on the Superintendent or other managing officer of the Rochester City & Brighton Railroad Company, requiring the said company to repair Clarissa street bridge under direction of the Street Committee, within ten days after service of such notice, according to Section 19 of the Ordinance in relation to the Street Railroad. But in case said repairs shall be made by the city, the Street Committee is authorized to accept in full from said Company one third of the whole expense of such repairs.

Ald. Quin moved as an amendment, to strike out the word "ten" and insert "twenty." Carried.

Resolution adopted as amended.

By Ald. Cram—Resolved, That the thanks of this Board are hereby cordially tendered to Frost & Co., nurserymen, for the kind and liberal donation of beautifully wrought crapes and wreaths to adorn the coffins of the late firemen who perished at their post at the burning of Washington Hall. Adopted unanimously.

By Ald. Cram—Resolved, That Mr. Wooster have leave to repair the wooden cornice on the Burns Block. Adopted.

By Ald. Cram—Resolved, That the Street Superintendent be and is hereby directed to remove filth and garbage, not to exceed one load a week for each family, free of charge, in case such garbage is placed in the street where the Superintendent directs. Adopted.

By Ald. Qualtrough—Resolved, That a committee of ten be appointed for the purpose of ascertaining the progress of the contractors

for the City Water Works, and the prospect of its completion, and that said committee be requested to report to the Board at their earliest convenience. Adopted.

The President appointed as such committee, Ald. Qualtrough, Carroll, Groot, Taylor, Mutchler, Spencer, Kelly, Cram, Charters, Bingemar.

Ald. Groot moved that His Honor the Mayor and President of the Board be added to the committee. Carried.

By Ald. Qualtrough—Resolved, That the City Property Committee devise some means to provide the Reporters' desk with a softer and less dazzling light.

Ald. Taylor moved its indefinite postponement. Carried.

By Ald. Groot—Resolved, That the Poor Committee are hereby empowered to purchase the necessary supplies for the Poor store, to the best interest of the city. Adopted.

By Ald. Groot—Resolved, That the several committees are hereby directed not to let any contract, until after each and every bid has been presented to the Board, and action taken thereon. Adopted.

By Ald. Groot—Resolved, That His Honor the Mayor is hereby directed to enter into contract with Geo. M. Elwood, for publishing the proceedings, &c., in accordance with his proposition presented to the Board Tuesday evening.

Ald. Taylor moved to table. Lost as follows:

Ayes.—Ald. Cram, Lutes, Graham, Guggenheim, Relyea, Taylor, Woodruff, Adelman, Charters, Mauder, Miller.—11.

Nays.—Ald. Qualtrough, Groot, Andrews, Remington, Carroll, Mutchler, Copeland, Kelly, Burke, Paine, Horcheler, Bingemer, Quin, Parsons.—14.

Ald. Taylor moved its indefinite postponement. Lost as follows:

Ayes.—Ald. Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Taylor, Burke, Woodruff, Adelman, Mauder, Miller.—12.

Nays.—Ald. Qualtrough, Groot, Andrews, Remington, Mutchler, Copeland, Kelly, Paine, Charters, Horcheler, Bingemer, Quin, Parsons.—13.

Ald. Qualtrough moved the previous question. Carried.

Resolution adopted as follows:

Ayes.—Ald. Qualtrough, Groot, Andrews, Remington, Mutchler, Copeland, Kelly, Paine, Charters, Horcheler, Bingemer, Quin, Parsons.—13.

Nays.—Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Taylor, Burke, Woodruff, Adelman, Mauder, Miller.—12.

Ald. Kelly moved a reconsideration. Lost as follows:

Ayes.—Ald. Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Taylor, Burke, Woodruff, Adelman.—10.

Nays.—Ald. Qualtrough, Groot, Andrews, Remington, Mutchler, Copeland, Kelly, Paine, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons.—15.

By Ald. Andrews—Petition of Geo. W. Fisher. Woodea Building committee.

By Ald. Remington—Resolved, That the Clerk is hereby directed to publish the proceedings of this Board, advertising, etc., in the Rochester Programme.

Ald. Taylor moved its indefinite postponement.

Ald. Taylor asked permission to withdraw his motion.

Ald. Kelly objected.

Ald. Carroll moved that Ald. Taylor be allowed to withdraw his motion. Lost as follows:

Ayes.—Ald. Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Adelman, Mauder, Miller.—13.

Nays.—Ald. Qualtrough, Groot, Andrews, Remington, Mutchler, Copeland, Kelly, Paine, Charters, Horcheler, Bingemer, Quin, Parsons.—13.

Ald. Taylor's motion to postpone indefinitely was lost as follows:

Ayes.—Ald. Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Adelman, Mauder, Miller.—13.

Nays.—Ald. Qualtrough, Groot, Andrews, Remington, Mutchler, Copeland, Kelly, Paine, Charters, Horcheler, Bingemer, Quin, Parsons.—13.

In calling the ayes and nays on the adoption of the resolution, Ald. Paine arose to explain his vote, when the President declared him out of order, on the ground that he was taking in a greater territory than the question would admit of.

Ald. Qualtrough appealed from the decision.

The appeal was sustained.

Resolution adopted as follows:

Ayes.—Ald. Qualtrough, Groot, Andrews, Remington, Mutchler, Copeland, Kelly, Paine, Charters, Horcheler, Bingemer, Quin, Parsons.—13.

Nays.—Ald. Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Adelman, Miller.—12.

By Ald. Carroll—Resolved, That the City Superintendent notify the Water Works Company to remove the iron pipes placed in front of many of the stores on the principal streets, until said Company are prepared to lay them in their proper places. Lost.

By Ald. Carroll—Resolved, That the Street Superintendent notify the owners of property on the north side of Gorham street; both sides of West avenue, from the Valley Canal to Genesee street; both sides of Court street, from Chestnut street to Union street; Prospect street, from Clifton street to West avenue; south side of North avenue, from the Railroad to Bay street, to repair their respective walks within five days, and in case they neglect to do so, the Street Superintendent is hereby directed to repair the same in accordance with Section 212 of the City Charter as amended. Adopted.

By Ald. Carroll—Communication from D. B. Smith, of Elmira. Referred to the Improvement Committee.

By Ald. Relyea—Resolved, That in accordance with a resolution passed April 25th, 1867, the Treasurer is hereby authorized to pay upon the order of the Chairman of the Fire Department for such supplies for the Department as it may be found expedient to procure and pay for—and such disbursements as it shall be necessary for the Committee to make and charge the same to the Fire Department fund—and a statement of such supplies and disbursements to be furnished by said Committee at each subsequent meeting of the

Common Council. Adopted.

By Ald. Mutchler—Resolved, That the Treasurer pay the following bills when there is money in the Treasury for that purpose, and charge House for Truants' Fund:

J. M. Whitney, bill \$193.45; A. J. Warren, architect, \$5.00; Dr. B. L. Hovey \$8.00; Darrow & Kempshall \$10.31; James McMannis \$65.29; Howe & Rogers \$59.72; John Schlier \$15.70; F. Moser & Co. \$54.60; J. W. Adams \$49.30; J. W. Adams 1 quarter salary \$200.00; Mrs. Adams do \$50.00; John Sinclair do \$51.00; Mary Streeter do \$52.00; Lena Clum do \$52.00; Rachel Crowley do \$39.00; Mary E. Nelson 4 weeks, \$8.00; J. W. Adams, disbursements, \$12.31; James M. Phelon, coal, \$38.60; Henry Thiem, bill, \$46.31; Thomas Lilse do \$15.00; M. M. Smith do \$29.26; Henry Quinby do \$22.50; A. S. Mann & Co. do \$43.16; Love & Hamilton, bill, \$10.20.

Adopted as follows: All ayes—24.

By Ald. Mutchler—Resolved, That the Board of Health are hereby directed to dismiss the present Inspectors, except Robert Murrow and Jacob Clark, they being crippled soldiers; and appoint in place of those removed, one-arm soldiers.

Ald. Relyea moved its reference to the Board of Health. Lost as follows:

Ayes.—Ald. Cram, Lutes, Carroll, Relyea, Taylor, Woodruff, Adelman, Mauder, Miller—9.

Nays.—Ald. Qualtrough, Groot, Andrews, Remington, Guggenheim, Mutchler, Copeland, Ratt, Kelly, Burke, Paine, Charters, Horcheler, Bingemer, Quin—15.

Resolution adopted as follows -

Ayes.—Ald. Qualtrough, Groot, Andrews, Remington, Guggenheim, Mutchler, Copeland, Kelly, Burke, Paine, Woodruff, Charters, Horcheler, Bingemer, Quin—15.

Nays.—Ald. Cram, Lutes, Carroll, Relyea, Ratt, Taylor, Adelman, Mauder, Miller—9.

Ald. Qualtrough moved a reconsideration. Lost as follows -

Ayes.—Ald. Taylor, Adelman—2.

Nays — Ald. Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Guggenheim, Carroll, Mutchler, Relyea, Copeland, Ratt, Kelly, Burke, Paine, Woodruff, Charters, Horcheler, Bingemer, Mauder, Miller, Quin—22.

By Ald. Ratt—Resolved, That his Honor the Mayor be and he is hereby requested to execute a contract with W. I. Hanford for constructing a plank walk on Jefferson st.; with David Wagner for grading Mt. Hope avenue; with Cregan & McCormick for grading Thompson st.; with D. D. Lynch for constructing a plank walk on Kent alley; with John Crammond for grading Graham st.; with James Conway for Rowe street improvement; and with Whitmore, Carson & Co., for Monroe avenue sidewalks, in accordance with their propositions. Adopted.

By Ald. Ratt—Resolved, That the Clerk draw two orders, for two hundred dollars each, in favor of David Wagner, and payable to his order, one in one year from December 1st, 1866, and one in two years from the same date, both with interest; and the Treasurer is hereby authorized to accept the same in behalf of the city, and charge Jay street improvement fund. Adopted as follows: all ayes—24.

By Ald. Copeland—Resolved, That the City Treasurer is hereby directed to pay to McConnell & Jones eighty dollars, in full of their bill for constructing crosswalk on Court st, and charge Court street crosswalk fund. Adopted as follows: all ayes—24.

By Ald. Copeland—Resolved, That the City Clerk is hereby directed to procure five hundred printed copies of Sections 10 and 11 of the ordinance in relation to the erection and removal of wooden buildings. Adopted.

By Ald. Copeland—Petitions of M. Rogers and N. A. Pierce. Wooden Building Committee.

By Ald. Copeland—Resolved, That O. M. Rice, J. Gerling, C. F. Hall, B. H. Hill, Mary Varian, W. Scanlin, J. W. Shaw, W. Wright, J. M. Smith, R. Turner, G. W. Fisher, N. A. Pierce, have leave to erect wooden buildings on their lots, according to their several petitions, under the direction of the Fire Marshal. Adopted.

By Ald. Taylor—Communication from Jabez Collins. Referred to the City Attorney.

By Ald. Taylor—Resolved, That the City interest in the following described premises, viz.: Carthage Tract, oil and paint mill on the Flats, bounded north by lots belonging to the Rochester City Bank, south by lands belonging to the heirs of James Hooker, and west by the Genesee River, be transferred and assigned to Burke, Fitzsimons, Hone & Co., upon the payment of eighty-three dollars and eighty cents; said premises having been sold March 3d, 1864, for the General City Tax for 1863, and that the Mayor is hereby authorized to execute the necessary papers. Adopted.

By Ald. Taylor—Resolved, That the name of Burns street, running from north Francis street to Wentworth street, be changed to New York street. Adopted.

By Ald. Burke—Resolved, That the Treasurer make the City's note due on the 29th day of July, 1867, payable at Powers' Banking House, for twenty-eight hundred and sixty dollars and fifty cents; that he get the same discounted, and charge the discount to Saxton Street Extension, being for the purpose of paying the amounts for lands taken in extending said street. Adopted.

By Ald. Burke—Resolved, That the Treasurer pay the following named persons the sums set opposite their respective names and charge the amounts to Saxton Street Extension Fund, being in full for amounts for damages in extending said street: Margaret Goff, \$275; Mary A. Martin, \$287.50; Peter Bonn, \$950; Ernestina Klein, \$1,350. The payment to Ernestina Klein not to be made until the mortgage given by said Ernestina Klein and John Klein, her husband, to Philip Sein, which is a lien upon her premises, is paid and discharge the mortgage and the City Attorney certifies that the necessary papers have been executed and recorded. Adopted as follows: All ayes—24.

By Ald. Burke—Resolved, That the Street Committee be instructed to bring in an ordinance for the construction of a stone cross walk on Lake avenue, at Cliff street; one across Factory street at Mill street; one across Mill street at Factory street. Adopted.

Ald. Cram moved to reconsider the vote. Carried.

Ald. Kelly moved as an amendment, by

adding "one across Ambrose street at the junction of Jones avenue, one across Lake avenue at Lyell street, to intersect the walk on the north side. Carried.

Resolution adopted as amended.

By Ald. Burke—Resolved, That the Superintendent of the Streets be instructed to have all persons in the employ of the city under his direction to work from 8 to 12 A. M. and from 1 to 5 P. M. Also, that the Committee on Streets make arrangement to pay said persons their wages in full once a week.

Ald. Remington moved as an amendment, to strike out "8" and insert "7," also, to strike out "5" and insert "6," and that the laborers receive \$1.50 per day. Lost as follows:

Nays—Ald. Qualtrough, Andrews, Guggenheim, Relyea, Ratt, Kelly, Burke, Woodruff, Adelman, Charters, Horeheler, Miller, Quin, Parsons—14.

Ayes—Ald. Cram, Lutes, Groot, Remington, Copeland, Paine, Bingemar, Mauder—8. Resolution adopted.

By Ald. Woodruff—Resolved, That the Committee on Lamps be and they are authorized to have the Gas Company extend the service pipe from the main pipe at the corner of University avenue and New Main street to the lamp post and lamp now standing there. Adopted.

By Ald. Paine—Resolved, That the Overseer of the Poor be and he is hereby directed to report to the Common Council, at the first regular meeting in each month, the amount of orders drawn by him upon the City Treasurer for the relief of soldiers' families, and also the name of each person or family to whom such relief has been given. Adopted.

By Ald. Paine—Resolved, That the Treasurer make the City's note due on the 29th day of July, 1867, payable at Powers' Banking House, for twelve hundred and twenty-five dollars and forty-five cents; that he get the same discounted, and credit the avails to Relief Fund, being for the purpose of balancing said Fund. Adopted.

By Ald. Paine—Resolved, That the Treasurer make the city's note due on the 29th day of July, 1867, payable at Power's Banking House, for three thousand fourteen dollars and forty cents; that he get the same discounted, and credit the avails to "Damaged by Flood" account, being for the purpose of balancing said account. Adopted.

By Ald. Paine—Resolved, That the City Clerk is hereby directed to certify, under the seal of the corporation, the volume of penal ordinances, compiled and arranged by the City Attorney, and published in February, 1867, as having been compiled and printed by authority of the Common Council. Adopted.

Ald. Mauder moved to suspend the rule to adjourn at 11 o'clock. Lost.

#### FINANCE BUDGET.

MAY, 14th, 1867.

By Ald. Paine—Resolved, That the Treasurer pay as follows:

#### CONTINGENT FUND.

Daniel Richmond, Surveyor, one month's salary.....	\$250 00
E. Frank Enos, Clerk, one month's salary.....	100 00
E. A. Raymond, Attorney, ..	91 67
David McKay, Assessor, ..	100 00
E. T. Oatley, ..	100 00
C. M. St. John, ..	100 00
William Tracy, Messenger, ..	68 66
John King, hack hire, ..	2 45
Thomas Cullhane, hack hire.....	6 00

Frank Masseth, hack hire .....	6 50
Patrick Burns, hack hire .....	2 00
F. Buckhecker, sealing weights, &c. ....	11 70
H. A. Palmer, coal for City Hall .....	25 80
Tripp & Bauer, ice for City Hall .....	59 00
Oscar L. Miller, repairs to chairs .....	3 25
Dewey & Davis, coal for City Hall .....	4 70
S. B. Raymond, insurance on City Hall .....	50 00
W. H. Groot, expenses to Albany .....	17 00
John Quin .....	17 00
B. Frank Enos, disbursements .....	8 82
William Tracy .....	32 11
George W. Vaughan, services as Messenger .....	22 50
Alex. Allen, care of city clocks .....	57 68

And charge Contingent Fund. \$1,053 39

POOR FUND.

Moore & Cole, groceries for poor store .....	\$415 55
Charles H. Swift, four weeks service at poor store .....	20 00
S. D. McIntosh, candles for poor store .....	43 75
Michael Hoarey, hacking at poor office .....	21 00
E. Weigel, bread for poor store .....	136 33
H. A. Palmer, bill for coal .....	4 65

And charge Poor Fund. \$700 28

HIGHWAY FUND.

E. Darrow & Kempshall, bill for blank books .....	\$10 75
Walker and Kilpeck, bill for street hoes .....	15 00
E. H. Hollister, bill for lumber .....	124 29
James Buckley, building and repairing cross-walks .....	48 93
D. D. S. Brown, bill for printing .....	5 00

And charge Highway Fund. \$201 97

HEALTH FUND.

Robert Morrow, Inspector, 18 days' service .....	\$30 00
Michael Hughes, .....	20 00
Charles Burns, Inspector, 18 days' service, payable to James Cochrane .....	30 00
Jacob Clark, .....	30 00
George Moshier, .....	30 00
David Niven, .....	30 00
Thomas Burns, keeper of Pest House, one month .....	20 00
Wm. Babcock, removing nuisances from South Clinton street extension .....	24 00

And charge Health Fund. \$ 224 00

FIRE DEPARTMENT FUND.

Boughton & Shearer, oats .....	82 33
Browning & Cutting, use of and damage to horse .....	112 50

And charge that Fund. \$195 33

LYELL STREET FUND.

M. Davis, labor and material, repairing Lyell street .....	\$165 00
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And charge that Fund. \$165 00

JONES SQUARE.

Croghan & McCormick, grading Jones Square .....	\$300 00
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And charge that Fund. \$300 00

PARK FUND.

P. C. Kavanagh, labor on Parks .....	\$60 37
G. H. Miller, trees for Parks .....	33 20

And charge that Fund. \$93 57

SEWER REPAIR FUND.

Daniel McCormick, bill for repairing sewer .....	\$25 75
James Buckley, .....	16 00

And charge that Fund. \$41 75

POLICE FUND.

Samuel M. Sherman, 1 Mo. Salary to May 1st .....	\$125 00
Alexander McLean, .....	75 00
Monroe A. Green, .....	75 00
Peter Hughes, .....	75 00
Wm. J. Rogers, .....	75 00
Jonathan Dresser, .....	75 00
Lyman Johnson, .....	75 00
Peter Yost, .....	75 00
John H. Dana, .....	75 00
James Sullivan, .....	75 00
Warren H. Joyce, .....	75 00
Edward Vanyost, .....	75 00
Lewis P. Angevine, .....	75 00
Chas. McCormick, .....	75 00
Thos. T. Burchell, .....	75 00

Wm. F. Lusk, .....	75 00	
Bartholomew Crowley, .....	75 00	
John Barry, .....	75 00	
Thos. Dukelow, .....	75 00	
Michael Flynn, .....	75 00	
P. H. Sullivan, .....	75 00	
W. R. McArthur, .....	75 00	
Ferry Marzluff, .....	75 00	
John J. Garrett, .....	75 00	
Phillip Schaad, .....	75 00	
Thos. P. Hurley, .....	75 00	
Albert H. Braman, .....	75 00	
Frank B. Allen, .....	75 00	
James K. Foster, .....	75 00	
J. W. Lord, .....	75 00	
Thos. Lynch, .....	75 00	
Joseph T. Clary, .....	75 00	
Joseph S. Roworth, .....	75 00	
Wm. White, .....	75 00	
John Ragan, .....	75 00	
Michael Hyland, 29 days' salary .....	72 50	
Wm. Rogers, .....	29 .....	71 25
James McKelvy, 28½ .....	70 00	
Frank Plass, 28 .....	70 00	
Albert H. Franklin, 28 .....	68 75	
E. W. McBurney, 27½ .....	67 50	
Michael Tierney, 27 .....	23 75	
Otis R. Potter, 9½ .....	23 75	

\$3,191 35

Examined and approved as being correct.

GEO. G. COOPER  
HENRY L. HEBARD, } Police Commissioners.

Samuel M. Sherman, disbursements at Police Office. 55 00

And charge Police Fund. \$3,246 25

LAMP FUND.

Henry Hebing, bill for glass ..... \$26 02 |

And charge that Fund.  
Adopted as follows:  
Ayes—Aid. Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Guggenheim, Relyea, Copeland, Ratt, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mander, Miller, Parsons—21.  
Nays—Aid. Quin—1.  
Adjourned. B. FRANK ENOS, Clerk.

In Common Council—May 28th, 1867.

REGULAR MEETING.

Ald. Joseph Qualtrough, President pro tem, presiding.  
Present—Ald. Qualtrough, Groot, Andrews, Remington, Mutchler, Copeland, Brown, Paine, Charters, Horcheler, Bingemer, Quin, Parsons.  
Absent—Ald. Spencer, Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Kelly, Burke, Woodruff, Adelman, Mander, Miller.  
No quorum being present, the Board adjourned. B. FRANK ENOS, Clerk.

In Common Council—June 11th, 1867.

REGULAR MEETING.

Ald. Joseph Qualtrough, President, pro tem, presiding.  
Present—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Carroll, Mutchler, Relyea, Copeland, Ratt, Taylor, Brown, Kelley, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mander, Miller, Quin, Parsons.  
Absent—Ald Guggenheim.  
Minutes of the previous meetings, approved as published.

## PETITIONS AND CLAIMS.

By Ald. Cram—Bill of John Whitney—Grievance Committee. Wm. Carroll. Table.

By Ald. Lutes—Sundry bills. Poor Committee.

By Ald. Groot—Petition of Mary H. Mentor. Street Committee.

By Ald. Carroll—Sundry bills. Park Committee. Petitions of Geo. Bachman and others. Sewer Committee. Terrance O'Brien and others. Table.

By Ald. Mutchler—Sundry petitions.—Sewer Committee.

By Ald. Relyea—Sundry bills. Fire Department Committee. Communication from A. K. Amsden and Geo. B. Harris; petition from J. C. Smith and others. Fire Department Committee.

By Ald. Copeland—Petition of B. Langdon and others. Table.

By Ald. Taylor—Bill of H. B. Knapp. Finance Committee. Petitions of G. W. Fisher and others. Sewer Committee. Mrs. Sarah Beadie. Law Committee and City Attorney. Patrick Kearney. Grievance Committee. A. V. Smith and J. P. Cook. Table.

By Ald. Kelly—Sundry bills. Finance Committee. Sundry petitions. Wooden Building Committee, with power to act.

By Ald. Woodruff—Sundry bills. Contingent Ex. Committee.

By Ald. Adleman—Sundry bills. Sewer Committee. Robert McIntyre. Street Committee.

By Ald. Bingemer—Petition of G. H. Mumford and others. Table.

By Ald. Mauder—Sundry bills. Lamp Committee.

By Ald. Quin—Bills of T. B. Collins. Fire Department Committee. John Quin. Finance Committee. Petitions of Adam Grebe and others, N. H. Curtis and others. Improvement Committee. J. G. Wagner. Wooden Building Committee. Communication from John B. Elwood. Sewer Committee. Communication from C. N. Simons, Superintendent of Schools. Table.

By Ald. Graham—Sundry bills. Police Committee.

## REPORTS.

Ald. Copeland reported in favor in the bill of Charles Mills. Finance Committee.

Ald. Relyea, from the Fire Department Committee, reported in favor of sundry bills, and moved their reference to the Finance Committee for payment.

Ald. Quin moved that the claim of A. J. Warner for \$100, be stricken out.

Ald. Ratt moved as an amendment to strike out \$100 and insert \$50. Lost.

Ald. Quin's motion was lost.

Ald. Relyea's motion to refer the bills to Finance Committee was carried.

Ald. Woodruff, from the Contingent Ex. Committee, reported in favor of sundry bills. Finance Committee.

Ald. Graham, from the Police Committee, reported in favor of sundry bills. Finance Committee.

Ald. Carroll, from the Park Committee, reported in favor of sundry bills. Finance Committee.

Ald. Ratt, from the Improvement Committee, reported in favor of sundry bills. Finance Committee.

Ald. Lutes, from the Poor Committee, reported in favor of sundry bills. Finance Committee.

Ald. Adleman, from the Sewer Committee, reported in favor of sundry bills. Finance Committee.

Ald. Cram, from the Street Committee, reported in favor of sundry bills. Finance Committee.

Ald. Horcheler reported in favor of the bill of Geo. Popp. Finance Committee.

Ald. Mauder, from the Lamp Committee, reported in favor of sundry bills. Finance Committee.

Ald. Burke presented a report relative to the sale of buildings on the Saxton street extension. Received and filed.

## REPORTS FROM THE FIRE DEPARTMENT COMMITTEE.

Ald. Relyea presented a report relative to the bills incurred at the time of the funeral of the firemen killed at the burning of Washington Hall. Received and filed.

Ald. Relyea presented an unfavorable report on the claim of Geo. Bowden being paid from the Fire Department Fund. Received and filed.

Ald. Relyea presented a report, setting forth the action of the Fire Dept. Committee in purchasing horses and supplies for the Fire department. Received and filed.

Ald. Relyea presented a favorable report on the claim of John Bauer. Received and filed.

Ald. Relyea presented a report adversely to the petition of F. McCallister and others, praying for the organization of a Sack and Bucket Company in the Ninth ward. Received and filed.

Ald. Taylor presented the following REPORT ON THE PETITION OF JOHN HEBERGER :  
*To the Honorable, the Common Council :*

The Law and Grievance Committees, to whom was referred the petition of John Heberger, respectfully report, That they have taken the testimony of said John Heberger, and witnesses produced by him, and also witnesses on behalf of the city, in relation to the matter referred to said Committees, and they find the following facts :

The said John Heberger resides on Hand street, in this city, and on the night of the 29th of October last, as he was returning home about 9½ o'clock, while passing over the sidewalk on North Clinton street, near the corner of Graham street, he stepped into a hole made by the displacement of a plank, and fell, injuring his left foot and ankle. He walked home, but was confined to his bed for eight or ten days thereafter in consequence of said injury, and obliged for some weeks, to be conveyed to and from his store on St. Paul street, from the effects of which he is apparently suffering still. He did not consult his family physician, but was prescribed for by a Veterinary Surgeon. He expended some \$40 in medicines, &c., and was hindered from prosecuting his business with the same facility as before. The sidewalk was out of repair for a short time previous to the accident, and the Street Superintendent under a resolution of the Common Council adopted on the 17th October last had served notices on the owners of adjoining lots to repair the sidewalk before the accident, within five days. But they had not yet done so. Mr. Heberger passed over



the same walk about 8 o'clock the same evening without noticing whether the plank was gone or not. The owner of the lot in front of which the accident occurred is a Mr. George Hawk, who resides in Chicago. His agent, who resides here, was sick at the time the Superintendent served the notices, and did not receive one before the accident. A kerosene lamp was standing near enough to have lighted the sidewalk where the plank was gone, but whether burning on the night in question your Committee have not ascertained.

Upon these facts your Committee recommend a settlement with said Heberger upon the terms stated in the Resolution accompanying this Report.

GEO. TAYLOR,	} Law Committee.
E. R. ANDREWS,	
C. F. PAINE,	
S. REMINGTON,	} Grievance Committee.
JOHN LUTES,	
S. R. WOODRUFF,	

By Ald. Taylor—Resolved, That the City Treasurer pay John Heberger one hundred dollars, upon his releasing the city in full, for damages alleged by him to have been sustained by falling upon the sidewalk on North Clinton street, near the corner of Graham street, on the night of October 29th last, and charge Contingent fund.

Ald. Kelly moved its reference to a special committee, to report at next regular meeting. Lost.

Report and Resolution adopted as follows :  
Ayes—Ald. Spencer, Cram, Quailtrough, Lutes, Andrews, Remington, Graham, Carroll, Mutchler, Relyea, Copeland, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Horcheler, Bingemer, Miller—21.  
Nays—Ald. Mauder, Quin—2.

Ald. Remington presented a report on the petition of John Burns and others, relative to the New York Central Rail Road blockading Scio street. Received and filed.

Ald. Mauder presented a report relative to the claims of the Rochester Gas Company and John Ferner. Received and filed.

Ald. Horcheler moved to suspend the order of business so as to give Ald. Bingemer an opportunity of presenting the following Resolution. Carried.

By Ald. Bingemer—Resolved, That the Committee on Streets and Bridges be, and are hereby instructed to enter into contract with Canal Contractor Whitmore to widen the east walk of South St. Paul street canal bridge to conform to the line of the approaching streets.

Ald. Groot moved its reference to the Street Committee, with instructions to bring in an ordinance, which motion was accepted by Ald. Bingemer.

While the above Resolution was pending, the hour of eleven arrived, and, under the rule of the Board, the President adjourned the Council until to-morrow evening at 7½ o'clock.  
B. FRANK ENOS, Clerk.

IN COMMON COUNCIL—June 12,  
1867.

ADJOURNED MEETING.

Ald. Joseph Quailtrough, President pro. tem., presiding.

Present—Ald. Spencer, Cram, Quailtrough, Lutes, Groot, Andrews, Remington, Carroll, Mutchler, Relyea, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Adelman, Charlers, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons.

Absent—Ald. Graham, Guggenheim, Copeland.

The question before the Board being, shall the previous question be put, on the resolution offered by Ald. Bingemer, relative to widening the east walk on South St. Paul street canal bridge, the ayes and naves were called, and the motion was carried as follows:  
All ayes—24.

The resolution was adopted.

Ald. Lutes reported in favor of sundry bills. Finance Committee.

Ald. Lutes presented the report of the Overseer of the Poor for the month of May:  
Whole amount expended.....\$2,036.91  
Less county and towns..... 427.45

Total for city.....\$1,609.46

Number of families assisted, 493.

Amount disbursed to soldiers' families, \$251.50. Filed.

The Clerk presented the report of the Police Justice for the month of May. Total amount received, \$1,974.75. Filed.

The Clerk reported that Assessment Rolls for the General City taxes of 1867 were on file in his office.

The special committee on Water Works reported progress, and asked for further time.

COMMUNICATIONS.

The Clerk presented the following :

MAYOR'S OFFICE,  
Rochester, June 11th, 1867. }

Gentlemen of the Common Council :

I have the honor and pleasure to report to you the progress thus far made in collecting funds for the families of the Firemen who lost their lives while battling the late fire at Washington Hill.

The amount thus far collected from all sources is \$3,253.00, \$2,500 of which has been deposited in the Monroe County Savings Bank, and \$833 in the new Mechanics' Savings Bank, on interest.

The amount realized from the dramatic entertainment, given by Miss Lotta and Mr. Bayless, reaches nearly \$400; and that realized from the dramatic cutertainment given by the German Turner's Society, of Lemon Hill, \$122.50. These generous and sympathetic people are entitled to the thanks of every citizen for this bountiful accession to the general fund of \$632.50.

Very respectfully,

HENRY L. FISH, Mayor.

Accepted and ordered published.

The Clerk presented the following :

MAYOR'S OFFICE,  
Rochester, June 11, 1867. }

Gentlemen of the Common Council :

Permit me to call your attention to the inequalities of the flag walks of our city which have become uneven, and in many places very unpleasant and dangerous. These walks when in proper condition are a source of pride and admiration. I suggest that such immediate action be taken as to restore them to their natural beauty and symmetry.

I beg further to call your attention to a growing and most intolerable nuisance. I refer to the stone quarries which are mostly situated in the 8th Ward. There is one on West avenue, one on Strong street, one on Brown street, one on each side of Summer street, one on York street, one on Genesee street and one on Flint street, and the most of these have been abandoned by the quarrymen and now contain stagnant water pools. The one on Flint street, the owner, Mr. Butler, has encroached upon the street. This ought not to be tolerated, these quarries being not only a nuisance, but they deprecate the property in a very large degree. I respectfully suggest and earnestly request your Honorable Body to pass such an ordinance as to compel each quarryman to refill their respective quarries as fast as they shall take out the stone, and to cause the owners of all those quarries who have stopped using them to refill the same or drain them at the earliest practicable moment.

Most respectfully yours,  
HENRY L. FISH, Mayor.

Accepted and ordered filed.

#### PUBLISHING PROCEEDINGS.

The Clerk presented a communication from the Mayor, disapproving of the resolution adopted by the Common Council on the 16th day of May, 1867, directing His Honor the Mayor, to enter into contract with Geo. M. Elwood, for publishing the proceedings, &c., in accordance with his proposition.

Ald. Groot moved that the communication be received and filed.

Ald. Taylor moved as an amendment, that the resolution referred to in the communication be reconsidered.

The President ruled Ald. Taylor's motion to reconsider out of order.

Ald. Taylor appealed from the decision of the chair.

The chair was sustained in his decision as follows:

Ayes—Ald. Qualtrough, Groot, Andrews, Remington, Mutchler, Brown, Kelly, Paine, Charters, Horcheler, Bingemer, Quin, Parsons—13.

Nays—Ald. Spencer, Cram, Lutes, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Adelman, Mauder, Miller—12.

Ald. Groot's motion to receive and file the communication was carried.

The Clerk presented the following:

CITY CLERK'S OFFICE,  
June 11, 1867. }

To the Honorable, the Common Council:

At a meeting of the Board of Health, held on the 17th of May, Charles street, from Jay street to Magna street; Pindle alley, from Buffalo street to Allen street, were declared nuisances. Also, on the 24th of May, Broadway, from Alexander street to Griffith street, was declared a nuisance. Also, on the 31st of May, Allen street, from State street to Elizabeth street; Washington and Elizabeth streets, from Buffalo street to Allen street; Comfort street, from South avenue to Mt. Hope avenue; Union street, from a point south of George street to East avenue; Delevan street, from a point west of Scio street to Finny street, were declared nuisances, and the Common Council requested to pass an ordinance for a sewer in said streets and

alley, it being deemed necessary for the benefit of public health.

B. FRANK ENOS, Clerk.

Received and ordered published.

#### ORDINANCES.

##### RELATING TO NUISANCE

By Ald. Paine—Resolved, That sections 20 and 21 of "An ordinance relating to Nuisances," passed November, 11, 1862, are hereby amended so as to read as follows:

§20. No owner or possessor of any swine, horses, sheep, goats, cows, or other cattle, shall suffer any such animal or animals to run, or to be at large, in any of the public streets, lanes, alleys or parks within said city, under the penalty of one dollar for each animal so running or being at large.

§21. No owner or possessor of any geese or geese, ducks or other fowls, shall suffer any such fowl to run or to be at large, in any of the public streets, lanes, alleys or squares, within said city, under a penalty of twenty-five cents for each fowl, &c., so running or being at large. Adopted as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Andrews, Remington, Mutchler, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Horcheler, Bingemer, Miller, Quin, Parsons—23.

Nays—Ald. Groot, Carroll, Brown, Charters, Mauder—5.

##### ANIMALS RUNNING AT LARGE.

By Ald. Paine—Resolved, That section 5 of "An ordinance to prevent animals from running at large in the public highways in the city of Rochester," passed June 14, 1864, be and the same is hereby amended by adding thereto the following:

"If no notice shall have been given to a Justice of the Peace of said city, in pursuance of section 4 of this ordinance, the owner of any such animal shall be entitled to the possession of the same, upon paying to the City Treasurer or other authorized agent of the city, the expense of keeping the same, and the following fees, to-wit:

"For every horse, one dollar; for every cow, calf, or other cattle, one dollar; for every sheep or swine, fifty cents; for every fowl, ten cents—which shall be paid to the City Treasurer by the person so receiving the same, to the credit of the Highway Fund." Adopted as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Andrews, Remington, Carroll, Mutchler, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Adelman, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons—22.

Nays—Ald. Groot, Relyea, Charters—3.

##### STREET RAILROADS.

By Ald. Cram—Resolved, That section 2 of the ordinance relating to Street Railroads, be amended so as to read as follows:

SECTION 2. The track of said Railroad shall be so laid as to permit the free passage of vehicles and carriages over the same, and the rails shall be laid even with the surface of the streets, and shall conform to the grades thereof as now established, or as they shall from time to time be established or altered. Said Company shall, under the direction of, and as required by the Common Council of the city of Rochester, improve the streets and bridges through which their track shall be laid, upon such grade and in such manner, and with such suitable material as said Common Council shall direct, in a proper manner between the rails, and for two feet four inches outside thereof, and shall keep the surface of the street and of such bridges inside the rails and for two feet four inches outside thereof, in good repair, and all dirt and filth removed therefrom as may be directed and required by said Common Council. Adopted as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Carroll, Mutchler, Relyea, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Parsons—24.

Nays—Ald. Quin—1.

##### WIDENING THE EAST WALK ON THE CANAL BRIDGE ON SOUTH ST. PAUL STREET.

By Ald. Cram—Resolved, That the City Surveyor ascertain and report to this Board the expense of widening the side-walk on the east side of the bridge over the Erie Canal, on South St. Paul street, so that the east line of the walk shall be on east line of the said street. Adopted.

The Surveyor submitted as such estimate \$200.

By Ald. Cram—Resolved, That the following improvement is expedient, viz:

The widening of the side-walk on the east side of the bridge over the Erie Canal, on South St. Paul street, so that the east line of the walk shall be on the east line of said street.

And, whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$930, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz :

All the houses and lands within the following described territory: Beginning at the corner of Main and Clinton streets; thence southerly along Clinton street to Monroe avenue; thence south-easterly along Monroe avenue to the city line; thence southerly and westerly along the city line to the Genesee river; thence northerly along the Genesee river to Main street; thence easterly along Main street to the place of beginning.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening, June the 25th, 1867, at half past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### LAKE AVENUE CROSSWALK.

By Ald. Cram—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone crosswalk six feet wide across Lake avenue at Jones avenue. Adopted.

The Surveyor submitted as such estimate \$200.

By Ald. Cram—Resolved, That the following improvement is expedient, viz :

The construction of a stone crosswalk six feet wide across Lake avenue at Jones avenue.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$200, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz :

One tier of lots on each side of Lake Avenue from a point 132 feet south of Ambrose street, to a point 350 feet north of Jones avenue, one tier of lots on each side of Jones avenue from Lake avenue to Varann street, and one tier of lots on each side of Ambrose street from a point 310 feet east of Frank street to Lake avenue.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, June the 25th, 1867, at half past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### PLYMOUTH AVENUE CROSSWALK.

By Ald. Cram—Resolved, That the City Surveyor ascertain and report to this board the expense of constructing a stone crosswalk on the west side of Plymouth avenue across Tremont street. Adopted.

The Surveyor submitted as such estimate \$190.

By Ald. Cram—Resolved, That the following improvement is expedient, viz :

The construction of a stone crosswalk six feet wide on the west side of Plymouth avenue across Tremont street.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$190, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz :

One tier of lots on the west side of Plymouth avenue from the south line of the Cornhill tract to the north line of lot No. 33 in said tract, and one tier of lots on each side of Tremont street from Plymouth avenue to a point 300 feet east of Caledonia avenue.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, June the 25th, 1867, at half past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### LAKE AVENUE CROSSWALK

By Ald. Cram—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone crosswalk six feet wide on the east side of Lake avenue across Cliff street, and one of the same width across said avenue on the north side of Lyell street. Adopted.

The Surveyor submitted as such estimate \$350.

By Ald. Cram—Resolved, That the following improvement is expedient, viz :

The construction of a stone crosswalk six feet wide on the east side of Lake avenue across Cliff street, and one of the same width across said avenue on the north side of Lyell street.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole

expense thereof, and reported the same at \$350, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz :

One tier of lots on each side of Lake avenue from Vincent Park to a point 132 feet north of Cliff street, one tier of lots on the north side of Vincent Park from Lake avenue to the high bank of the river, and one tier of lots on the north side of Lyell street from a point 350 feet east of Frank street to Lake avenue.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, June the 25th, 1867, at half past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### MILL STREET CROSSWALKS.

By Ald. Cram—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing two stone crosswalks five feet wide at the corner of Factory and Mill streets. Adopted.

The Surveyor submitted as such estimate \$210.

By Ald. Cram—Resolved, That the following improvement is expedient, viz :

The construction of two stone crosswalks five feet wide at the corner of Factory and Mill streets; one across Factory street and one across Mill street.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$210, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz :

One tier of lots on each side of Mill street from a point 150 feet north of Platt street to a point 125 feet north of Factory street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, June the 25th, 1867, at half past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### CHAPIN STREET WALK.

By Ald. Ratt—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a plank sidewalk four feet and eight inches wide on both sides of Chapin street from the west line of the Greig tract to Reynolds street. Adopted.

The Surveyor submitted as such estimate \$1,500.

By Ald. Ratt—Resolved, That the following improvement is expedient, viz :

The construction of a plank sidewalk four feet eight inches wide on both sides of Chapin street, from the west line of the Greig tract to Reynolds street.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$1,500, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz :

One tier of lots on each side of Chapin street, from the west line of the Greig tract to Reynolds street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, June the 25th, 1867, at half past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### TREMONT STREET IMPROVEMENT.

By Ald. Ratt—Resolved, That the City Surveyor ascertain and report to this Board the expense of improving Tremont street, from Caledonia avenue to Francis street, by grading the same and constructing a plank sidewalk five feet and four inches wide on both sides. Adopted.

The Surveyor submitted as such estimate \$4,000.

By Ald. Ratt—Resolved, That the following improvement is expedient, viz :

The improvement of Tremont street from Caledonia avenue to Francis street, by grading the same and constructing a plank sidewalk five feet and four inches wide on both sides.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$4,000, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz :

One tier of lots on each side of Tremont street from Caledonia avenue to Francis street.

And further, Resolved, That the tax-payers to be assessed for making such improvement may, by paying interest as hereinafter provided, on the amount

assessed to them individually, pay their assessments in three equal payments, as follows: One-third of the amount assessed within three months after the confirmation of the assessment roll, without interest; one-third of the amount, with interest, at the rate of seven per cent. per annum, within one year from the confirmation of said roll; and the remaining one-third, with interest, at the same rate, within two years from the confirmation of such roll.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, June the 25th, 1887, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

**GARDINER PARK WALK.**

By Ald. Ratt—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a plank sidewalk on the south side of Gardiner Park from Union street to Alexander street. Adopted.

The Surveyor submitted as such estimate \$360.

By Ald. East—Resolved, That the following improvement is expedient, viz:

The construction of a plank sidewalk five feet and four inches wide on the south side of Gardiner Park, from Union street to Alexander street.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$360, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on the south side of Gardiner Park from Union street to Alexander street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, June the 25th, 1887, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

**JAY STREET SEWER.**

By Ald. Adleman—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone sewer in Jay street from Magne street to the sewer in Saxton street. Adopted.

The Surveyor submitted as such estimate \$2,960.

By Ald. Adleman—Resolved, That the following improvement is expedient, viz:

The construction of a stone sewer eighteen inches by two feet in Jay street, from Magne street to the sewer in Saxton street.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$2,960, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of Jay street, from Magne street to Saxton street.

And further, Resolved, That the tax-payers to be assessed for making such improvement may, by paying interest as hereinafter provided, on the amount assessed to them individually, pay their assessments in three equal payments, as follows: One-third of the amount assessed within three months after the confirmation of the assessment roll, without interest; one-third of the amount, with interest, at the rate of seven per cent. per annum, within one year from the confirmation of said roll; and the remaining one-third, with interest, at the same rate, within two years from the confirmation of such roll.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, June the 25th, 1887, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

**CHARLES STREET AND BUTLER ALLEY SEWER.**

By Ald. Adelman—Whereas, By a resolution, adopted by the Board of Health, May 17th, 1887, Charles street, from Jay to Magne, was declared a nuisance, and in the opinion of this Common Council is a nuisance; now, therefore, for the purpose of abating said nuisance—

Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a pipe sewer, 12 inches in diameter, in Charles street and Butler alley, from Jay street to Magne street.—Adopted.

The Surveyor submitted as such estimate \$735.

By Ald. Adelman—Resolved, That the following improvement is expedient, viz:

The construction of a pipe sewer, 12 inches in diameter, in Charles street and Butler alley, from Jay street

to Magne street,

And, whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$735, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of Charles street and Butler alley, from Jay street to Magne street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, June the 25th, 1887, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

**ROME STREET SEWER.**

By Ald. Adleman—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone sewer, 18 inches by 2 feet, in Rome street, from a point 75 feet south of Atwater street, to the sewer in Bowery street. Adopted.

The Surveyor submitted as such estimate \$600.

By Ald. Adleman—Resolved, That the following improvement is expedient, viz:

The construction of a stone sewer, 18 inches by 2 feet, in Rome street, from a point 75 feet south of Atwater street to the sewer in Bowery street.

And, whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$600, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of Rome street, from a point 75 feet south of Atwater street to Bowery street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening, June the 25th, 1887, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

**UNION STREET SEWER.**

By Ald. Adleman—Whereas, By a resolution adopted by the Board of Health, May 31st, 1887, Union street, from a point south of George street to East avenue, was declared a nuisance, and in the opinion of this Common Council is a nuisance; now, therefore, for the purpose of abating said nuisance—

Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone sewer, 18 inches by 2 feet, in Union street, from a point 30 feet north of the south line of J. C. Locke's lot, to the sewer in East avenue. Adopted.

The Surveyor submitted as such estimate \$3,620.

By Ald. Adleman—Resolved, That the following improvement is expedient, viz:

The construction of a stone sewer, 18 inches by 2 feet, in Union street, from a point 30 feet north of the south line of J. C. Locke's lot to the sewer in East avenue.

And, whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$3,620, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of Union street, from the north line of J. C. Locke's lot to East avenue.

And further, Resolved, That the tax-payers to be assessed for making such improvement may, by paying interest as hereinafter provided, on the amount assessed to them individually, pay their assessments in three equal payments, as follows: One-third of the amount assessed within three months after the confirmation of the assessment roll, without interest; one-third of the amount, with interest, at the rate of seven per cent. per annum, within one year from the confirmation of said roll; and the remaining one-third, with interest, at the same rate, within two years from the confirmation of such roll.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, June the 25th, 1887, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted as follows:

Ayes—Ald. Speer, Cram, Lutes, Carroll, Belyea, Ratt, Fayle, Burke, Felice, Adelman, Adleman, Horchler, Binghamer, Mauder, Miller, Quin, Parsons—17.

Nays—Ald. Quailtrough, Groot, Andrews, Remington, Mutchler, Brown, Kelly, Charters—3.

**REPAIRING LAKE AVENUE AT DEEP HOLLOW.**

Ald. Cram presented the first ordinance for repair.

ing Lake avenue at Deep Hollow.

Ald. Kelly moved as an amendment that the whole city be taxed for said improvement.

Ald. Quin moved to postpone the whole matter until the next regular meeting. Carried.

Ald. Groot moved that when the Board adjourned it be until to-morrow afternoon at 3 o'clock. Carried.

#### REPAIRING CLARISSA STREET.

Ald. Cram presented the first ordinance for repairing Clarissa street.

Ald. Andrews moved its postponement until the next regular meeting. Carried.

#### EXTENDING 4TH, 7TH AND 12TH WARDS OUTLET SEWER.

Ald. Adleman presented the final ordinance for extending the 4th, 7th and 12th Wards outlet sewer.

Ald. Ratt moved its indefinite postponement. Carried as follows:

Ayes—Ald. Spencer, Qualtrough, Groot, Andrews, Remington, Carroll, Mutchler, Relyea, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Charters, Binghamer, Mauder, Miller, Parsons—21.

Nays—Ald. Cram, Lutes, Adleman, Quin—4.

#### SAXTON AND MAPLE STREETS SEWER.

Ald. Adleman presented the first ordinance for a sewer in Saxton and Maple streets.

Ald. Kelly moved its indefinite postponement. Carried as follows:

Ayes—Ald. Qualtrough, Groot, Andrews, Remington, Carroll, Mutchler, Relyea, Ratt, Brown, Kelly, Burke, Paine, Woodruff, Charters, Binghamer, Miller, Quin, Parsons—18.

Nays—Ald. Spencer, Cram, Lutes, Taylor, Adleman, Horcheler, Mauder—7.

#### ALLEN STREET SEWER.

By Ald. Adleman—Whereas, By a resolution adopted by the Board of Health, May 31st, 1867, Allen street, from Elizabeth street to State street, was declared a nuisance, and in the opinion of this Common Council is a nuisance; now, therefore, for the purpose of abating said nuisance.

Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone sewer, 2 feet by 3 feet, in Allen street, from Elizabeth street to the sewer in State street, Adopted.

By Ald. Adleman—Resolved, That the following improvement is expedient, viz:

The construction of a stone sewer, 2 feet by 3 feet, in Allen street, from Elizabeth street to the sewer in State street.

And, Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$5,200, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on both sides of Allen street, from Elizabeth street to State street; and one tier of lots on both sides of Fitzhugh, Sophia, Washington and Elizabeth streets, from Buffalo street to Allen street, except one tier of lots on the north side of Buffalo street.

And, further, Resolved, That the tax-payers to be assessed for such improvement may, by paying interest as hereinafter provided, on the amount assessed to them individually, pay their assessments in three equal payments, as follows: One-third of the amount assessed within three months after the confirmation of the assessment roll, without interest; one-third of the amount, with interest, at the rate of seven per cent. per annum, within one year from the confirmation of said roll; and the remaining one-third, with interest, at the same rate, within two years from the confirmation of such roll.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, June the 25th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Lost.

Ald. Quin moved to reconsider the vote. Carried as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Relyea, Ratt, Taylor, Burke, Paine, Woodruff, Adleman, Horcheler, Binghamer, Mauder, Miller, Quin, Parsons—17.

Nays—Ald. Groot, Andrews, Remington, Carroll, Mutchler, Brown, Kelly, Charters—8.

Ald. Groot moved its postponement until the second regular meeting in 1868. Lost as follows:

Ayes—Ald. Groot, Andrews, Remington, Carroll, Mutchler, Kelly, Charters, Binghamer—8.

Nays—Ald. Spencer, Cram, Qualtrough, Lutes, Relyea, Ratt, Taylor, Brown, Burke, Paine, Woodruff, Adleman, Horcheler, Mauder, Miller, Quin, Parsons—17.

The ordinance was adopted.

#### JOINER STREET SEWER.

Ald. Adleman presented the first ordinance for a sewer in Joiner street, which was lost.

#### BROADWAY SEWER.

By Ald. Adleman—Whereas, by a resolution of the Board of Health adopted May 24, 1867, Broadway, from Alexander street to Griffith street, was declared a nuisance, and in the opinion of this Common Council is a nuisance; now, therefore, for the purpose of abating said nuisance.

Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone sewer eighteen inches by two feet in Broadway, from a point thirty feet north of Alexander street to the sewer in Griffith street. Adopted.

The Surveyor submitted as such estimate \$2,750.

By Ald. Adleman—Resolved, That the following improvement is expedient, viz:

The construction of a stone sewer eighteen inches by two feet in Broadway, from a point thirty feet north of Alexander street to the sewer in Griffith street.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$2,750, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of Broadway from Alexander street to Griffith street.

And further, Resolved, That the tax-payers to be assessed for making such improvement may, by paying interest as hereinafter provided, on the amount assessed to them individually, pay their assessments in three equal payments, as follows: One-third of the amount assessed within three months after the confirmation of the assessment roll, without interest; one-third of the amount, with interest, at the rate of seven per cent. per annum, within one year from the confirmation of said roll; and the remaining one-third, with interest, at the same rate, within two years from the confirmation of such roll.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, June the 25th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard.

Ald. Kelly moved its postponement until the next regular meeting. Lost as follows:

Ayes—Ald. Qualtrough, Andrews, Remington, Mutchler, Relyea, Ratt, Taylor, Brown, Kelly, Charters, Horcheler—11.

Nays—Ald. Spencer, Cram, Lutes, Groot, Carroll, Burke, Paine, Woodruff, Adleman, Binghamer, Mauder, Miller, Quin, Parsons—14.

Ordinance adopted as follows:

Ayes—Ald. Spencer, Cram, Lutes, Groot, Carroll, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adleman, Horcheler, Binghamer, Mauder, Miller, Quin, Parsons—18.

Nays—Ald. Qualtrough, Andrews, Remington, Mutchler, Relyea, Brown, Charters—7.

#### ASSESSMENTS.

Ald. Adleman presented the assessment roll for a sewer in West Alexander street, which was confirmed as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Andrews, Remington, Carroll, Mutchler, Relyea, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Adleman, Charters, Horcheler, Binghamer, Mauder, Miller, Quin, Parsons—24.

Nays—Ald. Groot—1.

Ald. Adleman presented the following Assessment Rolls:

Smith street sewer,  
Union street sewer,  
Chatham street sewer,  
which were confirmed as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Andrews, Remington, Carroll, Mutchler, Relyea, Ratt, Taylor, Brown, Kelley, Burke, Paine, Woodruff, Adleman, Charters, Horcheler, Binghamer, Mauder, Miller, Parsons—23.

Nays—Ald. Groot, Quin—2.

Ald. Ratt presented the following Assessment Rolls:

Fulton street walk,  
Anson Park grading,  
Thompson street improvement,  
Graham street improvement,  
which were confirmed as follows: all ayes—  
19.

Ald. Kelly moved to suspend the rule to adjourn at 11 o'clock. Lost.  
Adjourned. B. FRANK ENOS, Clerk.

**In Common Council—June 13th, 1867.**

**ADJOURNED MEETING.**

Ald. Joseph Qualtrough, President pro tem., presiding.

Present—Ald. Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Carroll, Mutschler, Relyea, Ratt, Taylor, Brown, Burke, Paine, Woodruff, Adleman, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons.

Absent—Ald. Spencer, Graham, Guggenheim, Copeland, Kelly, Charters.

**DIRECTORS OF GENESSEE VALLEY RAILROAD.**

Ald. Andrews moved that the regular order of business be suspended, and that of Executive taken up instead, for the purpose of electing Directors of the Rochester and Genessee Valley Railroad Company. Carried.

Ald. Groot moved that the Board proceed to ballot for seven Directors, all on one ticket. Carried.

Result of ballot as follows:

D. W. Powers.....	20
E. R. Hammett.....	13
A. Bronson.....	17
W. H. Groot.....	12
L. C. Spencer.....	13
A. Cram.....	13
E. A. Raymond.....	7
J. H. Pool.....	8
J. B. Ward.....	5
C. F. Paine.....	4
J. Qualtrough.....	3
Scattering.....	23

D. W. Powers and A. Bronson were declared elected.

**SECOND BALLOT.**

E. R. Hammett.....	13
W. H. Groot.....	8
E. A. Raymond.....	8
C. Perry.....	8
A. Cram.....	6
L. C. Spencer.....	7
A. Karnes.....	4
J. H. Pool.....	6
John Lutes.....	4
J. H. Kelly.....	4
J. B. Ward.....	5
John Quin.....	3
Joseph Cochrane.....	4
C. F. Paine.....	4
Scattering.....	23

No choice.

Ald. Ratt moved that the Board ballot for only one at a time. Carried.

**THIRD BALLOT.**

E. R. Hammett.....	13
W. H. Groot.....	2
C. Perry.....	3
Scattering.....	4

No choice.

Ald. Groot moved that the Board ballot for five at a time. Carried.

**FOURTH BALLOT.**

E. R. Hammett.....	15
J. H. Pool.....	14
W. H. Groot.....	10
C. Perry.....	10
E. A. Raymond.....	9
A. Karnes.....	6
L. C. Spencer.....	5
A. Cram.....	6
C. F. Paine.....	6
Scattering.....	25

E. R. Hammett was declared elected.

**5th ballot. 6th ballot. 7th ballot.**

J. H. Pool.....	14	14	16
W. H. Groot.....	11	10	10
C. Perry.....	13	14	14
E. A. Raymond.....	11	14	18
C. F. Paine.....	8	5	3
A. Karnes.....	7	5	5
A. Cram.....	6	5	3
John Quin.....	4	4	5
Scattering.....	18	13	9

No choice in the fifth and sixth ballots. On the 7th ballot, J. H. Pool and E. A. Raymond were declared elected.

**EIGHTH BALLOT.**

W. H. Groot.....	11
C. Perry.....	18
A. Cram.....	7
Scattering.....	7

C. Perry was declared elected.

9th	10th	11th	12th	13th	14th	15th	16th	17th
bal.	bal.	bal.	bal.	bal.	bal.	bal.	bal.	bal.
W. H. Groot.....	8	8	10	10	8	7	2	1
A. Karnes.....	5	11	12	12	11	12	12	17
A. Cram.....	5	1	—	—	—	—	—	—
S. L. Brewster.....	—	—	—	—	—	6	6	4
Scattering.....	4	2	—	—	—	3	2	3

No choice in the 9th, 10th, 11th, 12th, 13th, 14th, 15th and 16th ballots. On the 17th ballot, Abram Karnes was declared elected.

On motion, the board adjourned until half-past seven o'clock, P. M.

**JUNE, 13—7½ P. M.**

Ald. Qualtrough in the chair.

Present—Ald. Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Carroll, Mutschler, Relyea, Ratt, Taylor, Brown, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons.

Absent—Ald. Spencer, Guggenheim, Copeland, Kelly.

**ORDINANCES.**

**SAXTON AND MAPLE STREETS SEWER.**

By Ald. Adleman—Whereas, By a resolution adopted by the Board of Health, February 23d, 1867, Maple street, from Saxton street to the city line, was declared a nuisance, and in the opinion of this common Council is a nuisance; now, therefore, for the purpose of abating said nuisance—

Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone sewer 3 feet by 4 feet, (arched) in Saxton street, from Wilder street to Maple street, and two feet square in Maple street, from Saxton street to the city line, cleaning out the culvert under the Erie canal, and constructing a man-hole at the south end of said culvert. Adopted.

The Surveyor submitted as such estimate \$6,300.

By Ald. Adleman—Resolved, That the following improvement is expedient, viz:

The construction of a stone sewer, 3 feet by 4 feet, (arched) in Saxton street, from Wilder street to Maple street, and two feet square in Maple street, from Saxton street to the city line, cleaning out the culvert under the Erie canal, and constructing a man-hole at the south end of said culvert.

And, whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole

expense thereof, and reported the same at \$6,300, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

All the houses and lands within the following described territory, viz: Beginning in Brown street, at its intersection with Wilder street; thence south-westerly along Brown street to West avenue; thence westerly along West avenue, including one tier of lots on the south side thereof to the city line; thence northerly along the city line to the south line of lot No. 14 in the Jones tract; thence easterly along the south line of said lot to the Erie canal; thence south-easterly along the Erie canal to Jay street; thence westerly along Jay street, including one tier of lots on the south side thereof to Grape street; thence southerly along Grape and Wilder streets to the place of beginning, including one tier of lots on the east side of Grape street, from Jay street to the south line of lot No. 44 in the Whitney tract, and excepting one tier of lots on the west side of Wilder street, from the angle in said street to Brown street.

And further, Resolved, That the tax-payers to be assessed for making such improvement may, by paying interest as hereinafter provided, on the amount assessed to them individually, pay their assessments in three equal payments, viz: One-third of the amount assessed within three months after the confirmation of the assessment roll, without interest; one-third of the amount, with interest, at the rate of seven per cent. per annum, within one year from the confirmation of said roll; and the remaining one-third, with interest, at the same rate, within two years from the confirmation of such roll.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, June the 25th, 1887, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard.

Ald. Charters moved its indefinite postponement.— Lost as follows:

Ayes—Ald. Qualtrough, Groot, Remington, Mutchler, Brown, Paine, Charters, Parsons—8.

Nays—Ald. Cram, Lutes, Andrews, Graham, Carroll, Relyea, Taylor, Burke, Woodruff, Adleman, Horcheler, Binghamer, Mauder, Miller, Quin—15.

The President declared Ald. Ratt in contempt, on the ground that he refused to vote on the question.

The first resolution of the ordinance was adopted as follows:

Ayes—Ald. Cram, Lutes, Andrews, Carroll, Relyea, Taylor, Burke, Paine, Woodruff, Adleman, Horcheler, Mauder, Miller, Quin—14.

Nays—Ald. Qualtrough, Groot, Remington, Mutchler, Brown, Charters, Parsons—7.

Ald. Groot moved to postpone further action until the next regular meeting, and that the ordinance be published. Lost as follows:

Ayes—Ald. Qualtrough, Groot, Remington, Mutchler, Relyea, Brown, Paine, Charters, Binghamer—9.

Nays—Ald. Cram, Lutes, Andrews, Graham, Carroll, Woodruff, Adleman, Horcheler, Mauder, Miller, Quin, Parsons—12.

The President declared Ald. Taylor in contempt, for refusing to vote on the question.

The ordinance was adopted as follows:

Ayes—Ald. Cram, Lutes, Andrews, Graham, Carroll, Relyea, Brown, Burke, Paine, Woodruff, Adleman, Horcheler, Binghamer, Mauder, Miller, Quin, Parsons—17.

Nays—Ald. Qualtrough, Groot, Remington, Mutchler, Charters—5.

Ald. Groot moved that the order of contempt in the case of Aids. Ratt and Taylor be raised. Carried.

#### SEWER IN SELLINGER, ST. JOSEPH AND HERMAN STREETS.

By Ald. Adleman—Resolved, That the City Surveyor or ascertain and report to this Board the expense of constructing a stone sewer, 18 inches by 20 inches, in Sellinger street, from the sewer in Clinton street to the center of St. Joseph street; in St. Joseph street from a point 40 feet north of Catharine street to Hoeltzer street. And a pipe sewer, 15 inches in diameter, in Herman street, from a point 200 feet west of Hudson street, to the center of St. Joseph street. Adopted.

The Surveyor submitted as such estimate \$6,000.

By Ald. Adleman—Resolved, That the following improvement is expedient, viz:

The construction of a stone sewer, 18 inches by 20 inches, in Sellinger street, from the sewer in Clinton street to the center of St. Joseph street; in St. Joseph street from a point 50 feet north of Catharine street to Hoeltzer street. And a pipe sewer, 15 inches in diameter, in Herman street, from a point 200 feet west of Hudson street to the center of St. Joseph street.

And, Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$6,000,

which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of Sellinger street, from Clinton street to St. Joseph street; one tier of lots on each side of St. Joseph street, from a point 40 feet north of Catharine street to Hoeltzer street; and one tier of lots on each side of Herman street from a point 200 feet west of Hudson street to St. Joseph street.

And further, Resolved, That the tax-payers to be assessed for making such improvement may, by paying interest as hereinafter provided, on the amount assessed to them individually, pay their assessments in three equal payments, as follows: One-third of the amount assessed within three months after the confirmation of the assessment roll, without interest; one-third of the amount, with interest, at the rate of seven per cent. per annum, within one year from the confirmation of said roll; and the remaining one-third, with interest, at the same rate, within two years from the confirmation of such roll.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening, June the 25th, 1887, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard.

Ald. Groot moved its indefinite postponement. Lost as follows:

Ayes—Ald. Qualtrough, Groot, Andrews, Remington, Mutchler, Charters, Quia, Parsons—8.

Nays—Ald. Cram, Lutes, Graham, Carroll, Relyea, Ratt, Taylor, Burke, Paine, Woodruff, Adleman, Horcheler, Binghamer, Mauder, Miller—15.

Ald. Groot moved its postponement until the next regular meeting, and publish it. Lost as follows:

Ayes—Ald. Qualtrough, Groot, Remington, Mutchler, Charters, Quin—6.

Nays—Ald. Cram, Lutes, Andrews, Graham, Carroll, Relyea, Ratt, Taylor, Burke, Paine, Woodruff, Adleman, Horcheler, Binghamer, Mauder, Miller, Parsons—17.

The ordinance was lost.

Ald. Paine moved to reconsider the vote. Carried as follows:

Ayes—Ald. Cram, Qualtrough, Lutes, Graham, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Adleman, Horcheler, Binghamer, Mauder, Miller—15.

Nays—Ald. Groot, Andrews, Remington, Mutchler, Brown, Paine, Charters, Quin, Parsons—9.

Ald. Groot moved to divide the question, taking each street separately. Lost as follows:

Ayes—Ald. Qualtrough, Groot, Andrews, Remington, Mutchler, Brown, Charters, Quin—8.

Nays—Ald. Lutes, Graham, Carroll, Ratt, Taylor, Burke, Paine, Woodruff, Adleman, Horcheler, Binghamer, Mauder, Miller—13.

Nays—Ald. Groot, Remington, Mutchler, Brown, Paine, Woodruff, Charters, Binghamer, Quin—9.

#### PINDLE ALLEY SEWER.

Ald. Adleman presented the first ordinance for a sewer in Pindle alley.

Ald. Brown moved its postponement until the next regular meeting. Carried as follows:

Ayes—Ald. Qualtrough, Groot, Andrews, Remington, Graham, Carroll, Mutchler, Relyea, Ratt, Brown, Paine, Woodruff, Charters, Binghamer—14.

Nays—Ald. Cram, Lutes, Taylor, Burke, Adleman, Horcheler, Mauder, Miller, Quin, Parsons—10.

#### COMFORT STREET SEWER.

Ald. Adleman presented the first ordinance for a sewer in Comfort street, which was lost.

#### VARNUM STREET SEWER.

Ald. Adleman presented the first ordinance for a sewer in Varnum street, which was lost.

#### EXECUTIVE.

Ald. Paine presented the resignation of D. B. Beach, as a Commissioner of Deeds. Accepted.

Ald. Groot presented the resignation of W. M. Newton, as a Commissioner of Deeds.—Accepted.

On motion of Ald. Paine, the Board proceeded to ballot for Commissioner of Deeds, when

James F. Keeney received 18 votes,

James P. Shaw received 19 votes,

George F. Dixon received 19 votes,

R. Vay received 3 votes.  
Messrs. Keeney, Shaw and Dixson were declared appointed.

MISCELLANEOUS.

By Ald. Quin—Resolved, That the Street Superintendent be requested to construct a plank crosswalk from the west corner of the east side of Hudson street, north of the New York Central Railroad, and the same be charged to the Highway Fund.

Ald. Groot moved its reference to the Street Committee to bring in an ordinance. Carried.

On motion, the Board adjourned until tomorrow evening at 7½ o'clock.

B. FRANK ENOS, Clerk.

**THE Common Council—June 14, 1867.**

ADJOURNED MEETING.

Ald. Joseph Qualtrough, President pro tem, presiding.

Present—Ald. Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Mutchler, Relyea, Ratt, Taylor, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller, Quin, Parsons.

Absent—Ald. Spencer, Graham, Guggenheim, Carroll, Copeland, Brown, Kelly, Bingermer.

MISCELLANEOUS.

By Ald. Quin—Resolved, That in pursuance of section 139 of the City Charter, it is hereby determined that the sum necessary and proper to be raised for the support of Common Schools, and the amount which the Common Council will cause to be raised at the time of levying the general city taxes for the current year, is as follows:

To purchase and improve sites and build or enlarge School Houses....	\$10,000
To lease, alter, improve and repair School Houses and their out-houses and appurtenances.....	5,000
To pay the wages of teachers and defray the contingent expenses of the Common Schools.....	48,000

Ald. Groot moved as an amendment to strike out \$48,000 and insert \$46,000. Lost as follows:

Ayes—Ald. Groot, Horcheler—2.

Nays—Ald. Cram, Qualtrough, Lutes, Andrews, Remington, Mutchler, Relyea, Ratt, Taylor, Burke, Paine, Woodruff, Adelman, Charters, Mauder, Miller, Quin, Parsons—18.

Resolution adopted as follows:

Ayes—Ald. Cram, Qualtrough, Lutes, Andrews, Remington, Mutchler, Relyea, Ratt, Taylor, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller, Quin, Parsons—19.

Nays—Ald. Groot—1.

By Ald. Quin—Resolved, That it is the duty of this Board to employ an officer who shall act and have the powers of a police officer, for the purpose of taking up the idle and truant children now prowling about the streets, and compel their attendance in some one of the schools of this city. Referred to Law committee to report.

Ald. Quin gave notice that he would introduce, at the next regular meeting, an amend-

ment to the Penal ordinance relating to Wooden Buildings.

By Ald. Quin—Resolved, That Scott's Cornet Band have the use of Washington Square for the purpose of giving free concerts on such evenings as the weather will permit, with the understanding that it shall be at no cost to the city or citizens and that he be allowed to erect a platform in the same, under the direction of the Park committee.

Ald. Remington moved to table. Lost as follows:

Ayes—Ald. Groot, Remington, Adelman—3.

Nays—Ald. Cram, Qualtrough, Lutes, Andrews, Mutchler, Relyea, Ratt, Taylor, Burke, Paine, Woodruff, Charters, Horcheler, Mauder, Miller, Quin, Parsons—1.

Ald. Remington moved as an amendment to strike out the word "Washington" and insert "Franklin." Lost.

Ald. Groot moved as an amendment to insert the words "five years" after the word square, and strike out the word "platform." Lost.

Ald. Remington moved as an amendment to strike out the word "platform." Lost.

Ald. Groot moved as an amendment that \$50 license be charged. Lost.

Ald. Woodruff moved its postponement until the next regular meeting. Lost.

Ald. Ratt moved the previous question. Carried as follows:

Ayes—Ald. Cram, Qualtrough, Lutes, Groot, Andrews, Mutchler, Relyea, Ratt, Taylor, Burke, Paine, Woodruff, Charters, Horcheler, Mauder, Miller, Quin, Parsons—18.

Nays—Ald. Remington, Adelman—2.

Resolution adopted.

Ald. Quin moved to reconsider the vote. Lost as follows:

Ayes—Ald. Qualtrough, Groot, Andrews, Remington, Burke, Paine, Adelman, Charters, Horcheler—9.

Nays—Ald. Cram, Lutes, Mutchler, Relyea, Ratt, Taylor, Woodruff, Mauder, Miller, Quin, Parsons—11.

By Ald. Quin—Resolved, That the Superintendent of Streets is hereby directed to notify the owners of property on both sides of Tremont street, between Caledonia and Plymouth avenues, both sides of Kirk street from North street to Scio street; both sides of Union street from Monroe avenue to East avenue; both sides of William street from Monroe avenue to East avenue; south side of Hickory street from Mount Hope avenue to South avenue; north side of Herman street from St. Joseph to Hudson street; both sides of Exchange street from Court street to Clarissa street; Buffalo street from Fitzthugh street to the Erie Canal bridge; Oak street from Platt street to Smith street, both sides; west side Cuyuga street; east side of St. Joseph street, from the railroad to Nassau street; south avenue from Jefferson street to city line, east side; Magne street from Brown to Lyell street; west side Franklin square from Andrews street to Bowery street; St. Joseph street from Bowery street to Alwater street, to repair their respective walks within five days; and, in case they neglect to do so, the said Superintendent is hereby directed to repair the same in accordance with section 212 of the city charter as amended. Adopted.

By Ald. Parsons—Resolved, That the thanks of this Common Council are hereby tendered



to the German Turnverein Society of this city, for the entertainment so generously given by them, for the benefit of the families of the recently deceased firemen.

Resolved, That a copy of the foregoing resolution, signed by His Honor, the Mayor, and countersigned by the City Clerk, under the corporate seal of the city, be presented to the President of said Society. Adopted.

By Aid. Parsons—Resolved, That the thanks of this Common Council are hereby rendered to Miss Lotta and L. M. Bayless, Esq., for the dramatic entertainment by them so generously given, for the benefit of the families of the recently deceased firemen.

Resolved, That a copy of the foregoing resolution, signed by His Honor, the Mayor, and countersigned by the City Clerk, under the corporate seal of the city, be presented to Miss Lotta, and a similar copy to L. M. Bayless, Esq. Adopted.

By Aid. Parsons—Resolved, That the Street Committee be authorized to purchase plank and timber and therewith repair Clarissa Street Bridge. Referred to City Attorney and Law Committee to report.

By Aid. Parsons—Resolved, That the Street Superintendent be and is hereby instructed to remove all obstructions in Mill street from Exchange Place to Market street, and charge the expense for the same to the material removed. Adopted.

By Aid. Parsons—Resolved, That the City Treasurer pay John Bauer twenty-seven dollars and fifty cents, it being the amount in full of his claim for services rendered the city last year; and charge the same to the Highway fund.

Ald. Cram moved its reference to the Street Committee to report. Lost.

Resolution adopted as follows:

Ayes—Ald. Qualtrough, Groot, Remington, Mutchler, Relyea, Rait, Burke, Paine, Woodruff, Adelman, Charters, Horcheier, Miller, Parsons—12.

Nays—Ald. Cram, Lutes, Andrews, Taylor, Mauder, Quin—6.

By Aid. Parsons—Resolved, That Andrew V. Smith and Julia P. Cook be granted permission to reset the curb-stone and relay the walk in front of their respective premises according to the prayer of their petition, under the direction of the Street Committee and City Surveyor.

Ald. Groot moved its reference to a committee of three to report at the next regular meeting. Carried.

The President appointed as such committee: Ald. Groot, Lutes, Quin.

By Aid. Mauder—Resolved, That the Lamp Committee are hereby directed to contract with Rochester Gas Company for furnishing the city with gas the present fiscal year, on the best terms possible.

Ald. Cram moved its postponement, and that the terms be obtained and presented to the Board. Carried.

By Aid. Miller—Resolved, That the City Property Committee be and is hereby instructed to have the roof of City Hall painted and properly repaired. Adopted.

By Aid. Miller—Resolved, That the city Property Committee be and is hereby authorized to have the Common Council room properly repaired; to replace and re-hang the pictures; also to clean the cellar and furnace

of the City Hall. Adopted.

By Aid. Miller—Resolved, That the taxpayers and property owners on the south side of Wilson street have the privilege of laying their side-walks according to the ordinance, on condition that they commence within five days, under the direction of the Improvement Committee. Adopted.

By Aid. Miller—Resolved, That the City Property Committee be and is hereby instructed to have engine house No. 1 and Hook & Ladder No. 1 properly repaired. Referred to Fire Department Committee to examine and report.

By Aid. Miller—Resolved, That the City Property Committee be and is hereby instructed to have the city clocks repaired and properly taken care of. Adopted.

Ald. Groot moved to suspend the order of business for the purpose of presenting the pay roll of the Policemen. Carried.

By Aid. Miller—Pay roll of Policemen. Finance Committee.

By Aid. Horcheier—Resolved, That the sum of three hundred dollars be appropriated to keep South avenue in repair. Adopted.

By Aid. Horcheier—Resolved, That the Committee on Streets and Bridges bring in an ordinance for the construction of a suitable foot bridge across the Genesee River at West Alexander street, such a bridge being much needed; and that the expense thereof be assessed on the city at large. Lost.

By Aid. Adelman—Resolved, That the Treasurer be and he is hereby authorized to receive from property owners assessed for Chatham street sewer, between Baden and Kelly streets, six per cent. in full of their assessment for said sewer. Adopted.

By Aid. Adelman—Resolved, That His Honor the Mayor be and he is hereby requested to execute a contract with David Wagner for Hudson street sewer in accordance with his propositions.

Ald. Remington moved as an amendment, that the Mayor contract when the Sewer Committee certified that the said sewer was constructed according to the specifications. Carried.

Resolution adopted as amended.

By Aid. Adelman—Resolved, That his Honor the Mayor, be and he is requested to execute a contract with P. J. McManomy for constructing a sewer in Gregory street, and with F. C. Lauer & Son, for constructing a sewer in Hickory street, in accordance with their propositions, when certified to by Sewer Committee that the sewers are built according to the specifications. Adopted.

By Aid. Adelman—Resolved, That the Clerk draw an order for fifteen hundred dollars, in favor of N. Osburn, and payable to his order in two years from June 11th, 1887, with interest, and the Treasurer is hereby authorized to accept the same in behalf the city, and charge Front street outlet sewer fund. Adopted as follows:

Ayes—Ald. Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Mutchler, Relyea, Rait, Taylor, Burke, Paine, Woodruff, Adelman, Charters, Horcheier, Mauder, Miller, Parsons—19.

Nays—Ald. Quin—1.

By Aid. Adelman—Resolved, That Frank Sherrer and John Rice have leave to construct

a tile sewer from their cellars on Child street into Jay street sewer, by them paying \$25 each into the sewer repair fund, the same to be used for the benefit of Jay street by the Sewer Committee, and should one or both of them refuse to pay the same, the Sewer committee is hereby instructed to disconnect their present sewers with Jay street sewer. Referred to Sewer committee to report.

By Aid. Adelman—Resolved, That the Assessors are hereby instructed to bring in a new assessment roll for Wilder and Grape street sewer at the next regular meeting of this Board. Tabled.

Aid. Paine moved to suspend the rule to adjourn at 11 o'clock. Carried.

By Aid. Charters—Resolved, That the Mayor be hereby authorized to enter into contract with Messrs. Tracy & Debins for lighting and keeping in proper order all the kerosene lamps on the west side of the river and the Twelfth ward for the sum of sixteen dollars per lamp.

Aid. Groot moved as an amendment, that Frederick Stickle have the contract for the east side of the river, excepting the 12th Ward, at the same price.

Aid. Cram moved to postpone the whole matter until the next regular meeting, and that the committee advertise for new proposals. Lost as follows:

Nays—Aid. Cram, Qualtrough, Groot, Andrews, Remington, Mutchler, Relyea, Ratt, Burke, Paine, Woodruff, Charters, Horcheler, Parsons—12.

Ayes—Aid. Lutes, Adelman, Mauder, Miller, Quin—5.

Aid. Paine moved as an amendment to the amendment, that Frederick Stickle have the contract for the whole city, according to his proposition. Carried as follows:

Nays—Aid. Cram, Groot, Remington, Relyea, Ratt, Taylor, Adelman, Charters—3.

Ayes—Aid. Qualtrough, Lutes, Andrews, Mutchler, Burke, Paine, Woodruff, Horcheler, Mauder, Miller, Quin, Parsons—12.

Resolution adopted as amended.

By Aid. Woodruff—Resolved, That the licenses for keeping of billiard tables and nine pin or bowling alleys be and they are hereby fixed at five dollars per table and alley, and that the Mayor and Clerk be and they are hereby requested to execute the same in pursuance to Sec. 12 in the Book of Ordinances at page six. Adopted.

By Aid. Woodruff—Resolved, That the Treasurer pay the several proprietors of houses where the recent election polls were held twenty dollars each, and charge Contingent fund. Adopted as follows: All ayes—20.

By Aid. Woodruff—Resolved, That the Fire Department Committee be instructed to bring in an ordinance for the repairing of the reservoir, corner of Main and Seio streets. Adopted.

By Aid. Paine—Resolved, That the Treasurer make the City's note due on the 29th day of July, 1867, payable at Powers Banking House, for a sum not exceeding thirty thousand dollars; that he get the same discounted, and charge the discount to Contingent fund. Adopted.

By Aid. Paine—Resolved, That the Treasurer make the City's note due on the 29th day of July, 1867, payable at Powers Banking

House, for eight thousand dollars; that he get the same discounted, and charge the discount to Armory Site fund, being for renewal of note dated March 6th, 1867, and falling due June 9th, 1867. Adopted.

By Aid. Paine—Resolved, That Mrs. A. D. Smith have permission to construct a lateral sewer from her house, No. 3 Gibbs street, and to connect the same with the sewer in East avenue. Adopted.

By Aid. Paine—Resolved, That the following named sums be and the same are hereby directed to be raised, and are hereby assessed upon all the real and personal estate in the city of Rochester, liable to taxation, according to the valuation of the same in the last preceding assessment rolls, which have been delivered by the Assessors to the City Clerk, and reported to the Common Council this evening, which sums are necessary to defray the expenses of the city for the current fiscal year, namely:

For lighting the city.....	\$23,000 00
.. the support of the Police Department.....	16,000 00
.. general contingent expenses.....	11,000 00
.. expenses of fire engines, engine houses and apparatus for preventing and extinguishing fires.....	18,000 00
.. the construction and repairs of streets, alleys, lanes and bridges.....	10,000 00
.. the support and relief of the poor of the city.....	20,000 00
.. defraying the expenses of the Board of Health.....	3,000 00
.. maintaining and repairing sewers.....	800 00
.. maintaining and improving the public parks.....	300 00
.. the support of Common Schools in accordance with the resolution of the Common Council, passed June, as follows:	
To lease, alter and improve school houses, and their outhouses and appurtenances.....	5,000 00
To purchase and improve sites and build and enlarge school houses.....	10,000 00
To pay the wages of teachers and defray the contingent expenses of the Common Schools.....	48,300 00
.. moneys borrowed by the city for the relief of families of soldiers in the service of the United States, in accordance with the acts provided for the same, passed May 14th, 1863, and February 9th, 1864.....	7,725 45
.. cleaning and keeping in repair the following streets and avenues, viz:	
South avenue, from the Erie canal to the city line.....	300 00
North street, from Main street to New York Central Railroad.....	300 00
Lyell street, from State street to the city line.....	300 00
St. Paul street, from New York Central Railroad to Scranton street.....	300 00
St. Paul street, from Scranton street to city line.....	200 00
Monroe avenue, from Clinton street to Alexander street.....	300 00
Mt. Hope avenue, from Erie canal to Mt. Hope Cemetery entrance.....	300 00
West avenue, from Erie canal to city line.....	300 00
Lake avenue, from Lyell street to McCracken street.....	300 00
East avenue, from Main street to city line.....	300 00
Plymouth avenue, from Genesee Valley canal to city line.....	300 00
.. maintaining the "House for Idle and Truant Children" as provided by section 274 City Charter, and in accordance with the report of the Managers of the same, made January 31st, 1867.....	9,000 00
.. 6 months interest on \$60,000 7 per cent. bonds, issued for the floating debt of 1862, due and paid April 15th, 1867.....	2,310 00
.. 6 months interest on \$57,600 7 per cent. bonds, issued for the floating debt of 1865, due and paid May 1st, 1867.....	1,595 00
.. 6 months interest on \$100,000 6 per cent. bonds, issued for "Relief," due and	

paid May 1st, 1867.....	3,000 00
6 months interest on \$6,000 6 per cent. bonds, issued for Deep Hollow improvement, due and paid May 15th, 1867.....	210 00
6 months interest on \$252,000 6 per cent. bonds, issued for Rochester & Genesee Valley Railroad stock, due July 1st, 1867.....	7,560 00
6 months interest on \$20,000 6 per cent. bonds, issued for Main street bridge, due July 1st, 1867.....	600 00
6 months interest on \$50,000 6 per cent. bonds, issued for city stock, due July 1st, 1867.....	900 00
6 months interest on \$30,000 6 per cent. bonds, issued for City Hall, due July 1st, 1867.....	900 00
6 months interest on \$50,000 7 per cent. bonds, issued for "Bridge Loan 1857," due July 1st, 1867.....	1,750 00
6 months interest on \$7,000 7 per cent. bonds, issued for the purchase and equipment of steam fire engines, due July 1st, 1867.....	211 50
6 months interest on \$15,000 7 per cent. bonds, issued for Clarissa street bridge, due July 1st, 1867.....	525 00
6 months interest on \$25,000 6 per cent. bonds, issued for Main street bridge, due July 1st, 1867.....	750 00
6 months interest on \$12,950 6 per cent. bonds, issued for the purchase and equipment of steam fire engines, due September 16th, 1867.....	388 50
3 months interest on \$5,000 7 per cent. bonds, issued for Deep Hollow improvement, due with principal, September 1st, 1867.....	3,061 25
12 months interest on \$231,000 7 per cent. bonds, issued for bounties to volunteers, due October 1st, 1867.....	16,170 00
12 months interest on \$100,000 7 per cent. bonds, issued for bounties to volunteers, due with principal, October 1st, 1867.....	7,000 00
6 months interest on \$66,000 7 per cent. bonds, issued for floating debt 1862, due October 15th, 1867.....	2,310 00
6 months interest on \$57,000 7 per cent. bonds, issued for floating debt 1858, due November 1st, 1867.....	1,995 00
6 months interest on \$100,000 6 per cent. bonds, issued for "Relief," due November 1st, 1867.....	3,000 00
6 months interest on \$3,000 7 per cent. bonds, issued for Deep Hollow improvement, due November 15th, 1867.....	105 00
6 months interest on \$25,000 6 per cent. bonds, issued for Main street bridge, due January 1st, 1868.....	750 00
6 months interest on \$15,000 7 per cent. bonds, issued for Clarissa street bridge, due January 1st, 1868.....	525 00
6 months interest on \$7,050 9 per cent. bonds, issued for the purchase and equipment of steam fire engines, due January 1st, 1868.....	211 50
6 months interest on \$50,000 7 per cent. bonds, issued for "Bridge Loan 1857," due January 1st, 1868.....	1,750 00
6 months interest on \$50,000 6 per cent. bonds, issued for City Hall, due January 1st, 1868.....	900 00
6 months interest on \$30,000 6 per cent. bonds, issued for "City Stock," due January 1st, 1868.....	900 00
6 months interest on \$20,000 6 per cent. bonds, issued for Main street bridge, due January 1st, 1868.....	600 00
6 months interest on \$25,000 6 per cent. bonds, issued for Rochester & Genesee Valley Railroad stock.....	7,500 00
6 months interest on \$2,000 6 per cent. bonds, issued for Rochester & Genesee Valley Railroad stock, due with principal.....	2,060 00
6 months interest on \$12,950 6 per cent. bonds, issued for the purchase and equipment of steam fire engines, due March 16th, 1868.....	388 50
deficiency in the Contingent Fund of 1866, in accordance with Section 86, Title V, of the City Charter, resolution of the Common Council, passed January 22d, 1867.....	6,000 00
deficiency in the Police Fund of 1866, in accordance with Section 86, Title V, of the City Charter, and resolution of the Common Council, passed January 22d, 1867.....	15,000 00
deficiency in the Lamp Fund of 1866, in	

accordance with Section 86, Title V, of the City Charter, and resolution of the Common Council, passed January 22d, 1867.....	4,000 00
deficiency in the Highway Fund of 1866, in accordance with Section 86, Title V, of the City Charter, and resolution of the Common Council, passed January 22d, 1867.....	2,500 00
deficiency in the Fire Department Fund for 1866, in accordance with Section 86, Title V, of the City Charter, and resolution of the Common Council, passed January 22d, 1867.....	4,308 01
deficiency in the Health Fund for 1866, in accordance with Section 86, Title V, of the City Charter, and resolution of the Common Council, passed January 22d, 1867.....	987 85
deficiency in the Sewer Fund for 1866, in accordance with Section 86, Title V, of the City Charter, and resolution of the Common Council, passed January 22d, 1867.....	231 27
interest on moneys borrowed in accordance with the resolution of the Common Council, passed January 22d, 1867, for the payment of the above deficiencies.....	1,000 00
the payment of bonds issued for bounties to volunteers, due October 1st, 1867.....	100,000 00
Total.....	\$389,678 83

Adopted as follows: All ayes—18.

By Ald. Taylor—Resolved, That the Street Superintendent be directed to cause immediately a suitable protection to be placed upon the stone wall upon the south side of West avenue, between Julia and Prospect streets. Adopted.

By Ald. Taylor—Resolved, That the City Surveyor be directed to ascertain and point out to the Superintendent the true lines of Summer alley and of the alleys running parallel with Bartlett street and situate between the west line of the Gregg tract and Francis street—and that the Superintendent take immediate steps to open the said alleys. Adopted.

By Ald. Taylor—Resolved, That the owners of lots on the south side of Clifton street between Francis and Genesee streets have permission to build their own walks under the direction of the City Surveyor and Improvement committee, if done within sixty days from this date. Adopted.

By Ald. Taylor—Resolved, That one hundred and twenty-five dollars be appropriated for the purpose of firing salutes and ringing bells at sun rise and sun set on July 4th, and that the City Clerk be directed to make the necessary arrangements, and charge Contingent Fund. Adopted as follows:

Ayes—Ald. Cram, Qualtrough, Lutes, Andrews, Remington, Mutchler, Relyea, Ratt, Taylor, Burke, Paine, Woodruff, Horchler, Miller, Quin, Parsons—16.

Nays—Ald. Groot—1.

By Ald. Ratt—Resolved, That the City Treasurer is hereby directed to cancel the tax against Mrs. Orr for repair of sidewalk on George street during the fall of 1865, and charge erroneous assessment. Adopted.

By Ald. Ratt—Resolved, That the Treasurer be, and he is hereby authorized to receive from property owners taxed for Jefferson street plank walk, as follows, viz: From Bank of Utica, Francis Jewell and Frederick Douglass the amount of their assessment; from Mary Claggett \$7.19; Samuel Lusher \$17.41; Albert Aides \$12.20; Mary A. McNabb \$11.29; Michael Maloney \$8.20, and from all others thirty per cent. in full of their assess-

ment for said walks. Adopted.

By Ald. Ratt—Resolved, That the Clerk is hereby directed to advertise for allegations to be heard by the Common Council, on the 25th inst., on the final ordinances for Hanover street improvement, walks on Mortimer street, crosswalks on State and North St. Paul streets, sewers in Delevan, Cayuga, Kelly and Jersey streets. Adopted.

By Ald. Ratt—Petition of T. W. Tone and others. Improvement Committee.

By Ald. Mutchler—Resolved, That the Treasurer pay the following bills, whenever there is money in the Treasury, and charge House for Truants:

Brownell & Blackford.....	\$44 01
Ferrine & Stewart.....	30 25
Henry Thien.....	19 62
H. Quinby.....	23 15
J. W. Adams, disbursements.....	45 44
Moore & Cole.....	43 85
F. C. Lower & Son.....	23 20

Adopted as follows: All ayes—17.

By Ald. Mutchler—Resolved, That Jacob Schaffer, Addin Bardeen, Hill Henry, R. A. Smith, Joan Norris, James Brown, Wm. F. Parry, Wm. Carson, Richard Daly, George Bemish, J. D. Maynard, O. D. Grosvenor, S. Stein, Bennett & McGraw, have leave to erect wooden buildings, according to their several petitions, under the direction of the Fire Marshal. Adopted.

By Ald. Mutchler—Resolved, That the Board of Health are hereby directed to reduce the number of Inspectors to three. Adopted.

By Ald. Remington—Resolved, That the Treasurer receive from J. B. Bennett the sum of four hundred and eighty-four dollars in full for the assessment for the Buffalo street and Chili road improvement against lots No. 2, 3, 4, Bush and King tract, the same shall be paid within fifteen days from this date—said lots having been sold May 29, 1860, for said improvement. Adopted.

By Ald. Remington—Resolved, That Wm. Box pay into the Treasurer one dollar and fourteen cents in full of his sidewalk repair tax on lot No. 146, west side, Pearl street, for the year 1866, and charge the balance to the Highway fund. Referred to Street committee.

By Ald. Remington—Resolved, That any or all of the brass bands have liberty to play in any or all of the public parks of the city upon any evenings they may choose from this date to Oct. 1st, 1867. Adopted.

By Ald. Groot—Resolved, That the Clerk is hereby directed to sign the contract of George M. Eiwood, proprietor of the *Rochester Daily Programme*, for publishing the proceedings of the Common Council, etc., according to his proposition, and that the city seal be attached thereto.

Ald Taylor moved its indefinite postponement. Lost as follows:

Ayes—Ald. Cram, Lutes, Relyea, Ratt, Taylor, Burke, Woodruff, Miller—3.

Nays—Ald. Qualtrough, Groot, Andrews, Remington, Mutchler, Paine, Horcheler, Quin, Parsons—9.

Resolution adopted as follows:

Ayes—Ald. Qualtrough, Groot, Andrews, Remington, Mutchler, Paine, Horcheler, Quin, Parsons—9.

Nays—Ald. Cram, Lutes, Relyea, Ratt, Taylor, Burke, Woodruff, Miller—3.

By Ald. Groot—Resolved, That all the committees of this Board and all city officers, are hereby directed to take all advertising connected with the business of the city, to the *Rochester Daily Programme*.

Ald. Ratt moved its indefinite postponement. Lost as follows:

Ayes—Ald. Cram, Lutes, Relyea, Ratt, Taylor, Burke, Woodruff, Miller—8.

Nays—Ald. Qualtrough, Groot, Andrews, Remington, Mutchler, Paine, Horcheler, Quin, Parsons—9.

Resolution adopted.

By Ald. Groot—Resolved, That the fine imposed against Charles J. Frost and Charles West for slaughtering inside the city limits, be and is hereby remitted, by their paying costs. Referred to Market Committee.

By Ald. Groot—Resolved, That the Street Superintendent be directed to cause the houses on Troup street to be renumbered, they being at present wholly inaccurate. Adopted.

By Ald. Groot—Resolved, That W. Wadsworth be and is hereby granted permission to erect a pump on the edge of the side walk in front of his premises on Spring street, under the direction of the Street Superintendent. Adopted.

By Ald. Groot—Resolved, That the Park Committee are hereby authorized to contract for the fencing and improvement of Center Square, under the ordinance for said work, as they may deem for the best interests of the tax payers for said improvement.

Ald. Taylor moved as an amendment that the committee advertise for proposals, and report to the Board. Carried.

Resolution adopted as amended.

By Ald. Groot—Resolved, That the improvement committee are hereby authorized to let the contract for grading Jones avenue, as they may deem proper for the interests of the tax payers for said work. Referred to Improvement Committee, with instructions to advertise for proposals and report to this Board.

By Ald. Groot—Resolved, That a committee of three be appointed to investigate the matter of the taking away from the city wood yard a quantity of lumber and timber belonging to the city which had been stored there for safe keeping, without any order for the same. Adopted.

The President appointed as such committee, Ald. Groot, Ratt, Lutes.

Ald. Andrews gave notice that he would, at the next regular meeting, introduce an amendment to the Rules of the Board, relative to explaining votes.

By Ald. Lutes—Resolved, That the City Clerk be authorized and is hereby directed to draw orders upon the City Treasurer payable on or before the 20th day of July next, in favor of the persons and for the amounts named as follows:

F. C. Lauer & Son.....	\$ 67 53
William McConnell.....	25 00
Robert McIntyre.....	323 50
McConnell & Jones.....	97 52
Oregan & McCormick.....	140 00

That the City Treasurer be authorized to accept the same and charge the amount to the "Sewer Repair Fund." Adopted as follows:

Ayes—Ald. Cram, Lutes, Andrews, Remington, Mutchler, Relyea, Ratt, Taylor,

Burke, Paine, Woodruff, Horschler, Miller, Quin, Parsons—15.

Nays—Ald. Qualtrough, Groot—2.

By Ald. Qualtrough—Whereas, The bridge over the Erie Canal in Exchange street in this city, is, and has been for a long time in a dilapidated condition, unsafe for traffic and dangerous even to foot passengers, and

Whereas, This bridge is located in an important street and forms a part of the route connecting the Erie Railway and the New York Central Rail Road, over which route the passengers, mail and express traffic of the Erie Railway passes, and the transfers of the passengers between the two lines of railroad are made, and

Whereas, The bridge in question has been since its erection an ugly, uncouth structure, an eye-sore to our own citizens and an object of derision to strangers, shabby and noisy under the feet of foot passengers, and vibrating dangerously under the passage of vehicles, and is not regarded by our citizens or by strangers who are compelled to pass over it, as being either ornamental, useful or safe under ordinary traffic, and

Whereas, This city has already, during the current year, sustained a severe pecuniary loss by the failure of one of the canal bridges in this city, which bridge had been regarded as stronger and more reliable than the bridge in Exchange street, and

Whereas, It is stated, and generally understood, that this style of bridge has been, and is being, taken down in other cities in this State and bridges of more approved construction put in their stead, therefore

Resolved, That this Board of Common Council does respectfully, but earnestly, request the honorable Canal Commissioners to cause the removal of the bridge over the Erie canal in Exchange st. in this city, and the substitution thereof of a suitable and safe bridge of the most approved pattern, with suitable approaches, and with the roadway pitched as low as may be practicable. Adopted unanimously.

By Ald. Cram—Resolved, That the Treasurer pay George D. Lord seventy-five dollars in full for his claim for keeping water in the Genesee Valley Canal for Fire Department purposes during the winter of 1865 and 1866, and charge Fire Department fund.

Ald. Quin moved its postponement until the next regular meeting. Lost as follows:

Ayes—Ald. Ratt, Woodruff, Horschler, Quin—4.

Nays—Ald. Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Mutchler, Rejya, Taylor, Burke, Paine, Miller, Parsons—13.

Resolution adopted as follows:

Ayes—Ald. Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Mutchler, Rejya, Ratt, Taylor, Burke, Horschler, Miller, Parsons—14.

Nays—Ald. Paine, Woodruff, Quin—3.

By Ald. Cram—Resolved, That the Treasurer credit damages by Flood Fund seventy-five dollars and charge Fire Department Fund, being amount allowed by George D. Lord for use of the steam engine used upon the repairs to Main street bridge. Adopted.

By Ald. Cram—Resolved, That the Poor Committee be directed to advertise for proposals for furnishing six hundred tons of

coal for the Poor Department. Adopted.

By Ald. Cram—Resolved, That the City Surveyor be directed to establish the lines of Oak street, between Platt and Brown streets, and that the City Superintendent cause obstructions to be removed from said street; also Weld street on the east side of the river. Adopted.

By Ald. Cram—Resolved, That the Street Superintendent be and is hereby authorized to buy a one-horse lumber wagon and charge Highway Fund. Adopted.

By Ald. Cram—Resolved, That the Treasurer be directed to credit the Highway fund \$65.94 and charge North avenue fund.

Ald. Quin moved its postponement until the next regular meeting. Carried.

By Ald. Cram—Resolved, That the City Property Committee be and are hereby directed to advertise ten days and sell to the highest bidder the Portable Steam Engine belonging to the city; and, that the engine be brought to Center Market. Adopted.

By Ald. Cram—Resolved, That the Superintendent be directed to give a general notice to all persons having garbage to be removed, that they must put the same in boxes convenient to be handled instead of throwing the same in the street. Adopted.

FINANCE BUDGET.

JUNE 14th, 1867.

By Ald. Paine—Resolved, That the Treasurer pay as follows:

CONTINGENT FUND.

Daniel Richmond, Surveyor, 1 month's salary	..\$50 00
B. Frank Enos, Clerk	.. 100 00
E. A. Raymond, Attorney	.. 91 67
David McKay, Assessor	.. 100 00
E. T. Oatley	.. 100 00
C. M. St. Joim	.. 100 00
William Tracy, Messenger	.. 86 55
Frank Lockhart, watching City Hall 2 months	.. 70 00
E. B. Booth & Son, repairing clock in Clerk's office	.. 1 00
John King, hack hire	.. 4 25
J. M. Phelon, coal for City Hall	.. 21 45
Wm. H. Tracy, disbursements	.. 6 25
Adolph Nolte, printing	.. 76 60
Wm. Whitehair, hack hire	.. 5 00
J. W. Stebbins, stamped envelopes	.. 15 75
B. O'Reilly, hack hire	.. 3 00
Geo. King	.. 5 25
Curtis, Morey & Co., printing	.. 54 50
Geo. W. Walbridge, horse hire	.. 5 00
M. F. Reynolds & Co., leather dusters	.. 7 25
A. C. Cheney, telegraphing	.. 3 72
Fulton & Lyon, Surveyor's stakes	.. 16 92
Sceele & Avery, stationery	.. 61 88
Thos. Cullane, hack hire	.. 8 00

And charge Contingent fund. \$1,169 83

LAMP FUND.

Rochester Gas Light Co., bill lighting lamps	..\$44 00
John Ferner, bill for kerosene lights for April	.. 540 79
Henry Hebing, bill for glass	.. 10 12
Reynolds Bros., bill for repairs and lamps	.. 75 40
John Ferner, bill for kerosene lights for May	.. 540 79

And charge Lamp fund. \$1,636 10

POLICE FUND.

Rochester Gas Co., gas at Police office to March 1st, 1867	..\$ 116 90
Jacob Frank, carting water for Police office one year	.. 75 60
A. W. Durfee, sprinkling 26 weeks	.. 13 00
D. D. S. Brown, printing	.. 1 50
Adams & Ellis, stationery	.. 7 75
Curtis, Morey & Co., printing	.. 5 50

And charge Police fund. \$219 65

SEWER REPAIRS.

James Conway, labor on repairing sewer	..\$ 4 00
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And charge that fund.

HIGHWAY FUND.

J. Reynolds, Cattle Policeman, 18 days	..\$ 30 06
Anthony Poul	.. 11 .. 13 87
Robert Neary	.. 26 .. 43 42

John Harper, .. 26 ..	43 42
F. W. Wales, .. 3 ..	3 24
J. W. Wheeler, .. 2 ..	5 00
Henry L. Smith, bill for street brooms ..	85
E. Fox, blacksmithing ..	1 00
Holloway & Nornington, repairing crosswalk ..	38 26
P. F. Rhines, bill for labor on bridges ..	4 00
C. P. Harford, .. hack hire ..	2 00
John Carroll, .. labor on Emmett street ..	15 00
John Clancy, .. labor on streets ..	39 06

Anc charge Highway fund. \$ 245 78

PARK FUND.

James Blakeley, labor and material ..	\$ 10 63
Bright & Brothier, 5 bushels seed ..	10 00
Robert Johnson, 15 bushels oats ..	13 50
James Lennon, labor ..	28 13

And charge Park fund. \$ 62 26

POOR FUND.

Joseph Hoffman, disbursements for April ..	\$ 14 30
.. May ..	31 08
Phillip Yarrman, bread for poor store ..	196 74
George Bastuan, ..	225 42
J. W. Poole & Co., flour ..	210 00
Van Zandt Bros., coffee ..	13 34
Geo. Gates, one month's salary in wood yard ..	30 00
B. O. Kelly, undertaker's services ..	62 50
B. Donner, agent, paid orders Overseer of the Poor ..	48 25
Valentine Debus, delivering wood ..	142 50
Thos. Pert, paid orders for meat ..	141 00
H. S. Van Dake & Co., paid orders relief fund ..	43 23
H. B. Hathaway, molasses for poor store ..	37 09
H. Bender & Co., paid orders for breads ..	49 40
Joseph Hoffman, disbursements at Poor office ..	40 87
John Groh, paid orders for shoes ..	47 25
Chas. H. Swift, 5 weeks services at Poor store ..	25 00
X. T. Hackstaff, ledger and blank books for Poor office ..	40 00
E. Weigel, bread for Poor store ..	125 55
L. B. King, bill of costs in Justice's Court ..	12 00
A. W. Jones, bill of costs in Justice's Court ..	5 00
W. A. Palmer, bill for rent to Barbara Habst ..	60 00

And charge Poor fund. \$1,610 74

FIRE DEPARTMENT FUND.

Monthly Pay Roll, payable to George B. Harris, Chief Engineer:	
Steamer No. 1, engineer and drivers ..	\$135 00
.. 2 ..	135 00
.. 3 ..	135 00
.. 4 ..	135 00
Drivers, for 24 1/2 days in street ..	24 50
R. B. Paine, services at hose depot ..	40 90

Geo. B. Harris, Chief Engineer, one month .. \$604 50 \$100 00

Approved June 11, 1867.

L. C. SPENCER,  
L. F. RELYEA,  
Committee on Fire Department.

Paid by L. C. Spencer, Esq., June 4, 1867.

H. T. LANGWORTHY,  
Treasurer.

The amount of above Pay Roll has been advanced to me by Aid, L. C. Spencer, and should be made payable to him.

GEORGE B. HARRIS,  
Chief Engineer.

Perrine & Stewart, repairs ..	\$ 80 80
Jacob Hyne, oil ringing ..	10 00
John J. Kolb, ..	18 75
Wm. Kewin, ..	10 00
R. B. Paine, labor at hose depot ..	29 00
J. H. Brown, repairs on steam gauges ..	16 00
Lewis Selye, water in Erie canal, winter of 1866 and 1867 ..	500 00
S. M. Spencer, charcoal ..	5 25
A. M. Sempie, soap and matches ..	11 88
Martin Kennedy, use of horse ..	7 00
Geo. B. Harris, disbursements ..	23 88
Lane & Paine, drugs, &c. ..	1 15
J. T. Robins & Son, paint and glass ..	5 26
J. P. Roche, repairs ..	22 08
Henry Barnard, oil and glass ..	10 64
W. Burke & Co., hardware ..	2 84
Varnum Oil Co., oil for hose depot ..	28 37
Mr. Marks, load hay, payable to H. L. Fish ..	13 54
John H. York, scavenger work ..	16 00
John Goldsmith, oats (payable to Treasurer) ..	25 50
John Goldsmith, oats ..	23 00
D. D. S. Brown, printing ..	8 40
James Hart, repairs to harness ..	1 50
E. Ashby, ..	5 85
D. R. Barton & Co., repairs to axes ..	19 12
Wendel Bayer, expenses at breaking of bridge ..	7 05
J. Willard Smith, mill feed ..	14 49

J. H. Pool & Co., ..	35 00
Moseley, Motely & Wilson, mill feed ..	18 61
A. J. Warner, drawing plans ..	100 00
Kelly & Co., lamps and repairs ..	35 00

\$1,075 67

For funeral expenses of firemen killed at Washington Hall:

A. & E. Brennan, crape, &c. ..	\$ 16 06
W. McElroy, hack hire ..	1 50
A. Kasel, ..	2 00
Patrick Burns, ..	5 00
M. Heavy, ..	6 00
A. H. Orton, ..	3 00
W. Whitehair, ..	8 00
John King, ..	5 00
Jno. VanAntker, ..	4 25
Thos. Knowles, ..	9 00
Charles Newman, music ..	50 00
Alex. Scott, ..	75 00
C. V. Jeffreys, undertaking ..	190 00

\$374 81

Woodbury, Booth & Co., repairs to fire apparatus ..	\$ 27 04
L. Knechtling, medical care of wounded firemen ..	16 00

And charge Fire Department fund. \$1,493 52

HEALTH FUND.

Geo. Keoth, services one day as Inspector ..	\$ 2 00
Geo. Mosher, Inspector, one month's salary ..	50 00
David Niven, ..	50 00
Michael Hughes, ..	50 00
Robert Marrow, ..	50 00
Jacob Clark, ..	50 00
Charles Burns, Inspector, on month's salary, (payable to Jas. Cochran) ..	50 00
Thos. Burns, keeper Pest House, one month's salary ..	20 00
Ralph Bendon, burying dead animals ..	1 00
Robert Morrow, ..	5 00
John Clark, ..	3 00
Thos. Burns, disbursements ..	7 75

And charge that fund. \$238 75

WEST AVENUE FUND.

H. B. Knapp, Commissioner, bill of repairs on West avenue ..	\$165 18
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And charge that fund.

JONES SQUARE.

S. C. M. Carr, bill for lumber and work ..	\$144 50
Whitmore, Carson & Co., work on Jones Square ..	490 20
Creegan & McCormick, work on Jones estimate ..	300 00

\$934 70

And charge Jones Square fund when there are funds applicable.

NORTH AVENUE FUND.

John Quinn, Commissioner, repairs ..	\$ 39 63
D. Wagner, bill for macadamizing ..	130 80
Chas. F. Williams, bill for team work ..	60 00

And charge that fund. \$230 43

MT. HOPE AND SOUTH AVENUE RAILING.

N. H. Smith, in full, for constructing railing on Mt. Hope and South avenues ..	\$512 00
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And charge that fund.

MT. HOPE AVENUE FUND.

Geo. Popp, Commissioner, repairs on Mt. Hope avenue ..	\$307 63
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And charge that fund.

NORTH ST. PAUL STREET FUND.

Wm. Carroll, Commissioner, repairs on North St. Paul street ..	\$110 75
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And charge that fund.

IMPROVEMENT FUND.

Also, when there are funds applicable, as follows:

Wm. I. Hanford, in full, for constructing plank walk on Jefferson street ..	\$336 30
And charge that fund.	
John Cranmond, in full, for improvement of Graham street ..	400 00
And charge that fund.	
Gregan & McCormick, improvement of Thompson street ..	200 00
And charge that fund.	
Charles Mills, Commissioner, repairs on Monroe avenue ..	285 00
And charge that fund.	
D. Wagner, in full, for Jay street improvement ..	206 17

POLICE FUND.

Samuel M. Sherman, 1 mo. sal. to June 1, '87.....	\$123 00
Alexander McLean, .. .. .	75 00
Monroe A. Green, .. .. .	75 00
Peter Hughes, .. .. .	75 00
Jonathan Dresser, .. .. .	75 00
Wm. J. Rogers, .. .. .	75 00
Peter Yast, .. .. .	75 00
John H. Dana, .. .. .	75 00
James Sullivan, .. .. .	75 00
Warren H. Noyce, .. .. .	75 00
Edward Van Vast, .. .. .	75 00
Charles McCormick, .. .. .	75 00
Thos. F. Burchell, .. .. .	75 00
Wm. F. Lusk, .. .. .	75 00
Bartholomaw Crowley, .. .. .	75 00
P. H. Sullivan, .. .. .	75 00
W. R. McArthur, .. .. .	75 00
John J. Garrett, .. .. .	75 00
Thos. F. Hurley, .. .. .	75 00
Albert H. Bruman, .. .. .	75 00
Frank B. Allen, .. .. .	75 00
Thomas Lynch, .. .. .	75 00
Joseph T. Clary, .. .. .	75 00
Michael Hyland, .. .. .	75 00
William Rodgers, .. .. .	75 00
James McKelvey, .. .. .	75 00
Frank Flass, .. .. .	75 00
Albert H. Franklin, .. .. .	75 00
R. W. McBarney, .. .. .	75 00
Joseph G. Roworth, .. .. .	75 00
William White, .. .. .	75 00
John Ragan, .. .. .	75 00
John Barry, 29 1/2 days salary to June 1, 1887.....	73 75
Michael Flynn, 29 .. .. .	72 50
Ferry Mangold, 29 .. .. .	72 50
Philip Schaad, 29 .. .. .	72 50
Jas. H. Foster, 29 .. .. .	72 50
L. P. Angevine, 28 .. .. .	70 00
J. W. Lord, 28 .. .. .	70 00
Mich'l Tierney, 25 .. .. .	65 00
L. Johnson, 10 .. .. .	47 50
	\$3,036 25
S. M. Sherman, disbursements.....	70 75
	\$3,267 00

Examined and approved as being correct.

HENRY L. FISH,  
HENRY S. HEBARD, } Police Commissioners.  
Geo. G. COOPER, }

Adopted as follows:  
Ayes—Ald. Lutes, Andrews, Remington, Relyea, Ratt, Taylor, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Miller, Quin, Parsons—15.  
Nays—Ald. Cram, Quaitrough, Groot—3.  
Adjourned.

B. FRANK ENOS, Clerk.

THE COMMON COUNCIL—June 25th, 1887.

REGULAR MEETING.

The President of the Board, Ald. Wm. Guggenheim, presiding.

Present—Ald. Spencer, Cram, Quaitrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Copeland, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons.

Minutes of the previous meeting approved as published.

Ald. Groot moved to suspend the order of business, for the purpose of electing Chief and Assistant Engineers of the Fire Department. Carried.

Ald. Groot moved to ballot for four Assistant Engineers, two on each side of the river.

Ald. Cram moved as an amendment, to ballot for Chief. Carried as follows:

Ayes—Ald. Spencer, Cram, Lutes, Guggenheim, Carroll, Mutchler, Relyea, Taylor, Burke, Paine, Adelman, Horcheler, Mauder, Miller, Quin—15.

Nays—Quaitrough, Groot, Andrews, Rem-

ington, Copeland, Ratt, Brown, Kelly, Charters—9

	1st Ballot.	2d Ballot.	3d Ballot.	4th Ballot.	5th Ballot.
Geo. B. Harris.....	11	10	10	11	12
Wendall Bayer.....	9	10	9	10	10
Z. Weaver.....	2	2	2	2	2
S. M. Stewart.....	1	2	2	1	1
Thos. O'Brien.....	0	0	2	1	2

No choice in either of the above ballots. Ald. Quaitrough moved to proceed to another ballot.

Ald. Taylor moved as an amendment, to take up general business.

Ald. Groot moved as an amendment, to ballot for two Assistant Engineers on the East side of the river. Lost as follows:

Ayes—Ald. Groot, Andrews, Remington, Guggenheim, Mutchler, Ratt, Brown, Kelly, Paine, Charters, Horcheler, Quin—12.

Nays—Ald. Spencer, Cram, Quaitrough, Lutes, Graham, Carroll, Relyea, Copeland, Taylor, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller—15.

Ald. Taylor's motion to take up general business, was lost as follows:

Ayes—Ald. Spencer, Cram, Lutes, Graham, Carroll, Relyea, Taylor, Burke, Adelman, Bingemer, Mauder, Miller, Quin—13.

Nays—Ald. Quaitrough, Groot, Andrews, Remington, Guggenheim, Mutchler, Copeland, Ratt, Brown, Kelly, Paine, Woodruff, Charters, Horcheler, Parsons—15.

Ald. Quaitrough's motion to proceed to another ballot was carried.

SIXTH BALLOT.

George B. Harris.....	15
Wendall Bayer.....	8
Z. Weaver.....	2
Scattering.....	3

George B. Harris was declared appointed. Ald. Groot moved to ballot for two Assistant Engineers on the East side of the river. Carried.

James Malcolm.....	18
Thomas O'Brien.....	16
John Ardt.....	11
August Bauer.....	9
C. Donovan.....	1

James Malcolm and Thos. O'Brien were declared appointed.

Ald. Groot moved to ballot for two Assistant Engineers on the West side of the river. Carried.

Charles Frank.....	17
Law S. Gibson.....	12
Wendall Bayer.....	9
C. Donovan.....	6
J. F. Goldsmith.....	6
J. Twaige.....	4
J. H. Coplin.....	1

Charles Frank was declared appointed.

	2d ballot.	3d ballot.
Law S. Gibson.....	15	15
Wendall Bayer.....	7	9
J. Twaige.....	3	1
J. F. Goldsmith.....	3	.
C. Donovan.....	3	3

No choice on the 2d ballot. On the 3d ballot, Law S. Gibson was declared appointed.

PETITIONS AND CLAIMS.

By Ald. Quin—Remonstrance of G. E. Jennings and others. Table.

By Ald. Mauder—Sundry bills. Lamp Committee.

By Ald. Bingemer—Bill of M. O'Connor's City Property Committee.

By Ald. Horcheler—Petition Fred. Schaffer and Dillman S. ger. Sewer Committee.

By Ald. Adleman—Sundry bills. Sewer Committee.

By Ald. Woodruff—Sundry bills. Contingent Ex. Committee.

By Ald. Paine—Petition of John Craig. Table. Also, the following, and another similar one from Mrs. L. C. Smith:

*To the Honorable the Common Council of the City of Rochester:*

GENTLEMEN—The Managers of the Industrial School will be most happy to see you at Corinthian Hall on the evening of Tuesday next, June 25th. By order.

ELLEN ARINK, Cor. Sec'y.

Rochester, June 19th, 1867.

Ald. Paine moved that the invitation be accepted, and that the Board adjourn at 10½ o'clock for that purpose. Carried.

By Ald. Burke—Petition of Michael O'Keef. Wooden Building Committee, with power to act.

By Ald. Kelly—Sundry bills. Finance Committee. Petition of Amice Langlois. Wooden Building Committee.

By Ald. Copeland—Sundry petitions.—Wooden Building Committee.

By Ald. Ratt—Sundry bills. Finance Committee.

By Ald. Carroll—Bills of Geo. Aldridge. Park Committee. E. Taylor. Finance Committee. Petition of W. Meech. Table. Also, the following:

ROCHESTER OPERA HOUSE, }  
24 June, 1867. }

*To the Honorable the Mayor and Board of Common Council of the City of Rochester:*

Having resumed the control of the Opera House I take leave, respectfully, to tender to your honorable body the privilege of free admission at any time it may suit your convenience. Your obed't. serv't.

W. MEECH.

Accepted.

By Ald. Graham—Policemen's pay roll. Finance Committee.

By Ald. Groot—Remonstrance of C. J. Hayden and others. Table.

By Ald. Lutes—Sundry bills. Poor Committee.

By Ald. Spencer—Sundry bills. Fire Department Committee.

By Ald. Cram—Petition of Norman Hough and others, C. W. Kidder. Table. Remonstrance of Joseph Curtis and others. Table. Sundry bills. Street Committee.

#### REPORTS.

Ald. Spencer, from the Fire Department Committee, reported in favor of Sundry bills. Finance Committee.

Ald. Lutes, from the Poor Committee, reported in favor of sundry bills. Finance Committee.

Ald. Adleman, from the Sewer Committee, reported in favor of sundry bills. Finance Committee. The claim of M. Schuster being objected to by Ald. Mauder, it was referred back to the Sewer Committee.

Ald. Mauder, from the Lamp Committee, reported in favor of sundry bills. Finance Committee.

Ald. Adleman presented the following:

#### CHILD STREET LATERAL SEWERS.

ROCHESTER, June 25th, 1867.

*To the Hon. the Common Council:*

Your committee to whom was referred the resolution offered at the last meeting, giving permission to certain parties on the west side of Child street to construct lateral sewers from their cellars to the sewer in Jay street, would report that they can see no objection to allowing said parties to construct said sewers on condition that they construct two new lateral sewers with grates, on Jay street between Saxton and Orchard streets, two on Child street to carry off the surface water, raise the grate at the north-east corner of Jay and Child streets to a proper height, and fill up the ditches: &c. at the intersection of said streets. But, as there are parties on Jay street who are dissatisfied with the above arrangement, your committee would recommend that a special committee of five be appointed from your Board to examine the subject and report at the next regular meeting what course, in their opinion, should be pursued in order to secure the best interests of all parties concerned.

All of which is respectfully submitted.

F. A. ADELMAN, }  
JOHN LUTES, } Committee.  
JOHN MAUDER, }

Adopted.

The President appointed as such committee, Ald. Taylor, Qualtrough, Bingemer, Charters, Woodruff.

#### OTSEGO STREET GRADE.

*To the President and Council:*

Your committee to whom was referred the petition of D. Leary and others asking this Board to establish the grade of Otsego street, would most respectfully report in favor of establishing a straight grade from Platt street to Centre street.

A. CRAM, }  
JOHN QUIN, } Committee.

Ald. Cram moved the adoption of the report.

Ald. Carroll moved to table. Lost.

Report adopted as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adeiman, Miller, Quin, Parsons—19.

Nays—Ald. Carroll, Mutcheler, Relyea, Charters, Horcheler, Bingemer, Mauder—7. Ald. Woodruff, from the Contingent Ex. Committee, reported in favor of sundry bills. Finance Committee.

Ald. Groot presented the following

#### REPORT ON STONE STREET WALKS:

*To the Hon. the Common Council:*

Your committee to whom was referred the petition of Andrew V. Smith and Julia P. Cook, would respectfully report, that they have carefully examined into the matter, and from the circumstances connected with the subject, are in favor of granting the prayer of the petitioners, and therefore recommend the adoption of the following resolution:

Resolved, That Andrew V. Smith and Julia P. Cook be granted permission to reset the curb-stone and relay the walk in front of their respective premises according to the prayer of their petition, under the direction of the



Street Committee and City Surveyor.

W. H. GROOT,  
JOHN QUIN, } Committee.  
JOHN LUTES, }

Adopted.

Ald. Quin moved that the Board adjourn until to-morrow evening, at 7½ o'clock.  
Carried. B. FRANK ENOS, Clerk.

In Common Council—June 26th,  
1867.

ADJOURNED MEETING.

The President of the Board, Ald. Wm. Guggenheim, presiding.

Present—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons.

Absent—Ald. Mutchler, Copeland, Brown.

Ald. Qualtrough presented the following

REPORT ON WATER WORKS :

To the Honorable the Common Council of the City of Rochester :

The special committee upon water works ask leave to report, that a meeting of the committee was held at the Mayor's office on Monday, June 10th inst., at which Mr. Easton the contractor for building the works was invited to be present and attended.

Mr. Easton assured the committee that the work was going on and would be completed according to contract.

Ample arrangements had been made for the necessary funds, and the pipes and special castings were under contract in New Jersey. Mr. Easton requested that in justice to himself and for the satisfaction of the public, a committee should be appointed to visit New York and investigate the whole matter and report upon the facts of the case as they might find them to exist. The request was acted upon and a committee consisting of his Honor Mayor Fish and Aldermen Cram, Qualtrough, Spencer, Groot and Mutchler visited New York in company with Mr. Easton, and at his expense.

At New York the committee learned that Mr. Easton had made arrangements with Willis Gaylord, Esq., No. 58 Wall street to furnish all the money necessary to build the works up to \$1,000,000. Mr. Gaylord was very frank and candid and answered all the questions put to him promptly and cheerfully, and his statements were deemed by the committee very satisfactory, and the committee satisfied themselves that he was fully able to carry out his agreement with Mr. Easton. Mr. Gaylord sent a competent Engineer here to examine and report, and became satisfied that there was money in the undertaking and embarked in it to make money.

Mr. Gaylord had contracted with T. & F. Starr, Amboy, N.J., to make and furnish 4,000 tons of pipe, to be made and delivered as fast as possible.

A sub committee consisting of Ald. Cram and Qualtrough went to Amboy to ascertain what progress, if any, had been made there, and found that one barge load of about 250

tons had been shipped to New York, and they were loading another barge when the committee arrived and about 200 tons more were ready for shipment. The work was being driven rapidly and the contractors were confident of completing their contract in time and were satisfied with the arrangements for their pay. This establishment is a very large and complete one, devoted entirely to the manufacture of gas and water pipes and machinery.

Upon the return of the sub committee to New York they found that the first barge load had arrived, and saw it being transferred to a propeller for Albany consigned to the New York Central Rail Road. This lot will be in Rochester this week, and the other shipments will follow rapidly.

All of which is respectfully submitted.

HENRY L. FISH, Mayor,  
WM. GUGGENHEIM, President,  
ROBERT R. CHARTERS,  
WM. CARROLL,  
JOSEPH QUALTROUGH,  
A. CRAM,  
W. H. GROOT,  
L. C. SPENCER,  
A. BINGEMER,

Special committee on water works.

Ald. Kelly moved that the report be received, placed on file and published. Also in connection therewith, and for the purpose of setting at rest all anxiety and uneasiness upon the part of the tax payers of the city with reference thereto, be it

Resolved, That it is the firm and unaltered purpose of this Board, that under no circumstances and upon no consideration whatever, will this Board of Common Council at any time entertain favorably a proposition to issue the bonds of the city for any amount for the purpose of taking stock in the said Water Works Company.

Ald. Groot moved to divide the question, making the division after the word "publish." Lost as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Groot, Guggenheim, Charters, Parsons—7.

Nays—Ald. Lutes, Andrews, Remington, Graham, Carroll, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Horcheler, Bingemer, Mauder, Miller, Quin—18.

Ald. Groot moved that the Chairman of the committee be allowed to withdraw the report. Lost as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Guggenheim, Carroll, Charters, Parsons—9.

Nays—Ald. Andrews, Remington, Graham, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Horcheler, Bingemer, Mauder, Miller, Quin—16.

Ald. Taylor moved the previous question. Carried as follows:

Ayes—Ald. Qualtrough, Lutes, Andrews, Remington, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Parsons—21.

Nays—Ald. Spencer, Cram, Groot, Quin—4.

Ald. Kelly's motion was carried as follows:  
Ayes—Ald. Qualtrough, Lutes, Andrews, Remington, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Parsons—21.

Nays—Ald. Spencer, Cram, Groot, Quin—4.  
Ald. Taylor, from the Law committee, presented a report relative to the Street Railroad Company being liable to keep in repair so much of Clarissa street bridge as they occupy in running their cars. Received and filed.

#### COMMUNICATIONS.

The Clerk presented a communication from the Mayor, disapproving of the resolution directing the Clerk to sign a contract with Geo. M. Eliwood for publishing the proceedings. Received and filed.

Ald. Taylor moved to reconsider the resolution referred to above. Carried as follows:

Ayes—Ald. Spencer, Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Adelman, Mauder, Miller—14.

Nays—Ald. Qualtrough, Groot, Andrews, Remington, Kelly, Paine, Charters, Horcheler, Bingemer, Quin, Parsons—11.

Ald. Groot moved to postpone further action on the resolution until the next regular meeting. Lost as follows:

Ayes—Ald. Qualtrough, Groot, Andrews, Remington, Kelly, Paine, Charters, Horcheler, Bingemer, Quin, Parsons—11.

Nays—Ald. Spencer, Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Adelman, Mauder, Miller—14.

Resolution lost as follows:

Ayes—Ald. Qualtrough, Groot, Andrews, Remington, Kelly, Paine, Charters, Horcheler, Bingemer, Quin, Parsons—11.

Nays—Ald. Spencer, Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Andrews, Mauder, Miller—14.

The Clerk presented the following:

MAYOR'S OFFICE,  
ROCHESTER, June 25th, 1887. }

Gentlemen of the Common Council:

Evelyn Evans, Esq., of this city, an eminent Shakespearean reader, has tendered his services to the city authorities to read the Declaration of Independence on the fourth of July.

I respectfully recommend the acceptance of his services for this occasion and the appropriation of sufficient funds to pay a band, and an appointment of a committee to make the necessary arrangements.

Most respectfully yours,

HENRY L. FISH, Mayor.

Received, filed and ordered published.

The Clerk presented a communication from the Fire Department committee, notifying the Common Council that the annual inspection and review of the Department would take place on Thursday afternoon, June 27th, at 3 o'clock, in front of the City Hall. Received and filed.

The Clerk presented the following:

INVITATION TO THE GERMAN "REAL" SCHOOL  
PIC-NIC:

To the Mayor and Common Council of the City  
of Rochester:

You are respectfully invited to attend the picnic to take place next Monday, July 1st, at Maple Wood Grove for the benefit of the German and American "Real" School.

This school was established only about two years ago on a basis free of sectionalism and numbers now about 170 pupils, the children of our best citizens of all classes; it stands

under the supervision of one of the best German teachers of this continent, namely, Dr. Dulon, father-in-law of General Franz Sigel, who will purposely come here from Baltimore to give lustre to the picnic by his presence.

This school justly deserves the support of the citizens of Rochester and it is hoped that by your presence at said picnic you will contribute to make the day as pleasant and profitable as possible. Your respectfully,

WM. GUGGENHEIM, Trustee.

Accepted unanimously.

#### DAMAGES CAUSED BY THE FLOOD.

The Clerk presented a communication from the Treasurer relative to the amount expended by the city in repairing the damages caused by the flood in 1865. Received and filed.

Ald. Groot moved that a committee of five be appointed to bring in ordinances assessing the expense of said damages on the localities benefited. Carried.

The President appointed as such committee Ald. Groot, Cram, Quin, Lutes, Relyea.

Ald. Carroll moved that Ald. Kelly be added to the committee. Carried.

The Clerk presented a statement of the orders drawn upon the Treasurer by the Fire Department committee, according to resolution, since last report. Filed.

#### ORDINANCES.

##### WIDENING THE EAST WALK ON THE CANAL BRIDGE ON SOUTH ST. PAUL STREET.

On motion of Ald. Ratt the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing, Ald. Ratt submitted the following:

An ordinance to widen the east walk of the canal bridge on St. Paul street.

The Common Council of the city of Rochester do ordain and determine as follows:

The side-walk on the east side of the bridge over the Erie canal, on South St. Paul street, shall be widened, so that the east line of the walk shall be on the east line of said street.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at nine hundred and thirty dollars, which estimate was and is hereby approved; the sum of nine hundred and thirty dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

All the houses and lands within the following described territory: Beginning at the corner of Main and Clinton streets; thence southerly along Clinton street to Monroe avenue; thence south-easterly along Monroe avenue to the city line; thence southerly and westerly along the city line to the Genesee river; thence northerly along the Genesee river to Main street; thence easterly along Main street to the place of beginning.

On which above described portion of the city, the said sum of nine hundred and thirty dollars is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of land and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage with each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 29th day of June, 1887, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote: All ayes—21.

##### GARDINER PARK WALK.

On motion of Ald. Ratt the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing, Ald. Ratt submitted the following:

An ordinance to construct a walk in Gardiner Park, from Union street to Alexander street.

The Common Council of the city of Rochester do ordain and determine as follows:

A plank sidewalk five feet and four inches wide on the south side of Gardiner Park, from Union street to Alexander street shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at two hundred and sixty dollars, which estimate was and is hereby approved; the sum of two hundred and sixty dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on the south side of Gardiner Park from Union street to Alexander street, on which above described portion of the city, the said sum of two hundred and sixty dollars is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of any of the assessed property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 29th day of June, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote: All ayes—21.

#### TREMONT STREET IMPROVEMENT.

On motion of Ald. Ratt the Board proceeded to hear allegations in relation to the improved described in the ordinance below:

After hearing such allegations from all persons appearing, Ald. Ratt submitted the following:

An ordinance to improve Tremont street, from Calcedonia avenue to Francis street.

The Common Council of the city of Rochester do ordain and determine as follows:

Tremont street from Calcedonia avenue to Francis street shall be improved by grading the same and constructing a plank sidewalk five feet and four inches wide, on both sides.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at four thousand six hundred dollars, which estimate was and is hereby approved; the sum of four thousand six hundred dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on each side of Tremont street from Calcedonia avenue to Francis street, on which above described portion of the city, the said sum of four thousand six hundred dollars is hereby ordered to be assessed.

And the tax payers to be assessed for making such improvement, may, by paying interest, as hereinafter provided, on the amount assessed to them individually, pay their assessment in three equal payments, as follows: One-third of the amount assessed within three months after the confirmation of the assessment roll, without interest; one-third of the amount with interest at the rate of seven per cent. per annum, within one year from the confirmation of said roll; and the remaining one-third, with interest at the same rate, within two years from the confirmation of such roll.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 29th day of June, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote: All ayes—22.

#### IMPROVEMENT OF HANOVER STREET.

On motion of Ald. Ratt, the Board proceeded to hear allegations in relation to the improvement described in the ordinance below.

After hearing such allegations from all the persons appearing, Ald. Ratt submitted the following:

An ordinance to improve Hanover street, from Kelly street to Herman street.

The Common Council of the city of Rochester do ordain and determine as follows:

A plank sidewalk, 4 feet 8 inches wide, on the east side of Hanover street, from Kelly street to Herman street, shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at four hundred and seventy dollars, which estimate was and is hereby approved; the sum of four hundred and seventy dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on the east side of Hanover street, from Kelly street to Herman street.

On which above described portion of the city the said sum of four hundred and seventy dollars is hereby ordered to be assessed.

And David McKay, Francis Dana and Jared Coleman, the Assessors of any of the assessed property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 29th day of June, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote: All ayes—24.

#### GERMAN STREET IMPROVEMENT.

By Ald. Ratt—Resolved, That the City Surveyor ascertain and report to this Board the expense of improving German street, from North avenue to Hibbard street, by grading the same and constructing a plank sidewalk, 3 feet wide, on both sides. Adopted.

The Surveyor submitted as such estimate, \$970.

By Ald. Ratt—Resolved, That the following improvement is expedient, viz: The grading of German street, from North avenue to Hibbard street, and constructing a plank sidewalk, 3 feet wide, on both sides.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$970, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of German street, from North avenue to Hibbard street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening, July the 9th, 1867, at half past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### MAIN AND SCIO STREETS RESERVOIR.

By Ald. Spencer—Resolved, That the City Surveyor ascertain and report to this Board the expense of repairing the reservoir at the corner of Main and Scio streets. Adopted.

The Surveyor submitted as such estimate \$250.

By Ald. Spencer—Resolved, That the following improvement is expedient, viz:

Repairing the reservoir at the corner of Main and Scio streets.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$250, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

All the houses and lands within the following described territory, viz: Beginning at the intersection of University and Union streets; thence westerly along University avenue, including one tier of lots on the north side thereof to North street; thence southerly along North street, excepting one tier of lots on the east side thereof between University avenue and Achilles street to Main street; thence easterly along Main street to East avenue; thence easterly along East avenue, including one tier of lots on the south side thereof between Main and Williams streets to Mathews street; thence northerly along Mathews street to the south line of lot No. 140; thence easterly along said south line to East street; thence northerly along East street including one tier of lots on the east side thereof to Charlotte street; thence easterly along Charlotte street including one tier of lots on the south side thereof to Union street; thence

northerly along Union street, including one tier of lots on the east side thereof to the place of beginning.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, July the 9th, 1867, at half past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### CHAPIN STREET WALK.

Ald. Ratt presented the final ordinance for a walk on Chapin street.

Ald. Groot moved its indefinite postponement. Carried.

#### MORTIMER STREET WALKS.

Ald. Ratt presented the final ordinance for Mortimer street walks.

Ald. Paine moved its postponement until the next regular meeting. Carried.

#### JAY STREET SEWER.

Ald. Adleman presented the final ordinance for Jay street sewer, and moved its postponement until the next regular meeting. Carried.

#### SAXTON AND MAPLE STREETS SEWER.

Ald. Adleman presented the final ordinance for Saxton and Maple streets sewer, and moved as an amendment to strike out so much as relates to Maple street, and change the estimate to \$3,000.

Ald. Kelly moved to postpone the whole matter indefinitely. Carried.

#### ALLEN STREET SEWER.

Ald. Adleman presented the final ordinance for a sewer in Allen street.

Ald. Groot moved its indefinite postponement. Lost as follows:

Ayes—Ald. Groot, Andrews, Graham, Guggenheim, Carroll, Ratt, Charters—7.

Nays—Ald. Spencer, Cram, Qualtrough, Lutes, Remington, Relyea, Taylor, Kelly, Burke, Paine, Woodruff, Adleman, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons—18.

Ald. Woodruff moved to suspend the rule to adjourn at 11 o'clock, for the purpose of taking action on Allen street sewer. Carried.

Ald. Mauder moved that when the Board adjourned it be until next Tuesday evening.

Ald. Qualtrough moved that the Board adjourn until to-morrow evening. Lost.

Ald. Mauder's motion to adjourn until next Tuesday evening was carried.

Ald. Groot moved that the ordinance for a sewer in Allen street be postponed indefinitely. Carried as follows:

Ayes—Ald. Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Relyea, Ratt, Kelly, Paine, Woodruff, Charters, Bingemer—15.

Nays—Ald. Spencer, Cram, Taylor, Burke, Adleman, Horcheler, Mauder, Miller, Quin—9.

Ald. Kelly moved to reconsider the vote. Lost as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Guggenheim, Kelly, Burke, Adleman, Horcheler, Mauder, Quin—10.

Nays—Ald. Lutes, Groot, Andrews, Remington, Graham, Carroll, Relyea, Ratt, Taylor, Paine, Woodruff, Charters, Bingemer, Miller—14.

Adjourned.

B. FRANK ENOS, City Clerk.

## In Common Council—July 2d, 1867.

### ADJOURNED MEETING.

The President of the Board, Ald. William Guggenheim, presiding.

Present—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Adleman, Charters, Horcheler, Mauder, Miller, Quin, Parsons.

Absent—Ald. Copeland, Bingemer.

### ORDINANCES.

#### CAYUGA STREET SEWER.

On motion of Ald. Adleman, the Board proceeded to

hear allegations in relation to the improvement described in the ordinance below.

After hearing such allegations from all the persons appearing, Ald. Adleman submitted the following:

An ordinance to construct a sewer in Cayuga street, from Jefferson street to Grand street.

The Common Council of the city of Rochester do ordain and determine as follows:

A pipe sewer, 12 inches in diameter, in Cayuga street, from Jefferson street to Grand street, shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at one thousand two hundred dollars, which estimate was and is hereby approved; the sum of one thousand two hundred dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on each side of Cayuga street, from Jefferson street to Grand street.

On which above described portion of the city the said sum of one thousand two hundred dollars is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 6th day of July, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Graham, Remington, Guggenheim, Carroll, Relyea, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Adleman, Charters, Horcheler, Mauder, Miller—21.

Nays—Ald. Quin—1.

#### JERSEY STREET SEWER.

On motion of Ald. Adleman the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing, Ald. Adleman submitted the following:

An ordinance to construct a sewer in Jersey street, from Cross alley to George street.

The Common Council of the city of Rochester do ordain and determine as follows:

A pipe sewer 9 inches in diameter in Jersey street, from Cross alley to the sewer in George street, shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at four hundred and sixty dollars, which estimate was and is hereby approved; the sum of four hundred and sixty dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on the east side of Chestnut street, from Monroe avenue to the north line of lot No. 138 in Manhattan Square Tract, on which above described portion of the city, the said sum of four hundred and sixty dollars is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 6th day of July, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Remington, Cram, Guggenheim, Carroll, Relyea, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Adleman, Charters, Horcheler, Mauder, Miller—23.

Nays—Ald. Quin—1.

#### KELLY STREET SEWER.

On motion of Ald. Adleman the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing, Ald. Adleman submitted the following :

An ordinance to construct a sewer in Kelly street, from Hanover street to Hudson street.

The Common Council of the city of Rochester do ordain and determine as follows :

A pipe sewer 12 inches in diameter in Kelly street from the sewer in Hanover street to the sewer in Hudson street, shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at one thousand and seventy dollars, which estimate was and is hereby approved; the sum of one thousand and seventy dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows :

One tier of lots on each side of Kelly street, from Hanover street to Hudson street, on which above described portion of the city, the said sum of one thousand and seventy dollars is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of land and houses within the portion or part of said city so designated, of the said amount of expense, in proportion as nearly as may be, to the advantage, which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 6th day of July, 1887, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote :

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Adleman, Charters, Horcheler, Mauder, Miller, Parsons—24.

Nays—Ald. Quin—1.

#### SELLINGER, ST. JOSEPH AND HERMAN STREETS SEWER.

On motion of Ald. Adleman, the Board proceeded to hear allegations in relation to the improvement described in the ordinance below :

After hearing such allegations from all persons appearing, Ald. Adleman submitted the following :

An Ordinance to construct a sewer in Sellinger, St. Joseph and Herman streets.

The Common Council of the city of Rochester do ordain and determine as follows :

A stone sewer, eighteen inches by twenty inches, in Sellinger street, from the sewer in Clinton street to the center of St. Joseph street; in St. Joseph street from a point 50 feet north of Catharine street to Hoeltzer street. And a pipe sewer, 15 inches in diameter, in Herman street, from a point 200 feet west of Hudson street to the center of St. Joseph street, shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at six thousand dollars, which estimate was and is hereby approved; the sum of six thousand dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows :

One tier of lots on each side of Sellinger street, from Clinton street to St. Joseph street; one tier of lots on each side of St. Joseph street, from a point 40 feet north of Catharine street to Hoeltzer street; and one tier of lots on each side of Herman street, from a point 200 feet west of Hudson street to St. Joseph street.

On which above described portion of the city, the said sum of six thousand dollars is hereby ordered to be assessed.

And the tax payers to be assessed for making such improvement, may, by paying interest, as hereinafter provided, on the amount assessed to them individually, pay their assessments in three equal payments, as follows: One-third of the amount assessed within three months after the confirmation of the assessment roll, without interest; one-third of the amount, with interest at the rate of seven per cent. per annum within one year from the confirmation of said roll; and the remaining one-third, with interest at the same rate, within two years from the confirmation of such roll.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any per-

son so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 6th day of July, 1887, at nine o'clock in the forenoon, at the office of the City Clerk.

Ald. Quin moved to strike the question. Lost.

Ordinance adopted as follows :  
Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Paine, Woodruff, Adleman, Charters, Mauder, Miller, Parsons—21.

Nays—Ald. Graham, Mutchler, Kelly, Horcheler, Quin—5.

#### KELLY STREET SEWER.

On motion of Ald. Adleman the Board proceeded to hear allegations in relation to the improvement described in the ordinance below :

After hearing such allegations from all persons appearing, Ald. Adleman submitted the following :

An ordinance to construct a sewer in Kelly street, from a point 50 feet east of Joiner street to St. Joseph street.

Whereas, By a resolution passed by the Board of Health April 26th, 1887, Kelly street, between Joiner street and St. Joseph street, was declared a nuisance, and in the opinion of this Common Council said street is a nuisance; now, therefore, for the purpose of abating such nuisance, the Common Council of the city of Rochester do ordain and determine as follows :

A sewer 18 inches by 18 inches in Kelly street from a point 50 feet east of Joiner street to the sewer in St. Joseph street, shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at eight hundred and fifty dollars, which estimate was and is hereby approved; the sum of eight hundred and fifty dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows :

One tier of lots on each side of Kelly street from a point 50 feet east of Joiner street to St. Joseph street, on which above described portion of the city, the said sum of eight hundred and fifty dollars is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 6th day of July, 1887, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote :

Ayes—Ald. Spencer, Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Kelly, Burke, Adleman, Horcheler, Mauder, Miller, Quin—16.

Nays—Ald. Qualtrough, Groot, Andrews, Remington, Mutchler, Brown, Paine, Woodruff, Charters, Parsons—10.

#### ROME STREET SEWER.

On motion of Ald. Adleman, the Board proceeded to hear allegations in relation to the improvement described in the ordinance below :

After hearing such allegations from all persons appearing, Ald. Adleman submitted the following :

An ordinance to construct a sewer in Rome street, from a point 75 feet south of Atwater street to Bowery street.

The Common Council of the city of Rochester do ordain and determine as follows :

A stone sewer, 18 inches by 2 feet, in Rome street, from a point 75 feet south of Atwater street to the sewer in Bowery street, shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at eight hundred dollars, which estimate was and is hereby approved; the sum of eight hundred dollars being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows :

One tier of lots on Rome street, from a point 75 feet south of Atwater street to Bowery street.

On which above described portion of the city, the said sum of eight hundred dollars is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lots and lands within the eastern part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said assessors are hereby notified to meet for this purpose, on Saturday, the 6th day of July, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote:

Ayes—Ald. Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Mutchler, Ratt, Burke, Paine, Adleman, Horcheler, Miller, Quin—15.

Nays—Ald. Spencer, Cram, Kelly, Mauder—4.

#### ST. JOSEPH STREET SEWER.

By Ald. Adleman—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a pipe sewer, 12 inches in diameter, in St. Joseph street, from a point 140 feet north of Bowery street to the sewer in Atwater street. Adopted.

The Surveyor submitted as such estimate \$467.

By Ald. Adleman—Resolved, That the following im-

provement be made: The construction of a pipe sewer in St. Joseph street, from a point 14 feet north of Bowery street to the sewer in Atwater street.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$460, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of St. Joseph street, from a point 140 feet north of Bowery street to Atwater street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, July the 23d, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### WEST ALLEY LINES.

By Ald. Burke—Resolved, That the City Surveyor ascertain and report to this Board the expense of altering and establishing the lines of West alley by making the boundaries as follows:

Beginning at a point in the north line of Buffalo street 103 feet west of the north-west corner of Buffalo and Washington streets; thence northerly in a direct line to a point in the east line of said alley 40 feet distant from the north line of Buffalo street and 165 feet west of the west line of Washington street, measured on a line parallel with the lines of Buffalo street; thence northerly on a line parallel with the west line of Washington street to the south line of lot No. 224 in the 100 acre tract; thence westerly on the south line of said lot, 14 1/2 feet; thence southerly on a line parallel with the west line of Washington street to a point 40 feet distant from the north line of Buffalo street; thence southerly in a direct line to a point in the north line of Buffalo street 15 feet westerly from the place of beginning; thence easterly on the north line of Buffalo street to the place of beginning. Adopted.

The Surveyor submitted as such estimate, \$300.

By Ald. Burke—Resolved, That the following improvement is expedient, viz:

Altering and establishing the lines of West alley by making the boundaries as follows:

Beginning at a point in the north line of Buffalo street 103 feet west of the north-west corner of Buffalo and Washington streets; thence northerly in a direct line to a point in the east line of said alley 40 feet distant from the north line of Buffalo street, and 165 feet westerly from the west line of Washington street, measured on a line parallel with the lines of Buffalo street; thence northerly on a line parallel with the west line of Washington street to the south line of lot No. 224 in the 100 acre tract; thence westerly on the south line of said lot 14 1/2 feet; thence southerly on a line parallel with the west line of Washington street to a point 40 feet distant from the north line of Buffalo street; thence southerly in a direct line to a point in the north line of Buffalo street 15 feet westerly from the place of beginning; thence easterly on the north line of Buffalo street to the place of beginning.

Resolved further, That the following described territory is deemed necessary to be taken for said improvement, viz:

Beginning at a point in the north line of Buffalo

street 176 feet and 9 inches westerly from the north-west corner of Buffalo and Washington streets; thence northerly on a line parallel with Washington street to the south line of lot No. 224 in the 100 acre tract; thence westerly along the south line of said lot 3 feet and 4 inches; thence southerly on a line parallel with the lines of Washington street to a point 40 feet distant from the north line of Buffalo street; thence in a direct line to a point in the north line of Buffalo street 6 feet and 3 inches westerly from the place of beginning; thence easterly along the north line of Buffalo street to the place of beginning.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$300, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

“One tier of lots on each side of West alley from Buffalo street to the south line of lot No. 224 in the 100 acre tract,

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, July the 23d, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard.

Resolved further, That the Assessors be, and they are hereby instructed to confer with the owners of the property to be taken for said improvement and report to this Board upon what conditions the same can be purchased. Adopted as follows: All ayes—23.

#### ASHLAND STREET EXTENSION.

By Ald. Burke—Resolved, That the City Surveyor ascertain and report to this Board the expense of extending the Ashland street from Gregory street to Cypress street, and from Munger street to Jefferson street.—Adopted.

The Surveyor submitted as such estimate \$3,000.

By Ald. Burke—Resolved, That the following improvement is expedient, viz:

The extension of Ashland street from Gregory street to Cypress street, and from Munger street to Jefferson street, and the following described territory is deemed necessary to be taken for said improvement, viz:

Beginning in the south line of Gregory street, at its intersection with the east line of Ashland street produced; thence southerly along said east line produced to Cypress street; thence westerly along the north line of Cypress street 33 feet; thence northerly on a line parallel with the east line of Ashland street produced, and 33 feet distant therefrom, to Gregory street; thence easterly along Gregory street to the place of beginning. Also, beginning in the north line of Munger street, at its intersection with the east line of Ashland street produced; thence northerly on said east line produced to Jefferson street; thence westerly along the south line of Jefferson street 33 feet; thence southerly on a line parallel with the east line of Ashland street produced to Munger street; thence easterly on the north line of Munger street to the place of beginning.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$3,000, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

All the houses and lands within the following described territory, viz:

Beginning in the north line of Cypress street, at a point 300 feet east of its intersection with the east line of Ashland street produced; thence northerly on a line parallel with said east line of Ashland street and 300 feet distant therefrom to Jefferson street; thence westerly on the south line of Jefferson street 633 feet; thence southerly on a line parallel with Ashland street and 300 feet distant therefrom to Cypress street; thence easterly on the north line of Ashland street to the place of beginning. Also, one tier of lots on the south side of Cypress street from a point 300 feet west to a point 300 feet east of said Ashland street, and said street extended.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening, July the 23d, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### FITZBUGH STREET EXTENSION.

By Ald. Burke—Resolved, That the City Surveyor ascertain and report to this Board the expense of extending Fitzbush street from the south line of the Cornhill tract to Edinburg street. Adopted.

The Surveyor submitted as such estimate \$1,000.

By Ald. Burke—Resolved, That the following im

Improvement is expedient, viz:

The extension of Fitzhugh street from the south line of the Cornhill tract to Edinburgh street, and the following described territory is deemed necessary to be taken for said improvement, viz:

Beginning in the south line of the Cornhill tract at its intersection with the east line of Fitzhugh street; thence south-westerly along the east line of Fitzhugh street produced to the east line of lot No. 71 in the Calceonsa tract; thence south; and the east line of said lot, to Edinburgh street; thence westerly along the north line of Edinburgh street 33 feet; thence northerly on a line parallel with the east line of said lot, and 33 feet distant therefrom to a point where the west line of Fitzhugh, if produced, would intersect the same; thence north-westerly along the west line of said street, produced to the south line of Cornhill tract; thence easterly along the south of said line to the place of beginning.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$1,000, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

"One tier of lots on each side of Fitzhugh street and said street extended from Troup street to Edinburgh street.

And the Clerk is hereby directed to publish notice in pursuance of section 161, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, July the 23rd, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard.

Resolved further, That the Assessors be, and are hereby instructed to confer with the owners to property to be taken for said improvement, and report to this Board upon what conditions the same can be purchased. Adopted.

#### CARTMEN AND PORTERS.

By Ald. Paine—The Common Council of the city of Rochester do ordain as follows: Section 1 of "an ordinance relating to Cartmen and Porters," passed November 11th, 1862, as amended January 8th, 1867, is hereby amended so as to read as follows:

SECTION 1.—The Mayor may, from time to time, license such, and so many cartmen, public porters and drivers of baggage wagons, or other vehicles for the carrying of freight, or of merchandise, or other property for hire, within the said city, as he shall deem proper, upon the payment to the Treasurer of said city, of the sum of eight dollars for each license; provided that if the same person has once paid the full sum of eight dollars for a license as such cartman, his license may be renewed from year to year, on payment of the sum of one dollar; and such public porter paying the sum of two dollars. Such license shall not extend beyond the first day of July next, after the same shall be granted. And there shall not be granted to any individual more than one cartman's license, nor shall a cartman's license be granted to any persons, except to those who usually drive their own carts; and any person who shall use, by agency or otherwise, more than one cart, by the authority of any one license, shall forfeit and pay a penalty of five dollars for each offence.

Adopted as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Mauder, Miller, Parsons—23.

Nays—Ald. Quin—1.

#### UNION STREET SEWER.

By Ald. Groot—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone sewer, 18 inches by 2 feet, in Union street, from a point 20 feet north of the south line of Wm. Summerhay's lot, to a point 30 feet north of the south line of J. C. Locke's lot. Adopted.

The Surveyor submitted as such estimate \$310.

By Ald. Groot—Resolved, That the following improvement is expedient, viz:

The construction of a stone sewer, 18 inches by 2 feet, in Union street, from a point 20 feet north of the south line of Wm. Summerhay's lot to a point 30 feet north of the south line of J. C. Locke's lot.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$310, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of Union street, from a point 20 feet north of the south line of Wm. Summerhay's lot to a point 30 feet north of the south line of J. C. Locke's lot.

And the Clerk is hereby directed to publish notice in pursuance of section 161, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, July the 23d, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### WOODEN CORNICES.

By Ald. Quin—Resolved, That section 2 of "an ordinance relating to the erection and removal of buildings," passed February 17th, 1863, is hereby amended so as to read as follows:

SECTION 2. "No building to be erected within the limits described in the preceding section, shall be built with cornices of wood, and no wooden cornice shall be attached to any building heretofore erected, unless by special permission of the Common Council."

Adopted as follows:

Ayes—Ald. Spencer, Groot, Andrews, Remington, Mutchler, Relyea, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Mauder, Miller, Quinn, Parsons—18.

Nays—Ald. Cram, Qualtrough, Graham, Lutes, Carroll—5.

#### STATE STREET CROSSWALK.

On motion of Ald. Cram, the Board proceeded to hear allegations in relation to the improvement described in the ordinance above.

After hearing such allegations from all persons appearing, Ald. Cram submitted the following:

An ordinance to construct a crosswalk on State street.

The Common Council of the City of Rochester to ordain and determine as follows:

A stone crosswalk, 7½ feet wide, across State street at its junction with Railroad avenue, shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at one hundred and ninety dollars, which estimate is hereby approved; the sum of one hundred and ninety dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on each side of State street from the south line of Alrick Hubbell's lot on the east side, and Allen street on the west side, to the north line of the N. Y. Central Railroad property.

On which above described portion of the city, the said sum of one hundred and ninety dollars is hereby ordered to be assessed.

And David McKay, E. T. Ostley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage of each lot, and to be made by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 6th day of July, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Carroll, Mutchler, Relyea, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller, Parsons—24.

Nays—Ald. Quin—1.

#### NORTH ST. PAUL STREET CROSSWALK.

On motion of Ald. Cram the Board proceeded to hear allegations in relation to the improvement described in the ordinance below.

After hearing such allegations from all persons appearing,

Ald. Cram submitted the following:

An ordinance, to construct a crosswalk on St. Paul street.

The Common Council of the city of Rochester do ordain and determine as follows:

A stone crosswalk 6 feet wide, across St. Paul street, at its junction with Pleasant street shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at one hundred and twenty dollars, which estimate was and is hereby approved; the sum of one hundred and twenty dollars being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Com-

mon Council deem will be benefited by said improvement is described as follows:

One tier of lots on each side of St. Paul st., from the north line of lot No. 29, in the Andrews and Atwater tract, to the south line of lot No. 2 in the Johnson and Seymour tract. Also one tier of lots on each side of Pleasant street, from lot No. 49 in said Andrews and Atwater tract to St. Paul st. on which above described portion of the city, the said sum of one hundred and twenty dollars is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 6th day of July, 1887, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote: All ayes—26.

#### MILL STREET CROSSWALKS.

On motion of Ald. Cram, the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing, Ald. Cram submitted the following:

An ordinance to construct crosswalks on Mill street, at Factory street.

The Common Council of the City of Rochester do ordain and determine as follows:

Two stone crosswalks five feet wide at the corner of Factory and Mill streets; one across Factory street and one across Mill street, shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at two hundred and ten dollars, which estimate was and is hereby approved; the sum of two hundred and ten dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on each side of Mill street from a point 150 feet north of Platt street, to a point 125 feet north of Factory street.

On which above described portion of the city, the said sum of two hundred and ten dollars is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 6th day of July, 1887, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote: All ayes—26.

#### LAKE AVENUE CROSSWALK

On motion of Ald. Cram the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing, Ald. Cram submitted the following:

An ordinance to construct a crosswalk across Lake avenue at Jones avenue.

The Common Council of the city of Rochester do ordain and determine as follows:

A stone crosswalk, six feet wide, across Lake avenue at Jones avenue, shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at two hundred dollars, which estimate was and is hereby approved; the sum of two hundred dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on each side of Lake avenue from a point 132 feet south of Ambrose street, to a point 530 feet north of Jones avenue, one tier of lots on each side of Jones avenue from Lake avenue to Varum street, and one tier of lots on each side of Ambrose street from a point 310 feet east of Frank street to Lake avenue.

On which above described portion of the city the

said sum of two hundred dollars is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 6th day of July, 1887, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote:  
Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Ratt, Taylor, Brown, Kelly, Burke, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller, Quinn, Parsons—25.  
Nays—Ald. Paine—1.

#### PLYMOUTH AVENUE CROSSWALK.

On motion of Ald. Cram, the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing, Ald. Cram submitted the following:

An ordinance to construct a crosswalk on Plymouth avenue, across Tremont street.

The Common Council of the city of Rochester do ordain and determine as follows:

A stone crosswalk six feet wide on the west side of Plymouth avenue, across Tremont street, shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at one hundred and thirty dollars, which estimate was and is hereby approved; the sum of one hundred and thirty dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on the west side of Plymouth avenue from the south line of the Cornhill tract to the north line of lot No. 39 in said tract, and one tier of lots on each side of Tremont street from Plymouth avenue to a point 300 feet east of Caledonia avenue.

On which above described portion of the city the said sum of one hundred and thirty dollars is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 6th day of July, 1887, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote:  
Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller, Parsons—25.  
Nays—Ald. Quinn—1.

#### LAKE AVENUE CROSSWALK.

On motion of Ald. Cram the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing, Ald. Cram submitted the following:

An ordinance to construct crosswalks on Lake avenue at Cliff street and Lyell street.

The Common Council of the city of Rochester do ordain and determine as follows:

A stone crosswalk six feet wide on the east side of Lake avenue across Cliff street, and one of the same width across said avenue on the north side of Lyell street shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at three hundred and fifty dollars, which estimate was and is hereby approved; the sum of three hundred and fifty dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:



One tier of lots on each side of Lake avenue from Vincent Park to a point 132 feet north of Cliff street, one tier of lots on the north side of Vincent Park from Lake avenue to the high bank of the river, and one tier of lots on the north side of Lyell street from a point 350 feet east of Frank street to Lake avenue.

On which above described portion of the city, the said sum of three hundred and fifty dollars is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as and nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 6th day of July, 1867, at nine o'clock in the forenoon, at office of the City Clerk.

Passed by the following vote: All ayes—26.

#### CHARLES STREET AND BUTLER ALLEY SEWER.

Ald. Adleman presented the final ordinance for a sewer in Charles street and Butler alley.

Ald. Qualtrough moved its indefinite postponement. Carried.

#### DELEVAN STREET SEWER.

Ald. Adleman presented the final ordinance for Delevan street sewer.

Ald. Quin moved its postponement until the second regular meeting in March, 1868. Carried.

#### PINDLE ALLEY SEWER.

Ald. Adleman presented the first ordinance for a sewer in Pindle alley.

Ald. Paine moved its indefinite postponement. Carried as follows:

Ayes—Ald. Spencer, Qualtrough, Groot, Andrews, Remington, Guggenheim, Mutchler, Relyea, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Charters—16.

Nays—Ald. Cram, Lutes, Carroll, Adleman, Horcheler, Mauder, Miller, Quin, Parsons—9.

#### UNION STREET SEWER.

Ald. Adleman presented the final ordinance for Union street sewer, which was lost as follows:

Ayes—Ald. Spencer, Cram, Lutes, Carroll, Relyea, Taylor, Adelman, Mauder, Miller, Quin, Parsons—11.

Nays—Ald. Qualtrough, Groot, Andrews, Remington, Graham, Guggenheim, Mutchler, Ratt, Brown, Kelly, Burke, Paine, Woodruff, Charters, Horcheler—15.

#### BROADWAY SEWER.

Ald. Adleman presented the final ordinance for Broadway sewer, which was lost as follows:

Ayes—Ald. Cram, Carroll, Mauder, Quin—4.

Nays—Ald. Spencer, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Mutchler, Relyea, Ratt, Brown, Kelly, Burke, Paine, Adelman, Charters, Horcheler, Miller, Parsons—20.

#### PROSPECT STREET SEWER.

Ald. Adleman presented the first ordinance for Prospect street sewer.

First resolution was lost.

Ald. Qualtrough moved to reconsider the vote.—Carried.

Ald. Quin moved as an amendment to strike out the word "pipe" and insert "stone." Carried.

First resolution adopted.

Ordinance adopted.

Ald. Taylor moved a reconsideration. Carried.

Ald. Taylor moved that the ordinance be postponed until the next regular meeting. Carried.

#### MAIN STREET CROSSWALKS.

Ald. Cram presented the first ordinance for Main street crosswalk, which was lost as follows:

Ayes—Ald. Cram, Qualtrough, Lutes, Groot, Carroll, Ratt, Brown, Adelman, Horcheler, Mauder, Parsons—11.

Nays—Ald. Spencer, Andrews, Remington, Graham, Guggenheim, Mutchler, Relyea, Taylor, Kelly, Burke, Paine, Woodruff, Charters, Miller, Quin—15.

#### CLARISSA STREET REPAIR.

Ald. Cram presented the first ordinance for repairing Clarissa street.

Ald. Andrews moved its postponement until the second regular meeting in October, 1867, and that a committee of three be appointed to confer with the Supervisors on the subject. Carried.

The President appointed as such committee, Ald. Andrews, Cram, Kelly.

#### ASSESSMENTS.

Ald. Kelly presented the Assessment rolls for Jones Square improvement, and fencing

Centre square, which were confirmed as follows: All ayes—24.

#### UNFINISHED BUSINESS.

Ald. Adleman called up the resolution to pay David Wagner \$800 for extra work done on the Buffalo street sewer.

Ald. Groot moved its reference back to the Sewer Committee, to confer with Ex-Mayor Moore, and report to the Board. Carried.

Ald. Qualtrough moved to suspend the rule to adjourn at 11 o'clock. Lost.

Ald. Qualtrough moved to adjourn until tomorrow morning, at 9 o'clock. Lost.

On motion the Board adjourned until tomorrow evening at 7½ o'clock.

B. FRANK ENOS, Clerk.

### In Common Council—July 3d, 1867.

#### ADJOURNED MEETING.

The President of the Board, Ald. Wm. Guggenheim, presiding.

Present—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Bemington, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Adelman, Charters, Horcheler, Mauder, Miller, Quin, Parsons.

Absent—Ald. Mutchler, Copeland, Brown, Woodruff, Bingemer.

#### COMMUNICATIONS.

The Clerk presented a communication from the Mayor, disapproving of the resolution adopted by the Common Council June 25th, 1867, giving permission to Andrew V. Smith and Julia P. Cook, to widen and relay their walks in front of their premises, on Stone street, which was received and ordered filed.

Ald. Kelly moved that the resolution referred to above be reconsidered. Carried as follows:

Ayes—Ald. Spencer, Cram, Andrews, Remington, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Adelman, Charters, Horcheler, Mauder, Miller—18.

Nays—Ald. Qualtrough, Lutes, Groot, Quin, Parsons—5.

Ald. Qualtrough moved that further action be postponed until the next regular meeting. Lost.

Resolution lost as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Guggenheim, Relyea, Taylor, Burke, Paine, Adelman, Charters, Miller, Quin, Parsons—16.

Nays—Ald. Remington, Graham, Carroll, Ratt, Kelly, Horcheler, Mauder—7.

Ald. Quin moved a reconsideration. Carried.

Ald. Quin moved to postpone further action until the next regular meeting. Carried.

#### EXECUTIVE.

Ald. Kelly presented the resignation of A. Chapman as Commissioner of Deeds. Accepted.

On motion, the Board proceeded to ballot for a Commissioner of Deeds, when F. X. Beckwith received 19 votes, and was declared appointed.

#### MISCELLANEOUS.

By Ald. Spencer—Resolved, That the "Pro-

pective Sack and Bucket Company" have leave to erect a small wooden building 12 by 20 feet, with eight feet posts, on their lot on the north-east corner of Mill and Market streets, for their temporary use, until their brick building, now under contract, is completed, which is to be done on the first day of October next. Adopted.

By Ald. Cram—Resolved, That the City Treasurer be authorized and instructed to receive the amount of taxes assessed and remaining unpaid against lots 83 and 84 of section D, of Granger, Sibley and Field Tract, with seven per cent. interest, said lots having been sold for unpaid taxes March 6, 1862, March 5, 1863, May 29, 1863, March 3, 1864, and in March 21, 1865. Referred to Law Committee.

By Ald. Cram—Resolved, That the City Treasurer be directed to cancel the assessment roll for Brown street cross walks, the said walks having been repaired, and therefore no need to carry the said ordinance into effect. Adopted.

By Ald. Cram—Resolved, That the Law Committee be directed to examine into the matter of widening of Mill street, and report to this Board whether the property on the corner of Mill and Market streets was paid for at the time that Mill street was widened, and report the facts to this Board at the next meeting. Adopted.

By Ald. Qualtrough—Whereas, Evelyn Evans, Esq., having tendered his services to the city to read the Declaration of Independence on the approaching fourth of July: therefore it is hereby

Resolved, That his services be and are hereby accepted, in accordance with the recommendation of the Mayor.

Resolved, That a committee of three be appointed by the President to make suitable arrangements for the occasion, and that the City Treasurer be and is hereby authorized and directed to pay to the joint order of the committee appointed for that purpose the expense of the band, not to exceed thirty dollars. Adopted as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Adelman, Charters, Horcheler, Mauder, Miller, Parsons.—22.

Nays—Ald. Quin.—1.

By Ald Lutes—Resolved, That the Poor Committee are hereby directed to contract with F. Moshier & Co. for three hundred tons of coal; also with Smith & Roberts for three hundred tons, at \$5.90 per ton, according to their propositions. Adopted.

By Ald. Lutes—Resolved, That the Clerk draw two orders, for six hundred and eighty dollars each, in favor of David Wagner, and payable to his order, one in one year from June 25th, 1867, and one in two years from the same date, both with interest; and the Treasurer is hereby authorized to accept the same in behalf of the city and charge Hudson street sewer fund. Adopted as follows: All ayes—22.

By Ald. Lutes—Resolved, That the Clerk draw two orders for five hundred dollars each, in favor of F. C. Lauer & Son, and payable to their order, one in one year from June 25th, 1867, and one in two years from the same date, both with interest; and the Treasurer is hereby authorized to accept the same in be-

half of the city and charge Hickory street sewer fund. Adopted as follows: All ayes—22.

By Ald. Lutes—Resolved, That the Clerk draw an order for seven hundred and fifty dollars in favor of P. J. McMenomy, and payable to his order in one year from June 25th, 1867, with interest; and the Treasurer is hereby authorized to accept the same in behalf of the city and charge Gregory street sewer fund. Adopted as follows: All ayes—22.

By Ald. Lutes—Resolved, That his Honor the Mayor be, and he is hereby requested to execute a contract with F. C. Lauer for constructing a sewer in Smith street; and with David Wagner for constructing sewers in Union and Alexander streets, in accordance with their propositions. Adopted.

By Ald. Lutes—Resolved, That the Treasurer is hereby directed to receive from Novum & Lothringer \$29 in full for their tax for the extension of Saxton street from Wilder to Maple street. Referred to the Assessors.

By Ald. Lutes—Resolved, That the Treasurer be, and is hereby authorized to receive from property owners assessed for Buffalo street private lateral sewers as follows:

From Mindwell Feezee and Thomas B. Leake, \$47.60 each; from A. Fitch, \$188.53; from Pearly Munger, \$95.20; from Mary E. Cady, \$93.33; Isabella Swift, Robert Sterrett, Norman Hough, J. B. Bennett, Trustees University of Rochester, Oliver H. Palmer, heirs of R. Babbitt, E. E. Sill, estate of J. T. Talman, Ebenezer Watts, and estate of A. M. Schemerhorn, \$55 each; and from all other, 2 per cent in full of their assessment for said sewers. Adopted.

By Ald. Groot—Resolved, That the Treasurer pay the salary of the several Policemen on the first of every month, after the same has been duly approved by the Police Commissioners, and endorsed by the Finance committee. Adopted.

By Ald. Groot—Resolved, That the President of the Board be and is hereby requested to add Ald. Taylor and Qualtrough to the Sewer committee. Adopted.

The President then appointed Aids. Taylor and Qualtrough as members of the Sewer committee.

By Ald. Andrews—Resolved, That Rule Fifteen of this Board be amended by adding thereto the following:

"No member shall speak more than two minutes in explanation of his vote upon any question before the Board."

Ald. Qualtrough moved as an amendment, to strike out the word "two" and insert "one." Lost.

Resolution adopted as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Andrews, Remington, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Kelly, Burke, Adelman, Charters, Mauder, Miller.—13.

Nays—Ald. Groot, Horcheler, Quin, Parsons.—4.

By Ald. Remington—Resolved, That the Treasurer pay Doctor Grossman \$37.50 in full, for reporting to the Rochester Observer up to July 1st, 1867, and charge contingent expenses. Adopted as follows: All ayes—22.

By Ald. Carroll—Resolved, That a license be granted the Rochester Opera House, from the 1st day of July, 1867, to the 30th day of June, 1868, for the sum of \$—.

Ald. Adelman moved to fill the blank with

\$100. Lost.

Ald. Kelly moved to fill the blank with \$50. Carried as follows:

Ayes—Ald. Spencer, Lutes, Andrews, Remington, Guggenheim, Relyea, Ratt, Taylor, Kelly, Adelman, Miller, Quin, Parsons—13.

Nays—Ald. Cram, Qualtrough, Groot, Graham, Carroll, Burke, Charters, Horcheler—8. Resolution adopted.

Ald. Carroll moved to reconsider the resolution adopted June 14th, 1887, directing the Board of Health to reduce the number of Health Inspectors to three.

Ald. Kelly moved to postpone the matter until the next regular meeting. Lost as follows:

Ayes—Ald. Groot, Andrews, Remington, Graham, Guggenheim, Kelly, Charters, Horcheler, Quin, Parsons—10.

Nays—Ald. Spencer, Cram, Lutes, Carroll, Relyea, Taylor, Burke, Adelman, Mauder, Miller—10.

Ald. Carroll's motion to reconsider was lost as follows:

Ayes—Ald. Spencer, Cram, Lutes, Carroll, Relyea, Taylor, Burke, Adelman, Mauder, Miller—10.

Nays—Ald. Qualtrough, Groot, Andrews, Remington, Graham, Guggenheim, Ratt, Kelly, Charters, Horcheler, Quin, Parsons—12.

By Ald. Carroll—Resolved, That the Street Superintendent notify the owners or residents of property on Scantom and Martin streets, and King street, from Allen street to West Avenue; Platt, from Jones street to Oak street; Caledonia Avenue, from Erie canal to Adams street, to repair their walks within four days, and in case they neglect to repair the same, that the cost be assessed upon the property benefited, according to section 212 of the city charter as amended. Adopted.

By Ald. Relyea—Resolved, That the Street Superintendent be directed to repair immediately the cross-walk corner of Harrison and Hudson street, and charge highway fund; also, cross-walk across Plymouth avenue at Adams street, north side. Adopted.

By Ald. Relyea—Resolved, That the Street Superintendent be directed to repair the cross walk on Hudson street in front of No. 16 School House, and charge Highway Fund.

Ald. Groot moved as an amendment for the Superintendent to repair all the wooden cross-walks in the city. Carried.

Resolution adopted as amended.

By Ald. Ratt—Resolved, That His Honor the Mayor be and he is hereby requested to execute a contract with Valentine F. Whitmore, for widening the east walk on the canal bridge in South St. Paul street, in accordance with his proposition. Adopted.

By Ald. Ratt—Resolved, That His Honor the Mayor be and he is hereby requested to execute a contract with John Crammond for grading Anson Park, and constructing a side-walk in Fulton street, and with Wm. I. Hanford, for constructing a side-walk in Wilson street, in accordance with their propositions.

Ald. Mauder moved as an amendment to strike out "Wm. I. Hanford" and insert "John Crammond." Lost as follows:

Ayes—Ald. Spencer, Cram, Andrews, Graham, Guggenheim, Horcheler, Mauder, Miller—8.

Nays—Ald. Qualtrough, Lutes, Groot, Remington, Carroll, Relyea, Ratt, Taylor, Kelly,

Burke, Adelman, Charters, Quin, Parsons—14. Resolution adopted.

By Ald. Ratt—Bill of Cregan and McCormick. Finance committee.

By Ald Taylor—Bill of W. F. Cogswell. Law committee. Communication from Ellis & Haseltine. City Attorney and Law committee. Also, the following

REPORT ON THE MATTER OF JAY STREET SEWER:

*To the Honorable the Common Council of the City of Rochester:*

GENTLEMEN:—Your committee appointed at the last regular meeting of the Board to examine Jay street sewer at its upper termination and the proposed sewer across Child street, beg leave most respectfully to make the following report, viz:

That they have visited the premises in question and made a thorough examination thereof. The facts in regard to this sewer seem to be as follows:

A sewer was built two years since in Jay street by local taxation, the upper termination of which is Child street. Said Child street being the boundary line between that portion of the city and the town of Gates. Jay street is continued beyond Child street into Gates, and from a point several hundred feet beyond Child street upon Jay street the land inclines towards Child street, so that the surface runs and the natural drainage seems to be in that direction.

Jay street does not continue in a direct line into Gates from Child street, but the south line of Jay street in the city is on a line, or nearly so, with the north line of Jay street, in Gates. At the north-east corner of Child and Jay street, on the city side of the line, is a grate which opens through a lateral into the main sewer for street or surface drainage. The water coming down Jay street in Gates finds its way across Child street, and through this lateral into Jay street sewer. The surface water from a large territory finds its way to this point, and, as it appears, when there are heavy rains, overflows the streets, and not unfrequently gets into cellars and causes damage thereby.

Immediately after the completion of the Jay street sewer, two individuals owning corner lots upon the Gates side of Child street, built lateral sewers from their cellars across Child into the Jay street sewer. Whether they obtained permission to do so or not, did not appear to the committee.

At a recent meeting of the Board, a resolution was offered permitting these parties to drain into said Jay street sewer, upon their paying into the sewer repair fund, for the benefit of Jay street, the sum of \$25 each, and in case they neglected so to do, to disconnect their said lateral sewers.

Said resolution was referred to the Sewer Committee.

It seems that after the reference of said resolution, and before any further action was taken by the Board upon the subject, that some one, but by whose authority the committee did not ascertain, commenced the construction of a sewer diagonally across Child street from the south-east corner of Jay street in Gates to the upper termination of the Jay street sewer, ostensibly for the purpose of taking the surface water directly from

that point into the said sewer. To this, parties living upon the line of Jay street sewer, and who were assessed for the expense of building the same, made objection, and the said work was stopped by order of the Street Superintendent, and in the condition which it was then left it still remains. The question for the Board to determine is, whether permission shall or shall not be given to complete the said sewer.

The committee are aware that this is a question of no little importance to the city, to those who paid for the building of Jay street sewer, and to those living beyond, and who some day will be incorporated within the limits of the city. It is probably the first instance within the history of the city, where a sewer has been built to the boundary line, and where a large territory beyond, naturally drains in the direction of the sewer.

The committee, in view of the interests involved,—of the fact that the city would in a measure lose control of the outside sewer (it being partly in the city and partly outside) and feeling unwilling to recommend the establishment of a precedent which in the future might be detrimental to the interests of the city, beg leave to report against the completion of the sewer now in progress of construction; but would recommend the building by the city of larger grates and laterals upon the city side of Child street of sufficient capacity to take all of the water which finds its way across Child street into the city. All of which is respectfully submitted.

Rochester, July 2d, 1867.

George Taylor,  
Joseph Qualtrough,  
Robert Charters, } Committee.  
S. R. Woodruff,

Adopted.

By Ald. Taylor—Resolved, That Frank Sherrer and John Rice have leave to construct a five inch tile sewer from their cellars on Child street into Jay street sewer by paying \$25 each into the Sewer Repair fund, and should one or both of them refuse to pay the same, the Sewer committee is hereby instructed to disconnect their present sewers with Jay street sewer.

Ald. Qualtrough moved its indefinite postponement. Carried.

At this stage of the proceedings, Ald. Ratt was called to the chair.

By Ald. Taylor—Resolved, That the Clerk of this Board be directed to take the proceedings of the Common Council, all of the ordinances and other matter required to be published by the Charter to the Daily Union and Advertiser from this date. Also, be it further

Resolved, That the Mayor be directed to enter into contract with the proprietors of the Daily Union and Advertiser for publishing the proceedings of this Board, all of the ordinances, resolutions and other matter required by the Charter to be published, and of the committees thereof, and also all legal notices and advertisements emanating from the executive offices of the city, also for the furnishing for the use of the city fifty copies of the proceedings in book form at the end of the year for the sum of \$2,500, said amount to be in full from this date to April, 1868, including what has already been done by them since April 1st.

Ald. Groot moved its reference to a special

committee of six, three Democrats and three Republicans, to report at the next meeting. Carried.

The President appointed as such committee, Ald. Guggenheim, Taylor, Cram, Groot, Remington, Andrews.

By Ald. Kelly—Petition of G. E. Beardslee. Wooden Building committee, with power to act.

By Ald. Kelly—Resolved, That the Treasurer is hereby directed to receive from Mary E. Stebbins \$13.90 in full for her tax for repairing walks on the west side of Cherry street. Referred to the Assessors.

By Ald. Kelly—Resolved, That Ald. Qualtrough and Bingemer are hereby added to the committee on Public Parks.

Ald. Carroll moved as an amendment, to strike out "Bingemer" and insert "Graham." Lost as follows:

Ayes—Ald. Cram, Lutes, Guggenheim, Adelman, Mauder—6.

Nays—Ald. Spencer, Qualtrough, Groot, Andrews, Remington, Ratt, Kelly, Burke, Charters, Horcheler, Miller, Quin, Parsons—13.

Resolution adopted.

Ald. Qualtrough moved to suspend the rule to adjourn at 11 o'clock. Lost—14 to 8.

Ald. Quin moved to reconsider the vote. Carried.

Ald. Qualtrough's motion to suspend the rule to adjourn was again lost—12 to 10.

Ald. Groot moved to suspend the rule to adjourn at 11 in order to present the Finance Budget. Carried—19 to 3.

FINANCE BUDGET.

JULY 3d, 1867.

By Ald. Kelly—Resolved, That the Treasurer pay as follows:

CONTINGENT FUND.	
Henry L. Fish, Mayor, quarter salary.....	\$375 00
H. P. Langworthy, Treasurer, quarter salary..	375 00
Daniel Richmond, Surveyor, 1 month's salary..	250 00
B. Frank Enos, Clerk, .. .. .	100 00
E. A. Raymond, Attorney, .. .. .	91 67
David McKay, Assessor, .. .. .	100 00
E. T. Oatley, .. .. .	100 00
C. M. St. John, .. .. .	100 00
William Tracy, Messenger, .. .. .	66 66
L. L. Nichols, services as Civil Engineer.....	15 00
L. W. Brandt, publishing proceedings for one year .. .. .	300 00
Rochester Gas Company, gas for City Hall, as per bill received, .. .. .	67 55
Samuel Stoddard, hack hire.....	2 00
Wm. Whitehair, hack hire.....	7 00
J. & S. Snow, bill for railing in Treasurer's office .. .. .	12 00
Wm. H. Tracy, disbursements.....	8 40
Geo. W. Walbridge, hack hire.....	4 00
D. E. Harrison, cleaning cellar to City Hall....	7 00
John Rogers, .. .. .	7 00
M. O'Connors, repair to City Hall.....	18 47
And charge Contingent fund.	\$2,506 75

POOR FUND.

Joseph Hoffman, quarter salary.....	\$300 00
T. E. Scramton, .. .. .	225 00
Chas. Vail, Physician .. .. .	125 00
W. S. Ely, .. .. .	125 00
J. W. Casey, .. .. .	125 00
W. M. Fleming, .. .. .	125 00
C. E. Rider, .. .. .	125 00
L. Kuching, .. .. .	125 00
Chas. H. Swift, 3 weeks services at Poor store..	15 00
Geo. Gates, one month's salary in wood yard...	30 00
Joseph Hoffman, disbursements at Poor Office..	29 63
John Williams & Son, flour for Poor Store.....	187 50
Valentine Debus, delivering wood.....	55 00
Curtis, Morey & Co., printing.....	2 63
D. D. S. Brown, .. .. .	3 00
And charge Poor fund.	\$1,597 81

HIGHWAY FUND.

Anthony Faul, Cattle Police, 1 month's salary..	\$ 50 00
J. Reynolds, .. .. .	50 00
Robert Neary, .. .. .	50 00

John Harper, ..	21 days salary.....	50 00
Jon R. Stiles, ..	21 days salary.....	35 07
Briggs & Huntington, bill removing railing at Deep Hollow.....		5 00
M. Zwack, bill labor sharpening picks, &c.....		5 46
Peter Wagner & Bro., making street signs.....		8 00

And charge Highway fund. \$ 253 53

FIRE DEPARTMENT FUND.

Monthly Pay Roll, payable to George B. Harris, Chief Engineer.....		\$135 00
Steamer No. 1, engineer and drivers.....		135 09
.. 2 ..		135 00
.. 3 ..		135 00
.. 4 ..		135 00
Hook and Ladder Co. driver, 1 mo. 4 days.....		45 16
R. B. Paine, services at hose depot.....		60 00
		\$645 16
Quarterly Pay Roll, payable July 1st, to George B. Harris, Chief Engineer:		
Steam Engine Co. No. 1, pay of hosemen.....		\$115 00
.. 2, ..		115 00
.. 3, ..		115 00
.. 4, ..		115 00
Hook & Ladder co., No. 1, pay of Company.....		283 83
		\$743 83

Salaries, rents, appropriations, &c.:		
Geo. B. Harris, Chief Engineer, one month.....		\$100 00
Wendel Bayer, Assistant Engineer, 3 month's salary.....		50 00
James White, Assistant Engineer, 3 month's salary.....		50 00
James Malcolm, Assistant Engineer, 3 month's salary.....		50 00
August Bauer, Assistant Engineer, 3 month's salary.....		50 00
O. L. Angevine, Fire Marshal, 3 mos. salary.....		175 00
J. B. Bennett, rent of Engine House No. 4.....		31 25
Edward Harris, attorney, rent.....		31 25
Alert Hose Co. No. 1, quarterly appropriation.....		250 00
Sack and Bucket Co. No. 1, ..		125 00
Cutting & Cooney, horse shoeing.....		27 08
F. Ehrenberger, horse doctoring.....		7 82
Browning & Cutting, horse doctoring.....		4 50
W. H. Carrier, ..		5 25
		\$957 15

Woodbury, Booth Co., repairs to Steam Engine No. 2.....		909 85
Kelly & Co., repairs to Steam Engine No. 2.....		71 60
Millington & Starks, repairs to Steam Engine No. 2.....		76 16
W. & J. Lovecraft, bedding for horses.....		14 50
Alling Brothers, harness leather.....		13 01
W. E. Lathrop, harness findings.....		2 58
Ellis & Hazeltine, use of hydrant.....		80 00
Millington & Starks, repairs.....		1 98
Ferrine & Stewart, repairs.....		6 88
Rochester Gas Light Co., coal for engines.....		12 15
.. gas Fire Department.....		44 45
W. Burke & Co, hardware.....		3 82
James Crouch, work at hose depot.....		12 01
F. E. Ratt, ..		91 84
E. Wray, keys.....		4 20
F. B. Collins, medical treatment of George W. Russell.....		50 00
		\$1,394 56

And charge Fire Department fund. \$1,394 56

HEALTH FUND.

H. H. Langworthy, Health Officer, quarter salary.....		\$125 00
B. Frank Enos, Clerk.....		75 00
Frank Irvin, Inspector, 21 days.....		35 07
Geo. Moshier, Inspector, one month's salary.....		50 00
David Niven.....		50 00
Michael Hughes, ..		50 00
Robert Murrow, ..		50 00
Jacob Clark, ..		50 00
Charles Burns, Inspector, one month's salary, (payable to Jas. Cochrane).....		50 00
Thos. Burns, keeper Pest House, one month's salary.....		20 00
Chas. Burns, burying dead animals.....		1 75
		\$556 82

And charge that fund. \$556 82

LAMP FUND.

Rochester Gas Light Co., bill public lamps.....		\$3,690 00
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And charge that fund.

PARK FUND.

P. McMahan labor.....		\$ 23 49
Geo. W. Aldridge, tree guards.....		162 00
W. I. Hanford, labor.....		13 15
		\$198 64

And charge that fund. \$198 64

CHATAM STREET SEWER.

M. Schuster, inspecting.....		\$ 20 00
And charge that fund.....		

IMPROVEMENT FUND.

JONES SQUARE IMPROVEMENT FUND.

Creegan & McCormick, grading Jones Square, in full.....		288 00
John Crammond, work at Jones Square.....		121 50

And charge that fund. \$409 50

MT. HOPE AVENUE IMPROVEMENT FUND.

David Wagner, work on Mt. Hope avenue improvement.....		500 00
And charge that fund.....		

GRAHAM STREET GRADING.

John Crammond, in full, for contract for grading Graham street.....		180 90
And charge that fund.....		

THOMPSON STREET IMPROVEMENT.

Gregan & McCormick, work on Thompson street.....		200 00
And charge that fund.....		

SCRANTON STREET TO CITY LINE FUND.

Edwin Taylor, repairs on North St. Paul street \$100 00		
And charge North St. Paul-st. avenue from Scrantomstreet to city line.....		

HUDSON STREET SEWER.

M. Schuster, inspecting Hudson street sewer... \$ 60 00		
Lawrence Honner.....		31 25
David Wagner, on his contract for Hudson-st. sewer.....		600 00

And charge that fund. \$691 25

BUFFALO STREET AND LATERAL SEWERS.

David Wagner, in full, for constructing private lateral sewers in Buffalo street.....		297 20
And charge that fund.....		

Creegan & McCormick, estimate of Survey or on contract for grading Thompson street.....		\$170 00
And charge that fund when funds are applicable.....		

POLICE FUND.

Samuel M. Sherman, 1 mo. sal. to June 1, '87.....		\$123 00
Alexander McLean, ..		75 00
Monroe A. Green, ..		75 00
Peter Hughes, ..		75 00
Wm. J. Rogers, ..		75 00
Jonathan Dresser, ..		75 00
Peter Yost, ..		75 00
John H. Dana, ..		75 00
James Sullivan, ..		75 00
Warren H. Noyce, ..		75 00
Edward Van Vorst, ..		75 00
Charles McCormick, ..		75 00
Thos. F. Burchell, ..		75 00
Wm. F. Lusk, ..		75 00
Bartholomew Crowley, ..		75 00
P. H. Sullivan, ..		75 00
W. R. McArthur, ..		75 00
John J. Garrett, ..		75 00
Thos. F. Hurley, ..		75 00
Albert H. Bruman, ..		75 00
Frank B. Allen, ..		75 00
Thomas Lynch, ..		75 00
Joseph T. Clary, ..		75 00
Michael Hyland, ..		75 00
William Rodgers, ..		75 00
James McKelvey, ..		75 00
Frank Pless, ..		75 00
E. W. McBurney, ..		75 00
Joseph G. Roworth, ..		75 00
William White, ..		75 00
J. H. Franklin, ..		75 00
Michael Flynn, ..		75 00
Ferry Margloff, ..		75 00
Phillip Schaad, ..		75 00
Jas. H. Foster, ..		75 00
L. P. Angevine, ..		75 00
J. W. Lord, ..		75 00
L. Johnson, ..		75 00
A. H. Franklin, 18 days salary to July 1, 1867.....		45 00
John Barry, 13 ..		40 00
Mich'l Tierney, 16 ..		40 00
T. Dukelow, 10 ..		25 00
		\$3,050 00

Examined and approved as being correct.

HENRY L. FISH,  
HENRY S. HEBARD, } Police Commissioners.  
Geo. G. COOPER,

Adopted as follows:		
S. M. Sherman, disbursements.....		81 87
E. W. Bryan, Police Justice, quarter salary.....		450 00

And charge Police fund. \$3,581 87

Ald Groot moved as an amendment to strike out "\$50" for pay of Health Inspectors and insert \$31.07. Lost as follows:

Ayes—Ald. Qualtrough, Groot, Andrews, Remington, Kelly, Charters, Horcheler, Quin, Parsons—9.  
Nays—Ald. Spencer, Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Adelman, Mauder, Miller—13.

Ald. Remington moved as an amendment to strike out the claim of L. W. Brandt, and refer it to the special committee on printing. Lost as follows:

Ayes—Ald. Groot, Remington—2.  
Nays—Ald. Spencer, Cram, Qualtrough, Lutes, Andrews, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Kelly, Burke, Adelman, Charters, Horcheler, Mauder, Miller, Quin, Parsons—20.

Ald. Adleman moved that the claim of M. Schuster be placed on the Budget. Carried.

The Budget was then adopted as follows:  
Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Andrews, Remington, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Kelly, Burke, Adelman, Charters, Horcheler, Mauder, Miller, Quin, Parsons—20.  
Nays—Ald. Quin—1.  
Adjourned.

B. FRANK ENOS, Clerk.

## In Common Council—July 9th 1867.

### REGULAR MEETING.

The President of the Board, Ald. Wm. Guggenheim, presiding.

Present—Ald. Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin and Parsons.

Absent—Ald. Spencer, Copeland, Brown.  
Minutes of the previous meetings approved as published.

### PETITIONS AND CLAIMS.

By Ald. Woodruff—Sundry bills. Contingent Expense Committee. Bills of Geo. W. Miller. Law Committee.

By Ald. Horcheler—Petitions of Theo. Claudius and others. Table.

By Ald. Mauder—Sundry bills. Lamp Committee.

By Ald. Miller—Bill of Boyd & Gomminger. Contingent Expense Committee.

By Ald. Quin—Petitions of Platt C. Viele and others. Committee on opening streets. Mrs. M. F. Holloway and others. Improvement Committee.

By Ald. Adelman—Bill of P. J. McManomy. Table. Petition of G. W. Burbank and others. Sewer Committee.

By Ald. Lutes—Sundry bills. Poor Committee.

By Ald. Ratt—Sundry bills. Improvement Committee.

By Ald. Cram—Petition of Thomas James and others. Table. Sundry bills. Street Committee.

By Ald. Groot—Petition of H. S. Redfield and others. Park Committee.

### REPORTS.

Ald. Lutes, from the Poor Committee, reported in favor of sundry bills. Finance Committee.

Ald. Ratt, from the Improvement Committee, reported in favor of sundry bills. Finance Committee.

Ald. Taylor, from the Law Committee, reported in favor of the bill of W. F. Cogswell. Finance Committee. Also, *adversely* on the petition of Ellis & Haseltine to grant them

permission to extend their building into the bed of the river. Received and filed.

By Ald. Bingemer—The Market Committee report in favor of remitting the fine imposed upon Charles J. Frost and Charles West, by their paying cost. Adopted.

Ald. Burke, from the Committee on Opening Streets, reported *adversely* on the claim of John Graham & Co., and in favor of paying them \$50, and moved that the report be adopted.

Ald. Groot moved as an amendment to strike out \$50 and insert \$100. Carried.

Report adopted as amended as follows:  
Ayes—Aids. Cram, Qualtrough, Lutes, Groot, Remington, Guggenheim, Carroll, Mutchler, Relyea, Ratt, Taylor, Kelly, Burke, Woodruff, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons—20.  
Nays—Aids. Andrews, Paine, Adelman, Charters—4.

Ald. Mauder, from the Lamp committee, reported in favor of sundry bills. Finance committee.

Ald. Woodruff, from the Contingent Expense committee, reported in favor of sundry bills. Finance committee.

Ald. Kelly reported in favor of the bill of Jas. Lennon. Finance committee.

Ald. Remington, from the Grievance committee, reported *adversely* on the petition of James Gallagher. Adopted.

Ald. Lutes presented the report of the Overseer of the Poor for the month of June:  
Whole amount expended.....\$1,360.97  
Less county and towns..... 269.32

Total for city.....\$1,091.65  
Number of families assisted 383. Amount paid to soldiers' families \$345.50. Filed.

Ald. Relyea presented the following  
REPORT FROM THE FIRE DEPARTMENT COMMITTEE:

To the Hon. the Common Council:

The Committee upon Fire Department, to whom was referred the communication of A. K. Amsden and Geo. B. Harris, agents of the United States Extinguisher Company, ask leave to respectfully report:

That your committee have examined the apparatus known as the "Extinguisher," and have read the testimonials in its favor from fire officials and experts, as also from property owners in other cities in the United States and Europe, and as the result of such an investigation feel no hesitation in recommending the apparatus to the favorable consideration of the Common Council and the general public, as a *positive extinguisher* of a fire in its early stages, and to that extent a public benefit.

The memorial of the agents asks that the city shall purchase some of the "Extinguishers" for the use of the Fire Department; and while your committee are entirely in favor of the idea, and think it exceedingly desirable that the apparatus should be placed in the hands of the Fire Department for use at fires, thereby frequently obviating the necessity of setting the Steam Fire Engines at work, we cannot, in justice to the condition of the Fire Department Fund, in view of the heavy expenditure which your committee have been called upon to make, recommend the purchase of any of them by the city at present.

will be seen by the letter of Mr. Alberger, which I herewith transmit to you, that Mr. Hanks' contract expired December 31, 1866, and that Valentine F. Whitmore's; (the present contractor,) commenced the 9th of March, 1867, and that the State was in his charge during the interim. Messrs. Hanks and Whitmore are merely "go-betweens," the Hon. Lewis Selye being the real contractor, and the *man responsible* to the city for the damages caused by the falling through of said bridge. This bridge, it will be seen by reference to the records, broke down March 30th, 1867, twenty-one days subsequent to the execution of said contract. I respectfully suggest that measures be at once taken to collect the damages sustained by the city, consequent upon the falling of said bridge.

It will also be seen by Mr. Alberger's letter that he stands ready to direct the contractor to raise the embankments on both sides of the canal from the aqueduct through the city, ten chains west of Lyell street bridge, whenever the owners of property along the route shall release the State from all claims consequent upon the raising of said banks.

This is a matter of grave and great importance to the city. The conditions imposed upon our people, to say the least, are somewhat objectionable, nevertheless it is hoped the people will cheerfully comply. I respectfully recommend the appointment of an effectual committee to procure such a release as shall insure the accomplishment of this important and desirable work.

Most respectfully yours,  
HENRY L. FISH, Mayor.  
ROCHESTER, July 8, 1867.

To the Hon. the Board of Health:

GENTLEMEN.—It would seem that the Common Council have thought fit to direct your body to dispense with the services of all but three of the present Health inspectors, and a resolution from them to that effect has been presented to you by the Clerk. It strikes me to be an unfortunate time to discharge any of these men. They are discharging their duties well and a good deal remains for them to do. It will be remembered that the spring was a bad one as far as the process of cleansing the city was concerned. So much water was constantly falling that it was impossible for some time to compel owners and agents of premises to carry out many of the instructions of your Board. Everything has been well and faithfully done, however, that it was possible to do, and the Inspectors are still at work. In view of the fact that cholera is prevailing in many of the cities of the Union it seems to me important that the cleansing of the city should not be interfered with. The number of Inspectors is smaller, I believe, than previous years, and the seven men who constitute the present corps are few enough to carry out the sanitary regulations of your Board, and as they have now a thorough knowledge of those places that require the most attention it seems to me to be a hazardous experiment to change any of their number off for new men.

H. H. LANGWORTHY,  
Health Officer.

STATE OF NEW YORK,  
CANAL COMMISSIONER'S OFFICE,  
BUFFALO, July 3, 1867.

Hon. H. L. Fish, Mayor, Rochester:

DEAR SIR—I answer your favor of the 29th

ult., by saying Hanks' contract expired December 31, 1866. Valentine Whitmore's (the present contractor) contract commenced on the 9th of March. The State being in charge during the interregnum.

Whitmore is under obligations to raise the berm and tow-path banks in the city of Rochester from the aqueduct to a point ten chains west of Lyell street bridge, "as soon as the owners of property adjacent shall release the state of New York from all claims for damages in any way for the construction of said work."

I am prepared to direct the Contractor to do this work without delay as soon as I receive the releases, approved by the Attorney General, with a certificate from you as Mayor, stating that all persons or parties interested therein have signed the said release.

I have directed the Engineer to cause the stairs you have complained of to be removed. It will afford me much pleasure to call upon you the first convenient opportunity.

With great respect, your obedient,  
F. A. ALBERGER,  
Canal Commissioner.

Ald. Groot moved to receive and file.

Ald. Qualtrough moved as an amendment to receive, file and publish. Carried.

Ald. Cram moved that the matter of N. H. Gardner, be referred to the City Attorney.—Carried.

#### TREASURER'S MONTHLY REPORT.

CITY TREASURER'S OFFICE,  
July 9th, 1867.

To the Honorable the Common Council:

GENTLEMEN.—The Treasurer herewith submits the Monthly Statement of the balances of the principal funds, on the 6th day of July, 1867, as required by sec. 59 of the City Charter:

	Credit Balance.
Contingent Fund.....	\$ 5,044 88
Fire Department Fund .....	10,722 94
Highway Fund.....	5,150 00
Lamp Fund.....	21,133 69
Poor Fund.....	26,547 86
Police Fund.....	7,483 86
Park Fund.....	859 67
Board of Health Fund.....	2,049 09
Sewer Repair Fund.....	
South Avenue Repair Fund.....	900 00
Lyell Street .....	160 00
North Street .....	09 57
St. Paul-st. Repair Fund (N. Y. C. R. E. to Scrantom street).....	300 00
St. Paul-st. Repair Fund (Scrantom street to City Line).....	89 25
Monroe Avenue Repair Fund.....	96 88
Mt. Hope Avenue .....	52 80
Plymouth Avenue .....	291 45
West Avenue .....	247 80
Lake Avenue .....	230 91
East Avenue .....	382 81

H. P. LANGWORTHY, Treasurer.

Subscribed and sworn to before me, this 9th day of July, 1867.

B. FRANK ENOS,  
Notary Public.

#### ORDINANCES.

##### JAY STREET SEWER.

Ald. Adelman presented the final ordinance for Jay street sewer, and moved its indefinite postponement. Carried.

##### MORTIMER STREET WALKS.

Ald. Ratt presented the final ordinance for Mortimer street walks, which was lost as follows:

Ayes—Ald. Ratt, Adelman, Quin—3.  
Nays—Ald. Qualtrough, Lutes, Groot, Andrew, Remington, Gugenheim, Carroll, Mutschler, Relyea, Kelly, Burke, Faine, Woodruff, Charters, Horchler, Bingham, Mauder, Miller, Parsons—19.

##### JAY STREET SEWER.

By Ald. Adelman—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone sewer, 18 inches by 2 feet, in Jay street, from a point 80 feet east of Charles street to Saxton street. Adopted.

The Surveyor submitted as such estimate \$3,400.

By Ald. Adelman—Resolved, That the following improvement is expedient, viz:

The construction of a stone sewer, 18 inches by 2 feet, in Jay street, from a point 80 feet east of Charles street to the sewer in Section street.

And whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$3,450, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on the south side of Jay street, from a point 80 feet east of Charles street to Saxton street.

And further, Resolved, That the tax-payers to be assessed for such improvement may, by paying interest as hereinafter provided, on the amount assessed to them individually, pay their assessments in three equal payments, as follows: One-third of the amount assessed within three months after the confirmation of the assessment roll, without interest; one-third of the amount, with interest, at the rate of seven per cent. per annum, within one year from the confirmation of said roll; and the remaining one-third, with interest, at the same rate, within two years from the confirmation of such roll.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, July the 23d, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### SCRANTON STREET SEWER.

By Ald. Adelman—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone sewer, 18 inches by 2 feet, in Scranton street, from Clinton street to the Genesee river. Adopted.

The Surveyor submitted as such estimate \$5,740.

By Ald. Adelman—Resolved, That the following improvement is expedient, viz:

The construction of a stone sewer, 18 inches by 2 feet, in Scranton street and across St. Paul street, from Clinton street to the Genesee river.

And, whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$5,740, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of Scranton street, from Clinton street to St. Paul street.

And further, Resolved, That the tax-payers to be assessed for making such improvement may, by paying interest as hereinafter provided, on the amount assessed to them individually, pay their assessments in three equal payments, as follows: One-third of the amount assessed within three months after the confirmation of the assessment roll, without interest; one-third of the amount, with interest, at the rate of seven per cent. per annum, within one year from the confirmation of said roll; and the remaining one-third, with interest, at the same rate, within two years from the confirmation of such roll.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, July the 23d, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### PROSPECT STREET SEWER.

By Ald. Adelman—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone sewer, 2 feet square, in Prospect street, from a point 40 feet north of Adams street to the alley between lots Nos. 15 and 17 in the Troup tract; thence easterly through said alley to the centre of Julia street; thence northerly through Julia street and across West avenue, to the sewer in Canal street. Also, a stone sewer, 18 inches by 2 feet, in Prospect street, from a point 100 feet south of West avenue to said alley. Adopted.

The Surveyor submitted as such estimate \$4,500.

By Ald. Adelman—Resolved, That the following improvement is expedient, viz:

The construction of a stone sewer, 2 feet by 2 feet, in Prospect street, from a point 40 feet north of Adams street to the alley between lots Nos. 15 and 17 in the Troup tract; thence easterly through said alley to the centre of Julia street; thence northerly through Julia street and across West avenue to the sewer in Canal street. Also, a stone sewer, 18 inches by 2 feet, in Prospect street, from a point 100 feet south of West avenue to said alley.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$4,500, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

All the houses and lands within the following described territory: Beginning in West avenue, at its intersection with the west bank of the Genesee Valley canal; thence westerly along West avenue to Reynolds street; thence southerly along Reynolds street to Adams street; thence easterly along Adams street to the Genesee Valley canal; thence northerly along said canal to the place of beginning; excepting one tier of lots on the south side of West avenue, from a point 40 feet west of Prospect street to Reynolds street, and one tier of lots on the north side of Adams street, from Reynolds street to the Genesee Valley canal.

And further, Resolved, That the tax-payers to be assessed for making such improvement may, by paying interest as hereinafter provided, on the amount assessed to them individually, pay their assessments in three equal payments, as follows: One-third of the amount assessed within three months after the confirmation of the assessment roll, without interest; one-third of the amount, with interest, at the rate of seven per cent. per annum, within one year from the confirmation of said roll; and the remaining one-third, with interest, at the same rate, within two years from the confirmation of such roll.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, July the 23d, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### AQUEDUCT STREET IMPROVEMENT.

By Ald. Ratt—Resolved, That the City Surveyor ascertain and report to this Board the expense of improving Aqueduct street, from Buffalo street to the Erie Canal Aqueduct, by grading the same, setting curb stone, paving the roadway with Medina stone, and constructing side and crosswalks. Adopted.

The Surveyor submitted as such estimate, \$4,600.

By Ald. Ratt—Resolved, That the following improvement is expedient, viz:

The improvement of Aqueduct street, from Buffalo street to the Erie Canal Aqueduct, by grading the same, setting curb stone, paving the roadway with Medina stone, and constructing side and crosswalks.

And, whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$4,600, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of Aqueduct street, from Buffalo street to the Erie Canal Aqueduct.

And further, Resolved, That the tax-payers to be assessed for making such improvement may, by paying interest as hereinafter provided, on the amount assessed to them individually, pay their assessments in three equal payments, as follows: One-third of the amount assessed within three months after the confirmation of the assessment roll, without interest; one-third of the amount, with interest, at the rate of seven per cent. per annum, within one year from the confirmation of said roll; and the remaining one-third, with interest, at the same rate, within two years from the confirmation of such roll.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, July the 23d, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### EXECUTIVE.

Ald. Bingenfer moved to ballot for a Commissioner on South avenue. Carried.

FIRST BALLOT.—Wilson D. Oviatt, 12; Philander Cunningham, 7; Harrison G. Otis, 4; David Abeles, 1. No choice.

SECOND BALLOT.—W. D. Oviatt, 13; P. Cunningham, 6; H. G. Otis, 4. No choice.

THIRD BALLOT.—W. D. Oviatt, 17; H. G. Otis, 4; P. Cunningham, 3.

W. D. Oviatt was declared appointed.

Ald. Qualtrough moved to suspend the rule to adjourn at 11 o'clock. Carried—21 to 3.

#### MISCELLANEOUS.

By Ald. Quin—Resolved, That the committee on streets be authorized to advertise



three days for the labor of planking Clarissa street bridge, and let the same as other city work is done under contract, and that they be also authorized to sell the old plank to the highest bidder. Adopted.

By Ald. Quin—Resolved, That the City Superintendent be and he is authorized to prosecute immediately all and every owner or occupant of any property on any and all of the improved streets of this city, who will allow any grass or weeds to remain uncut in front of their respective premises, according to section 30 of penal ordinance. Adopted.

By Ald. Quin—Whereas, The Rochester Water Works Company has laid its main pipe in Alexander street, from Monroe Avenue to East Avenue, upon the sewer in said street, without authority, and the same may result in damage, inconvenience and expense to the property owners on said street, and to the city, therefore,

Resolved, That said Water Works Company is hereby forbidden to lay any of its mains upon any sewer in this city, or to injure or interfere with any sewer, in the construction of its works, or laying any of its pipes within the limits of said city. This resolution shall not be construed as prohibiting said Company from laying its mains or laterals across any public sewer, when necessary, provided the same be done under the direction of the Sewer committee. Referred to committee on Reservoirs and Water Works.

By Ald. Quin—Resolved, That the City Treasurer pay to Benjamin Butler one hundred and twenty-five dollars in full for services as City Superintendent and charge same to Highway fund. Referred to Street committee.

By Ald. Parsons—Resolved, That the City Property committee be authorized to furnish the City Surveyor's and Assessors' office with better ventilation by cutting an opening over the doorways leading to said office. Adopted.

By Ald. Parsons—Resolved, That a committee of five be appointed by the President of this Board to examine into, make the necessary inquiries and have full power to act for the city of Rochester in relation to having the banks of the canal raised as set forth in the communication received from the Mayor. Adopted.

The President appointed as such committee, Ald. Parsons, Lutes, Paine, Cram, Carroll.

By Ald. Mauder—Resolved, That the taxpayers and property owners on the east side of Hanover street have the privilege of laying their walks according to the ordinance, on condition that they commence within one week and finish the same within one month under the direction of the Improvement committee. Adopted.

By Ald. Mauder—Resolved, That the committee on Public Lamps be and are hereby authorized to erect, not exceeding fifty additional lamp posts and lamps as said committee shall find to be necessary, and no more until ordered by the Board, and that they advertise for proposals and report to the Board. Adopted.

By Ald. Mauder—Resolved, That the Lamp committee are hereby directed to contract with the Rochester Gas Company for furnishing the city with gas, the present fiscal year, at twenty dollars per lamp, and His Honor, the Mayor, is respectfully requested to execute the same.

Ald. Groot moved an amendment, by adding, "provided they light the lamps every night." Lost.

Resolution adopted.

By Ald. Miller—Resolved, That the City Property committee be, and are hereby instructed to sell the turnaces of the City Hall, "which are in a poor and dangerous condition," on the best terms possible. Adopted.

By Ald. Miller—Resolved, That the City Property committee be, and are hereby instructed to have the walls of the Common Council room painted. [Postponed indefinitely.]

By Ald. Miller—Resolved, That the City Property committee be, and are hereby instructed to have Engine House No. 1 and Hook and Ladder No. 1 properly repaired, and charge to the Fire Department fund. Referred to the Fire Department committee.

By Ald. Horcheler—Resolved, That the tax for building the plank walk in front of the German Reformed Church on Jefferson street, be and is hereby remitted and charge erroneous assessment. Postponed indefinitely.

By Ald. Horcheler—Whereas, the building on lot number 17, section C, of the Frankfort tract, encroaches 2 feet 8 inches upon the line of Oak street, at the north end, and 1 foot 6 inches at the south end, for a distance of 55 feet, established by the City Surveyor,

Resolved, That the owner of said premises is hereby required to remove said building back to the line of the street as established by the City Surveyor, within ten days after the service on said owner of a copy of this resolution by the City Superintendent, under section 156 of the city charter.

By Ald. Horcheler—Whereas, the building on lot number 9, in section F of the Frankfort tract, encroaches 6 inches at the north end, and 4 inches at the south end, upon the line of Oak street as established by the City Surveyor,

Resolved, That the owner of said premises is hereby required to remove the said building back to the line of the street as established by the City Surveyor, within ten days after the service on said owner of a copy of this resolution by the City Superintendent, under section 156 of the city charter.

By Ald. Horcheler—Whereas, The fence in front of lot number 13, in section B, of the Frankfort tract, encroaches nine inches upon Oak street, as established by the City Surveyor,

Resolved, That the owner of said premises is hereby required to remove the said fence back to the line of the street as established by the City Surveyor, within ten days after the service on said owner, of a copy of this resolution by the City Superintendent, under section 156 of the City Charter.

By Ald. Horcheler—Whereas, The fence in front of lot number 1, in section C, of the Frankfort tract, from the corner of Brown street twenty-four feet south, encroaches one foot nine inches upon the line of Oak street, as established by the City Surveyor,

Resolved, That the owner of said premises is hereby required to remove the said fence back to the line of the street as established by the City Surveyor, within ten days after the service on said owner, of a copy of this resolution by the City Superintendent, under section 156 of the City Charter.

By Ald. Horcheler—Whereas the fence and building in front of lots Numbers 14 and 12, in section B of the Frankfort tract, encroach nine inches upon the line of Oak street, at the south end of said premises, and nothing at the north end, according to the survey of the City Surveyor.

Resolved, That the owner of said premises is hereby required to remove the said fence and building back to the line of the street as established by the City Surveyor, within ten days, after the service on said owner, of a copy of this resolution by the City Superintendent, under Section 156 of the City Charter.

The above resolutions were referred to the Street Committee.

By Ald. Charters—Resolved, That William Petrix be and he is hereby granted permission to lay the sidewalk in front of his premises, on Walnut street, under the direction of the Improvement Committee and Surveyor, providing he does it within thirty days. Adopted.

By Ald. Adelman—Resolved, That the Clerk draw two orders in favor of P. J. McMenomy and payable to his order as follows, viz.: One for \$200 payable in one year from July 9, 1867, and one for \$500 payable in two years from the same date, both with interest; and the Treasurer is hereby authorized to accept the same in behalf of the city and charge Gregory street sewer fund. Adopted as follows: All eyes—23.

Ald. Kelly moved to adjourn until to-morrow evening. Lost.

By Ald. Woodruff—Resolved, That the Coutingten Expense Committee are hereby directed to contract with F. Moshier & Co., for twenty-five tons of coal for the use of the Court House, at \$6.90 per ton according to their proposition. Adopted.

Ald. Woodruff called up the resolution relative to Stone street walks, which was lost as follows:

Nays—Ald. Qualtrough, Remington, Carroll, Kelly, Burke, Horcheler, Mauder—7.

Ayes—Ald. Cram, Lutes, Groot, Andrews, Guggenheim, Mutschler, Relyea, Ratt, Taylor, Paine, Woodruff, Adelman, Charters, Bingermer, Miller, Quin, Parsons—17.

Ald. Qualtrough moved a reconsideration. Carried.

Ald. Quin moved to postpone further action until the next regular meeting.

Ald. Remington moved its postponement until the second regular meeting in 1868. Lost.

Ald. Quin's motion was carried.

By Ald. Kelly—Whereas, It has appeared during the recent exciting debate upon the water works question, that while the citizens at large are in favor of the present contract as it is, and wish the work speedily performed, they are opposed to have any law remain unrepealed that gives to the Common Council any right or power to subscribe for stock in the Water Works, or any other company, without first giving the whole city an opportunity to vote upon the question; Therefore resolved, That our Representatives in Senate and Assembly, are hereby instructed to secure the repeal of that portion of our charter that gives to the Council any right to subscribe for stock in the Water Works Company. Adopted.

By Ald. Kelly—Resolved, That the sum of three hundred dollars each is hereby appro-

priated out of the highway fund to the 5th, 7th, 8th, 9th, 10th, 11th, 12th, 13th and 14th wards, to be expended under the direction of the Chairman of the Street Committee, and the Aldermen representing the several wards, as above, in grading and repairing such of the streets in their respective wards as are suffering for temporary repairs.

Ald. Groot offered the following as an amendment, which was accepted by Ald. Kelly:

"That each ward in the city shall receive from the highway fund the amount paid into the City Treasury for the support of said fund."

Ald. Taylor moved to refer the whole matter to the Street Committee.

Ald. Parsons moved to postpone action until the next regular meeting. Carried.

Ald. Horcheler moved to adjourn. Lost.

By Ald. Mutschler—Resolved, That J. Hart, Peter Miller, E. E. Sill, P. B. Wescott, John Fackler, Michael O'Keefe, N. Byrne, C. McAnnaly, have leave to erect wooden buildings according to their several petitions, under the directions of the Fire Marshal. Adopted.

By Ald. Mutschler—Resolved, That J. D. Fay have leave to remove his wooden buildings on the corner of Fitzhugh and Spring streets, by his giving satisfactory security, to be approved by the Mayor, indemnifying the city against any and all damage caused by such removal. Adopted.

By Ald. Mutschler—Resolved, That the trustees of St. Patrick's Church have leave to place a wooden cornice on the stone church on the corner of Platt and Frank streets. Adopted.

By Ald. Mutschler—Resolved, That E. Coleman & Son have leave to repair their wooden sheds on Platt street, and for the storage of lumber, under the direction of the Fire Marshal. Adopted.

By Ald. Mutschler—Resolved, That the City Treasurer pay the following bills when there is money in the Treasury, and charge House for Truants:

James M. Whitney & Co., flour, \$187.22; Reynolds & Bro., hardware, \$76.71; H. Brewster & Co., groceries, \$77.05; A. S. Mann & Co., dry goods, \$45.19; J. Talman & Co., soap, \$10.50; John Logan, potatoes, \$24.38; J. W. Adams, disbursements, \$49.81; J. W. Adams, one quarter's salary \$200; John Sinclair, \$51; Mary Struler, \$52; Lena Clum, \$24; Fannie Elton, \$12; Rachel Caroley, \$39; C. H. Clark, blank book, \$1 50; Adams & Ellis, \$20.35. Adopted as follows:

Ayes—Ald. Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Guggenheim, Carroll, Mutschler, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingermer, Mauder, Miller, Parsons—23.

Nays—Ald. Quin—1.

By Ald. Carroll—Resolved, That the Superintendent notify the property owners and residents on Lowell, Saxton, and Clinton streets, from Railroad to city line; Maple street from Brown to city line; Tonawanda from Wilder to Maple street; Grape, from Wilder to Orange street; Chatham, from Nassau to Baden street; north side of New Main street, between University avenue and Union street; Smith, from State to Oak street; Cherry street from New Main street

to University avenue; Jones avenue from Lake avenue to Varnum street, north side, to repair their sidewalks within five days from the service of said notice, and in case they neglect to comply with said notice that the Street Superintendent repair the same in accordance with Section 212 of the City Charter as recommended. Adopted.

Ald. Kelly moved a reconsideration. Lost.  
By Ald. Groot—Resolved, That the Park Committee are hereby directed to report at the next regular meeting, what has become of the twelve iron settees purchased for the Public Parks last year. Adopted.

By Ald. Andrews—Resolved, That the Committee on Surveys, Maps and Records ascertain and report to this Board the probable expense of making a thorough survey of the city, making a map of the sewerage and a general map, and placing suitable monuments or other proper marks designating the lines of the avenues, streets, alleys, &c. Adopted.

By Ald. Cram—Resolved, That the City Property Committee be directed to procure a new flag the same size of the old one.

Ald. Groot moved its postponement until the next regular meeting. Lost.

The resolution was adopted as follows:  
Ayes—Alds. Cram, Lutes, Andrews, Remington, Guggenheim, Carroll, Mutschler, Relyea, Ratt, Taylor, Burke, Woodruff, Adelman, Charters, Bingemer, Mauder, Miller, Parsons—18.

Nays—Alds. Qualtrough, Groot, Kelly, Paine, Horcheler, Quin—6.

By Ald. Cram—Resolved, That M. Powers have leave to relay the sidewalk in front of his residence, No. 128, (north side) Buffalo street, and that the City Surveyor be directed to give said Powers the proper grade.—Adopted.

FINANCE BUDGET.

JULY 9th, 1867.

By Ald. Paine—Resolved, That the Treasurer pay as follows:

CONTINGENT FUND.

W. F. Cogswell, bill arguing Genesee Valley Railroad case in Court of Appeals.....	\$117 90
Boyd Gommenginger & Co., bill repair to City Hall.....	660 60
William Zorn, bill painting City Hall.....	109 20
Anthony Castell, bill hack hire.....	3 00
Adams & Ellis, bill stationery.....	93 12
P. M. Bromley & Co., bill furniture for Treasurer's office.....	11 25
Frank Tully, bill repairing stoves, &c.....	43 42
John Orchard, bill hack hire.....	2 00
Darrow & Kempshall, bill stationery.....	15 13
William Whitehair, bill hack hire.....	3 00
N. G. Hawley, bill binding, &c.....	36 40
John Harper, bill hack hire.....	1 25
Wm. Whitehair.....	5 25
Samuel Stoddard, .....	3 00
John Harper, .....	3 00
Wilder, Tracy & Co., bill printing.....	25 70

And charge Contingent Fund. \$1,133 22

POOR FUND.

Rochester City Hospital.....	\$743 82
St. Mary's Hospital.....	522 57
St. Patrick's Orphan Asylum.....	345 42
St. Mary's.....	384 00
Taylor & Brownell, paid orders for shoes.....	101 70
L. A. Pratt, .....	37 25
George Bastian, bread for poor store.....	195 73
Phillip Yawman, .....	178 47
E. Weigel, .....	116 55
W. Wadsworth, crackers for poor store.....	15 60
A. S. Winsten, transportation.....	36 23
B. Donner, paid order for groceries.....	53 02
A. & E. Brennan, paid order for dry goods.....	30 50
Brittenstool & Guggenheim, paid order for clothing.....	34 15
B. Minges, undertaker's services.....	56 59
C. V. Jeffreys, .....	124 50

M. Heavey, hacking at poor office.....	34 00
Thomas Peart, orders for meat.....	130 00
H. W. Jones, paid orders.....	82 50
J. Hoffman, disbursements at poor office.....	22 62
Beir & Stern, paid orders for dry goods.....	42 50
H. J. Smith, .....	33 25
J. Hoffman, disbursements.....	10 75
A. M. Sempie, sugar and fish for poor store.....	57 68

And charge Poor Fund. \$9,380 31

LAMP FUND.

John Ferner, care of kerosene lamps.....	\$537 14
Henry Hebing, glass for street lamps.....	30 18

And charge Lamp fund. \$617 32

IMPROVEMENT FUND.

Also, when there are funds applicable, as follows:

James Conway, estimate Rowe street improvement.....	\$600 00
Leander Mix, bill inspecting.....	17 50

And charge that fund. \$617 50

PARK FUND.

James Lennon, labor on parks.....	\$ 23 87
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And charge that fund.  
Adopted as follows: All ayes—24.  
Adjourned. B. FRANK ENOS, Clerk.

In Common Council—July 23d, 1867.

REGULAR MEETING.

The President of the Board, Ald. Wm. Guggenheim, presiding.

Present—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Guggenheim, Carroll, Relyea, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Miller, Quin, Parsons.

Absent—Ald. Graham, Mutchler, Copeland, Ratt, Brown, Mauder.

Minutes of the previous meeting approved as published.

PETITIONS AND CLAIMS.

By Ald. Bingemer—Sundry bills. Police Committee. Remonstrance of Andrew Renner and others. Table.

By Ald. Charters—Sundry petitions. Wooden Building Committee.

By Ald. Woodruff—Sundry bills. Contingent Expense committee. Petition of Webb & Fitzgerald. Table. Remonstrance of J. J. Van Zandt and others. Table.

By Ald. Adelman—Sundry bills. Sewer committee.

By Ald. Kelly—Bill of C. Brost. Finance committee.

By Ald. Taylor—Petition of C. W. Watson and others. Table. Communication from the managers of the City Hospital. Received and filed. Bill of H. B. Knapp. Referred to a special committee, consisting of Ald. Groot, Taylor, Miller.

By Ald. Carroll—Bill of O. Harris. Street committee. Petition of E. M. Spencer and others. Table. Bill of F. C. Ratt. Park committee.

By Ald. Remington—Petition of Thomas Naylor and others. Improvement committee. Remonstrance of Leonard Mandery.—Table.

By Ald. Groot—Petition of John Mauder and others. Table. Remonstrance of C. J. Hayden and others. Table. Petition of E. N. Buell and others, accompanied by the following resolution:

Resolved, That the Atlantic & Pacific Telegraph Company have permission to construct

their line through the city, commencing at the east line and running through Monroe street to Nelson; through Nelson to Cayuga street; through Cayuga to Holley street; through Holley to St. Paul street; through St. Paul street to and across Court street Bridge; thence to their office, over buildings, (after getting the right of way of the owners thereof) to an office in or near Reynolds' Arcade, and from their office through Mill street to Brown street; through Brown street to Brown's alley; through Brown's alley to Lyell street, and through Lyell street to the west line of the city. Adopted.

By Ald. Andrews—Communication from E. S. Treat. Table.

By Ald. Qualtrough—Petition of S. Coleman & Co. Special committee, consisting of Ald. Qualtrough, Lutes and the President.

By Ald. Lutes—Remonstrance of D. Leary and others. Special committee as above.

By Ald. Cram—Sundry bills. Street committee.

By Ald. Spencer—Sundry bills. Fire Department Committee.

By Ald. Parsons—Bill of F. C. Ratt. Contingent Expense Committee.

#### REPORTS.

Ald. Woodruff, from the Contingent Expense Committee, reported in favor of sundry bills. Finance Committee.

Ald. Spencer, from the Fire Department Committee, reported in favor of sundry bills. Finance Committee.

Ald. Carroll, from the Park Committee, reported in favor of sundry bills. Finance Committee.

Ald. Adelman, from the Sewer Committee, reported in favor of sundry bills. Finance Committee.

Ald. Burke, from the Improvement Committee, reported in favor of sundry bills. Finance Committee.

Ald. Cram, from the Street Committee, reported in favor of sundry bills. Finance Committee.

Ald. Miller, from the Police Committee, reported in favor of sundry bills. Finance Committee.

To the Hon. the Common Council:

GENTLEMEN—Your Committee, to whom was referred the petition of O. M. Benedict and others asking for a change of name for Caledonia Park to that of Plymouth Park, would report in favor of granting the prayer of their petition.

WM. CARROLL,  
J. H. KELLY,  
WM. RATT,  
JAS. QUALTROUGH,  
A. BINGEMER,  
Committee.

ROCHESTER, July 23, 1867.  
Adopted.

Ald. Taylor presented the following:

To the Honorable the Common Council of the city of Rochester:

GENTLEMEN:—The Law Committee, who were requested by a resolution offered by Ald. Cram to investigate and report to the Common Council whether the owners of the property on the southwest corner of Mill and Market streets had been awarded and paid damages by the city for more land than is at present occupied by the public as a

street, beg leave most respectfully to make the following report, viz:

That they have examined the records of the city and find that Mill street, between what is now known as Exchange Place and Mumford street, has been widened by proceedings taken by the Common Council upon two different occasions. First—In the year 1847 by taking in a strip of land from the west side thereof, and ranging in width from three to five feet, it apparently being in all cases a strip of land unoccupied by buildings and lying between the then west line of the street and the east wall of buildings which then stood upon the lots, with no regard whatever to making a true west line to the street. This idea is strengthened by information which we have received of parties who at that time owned and occupied the lots in question.

In the year 1856 Mill street was again widened by taking a strip of land from the east side of the street, between Exchange Place and Mumford street, but nothing was taken at that time from the west side of the street; and your Committee have been unable to find that any proceedings have been taken by the city whereby they have acquired title to land for the purpose of widening said Mill street, except upon those two occasions. The land taken from the Mansion House tract, situate upon the corner of Mill and Market streets, and for which damage was paid by the ordinance of 1847, the Committee are of the opinion is all occupied by the public as a portion of Mill street; and if the Common Council deem it expedient to straighten the west lines of said Mill street or to change the present lines in any manner, that it must be done in the usual way, viz: By ordinance.

All of which is respectfully submitted.

GEO. TAYLOR,  
CYRUS F. PAINE,  
E. R. ANDREWS,  
Law Committee.

Rochester, July 23, 1867.

Received, filed and ordered published.

The Clerk presented the report of the Police Justice for the month of June: Total amount received \$407. Filed.

#### COMMUNICATIONS.

The Clerk presented a communication from the Assessors, relative to the tax of Nunn & Lutinger, and Mary E. Stebbins. Received and filed. Also, in reference to the lines of West alley. Referred to the Committee on Opening streets.

#### ORDINANCES.

##### MAIN AND SCIO STREETS RESERVOIR.

On motion of Ald. Spencer, the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing, Ald. Spencer submitted the following:

An ordinance to repair the reservoir on the corner of Main and Scio streets.

The Common Council of the city of Rochester do ordain and determine as follows:

The reservoir at the corner of Main and Scio streets shall be repaired.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at two hundred and fifty dollars, which estimate was and is hereby approved; the sum of two hundred and fifty dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

All the houses and lands within the following described territory, viz: Beginning at the intersection of University street and Union streets; thence westerly along University avenue, including one tier of lots on the north side thereof to North street; thence southerly along North street, excepting one tier of lots on the east side thereof between University avenue and Achilles street to Main street; thence easterly along Main street to East avenue; thence easterly along East avenue and Union streets; thence westerly along the south side thereof between Main and Williams streets to Mathews street; thence northerly along Mathews street to the south line of lot No. 140; thence easterly along said south line to East street; thence northerly along East street including one tier of lots on the east side thereof to Charlotte street; thence easterly along Charlotte street including one tier of lots on the south side thereof to Union street; thence northerly along Union street, including one tier of lots on the east side thereof to the place of beginning.

On which above described portion of the city the sum of two hundred and fifty dollars is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 27th day of July, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote:

Ayes—Ald. Spencer, Cram, Quailtrough, Lutes, Groot, Andrews, Remington, Guggenheim, Carroll, Belyea, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Binghamer, Miller, Parsons—21.  
Nays—Ald. Quin—1.

#### ORDINANCE RELATING TO RAILROADS.

By Ald. Belyea—The ordinance relating to railroads, passed February 17, 1863, is hereby amended by adding thereto the following sections:

SECTION 7. No person, unless an employe or passenger on any car of such railroad company, while passing through the city limits, shall get on or off such car while in motion, under a penalty of five dollars for each offence.

SECTION 8. Every execution issued upon a judgment received for a violation of the preceding section, shall command the amount to be made of the property of the defendant, if any such can be found; and if not then to commit the defendant to the Monroe County Penitentiary for a period of ten days.

Passed by the following vote: All ayes—22.

#### GERMAN STREET IMPROVEMENT.

On motion of Ald. Burke, the Board proceeded to hear allegations in relation to the improvement described in the ordinance below.

After hearing such allegations from all persons appearing, Ald. Burke submitted the following:

An ordinance to improve German street, from North avenue to Hibbard street.

The Common Council of the City of Rochester do ordain and determine as follows:

German street shall be improved from North avenue to Hibbard street, by constructing a plank sidewalk, three feet wide, on both sides.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at nine hundred and seventy dollars, which estimate was and is hereby approved; the sum of nine hundred and seventy dollars being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on each side of German street, from North avenue to Hibbard street.

On which above described portion of the city, the said sum of nine hundred and seventy dollars is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of land and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the

27th day of July, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote: All ayes—22.

#### JAY STREET SEWER.

On motion of Ald. Adelman the Board proceeded to hear allegations in relation to the improvement described in the ordinance below.

After hearing such allegations from all the persons appearing, Ald. Adelman submitted the following:

An ordinance to construct a sewer in Jay street.

The Common Council of the city of Rochester do ordain and determine as follows:

A stone sewer 18 inches by 2 feet in Jay street, from a point 80 feet east of Charles street to the sewer in Saxton street shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at three thousand four hundred and fifty dollars, which estimate was and is hereby approved; the sum of three thousand four hundred and fifty dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on each side of Jay street, from a point 86 feet east of Charles street to Saxton street on which above described portion of the city the said sum of three thousand four hundred and fifty dollars is hereby ordered to be assessed.

And the tax payers to be assessed for making such improvement, may, by paying interest, as hereinafter provided, pay the amount assessed to them individually, pay their assessments in three equal payments, as follows: One-third of the amount assessed within three months after the confirmation of the assessment roll, without interest; one-third of the amount with interest at the rate of seven per cent. per annum, within one year from the confirmation of said roll; and the remaining one-third with interest at the same rate, within two years from the confirmation of such roll.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 27th day of July, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote:

Ayes—Ald. Spencer, Cram, Quailtrough, Lutes, Groot, Andrews, Remington, Guggenheim, Carroll, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Horcheler, Binghamer, Miller—18.  
Nays—Ald. Quin—1.

#### ST. JOSEPH STREET SEWER.

On motion of Ald. Adelman, the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing, Ald. Adelman submitted the following:

An ordinance to construct a sewer in St. Joseph street.

The Common Council of the city of Rochester do ordain and determine as follows:

A pipe sewer in St. Joseph street, from a point 14 feet north of Bowery street to the sewer in Atwater street, shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at four hundred and sixty dollars, which estimate was and is hereby approved; the sum of four hundred and sixty dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on each side of St. Joseph street, from a point 140 feet north of Bowery street to Atwater street, on which above described portion of the city, the said sum of four hundred and sixty dollars is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part

of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 27th day of July, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Guggenheim, Carroll, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Horcheler, Bingemer, Miller—18.  
Nays—Ald. Quin—1.

#### AQUEDUCT STREET IMPROVEMENT,

Ald. Burke presented the final ordinance for Aqueduct street improvement, which was postponed for two weeks.

#### FITZHUGH STREET EXTENSION.

Ald. Burke presented the final ordinance for Fitzhugh street extension, which was lost as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Andrews, Remington, Guggenheim, Carroll, Relyea, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Miller, Quin—18.  
Nays—Ald. Lutes, Groot, Taylor, Parsons—4.

Ald. Groot moved to reconsider the vote. Carried.  
Ald. Groot moved to postpone further action two weeks. Carried.

#### WEST ALLEY LINES.

Ald. Burke presented the final ordinance for West Alley Lines.

Ald. Cram moved as an amendment to strike out "\$300" and insert "\$500," and include in the territory to be assessed that portion of lot No. 224 in the 100 acre tract, belonging to J. W. Phillips. Carried.

Ald. Cram moved to postpone further action for two weeks. Carried.

#### ASHLAND STREET EXTENSION.

Ald. Burke presented the final ordinance for Ashland street extension, which was postponed indefinitely.

#### UNION STREET SEWER.

Ald. Adelman presented the final ordinance for Union street sewer, which was lost as follows:

Ayes—Ald. Spencer, Lutes, Groot, Remington, Guggenheim, Carroll, Quin, Parsons—8.  
Nays—Ald. Cram, Andrews, Relyea, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Miller—12.

#### PROSPECT STREET SEWER.

Ald. Adelman presented the final ordinance for Prospect street sewer, and moved its postponement for two weeks. Carried.

#### SCRANTON STREET SEWER.

Ald. Adelman presented the final ordinance for Scranton street sewer, and moved as an amendment by adding to the territory to be assessed, "One tier of lots on each side of Hoeltzer street, from a point within 100 feet of St. Joseph street to Clinton street." Carried.

Ald. Adelman moved to postpone further action for two weeks. Carried.

#### REPAIRING LAKE AVENUE AT DEEP HOLLOW.

Ald. Cram presented the first ordinance for repairing Lake avenue at Deep Hollow.

Ald. Paine moved as an amendment to strike out from the territory to be assessed, the words, "North of West avenue, Buffalo and Main streets," and insert, "West of the Genesee river.

Ald. Qualtrough moved as an amendment to the amendment, to include the whole city.

Ald. Taylor moved to table the whole subject. Carried.

#### ASSESSMENTS.

Ald. Burke presented the following Assessment rolls:

Hanover street improvement; Tremont street improvement; Gardiner Park walk; widening the east walk on the South St. Paul street canal bridge.

Which were confirmed as follows: All ayes—20.

Ald. Adelman presented the following Assessment rolls:

Jersey street sewer; Cayuga street sewer; Rome street sewer.

Kelly street sewer, from Hanover street to Hudson street; Kelly street sewer, from a point 50 feet east of Joiner street, to St. Joseph street; which were confirmed as follows: All ayes—17.

Ald. Adelman presented the Assessment roll for Sellinger, St. Joseph and Herman streets sewer, which was confirmed as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Groot, Andrews, Remington, Guggenheim, Carroll, Kelly, Burke, Paine, Woodruff, Adelman, Bingemer, Miller—15.  
Nays—Ald. Horcheler, Quin—2.

Ald. Cram presented the following assessment rolls:

Lake Avenue crosswalk; Plymouth Avenue crosswalk; Mill Street crosswalks; North St. Paul Street crosswalk; State Street crosswalk; which were confirmed as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Andrews, Remington, Guggenheim, Carroll, Relyea, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Bingemer, Miller, Parsons—19.  
Nays—Quin—1.

On motion of Ald. Quin, the Board adjourned until to-morrow evening at 7½ o'clock.

B. FRANK ENOS, City Clerk.

## In Common Council—July 24th, 1867.

### ADJOURNED MEETING.

The President of the Board, Ald. Wm. Guggenheim, presiding.

Present—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Guggenheim, Carroll, Mutschler, Relyea, Ratt, Taylor, Kelly, Paine, Adelman, Charters, Horcheler, Miller, Quin, Parsons.

Absent—Ald. Graham, Copeland, Brown, Burke, Woodruff, Bingemer, Mauder.

#### ORDINANCES.

##### REPAIRING WALKS ON STONE STREET.

By Ald. Ratt—Resolved, That the City Surveyor ascertain and report to this Board the expense of repairing the sidewalk on the east side of Stone street, from Main street to Court street, by resetting the curb stone eight feet from the line of the street, repaving the gutters, laying a brick sidewalk and constructing crosswalks. Adopted.

The Surveyor submitted as such estimate \$1,200.

By Ald. Ratt—Resolved, That the following improvement is expedient, viz: Repairing the sidewalk on the east side of Stone street, from Main street to Court street, by resetting the curb stone eight feet from the line of the street, repaving the gutters, laying a brick sidewalk and constructing crosswalks.

And, Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$1,200, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on the east side of Stone street, from Main street to Court street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening, August the 6th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

##### SOUTH WASHINGTON STREET IRON RAILING.

By Ald. Cram—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing an iron railing on the east side of South Washington street, from a point 50 feet north of the canal bridge to said bridge. Adopted.

The Surveyor submitted as such estimate \$175.

By Ald. Cram—Resolved, That the following improvement is expedient, viz:

The construction of an iron railing on the east side of South Washington street, from a point 50 feet north of the canal bridge to said bridge.

And, whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$175, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

All that part of lot No. 189 in the 100 acre tract belonging to Rebecca A. Backus.

And the Clerk is hereby directed to publish notice in pursuance of section 104, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening, August the 6th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### UNION STREET SEWER.

Ald. Adelman moved to reconsider the vote on the ordinance for a sewer in Union street. Carried.

Ald. Adelman moved that further action be postponed until the next regular meeting. Carried.

#### UNFINISHED BUSINESS.

By Ald. Quin—Whereas, The Rochester Water Works Company has laid its main pipe in Alexander street, from Monroe avenue to East avenue, upon the sewer in said street, without authority, and the same may result in damage, inconvenience and expense to the property owners on said street, and to the city; therefore,

Resolved, That said Water Works Company is hereby forbidden to lay any of its mains upon any sewer in this city, or to injure or interfere with any sewer, in the construction of its works, or laying any of its pipes within the limits of said city. This resolution shall not be construed as prohibiting said Company from laying its mains or laterals across any public sewer, when necessary, provided the same be done under the direction of the Sewer Committee. Adopted.

Ald. Adelman called up the resolution to pay David Wagner \$300 for extra work done on the Buffalo street sewer.

Ald. Groot moved its reference back to the committee to bring in a written report. Carried.

Ald. Cram called up the resolution relative to encroachments on Oak street.

Ald. Qualtrough moved its reference back to the Street Committee to bring in a written report. Carried.

#### EXECUTIVE.

Ald. Cram presented the resignation of A. Eugene Mudge as a Commissioner of Deeds. Accepted.

Ald. Groot moved to ballot for a Commissioner of Deeds. Carried.

First ballot—James Thompson 12, Charles Koesterer 2, Scattering 4. No choice.

Second ballot—James Thompson 14, Chas. Koesterer 2, Scattering 3. No choice.

#### THIRD BALLOT.

James Thompson, 16; Scattering, 3. James Thompson was declared appointed.

#### MISCELLANEOUS.

By Ald. Spencer—Resolved, That the Fire Department Committee be and they are hereby authorized to purchase the necessary materials, and employ some suitable person or persons to perform the labor in repairing Main and Scio street reservoir in accordance with the ordinance. Adopted.

By Ald. Cram—Communication from William Levis. Received and filed.

Ay Ald. Cram—Resolved, That the Superintendent be directed to cause the buildings on Mill street from Exchange Place to R. R.

Avenue to be correctly numbered. Adopted.

Ald. Qualtrough presented the following:

To the Honorable Common Council:

The Special Committee, to whom was referred the petition of S. Coleman & Co., and the counter memorial of D. Leary and others:

Report: That the committee and the parties interested have agreed upon the following plan, viz: That Coleman & Co. have leave to run their line of shafting under Platt street, upon the line shown in the diagram, commencing at a point on the west side of Brown's Race, sufficiently distant from the line of the curb stone in front of D. Leary's dye house; that the shafting and gearing, (if gears shall be used), shall be at least two feet distant therefrom, thence running diagonally through Platt street to the southwest corner of Platt and Mill streets, but in such direction that the line of the culvert through which the shaft shall be run shall be at least two feet distant from the angle formed by the lines of the curb stones of the sidewalk upon Mill and Platt streets, at the southeast corner of said streets in front of land owned by J. H. Pool & Co., the culvert to be arched, and no openings or man holes left in the street except one at the west line of Brown's Race, at Leary's corner, where a well may be constructed with a flag cover and a man hole in the cover.

The committee submit herewith a resolution.

WM. GUGGENHEIM,

JOSEPH QUALTROUGH,

JOHN LUTES,

Committee.

Accepted.

By Ald. Qualtrough—Resolved, That S. Coleman & Co. have permission to build a stone culvert in Platt street, from their building to the west line of Brown's Race, the lines of said culvert not to approach nearer than two feet to the lines of the curb stones in front of D. Leary's building or in front of the lot owned by J. H. Pool & Co., the said culvert to be arched, and to be built in a durable and permanent manner; and the surface of the street to be left in as good condition as now. This permission shall include the placing of one man hole, with a stone cover, at the foot of the culvert at the west line of Brown's race, and no others. The work not to be commenced until the usual bond shall have been filed with the Mayor. The roadway for teams to be kept open, and the filling of the trench and replacement of pavement and McAdam material to be done under the direction of the Street Superintendent. Adopted.

By Ald. Qualtrough—Resolved, That the street numbers of the buildings in the Second Ward be corrected, where such correction may be found to be necessary, and numbers affixed to such buildings as are not now numbered when the correct number shall be ascertained; and that the Aldermen of the ward be a special committee to carry this resolution into effect. Adopted.

By Ald. Qualtrough—Resolved, That the Superintendent of Streets be and is hereby directed to notify the owners or occupants of lots upon the south side of Platt street, from State to Jones street, and on the north side of Platt street, from Frank street to Jones street, Washington street, east side, from Buffalo st. to Erie Canal; Caledonia avenue, east side,

from Buffalo street to Erie Canal; to repair their respective plank sidewalks within ten days after service of such notice, and that in default thereof such repairs will be made by the city as by law provided. Adopted.

By Ald. Qualtrough—Whereas Oak street has been improved under an ordinance of this board, the assessment for which improvement was duly confirmed by this board, and whereas it is now alleged by taxpayers on the line of the street that the assessment as levied is unequal and consequently unjust, and parties are unwilling to pay the amounts assessed to them, therefore

Resolved, That the Assessors be directed to make a re-assessment of the cost of said improvement as defined in the ordinance, and that the Law Committee, with the City Attorney, be directed to report to this board what legislation, if any, is necessary to legalize such re-assessment.

Ald. Groot moved its indefinite postponement. Carried as follows:

Ayes—Ald. Groot, Andrews, Remington, Guggenheim, Mutschler, Ratt, Taylor, Paine, Miller, Quin—10.

Nays—Ald. Spencer, Cram, Qualtrough, Lutes, Carroll, Kelly, Adelman, Charters—8.

Ald. Qualtrough moved to reconsider the resolution granting the Atlantic & Pacific Telegraph Company permission to erect poles inside the city limits. Carried.

The following resolution was then adopted:

Resolved, That the Atlantic & Pacific Telegraph Company have permission to construct their line through the city, commencing at the east line and running through Monroe street to Nelson; through Nelson to Cayuga street; through Cayuga to Holley street; through Holley to St. Paul street; through St. Paul to and across Court street Bridge; thence to their office, over buildings, (after getting the right of way of the owners thereof) to an office in or near Reynolds' Arcade, and from their office through Mill street to Brown street; through Brown street to Brown's alley; through Brown's alley to Lyell street, and through Lyell street to the west line of the city, said poles inside the city limits to be like those belonging to the Western Union Company, on Mill street, in rear of the Arcade, painted, &c., and set on the outer edge of the walk, inside the curb stone.

By Ald. Lutes—Resolved, That the Treasurer is hereby directed to receive from Nunn & Lutinger \$29 in full for their tax for the extension of Saxton street from Wilder to Maple street. Adopted.

By Ald. Lutes—Resolved, That the City Treasurer is hereby directed to pay F. Moshier & Co. and Smith & Roberts \$1,035, each, on their contract for coal, and charge Poor fund. Adopted as follows: All ayes—20.

By Ald. Lutes—Resolved, That the Clerk draw two orders for four hundred dollars each, in favor of N. Osburn, and payable to his order, one in one year from July 23d 1867, and one in two years from the same date, both with interest, and the Treasurer is hereby authorized to accept the same in behalf of the city, and charge Front street outlet sewer fund. Adopted as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Andrews, Remington, Guggenheim, Carroll, Mutschler, Relyea, Ratt, Taylor, Kelly, Paine, Adelman, Charters, Miller, Quin, Parsons—19.

Nays—Ald. Groot—1.

By Ald. Lutes—Resolved, That the Clerk draw two orders for one hundred dollars each in favor of F. C. Lauer & Son, and payable to his order, one in one year from July 23d, 1867, and one in two years from the same date, both with interest; and the Treasurer is hereby authorized to accept the same in behalf of the city and charge Hickory street Sewer Fund. Adopted as follows: All ayes—20.

By Ald. Lutes—Resolved, That his Honor the Mayor be, and he is hereby requested to execute a contract with F. C. Lauer & Son for the construction of a sewer in Sellinger, St. Joseph and Herman streets; with E. Watson for constructing a sewer in Jersey street; with D. McCormick and John Cramond for constructing sewers in Kelly street; with David Wagner for constructing sewer in Rom street; and with McConnell & Jones for constructing sewer in Cayuga street, in accordance with their propositions.

Ald. Groot moved as an amendment to strike out F. C. Lauer & Son, and insert Cyrus Beardsley. Carried.

Resolution adopted as amended.

By Ald. Groot—Petition of L. B. Lent. Table.

By Ald. Groot—Resolved, That the New York Circus be granted a license, by paying into the City Treasury the sum of \$50.

Ald. Paine moved as an amendment by adding the words "per day." Carried as follows:

Ayes—Ald. Qualtrough, Andrews, Remington, Guggenheim, Carroll, Relyea, Ratt, Taylor, Paine, Miller, Quin.—11.

Nays—Ald. Spencer, Cram, Groot, Mutchler, Kelly, Adelman, Charters, Parsons.—8.

Resolution adopted as amended.

By Ald. Groot—Resolved, That offices of the members of the Board of Health be and they are hereby declared vacant.

Ald. Taylor moved moved its indefinite postponement. Carried as follows:

Ayes—Ald. Spencer, Cram, Lutes, Guggenheim, Carroll, Relyea, Ratt, Taylor, Adelman, Miller, Quin.—11.

Nays—Ald. Groot, Andrews, Remington, Mutchler, Kelly, Paine, Charters, Parsons.—8.

By Ald. Remington—Resolved, That the Treasurer pay C. Beardsley \$100, in full, for services as City Surveyor since April 1st, 1867, and charge Contingent Fund.

Ald. Taylor moved as an amendment to strike out the words "since April 1st, 1867." Carried.

Ald. Groot moved as an amendment to insert the words "this year." Carried.

Ald. Taylor moved to refer the whole matter to a committee of three. Lost.

The resolution was adopted, as amended, as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Groot, Andrews, Remington, Guggenheim, Carroll, Mutchler, Relyea, Ratt, Taylor, Kelly, Paine, Adelman, Charters, Horcheler, Miller, Quin, Parsons—20.

Nays—Ald. Lutes.

Ald. Kelly moved that the salary of the Street Superintendent be placed upon the budget. Carried.

By Ald. Carroll—Resolved, That the Street Superintendent notify the owners and residents of flag and brick sidewalks that are out of repair on the principal streets of the city,



to repair the same within five days after notice, and in case of their neglect to comply with said notice, that the Street Superintendent repair the same in accordance with section 212 of the City Charter as amended.

Ald Kelly moved its indefinite postponement. Lost as follows:

Ayes—Ald. Qualtrough, Groot, Remington, Kelly, Paine, Quin—6.

Nays—Ald. Cram, Lutes, Andrews, Guggenheim, Carroll, Mutchler, Relyea, Ratt, Taylor, Charters, Horcheler, Miller, Parsons—13.

Resolution lost as follows:

Ayes—Ald. Lutes, Guggenheim, Carroll, Charters.—4.

Nays—Ald. Cram, Qualtrough, Groot, Andrews, Remington, Mutchler, Relyea, Ratt, Taylor, Kelly, Paine, Horcheler, Miller, Quin, Parsons.—15.

Ald. Kelly moved to adjourn until Friday evening, at 7½ o'clock after acting on the budget. Lost.

Ald. Groot moved to suspend the rule to adjourn at 11 o'clock. Carried.

By Ald. Mutschler—Resolved, That Luke Marvin, Patrick Boners, J. E. Spencer, have leave to erect wooden buildings on their lots according to their several petitions, under the directions of the Fire Marsh; also that J. E. Spencer have leave to remove a small wooden building, and place the same on his lot on South St. Paul street by his executing his bond with security satisfactory to the Mayor, indemnifying the city against all damage that shall occur by moving the same. Adopted.

By Ald. Ratt—Resolved, That His Honor the Mayor be authorized to enter into contract with N. H. Galusha for the making of fifty lamp posts according to his proposition—eleven dollars and eighty-five cents (\$11.85) each. Adopted.

By Ald. Ratt—Report relative to advertising for fifty street lamps and lamp posts. Received.

By Ald. Ratt—Resolved, That His Honor the Mayor be, and he is hereby requested to execute a contract with David Wagner for the improvement of Tremont street, and with W. I. Hanford for constructing plank walk on Hanover street, in accordance with their propositions.

Ald. Cram moved as an amendment to strike out of the contract so much of the improvement as lies on the south side of Tremont street, between Reynolds and Francis street. Lost.

Resolution adopted.

Ald. Kelly moved to adjourn until Saturday evening. Lost.

By Ald. Ratt—Resolved, That the Clerk draw two orders for two hundred dollars each, in favor of Whitmore, Carson & Co., payable to his order, one in one year from July 23d, 1867, and one in two years from the same date, both with interest; and the Treasurer is hereby authorized to accept the same in behalf of the city, and charge Monroe avenue Sidewalk Fund. Adopted as follows:

Ayes—Ald. Lutes, Groot, Andrews, Remington, Guggenheim, Carroll, Mutschler, Relyea, Ratt, Taylor, Kelly, Paine, Charters, Horcheler, Miller—15.

Nays—Ald. Quin—1.

By Ald. Ratt—Resolved, That His Honor

the Mayor be authorized to enter into contract with Boyd, Gomminger & Co., for the building of fifty lamps at \$7.00 per lamp, according to their proposition, they being the only bidders according to the advertisement.

Ald. Paine moved as an amendment to strike out Boyd, Gomminger & Co., and insert Reynolds Bros.

Ald. Kelly moved as an amendment to the amendment to insert Warner Westcott.

Ald. Miller moved to postpone the whole matter until the next regular meeting. Carried.

By Ald. Ratt—Resolved, That the Treasurer be, and he is hereby authorized to receive from property owners assessed for Fulton street plank walk, eighty per cent. in full of their assessment for said walk. Adopted.

By Ald. Ratt—Resolved, That the Treasurer be, and he is hereby authorized to receive from property owners assessed for Anson Park improvement ninety-one per cent. in full of their assessment for the same.

Adopted.

By Ald. Ratt—Resolved, That the Treasurer be, and he is hereby authorized to receive from property owners, taxed for Wilson street plank walk, on the south side, ninety-four and a half per cent., in full of their assessment for said walk; from Joseph Waugmer, \$40.20; John U. Fiad, \$32.80, and from all others assessed for said walk, on the north side, twenty per cent. in full of their assessment for said walk.

Ald. Paine moved as an amendment, to strike out so much as relates to Wilson street walk. Carried.

Resolution adopted as amended.

Ald. Horcherler moved to adjourn. Lost.

By Ald. Taylor—Resolved, That the names of High Park and Fulton street, situated in the Eighth Ward, be changed to West Troup street. Adopted.

By Ald. Taylor—Resolved, That the Treasurer be directed to deduct the General City Tax upon five hundred dollars from the tax of Balthazar Ruf, upon the ground of military exemption. Referred to the Assessors.

By Ald. Kelly—Resolved, That the Treasurer is hereby directed to receive from Mary E. Stebbins \$13.90 in full for her tax for repairing walks on the west side of Cherry street. Adopted.

By Ald. Kelly—Resolved, That the City Superintendent is hereby directed to remove the obstructions in McCormick alley, between Thompson and West streets. Adopted.

By Ald. Kelly—Resolved, That the City Surveyor is hereby directed to establish the true lines of Thompson street, and after the same is done, the parties encroaching upon said street shall be required to place their fences to correspond with and upon said lines so determined. Adopted.

By Ald. Kelly—Resolved, That the Street Superintendent notify the owners of property on the corner of State and Buffalo streets to build and maintain a temporary sidewalk on both streets during the time that is required for the excavation of the areas and building of the new sidewalks, and in case the parties neglect to build said walk after proper notice then the Street Superintendent is authorized to build said walk and the amount be assessed on the above property.

Adopted.

By Ald. Kelly—Resolved, That the Improvement committee are herib. instructed to report at the next regular meeting of this Board, an ordinance for the assessment of \$225.28 on Thompson street to Creegan & McCormick and \$103.40 on Graham street to John Crammond, and charge to said improvements. Adopted.

By Ald. Kelly—Resolved, That permission is hereby granted to Geo. H. Barry, E. A. Frost, and their associates, to build upon Jones square, a suitable house for seating two thousand persons, and to charge said persons a fee therefor, provided that the inhabitants and taxpayers around said Square do not object to said building being erected, that the work if done, shall be performed under direction of the Park Committee, and said lease for ground rent shall be free of rent for the space of ten years. Adopted.

By Ald. Miller—Resolved, That the Police Committee are hereby directed to contract with F. Moshier & Co. for forty tons of coal at \$6.90 per ton according to their proposition. Adopted.

By Ald. Quin—Resolved, That the City Treasurer be and he is forbidden to pay any monies or orders drawn on him by the Superintendent of Streets or the Street Committee without the bills having been approved by the said Street Committee and Finance Committee, and each bill showing where such work was done and how much each job cost, together with the price per day; said bills to be presented to the Board previously. Adopted.

By Ald. Quin—Resolved, That Rev. Thos. James and Ann Davis be and they are hereby granted permission to lay the sidewalks in front of their premises on Tremont street with stone from Bullshhead quarry, under the direction of the Improvement Committee and Surveyor, provided they do it within thirty days.

Ald. Taylor moved its indefinite postponement. Carried, as follows:

Ayes—Alds. Lutes, Groot, Andrews, Remington, Guggenheim, Carroil, Mutchsler, Relyea, Ratt, Taylor, Miller—11.

Nays—Alds. Qualtrough, Kelly, Paine, Charters, Horcheier, Quin—6.

By Ald. Quin—Resolved, That a committee of three be appointed to examine and ascertain how much money has been expended by the City Superintendent of Streets the past three years for the benefit of the Rochester City and Brighton Street Railroad Company, and report to this Board. Adopted.

The President appointed as such committee Ald. Quin, Relyea, Qualtrough.

By Ald. Quin—Resolved that the Treasurer be, and he is hereby authorized to credit the property owners assessed for Front street improvement, the balance remaining in said improvement fund, in proportion to the amount of pavement, &c., remaining uninjured by the flood in front of their premises, according to the estimate of the City Surveyor, Street Superintendent and Improvement Committee of 1866 and 1867, said amounts to be credited when the several parties assessed pay the balance of their assessment. Adopted.

Ald. Paine moved that the Water Works Committee be directed to ascertain whether the Company proposes to lay down pipes on

one or both sides of the main streets, and report to the Board. Carried.

### FINANCE BUDGET.

By Ald. Paine—Resolved, That the Treasurer pay as follows:

JULY 24, 1867.

CONTINGENT FUND.	
Daniel Richmond, Surveyor, 1 month's salary..	250 00
B. Frank Enos, Clerk, ..	100 00
E. A. Raymond, Attorney, ..	91 67
David McKay, Assessor, ..	100 00
E. T. Oatley, ..	100 00
C. M. St. John, ..	100 00
William Tracy, Messenger, ..	66 66
Frank Lockhart, watching City Hall, 2 months.	70 00
D. D. S. Brown, printing.....	297 85
George King, hack hire.....	2 25
Samuel Stoddard, hack hire.....	4 00
Wm. H. Tracy, disbursements.....	8 85
Patrick Burns, hack hire.....	2 00
John King, ..	5 00
John Harper, ..	1 50
F. C. Ratt, r-pairs to City Hall.....	40 15
And charge Contingent fund.	\$1,239 93

HIGHWAY FUND.	
Anthony Fall, Cattle Police, 1 month's salary..	\$ 50 00
J. Reynolds, ..	50 00
Robert Neary, ..	50 00
John Harper, ..	50 00
John R. Stiles, ..	50 00
Richard Allen, ..	50 00
W. J. McCracken, bill for rent of Found. 14 days	23 38
Robinson, Pollock & Weaver, street hoes.....	8 33
Love & Hamilton, pick handles, &c.....	14 00
O. Harris, bill for labor.....	20 00
Thos. Parcell, Superintendent, quarter salary to July 1st.....	2 50
And charge Highway fund.	\$ 718 61

POLICE FUND.	
Rochester Gas Co., gas at Police office.....	\$ 99 00
Adams & Ellis, stationery.....	29 95
D. D. S. Brown, printing.....	8 13
Stump & Southworth, printing.....	15 00
Wilder, Tracy & Co., printing.....	13 50
And charge Police fund.	\$163 58

FIRE DEPARTMENT FUND.	
F. C. Ratt, bill of lumber and work.....	\$171 46
G. W. Crouch & Co., oak timber for Engine House.....	97 20
Joseph Hughes, mason work at Engine House No. 3.....	100 00
And charge Fire Department fund.	\$368 66

HEALTH FUND.	
George Moshier, Inspector, 22 day's salary....	86 74
David Niven, ..	86 74
Michael Hughes, ..	86 74
Charles Burns, Inspector, 22 day's salary, (payable to Jas. Cochrane).....	86 74
Robert Morrow, ..	86 74
Frank Irwin, ..	86 74
Jacob Clark, ..	86 74
Thos. Burns, keeper Pest House, one month's salary.....	20 00
John H. York, services in removing nuisance.....	10 00
M. Rattlesbower, burying dead animals.....	1 50
M. Costello, ..	1 00
And charge Health Fund.	\$ 239 63

IMPROVEMENT FUND.	
Also, when there are funds applicable, as follows:	
John Cramond, in full, for constructing plank walk on Fulton street.....	\$391 18
And charge that fund.	
P. J. McMenemy on his contract for constructing sewer in Gregory street.....	\$500 00
And charge that fund.	
F. C. Lauer & Son on their contract for constructing sewer in Hickory street.....	\$500 00
And charge that fund.	
David Wagner, on his contract for constructing sewer in Alexander street.....	\$300 00
And charge that fund.	
John Cramond, in full for Anson Park Improvement.....	\$349 74
And charge that fund.	
Whitmore, Carson & Co., on their contract for constructing sidewalks on Monroe avenue..	\$400 00
And charge that fund.	

J. H. Kocher, inspecting Hickory street sewer. \$115 00  
 And charge that fund.  
 Andrew Wegman, inspecting Alexander street  
 sewer.....\$ 53 00  
 And charge that fund.  
 W. I. Hanford, estimate for work on Wilson  
 street plank walk.....\$380 47  
 And charge that fund.

## PARK FUND.

F. C. Ratt, bill for work on Parks.....\$ 97 11  
 R. J. Dougherty, painting Jones Square fence.. 24 40  
 C. Brost, work on Parks..... 23 00

And charge that fund. \$144 51

Adopted as follows:  
 Ayes—Ald. Lutes, Guggenheim, Carroll, Relyea,  
 Ratt, Taylor, Kelly, Paine, Charters, Quin—10.  
 Nays—Ald. Qualtrough, Groot, Andrews, Remington,  
 Mutchler, Horcheler, Miller—7.  
 Adjourned.

B. FRANK ENOS, Clerk.

### In Common Council—July 27, 1867.

## SPECIAL MEETING.

No quorum being present the Board adjourned.  
 B. FRANK ENOS, Clerk.

### In Common Council—Aug. 6th, 1867.

## REGULAR MEETING.

The President of the Board, Ald. William Guggenheim, presiding.

Present—Alds. Cram, Qualtrough, Lutes, Groot, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons.

Absent—Alds. Spencer, Andrews, Copeland.

Minutes of the previous meeting approved as published.

## PETITIONS AND CLAIMS.

By Ald. Lutes—Sundry bills. Poor Committee.

By Ald. Mutchler—Sundry petitions. Wooden Building Committee.

By Ald. Relyea—Sundry bills. Fire Department Committee. Sundry petitions. Wooden Building Committee.

By Ald. Ratt—Sundry bills. Improvement Committee.

By Ald. Taylor—Remonstrance of N. A. Stone and others. Table.

By Ald. Burke—Petition of A. M. Hastings and others. Committee on Opening Streets.

By Ald. Woodruff—Sundry bills. Contingent Expense Committee.

By Ald. Adelman—Sundry bills. Sewer Committee.

By Ald. Bingemer—Bill of George Popp. Finance Committee. Remonstrance of P. T. Spelman and others. Table.

By Ald. Mauder—Sundry bills. Lamp Committee.

By Ald. Quin—Bills of Holloway & Nornington. Table. John Volmar. Street Committee.

By Ald. Cram—Sundry bills. Street Committee.

By Ald. Carroll—Remonstrance of Patrick Conolly and others. Table.

## REPORTS.

Ald. Quin reported in favor of the bills of Holloway & Nornington, John Volmar. Finance Committee.

To the Hon. the Common Council:

As one of the Street Committee, to whom was referred the resolution directing the Treasurer to pay Benj. Butler \$125, I would respectfully report:

That on the 1st day of April, 1867, Mr. Butler was fairly and honorably elected to the office of Street Superintendent of the city of Rochester by a majority of all the members of the Common Council, according to the city charter; that on the 10th of the same month, without any charges being preferred against him, but for the sake of harmony among the Aldermen, and out of respect for those who had so kindly voted for him, Democrats as well as Republicans, he offered his resignation, which was accepted. Under all the circumstances, together with the fact that Mr. Butler was the choice of the citizens of Rochester for Street Superintendent, it is no more than just that Mr. Butler be paid for one month's salary, which is \$125, at the rate of \$1,500 per year, and therefore I report in favor of the resolution as originally introduced.

All of which is respectfully submitted.

JOHN QUIN,

Minority of the Street Com.

Received, filed, and ordered to be published.

Ald. Mauder, from the Lamp committee, reported in favor of sundry bills. Finance committee.

Ald. Lutes, from the Poor committee, reported in favor of sundry bills. Finance committee.

Ald. Relyea, from the Fire Department committee, reported in favor of sundry bills. Finance committee.

Ald. Woodruff, from the Contingent Expense committee, reported in favor of sundry bills. Finance committee.

Ald. Ratt, from the Improvement committee, reported in favor of sundry bills. Finance committee.

Ald. Adelman, from the Sewer committee, reported in favor of sundry bills. Finance committee.

Ald. Cram, from the Street committee, reported in favor of sundry bills. Finance committee.

Ald. Lutes presented the report of the Overseer of the Poor for the month of July: Whole amount expended.....\$1,394.34  
 Less county and towns..... 252.85

Total for city.....\$1,141.49  
 Number of families assisted 384. Amount disbursed to soldiers' families \$231. Filed.

Ald. Cram presented the following:

To the Honorable Common Council:

The Street committee to whom was referred the resolution of Ald. Quin, in reference to the salary of the late Superintendent, report that they have examined into the matter, and find that Mr. Butler performed the duties of the office of Street Superintendent up to the 10th day of April, 1867; therefore, the committee offer the following resolution:

Resolved, That the Treasurer pay Benjamin Butler \$45 in full, for services as Street Superintendent, and charge to Highway Fund.

A. CRAM,  
WM. CARROLL,  
Street Committee.

Ald. Groot moved as an amendment to strike out \$45 and insert \$125. Carried as follows:

Ayes—Ald. Qualtrough, Lutes, Groot, Remington, Guggenheim, Mutchler, Ratt, Brown, Kelly, Charters, Horcheler, Bingemer, Quin, Parsons—14.

Nays—Ald. Cram, Relyea, Taylor, Burke, Paine, Woodruff, Adelman, Mauder, Miller—9.  
Report and resolution adopted.

COMMUNICATIONS.

The Clerk presented a communication from the Mayor, disapproving of the resolution passed July 24th, 1867, allowing certain parties to erect a building on Jones Square, for the purpose of seating the public, and charge a fee therefor. Received and filed.

Ald. Kelly moved to reconsider the resolution above referred to. Carried.

Ald. Kelly moved its indefinite postponement. Carried.

The Clerk presented a communication from the Assessors, relative to the tax against Balthazar Ruff, Lawrenz Sellinger, and Mrs. E. E. G. Emerson, which was adopted.

The Clerk presented the following:

To His Honor Henry L. Fish, Mayor, and to the Common Council of Rochester:

RESPECTED SIRs:—You are hereby most respectfully invited to attend the Pic Nic of the "German Orphan Asylum Society," which will take place on Monday next, the 12th inst., on the Orphan Farm, on Hudson street. By order of the Committee.

M. WEIGEL,

Sec'y of the Orphan Board.

Rochester, Aug. 6, 1867.

Accepted.

TREASURER'S MONTHLY REPORT.

CITY TREASURER'S OFFICE,  
Aug. 6th, 1867.

To the Honorable the Common Council:

GENTLEMEN—The Treasurer herewith submits the Monthly Statement of the balances of the principal funds, on the 3d day of August, 1867, as required by section 59 of the City Charter:

	Credit Balance.
Contingent Fund.....	\$ 2,204 72
Fire Department Fund .....	8,064 50
Highway Fund.....	3,490 10
Lamp Fund.....	16,846 28
Poor Fund.....	19,378 49
Police Fund.....	4,895 70
Park Fund.....	15 68
Board of Health Fund.....	1,353 54
Sewer Repair Fund.....	300 00
South Avenue Repair Fund.....	160 00
Lyell Street .....	69 57
North Street .....	189 25
St. Paul-st. Repair Fund (N. Y. C. E. R. to Scrantom street) .....	15 68
St. Paul-st. Repair Fund (Scrantom street to City Line) .....	100 00
Monroe Avenue Repair Fund.....	96 38
Mt. Hope Avenue .....	62 36
Plymouth Avenue .....	291 45
West Avenue .....	247 30
Lake Avenue .....	329 31
East Avenue .....	382 81

H. P. LANGWORTHY, Treasurer.

Subscribed and sworn to before me, this 6th day of August, 1867.

B. FRANK ENOS,  
Notary Public.

ORDINANCES.

LITCHFIELD STREET WALK.

By Ald. Ratt—Resolved, That the City Surveyor ascertain and report to this Board the expense of con-

structing a plank sidewalk 4 feet and 8 inches wide on the east side of Litchfield street, from Allen street to the line between lots No. 3 and 4 in the S. C. Jones tract, and on the west side from Allen street to the north line of the Perkins and Schermerhorn tract, and from the angle in said street at the rear line of lot No. 11 in the S. C. Jones tract, to Brown street, and constructing the necessary crosswalks. Adopted.

The Surveyor submitted as such estimate \$300.  
By Ald. Ratt—Resolved, That the following improvement is expedient, viz:

The construction of a plank sidewalk 4 feet and 8 inches wide on the east side of Litchfield street, from Allen street to the line between lots 3 and 4 in the S. C. Jones tract, and on the west side from Allen st. to the north line of the Perkins and Schermerhorn tract, and from the angle in said street at the rear line of lot No. 11 in the S. C. Jones tract to Brown street, and constructing the necessary crosswalks.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$300, which estimate is hereby approved.

Resolved further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on the east line of Litchfield street, from Allen street to the northeasterly line of lot No. 4 in the S. C. Jones tract, and one tier of lots on the west side from Allen street to the north line of the Perkins and Schermerhorn tract, and lots Nos. 10 and 11 in the S. C. Jones tract.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Aug. the 20th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

THOMPSON STREET RE-ASSESSMENT.

By Ald. Ratt—Whereas, The Common Council of the city of Rochester did, on the 30th day of April, 1867, ordain and determine that Thompson street, from Lyell street to Costar street, should be improved, and that the whole expense thereof should be assessed upon the owners and occupants of houses and lands to be benefited thereby, and did estimate such expense at \$590; and—

Whereas, A greater sum of money has been expended in making such improvement, and that such greater sum thus expended amounts to \$250; therefore—

Resolved, That said sum of \$250 be assessed upon the owners and occupants of one tier of lots on each side of Thompson street, from Lyell street to Costar street.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 10th day of August, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote:  
Ayes—Ald. Cram, Groot, Remington, Guggenheim, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Bingemer, Mauder, Miller, Quin—17.

Nays—Ald. Horcheler—1.

GRAHAM STREET IMPROVEMENT RE-ASSESSMENT.

By Ald. Ratt—Whereas, The Common Council of the city of Rochester did, on the 30th day of April, 1867, ordain and determine that Graham street should be improved from Lorimer street to Bloss street, and that the whole expense thereof should be assessed upon the owners and occupants of houses and lands to be benefited thereby, and did estimate such expense at the sum of \$600; and

Whereas, A greater sum of money has been expended in making said improvement, and that such greater sum thus expended amounts to \$110; therefore—

Resolved, That said sum of \$110 be assessed upon the owners and occupants of one tier of lots on each side of Graham street, from Lorimer street to Bloss street.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the

making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 10th day of August, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote:

**Ayes**—Ald. Cram, Qualtrough, Remington, Guggenheim, Carroll, Mutchler, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Bingham, Mander, Miller, Quin, Parsons—20.  
**Nays**—Ald. Horcheler—1.

#### CHAMPION STREET WALK.

By Ald. Ratt—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a plank sidewalk 4 feet 8 inches wide on each side of Champion street, from the west line of lot No. 30 in the McCrackenville tract, to Burns street. Adopted.

The Surveyor submitted as such estimate \$360.

By Ald. Ratt—Resolved, That the following improvement is expedient, viz:

The construction of a plank sidewalk 4 feet and 8 inches wide on each side of Champion street, from the west line of lot No. 30 in the McCrackenville tract to Burns street.

And, Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$360, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of Champion street, from the west line of lot No. 30 in the McCrackenville tract to Burns street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Aug. the 20th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### STONE STREET IMPROVEMENT.

On motion of Ald. Ratt, the Board proceeded to hear allegations in relation to the improvement described in the ordinance below.

After hearing such allegations from all persons appearing, Ald. Ratt submitted the following:

An ordinance to improve Stone street, from Main street to Court street.

The Common Council of the City of Rochester do ordain and determine as follows:

The sidewalk on the east side of Stone st. shall be repaired, from Main street to Court street, by resetting the curb stone eight feet from the line of the street, repaving the gutters, laying a brick sidewalk and constructing crosswalks.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at one thousand two hundred dollars, which estimate was and is hereby approved, the sum of one thousand two hundred dollars being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on the east side of Stone street, from Main street to Court street, on which above described portion of the city, the said sum of one thousand two hundred dollars is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 10th day of Aug., 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote: All ayes—24.

#### UNION STREET SEWER.

On motion of Ald. Adelman, the Board proceeded to hear allegations in relation to the improvement described in the ordinance below.

After hearing such allegations from all persons appearing, Ald. Adelman submitted the following:

An ordinance to construct a sewer in Union street. The Common Council of the city of Rochester do ordain and determine as follows:

A stone sewer, 18 inches by 2 feet, in Union street, from a point 20 feet north of the south line of William Summerhay's lot to a point 30 feet north of the south line of J. C. Locke's lot, shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at three hundred and ten dollars, which estimate was and is hereby approved; the sum of three hundred and ten dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on each side of Union street, from a point 20 feet north of the south line of Wm. Summerhay's lot to a point 30 feet north of the south line of J. C. Locke's lot.

On which above described portion of the city, the said sum of three hundred and ten dollars is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 10th day of August, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote:

**Ayes**—Ald. Cram, Qualtrough, Lutes, Groot, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Bingham, Mander, Quin, Parsons—21.  
**Nays**—Ald. Charters, Horcheler, Miller—3.

#### SCRANTON STREET SEWER.

On motion of Ald. Adelman the Board proceeded to hear allegations in relation to the improvement described in the ordinance below.

After hearing such allegations from all the persons appearing, Ald. Adelman submitted the following:

An ordinance to construct a sewer in Scranton street, from Clinton street to the Genesee river.

The Common Council of the city of Rochester do ordain and determine as follows:

A stone sewer 18 inches by 2 feet, in Scranton street, from St. Paul street, from Clinton street to the Genesee river, shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at five thousand seven hundred and forty dollars, which estimate was and is hereby approved; the sum of five thousand seven hundred and forty dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on each side of Scranton street, from Clinton street to St. Paul street, and one tier of lots on each side of Hoeltzer street, from a point within 100 feet of St. Joseph street to Clinton street.

On which above described portion of the city, the said sum of five thousand seven hundred and forty dollars is hereby ordered to be assessed.

And the tax payers to be assessed for making such improvement, may, by giving interest, as hereinafter provided, on the amount assessed, to them individually, pay their assessments in three equal payments, as follows: One-third of the amount assessed within three months after the confirmation of the assessment roll, without interest; one-third of the amount with interest at the rate of seven per cent. per annum, within one year from the confirmation of said roll; and the remaining one-third, with interest at the same rate, within two years from the confirmation of such roll.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 10th day of August, 1867, at nine o'clock in the forenoon, at office of the City Clerk.

Ald. Ratt was called to the chair.

Ald. Guggenheim moved as an amendment to strike out from the territory to be assessed, so much as relates to Hoeltzer street. Carried as follows:

**Ayes**—Ald. Qualtrough, Groot, Remington, Graham,

Guggenheim, Carroll, Mutchler, Relyea, Ratt, Taylor, Paine, Woodruff, Charters, Bingemer, Parsons—15.  
 Nays—Ald. Cram, Lutes, Burke, Adelman, Horcheler, Mauder, Miller, Quin—8.  
 Ordinance, as amended, passed as follows:  
 Ayes—Ald. Cram, Qualtrough, Lutes, Remington, Guggenheim, Carroll, Mutchler, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Adelman, Woodruff, Charters, Horcheler, Bingemer, Mauder, Miller, Parsons—21.  
 Nays—Ald. Groot, Graham, Quin—8.

#### LAKE AVENUE IMPROVEMENT.

Ald. Ratt presented the first ordinance for Lake avenue improvement.

Ald. Burke moved its indefinite postponement. Carried as follows:

Ayes—Ald. Cram, Lutes, Guggenheim, Mutchler, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Bingemer, Mauder—12.  
 Nays—Ald. Groot, Remington, Relyea, Ratt, Horcheler, Miller, Quin—7.

#### SOUTH WASHINGTON STREET IRON RAILING.

Ald. Ratt presented the final ordinance for South Washington street iron railing, which was postponed two weeks.

#### AQUEDUCT STREET IMPROVEMENT.

Ald. Ratt presented the final ordinance for Aqueduct street improvement, which was postponed indefinitely.

#### PROSPECT STREET SEWER.

Ald. Adelman presented the final ordinance for Prospect street sewer.

Ald. Paine moved its reference back to the committee to change the territory to be assessed. Lost.

Ald. Qualtrough moved its indefinite postponement. Carried as follows:

Ayes—Ald. Qualtrough, Groot, Graham, Guggenheim, Relyea, Kelly, Burke, Paine, Woodruff, Charters, Bingemer, Parsons—12.  
 Nays—Ald. Cram, Lutes, Remington, Carroll, Ratt, Taylor, Adelman, Horcheler, Mauder, Miller, Quin—11.

Adjourned.

B. FRANK ENOS, Clerk.

## In Common Council—Aug. 7th, 1867.

#### ADJOURNED MEETING.

The President of the Board, Ald. William Guggenheim, presiding.

Present—Ald. Cram, Qualtrough, Lutes, Groot, Remington, Guggenheim, Carroll, Mutchler, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons.  
 Absent—Ald. Spencer, Andrews, Graham, Copeland, Brown.

#### ORDINANCES.

##### ST. JOSEPH STREET SEWER.

Ald. Adelman moved to reconsider the vote on the ordinance for a sewer in St. Joseph street, passed July 23d, 1867.

Ald. Qualtrough moved to postpone Ald. Adelman's motion indefinitely. Carried as follows:

Ayes—Ald. Qualtrough, Lutes, Groot, Remington, Ratt, Kelly, Paine, Horcheler, Bingemer, Quin, Parsons—11.

Nays—Ald. Cram, Guggenheim, Carroll, Mutchler, Relyea, Taylor, Burke, Adelman, Mauder, Miller—10.

##### FITZHUGH STREET EXTENSION.

Ald. Burke presented the final ordinance for Fitzhugh street extension, which was postponed until the next regular meeting.

##### WEST ALLEY LINES.

On motion of Ald. Burke, the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing, Ald. Burke submitted the following:

An ordinance to establish the lines of West alley.

The Common Council of the city of Rochester do ordain and determine as follows:

Altering and establishing the lines of West alley by making the boundaries as follows:

Beginning at a point in the north line of Buffalo street 168 feet westerly from the north west corner of Buffalo and Washington streets; thence northerly in a direct line to a point in the east line of said alley 40 feet distant from the north line of Buffalo street, and 165 feet westerly from the west line of Washington street, measured on a line parallel with the lines of Buffalo street; thence northerly on a line parallel with the west line of Washington street to the south line of lot No. 224 in the 100 acre tract; thence westerly on the south line of said lot 14 1/2 feet; thence southerly on a line parallel with the west line of Washington street to a point 40 feet distant from the north line of Buffalo street; thence southerly in a direct line to a point in the north line of Buffalo street 15 feet westerly from the place of beginning; thence easterly on the north line of Buffalo street to the place of beginning.

Resolved further: That the following described territory is deemed necessary to be taken for said improvement, viz.:

Beginning at a point in the north line of Buffalo street 176 feet and 9 inches westerly from the north west corner of Buffalo and Washington streets; thence northerly on a line parallel with Washington street to the south line of lot No. 224 in the 100 acre tract; thence westerly along the south line of said lot 3 feet; and 4 inches; thence southerly on a line parallel with the lines of Washington street to a point 40 feet distant from the north line of Buffalo street; thence in a direct line to a point in the north line of Buffalo street 6 feet and 3 inches westerly from the place of beginning; thence easterly along the north line of Buffalo street to the place of beginning.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, or, under the direction of this Board, having made an estimate of such expense, and reported the same at five hundred dollars, which estimate was and is hereby approved; the sum of five hundred dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on each side of West alley from Buffalo street to the south line of lot No. 224 in the 100 acre tract, and that portion of lot No. 224 in the 100 acre tract, belonging to J. W. Phillips.

And the City Attorney is hereby directed to publish the notice required by law, that application will be made to the County Court of the County of Monroe, for the appointment of Commissioners to inquire into and determine what damages and compensation the owner or owners of such land to be taken will be entitled for the same, and that he serve such notice as required by law.

Passed as follows: All ayes—23.

##### MOUNT VERNON AVENUE EXTENSION, &c.

By Ald. Burke—Resolved, That the City Surveyor ascertain and report to this Board the expense of extending Mount Vernon avenue, from Caroline-st. to the northeasterly line of lot No. 32 in the Gregory Tract, and opening a street from Grand street along the northeasterly line of lots 32 and 70 in said tract to Nelson street. Adopted.

The Surveyor submitted as such estimate \$3,000.

By Ald. Burke—Resolved, That the following improvement is expedient, viz: The extension of Mt. Vernon avenue from Caroline-st. to the northeasterly line of lot No. 32 in the Gregory Tract, and opening a street from Grand street along the northeasterly line of lots 32 and 70 in said tract to Nelson street, and the following described territory is deemed necessary to be taken for said improvement, viz:

Beginning in the north line of Caroline street, at its intersection with the west line of Mount Vernon avenue produced; thence northeasterly on said west line produced to a point 30 feet distant at right angles from the southeasterly line of lot No. 40 in the Gregory Tract; thence northeasterly on a line parallel with the southeasterly line of lots 40, 39, 38, 37, 36, 35, 34, 33 and 32 in said tract, to the southwesterly line of lot No. 26 in said tract; thence southeasterly along the southwesterly line of lots 26 and 25 in said tract to a point 30 feet distant at right angles from the southeasterly line of lot No. 32 in said tract; thence southwesterly on a line parallel with and 30 feet distant from the southeasterly line of lots 32, 33, 34, 35, 36, 37, 38, 39, 40, 45, 46 and 47 in said tract to Caroline street; thence northwesterly along Caroline street to the place of beginning.

Also, beginning on the southerly line of Grand street 60 feet distant northeasterly at right angles from the northeasterly line of lot No. 32 in the Gregory Tract; thence southeasterly on a line parallel with the northeasterly lines of lots 32 and 70 in said tract to Nelson street; thence southerly along Nelson street to the northeasterly line of said lot No. 70; thence northwesterly along the northeasterly line of said lot

No. 70 and lot No. 32 in said tract to Grand street; thence along Grand street to the place of beginning. And, whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$3,000, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz: All the houses and lands within the following described territory, viz:

Beginning in South avenue, at its intersection with Caroline street; thence easterly along Caroline street to Nelson street, thence northerly along Nelson street to Cayuga street; thence westerly along Cayuga street to Grand street; thence southwesterly along Grand street and South avenue to the place of beginning.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, August the 20th, 1867, at half past 7 o'clock, at the Common Council Hall, when allegations will be heard.

Resolved, further, That the Assessors be and they are hereby instructed to confer with the owners of the property to be taken for said improvement, and report to this Board upon what conditions the same can be purchased. Adopted.

#### BROADWAY SEWER.

Ald. Groot moved to reconsider the vote on the ordinance for a sewer in Broadway, which was lost July 2, 1867. Carried.

Ald. Groot moved that further action be postponed until the next regular meeting. Carried.

#### YORK STREET EXTENSION.

By Ald. Burke—Resolved, That the City Surveyor ascertain and report to this Board the expense of extending York street from Maple street to Wilder street. Adopted.

The Surveyor submitted as such estimate \$600.

By Ald. Burke—Resolved, That the following improvement is expedient, viz:

The extension of York street from Maple street to Wilder street, and the following described territory is deemed necessary to be taxed for said improvement, viz: Beginning in the south line of Wilder street, at its intersection with the east line of York street, produced; thence westerly along the south line of Wilder street 66 feet; thence southerly on a line parallel with, and 66 feet distant from said east line of York street to Maple street; thence easterly along Maple street 66 feet; thence northerly on the east line of York street, produced, to the place of beginning.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$600, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of York street, and said street extended, from West avenue to Wilder street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Aug. the 20th, 1867, at half past 7 o'clock, at the Common Council Hall, when allegations will be heard.

Resolved, further, That the Assessors be, and they are hereby instructed, to confer with the owners of the property to be taken for said improvement, and report to this Board upon what conditions the same can be purchased. Adopted.

#### ASSESSMENTS.

Ald. Quin presented the Assessment Rolls for Lake avenue Cross-walks and Repairing Walks on West avenue, Prospect, Ambrose, Court, William, South avenue and Graham streets, which were referred back to the Assessors for correction.

#### UNFINISHED BUSINESS.

Ald. Groot called up the following:

Resolved, That his Honor the Mayor be authorized to enter into contract with Boyd, Gomminger & Co., for the building of fifty lamps at \$7.00 per lamp, according to their proposition, they being the only bidders according to the advertisement.

Ald. Paine moved as an amendment to strike out Boyd, Gomminger & Co., and in-

sert Reynolds Bros. according to their bid, and of double cross tin and double plate glass.

Ald. Groot moved as an amendment to the amendment that the committee procure fifty lamps like the one on exhibition, at the corner of Buffalo and state streets. Lost.

Ald. Paine's amendment was lost as follows:

Ayes—Ald. Cram, Qualtrough, Groot, Remington, Kelly, Paine—6.

Nays—Ald. Lutes, Guggenheim, Carroll, Mutschler, Relyea, Ratt, Taylor, Burke, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quinn, Parsons—17.

Ald. Groot moved to refer the resolution back to the committee, with instructions to advertise for new proposals. Lost.

Resolution adopted.

By Ald. Taylor—Resolved, That the Treasurer be directed to deduct the general city tax upon five hundred dollars from the tax of Balthazar Rut, upon the ground of military exemption, and charge erroneous assessments. Adopted.

By Ald. Groot—Resolved, That the City Treasurer be, and he is hereby directed to cancel the tax on two thousand dollars personal property, assessed to Mrs. E. E. G. Emerson, and charge the same to erroneous assessments. Adopted.

By Ald. Mutschler—Resolved, That the City Treasurer be, and he is hereby directed to deduct from Col. Lawrence Sellinger's general tax the amount of the tax on one thousand dollars valuation, on account of military exemption, and charge the same to erroneous assessments. Adopted.

#### MISCELLANEOUS.

By Ald. Quin—Resolved, That the Committee on Public Lamps be, and they are authorized to distribute the fifty lamp posts equally as near as may be, between the 5th, 7th, 8th, 9th, 12th, 13th, 10th, and 14th wards, and that the Aldermen of said wards direct where the posts and lamps shall be set.

Ald. Groot moved as an amendment to include all the wards. Lost.

Ald. Parsons moved its reference to a special committee. Lost.

Ald. Taylor moved its reference to the Lamp Committee, with power to act. Carried.

By Ald. Quin—Whereas, This Board has been very much out of order this spring and summer so far, and it is thought that it needs, for the benefit of the health of the said Council, that it would improve the condition of the said Board to recuperate itself; therefore,

Resolved, That the City Clerk of this Board notify the City Clerk of the city of Montreal that this Council, together with the city officers, will arrive in said city of Montreal on August 22d, 1867. Lost as follows:

Ayes—Ald. Qualtrough, Groot, Guggenheim, Mutschler, Relyea, Ratt, Woodruff, Charters, Horcheler, Mauder, Quinn—11.

Nays—Ald. Cram, Lutes, Remington, Carroll, Taylor, Kelly, Burke, Paine, Adelman, Bingemer, Miller, Parsons—12.

By Ald. Quin—Petition from A. H. and Rev. K. P. Jarvis, asking to have their names added to the petition for a sewer in St. Jo-

seph street. Received and filed, and petition granted.

By Ald. Parsons—Resolved, That "for the purpose of abating a nuisance," the City Property Committee be authorized to build a short fence adjoining Fire Engine House No. 2, and charge the expense for the same to the Fire Department Fund. Referred to Fire Department Committee, with power to act.

By Ald. Miller—Resolved, That the City Property Committee be authorized to have the walls of the Assessor's room whitened and put in proper repair. Adopted.

Ald. Kelly moved to reconsider the resolution relative to the Atlantic and Pacific Telegraph Company constructing their line through the city. Carried.

Ald. Qualtrough moved its indefinite postponement. Carried.

By Ald. Bingemer—Resolved, That the Atlantic & Pacific Telegraph Company be, and are hereby, directed not to put up any of their telegraph posts in front of the houses on Cayuga street without the consent of the owners thereof.

Ald. Kelly offered the following as a substitute:

Resolved, That the Atlantic & Pacific Telegraph Co. have permission to construct their line through the city, commencing at the east line and running through Monroe street to Nelson street; through Nelson to Cayuga street; through Cayuga to Holley street; through Holley to St. Paul street; through St. Paul to and across Court St. Bridge; thence to their office, over buildings, (after getting the right of way of the owners thereof) to an office in or near Reynolds Arcade, and from their office through Mill street to Brown street; through Brown street to Brown's alley; through Brown's alley to Lyell street; through Lyell street to the west line of the city, said poles on Mill and Brown streets to be like those of the Western Union Telegraph Co. on Mill street, and all other poles inside the city limits to be round, straight, planed, and painted white, and thirty-five feet in length, all of which poles are to be set on the outer edge of the walk inside the curb stone, under the direction of the Street Superintendent. Adopted.

By Ald. Horcheler—Resolved, That Henry Jahn have permission to drain his cellar, located on Ashland street, into the sewer on Gregory street. Referred to Sewer committee, with power to act.

By Ald. Adelman—Resolved, That the Treasurer be, and he is hereby authorized to receive from property owners taxed for Smith street sewer, sixty-seven per cent. in full of their assessment for said sewer. Adopted.

By Ald. Adelman—Resolved, That the Treasurer be, and he is hereby authorized to receive from property owners taxed for Hickory street sewer, seventy per cent. in full of their assessment for said sewer. Adopted.

By Ald. Adelman—Resolved, That the Treasurer be, and he is hereby authorized to receive from property owners taxed for Union street sewer, eighty-one per cent. in full of their assessment for said sewer. Adopted.

By Ald. Adelman—Resolved, That the Treasurer be, and he is hereby authorized to receive from property owners taxed for West Alexander street sewer, eighty per cent. in

full of their assessment for said sewer.—Adopted.

Ald. Adelman presented the following:  
To the Hon. Common Council of the City of Rochester:

The Committee to whom was referred the final settlement with D. Wagner for the construction of Buffalo street sewer, respectfully report, that they have examined the subject, and would report adversely to the payment of \$300 for extra masonry in said sewer; the deduction of which will leave a balance due said Wagner on his contract for said sewer, of \$500; the payment of which your Committee recommend.

F. ADELMAN,  
JOHN LUTES,  
GEO. TAYLOR,  
JOHN MAUDER,  
Committee.

Received.

Ald. Qualtrough presented the following:  
To the Common Council of the City of Rochester:

The undersigned, a minority, dissenting from the views of the Sewer Committee, or a majority thereof, in relation to the claim of David Wagner for extra compensation for work claimed to have been done on Buffalo street sewer, begs leave to submit, as a minority report:

That the claim of Mr. Wagner for an allowance of \$300 for extra masonry should not be allowed, as the extra work claimed to have been done was not ordered, and was only rendered necessary by the fact that Mr. Wagner, for his own convenience, excavated the bed of the sewer in some places below the line required by his contract, thus increasing the height of the bench walls for no useful purpose and to the detriment of the sewer.

The claim for \$382 for removing dirt and stone from Buffalo street is equally erroneous and should not be allowed. Mr. Wagner's contract required him to keep the street open for travel and to remove all surplus material from the street, as the work should be accomplished. This latter condition he failed to comply with until ordered by the Mayor (Moore) after his neglect had become the subject of complaint on the part of tax-payers and others on the street. It is doubtless true that the Mayor gave him, in reply to his question, some intimation that he would be paid for the removal of a pile of stone, but this, if so, does not in any sense bind the city, and the sanction of such a practice in this case might prove the establishment of a dangerous and troublesome precedents.

The minority report is against the payment of the \$682.00, or any portion of it, as claimed by David Wagner.

JOSEPH QUALTROUGH.

Ald. Qualtrough moved its adoption. Lost.

By Ald. Adelman—Resolved, That the Clerk draw two orders, for two hundred and fifty dollars each, in favor of David Wagner, and payable to his order, one in one year from April 30th, 1867, and one in two years from the same date, both with interest; and the Treasurer is hereby authorized to accept the same in behalf of the city and charge Buffalo street sewer fund. Adopted as follows:



Ayes—Alds. Cram, Lutes, Remington, Guggenheim, Carroll, Relyea, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters' Horcheler, Bingemer, Mauder, Miller—17.

Nays—Alds. Qualtrough, Groot, Quin—3.

By Ald. Paine—Resolved, That Mr. C. Merriam have permission to construct a lateral sewer from his house on the corner of Goodman street, and to connect the same with East avenue outlet sewer. Adopted.

Ald. Woodruff moved to suspend the rule to adjourn at 11 o'clock. Carried.

By Ald. Kelly—Resolved, That the Improvement Committee are hereby authorized to let the contract for grading Jones Avenue as they may deem for the best interest of the tax payers for said work, the total amount of said contract not to exceed the assessment for the improvement of \$400. Adopted.

By Ald. Taylor—Resolved, That His Honor the Mayor be, and he is hereby requested to execute a contract with F. C. Lauer & Son for constructing a sewer in, Sellinger, St. Joseph and Herman streets, in accordance with their proposition. Adopted.

By Ald. Taylor—Resolved, That the Sewer Committee be authorized to confer with the representatives of the Gas Company with reference to the completion of the Tunnel or Front street outlet sewer, and that they be empowered to take such measures as may be necessary to close up and complete the same, at an expense not exceeding the amount remaining to the credit of said outlet fund. Adopted as follows:

Ayes—Ald. Cram, Qualtrough, Lutes, Remington, Guggenheim, Carroll, Mutchler, Relyea, Taylor, Kelly, Paine, Woodruff, Adelman, Horcheler, Bingemer, Miller—16.

Nays—Ald. Groot, Quin—2.

By Ald. Mutchler—Resolved, That the Street Superintendent notify the owners of houses and lots on the west side of Franklin Square, and also the owners of houses and lots on both sides of Catharine street, from Franklin to Andrews streets, to repair their sidewalks within two weeks from the service of such notice, or that the Superintendent repair the same according to law, in such cases made and provided. Adopted.

By Ald. Mutchler—Resolved, That the Treasurer be and he is hereby directed to pay the following bills when there is money in the Treasury, and charge House for Truants:

Henry Thiem, market bill.....	\$35 38
Wm. Milligan, sewing machine.....	35 00
J. W. Adams, disbursements.....	38 48
Dr. E. W. Armstrong, services.....	21 75
Hubbard & Northrop, bill.....	68 90
H. Mutschler.....	6 90
Rochester Brick and Tile Co.....	25 00

Adopted as follows:  
Ayes—Ald. Cram, Qualtrough, Lutes, Groot, Remington, Guggenheim, Carroll, Mutchler, Relyea, Taylor, Kelly, Paine, Woodruff, Adelman, Horcheler, Bingemer, Quin—17.

Nays—Ald. Miller—1.

By Ald. Mutchler—Resolved, That Joseph Williams, Robert Bemish, Anton Egerer, have permission to erect wooden buildings according to their several petitions, under the direction of the Fire Marshal. Adopted.

By Ald. Mutchler—Resolved, That Charles Montfort have permission to erect wooden sheds on the lot occupied by him on Frank-

lin and Chatham streets, under the direction of the Fire Marshal.

Ald. Carroll moved its reference back to the committee. Lost.

Resolution adopted as follows:

Ayes—Ald. Cram, Qualtrough, Lutes, Groot, Remington, Guggenheim, Mutchler, Ratt, Kelly, Woodruff, Bingemer, Quin—12.

Nays—Ald. Carroll, Relyea, Taylor, Paine, Adelman, Horcheler, Mauder, Miller—8.

By Ald. Mutschler—Resolved, That the owners of Brown's race have permission to erect a wooden building over the head gates, to the race at the east end of said race, and south of and adjoining the railroad over the Genesee river, under the direction of the Fire Marshal. Adopted.

By Ald. Carroll—Resolved, That his Honor the Mayor, be and is hereby requested to enter into contract with T. G. Palmer for the erection of an iron fence for Center Park, according to his proposition, he being the lowest bidder for the work. Adopted.

By Ald. Remington—Resolved, That the tax payers on the east side of Stone street have permission to repair their walks under the direction of the improvement Committee and the City Surveyor, provided they make such repairs within thirty days. Adopted.

Ald. Kelly moved to reconsider the resolution relative to Sellinger street sewer, passed this evening. Lost.

By Ald. Groot—Resolved, That license be granted Corinthian Hall by the proprietor paying into the City Treasury the sum of \$100.

Ald. Relyea moved as an amendment to strike out \$100 and insert \$200. Carried as follows:

Ayes—Alds. Lutes, Remington, Guggenheim, Carroll, Relyea, Ratt, Taylor, Paine, Woodruff, Horcheler, Bingemer, Mauder, Miller, Quin—14.

Nays—Alds. Cram, Qualtrough, Groot, Kelly, Adelman—5.

Resolution adopted as amended.

By Ald. Groot—Communication from Jas. Palmer. Sewer Committee.

By Ald. Groot—Resolved, That license be granted Forepaugh's Menagerie and Circus to exhibit on Falls Field August 13th, by paying into the Treasury \$50.

Ald. Kelly moved as an amendment to strike out \$50 and insert \$100. Carried.

Resolution adopted as amended.

By Ald. Qualtrough—Resolved, That the City Superintendent of Streets be and he is hereby ordered to proceed at once to cut off and destroy the connection with any and all sewers and drains leading from any part of the town of Gates to the sewer in Jay street, and report to this Board. Adopted.

By Ald. Qualtrough—Whereas, the military organization existing in this city since 1863, known as the "Old Thirteenth," being the resident surviving officers and privates of the 13th Regiment, N. Y. S. Volunteers, the first regiment of troops raised in this city and vicinity at the outbreak of the rebellion, and one which was raised and went forward promptly, served out its term of enlistment, with honor, and returned and was mustered out of service honorably with only about one-sixth of the number of men enlisted for the Regiment, and after being so mustered out and paid did organize themselves as an independent military company; and

Whereas, at the time of the apprehended rebel raids from Canada upon this and other cities, the services of this organization were sought and received by the Mayor and military authorities for the defence of the city, and the corps was under arms until the apprehensions of a raid had subsided, and

Whereas, it is said that the members of this organization were promised that they should be paid for their time so spent for the city which payment has never been made; and

Whereas, The said corps is now making an effort to provide themselves with equipments for their use as a military company.

Resolved, That the City Treasurer be directed to pay Henry J. Wynkoop, Treasurer of the "Old Thirteenth" military company, the sum of four hundred dollars, and charge the amount to Contingent Fund.

Ald. Taylor moved to lay on the table. Lost as follows:

Ayes—Alds. Groot, Carroll, Relyea, Taylor, Kelly, Woodruff, Adelman, Horcheler, Mauder, Quin—10.

Nays—Alds. Cram, Qualtrough, Lutes, Remington, Guggenheim, Mutchler, Ratt, Paine, Bingemer, Miller—10.

Ald. Groot moved its postponement until the next regular meeting. Carried.

By Ald. Lutes—Petition of S. W. Marsh. Street Committee.

By Ald. Cram—Resolved, That His Honor the Mayor be, and he is hereby authorized to enter into contract with Holloway & Nornington to construct flag walks in accordance with their propositions, at the following places:

On State street, near Railroad avenue, at \$2.55 per foot; corner Mill and Factory streets, at \$1.97 per foot; on North St. Paul, corner Pleasant, at \$2.40 per foot.

Also with Carson & Whitmore, for flag walks as follows:

Lake avenue and Cliff street, at \$2.45 per foot; Jones avenue, at \$2.45 per foot. Adopted.

By Ald. Cram—Resolved, That the City Treasurer be directed to pay C. R. Parsons five hundred dollars on his contract for plank for Clarissa street bridge, and charge Highway Fund. Adopted as follows: All ayes—20.

By Ald. Cram—Resolved, That the City Treasurer be directed to pay E. S. Boughton bill of \$7.25, and charge the Highway Fund. Lost as follows:

Ayes—Ald. Cram, Lutes, Carroll, Taylor, Adelman, Horcheler, Mauder—7.

Nays—Ald. Qualtrough, Groot, Remington, Guggenheim, Mutchler, Relyea, Ratt, Kelly, Paine, Woodruff, Bingemer, Miller, Quin—13.

By Ald. Cram—Whereas, the building on lot number 17, section C, of the Frankfort tract, encroaches 2 feet 8 inches upon the line of Oak street, at the north end, and 1 foot 6 inches at the south end, for a distance of 55 feet; established by the City Surveyor.

Resolved, That the owner of said premises is hereby required to remove said building back to the line of the street as established by the City Surveyor, within ten days after the service on said owner of a copy of this resolution by the City Superintendent, under section 156 of the city charter. Adopted.

By. Ald. Cram—Whereas, The fence in

front of lot No. 1, in section C, of the Frankfort tract, from the corner of Brown street twenty-four feet south, encroaches one foot nine inches upon the line of Oak street, as established by the City Surveyor,

Resolved, That the owner of said premises is hereby required to remove the said fence back to the line of the street, as established by the City Surveyor, within ten days after the service on said owner of a copy of this resolution by the City Superintendent, under section 156 of the City Charter. Adopted.

By Ald. Cram—Resolved, That the City Treasurer be directed to pay Holloway & Nornington \$95, in full, for constructing a cross-walk across West avenue, at the City Hospital, and charge one half to the Highway Fund and the other half to the West Avenue Fund.

Ald. Qualtrough moved its postponement until the next regular meeting. Carried.

#### FINANCE BUDGET.

AUGUST 6th, 1867.

By Ald. Paine—Resolved, That the Treasurer pay as follows:

CONTINGENT FUND.	
John C. Moore, binding.....	\$63 50
Anthony Cassell, hack hire.....	5 00
Stuel, Perrine & Co., repairs at City Hall.....	30 00
Samuel Stoddard, hack hire.....	5 00
John Harper, " ".....	5 00
Patrick Burns, " ".....	5 00
Patrick F. Carr, " ".....	5 00
John Orchard, " ".....	4 00
Thomas Knowles, " ".....	10 00
Wm. Whitehair, hack hire.....	3 25
" " " ".....	3 00
Steele & Avery, stationery.....	45 81
B. Frank Enos, disbursements.....	17 16
H. Mutschler, bill for duster, &c.....	5 25
Buell & Brewster, insurance on law library.....	25 00

And charge Contingent Fund. \$251 97

#### POOR FUND.

Joseph Hoffman, one months salary.....	\$100 00
T. E. Scramton, " ".....	75 00
Chas. H. Swift, 6 weeks services at Poor store.....	30 00
Geo. Gates, 7 weeks services in wood yard.....	48 46
Joseph Hoffman, disbursements at Office.....	69 76
G. Mannell paid orders.....	5 60
E. Weigel, bread for poor store.....	122 94
Chas. Metz, corn meal for poor store.....	16 93
H. S. Brewer & Co., wrapping paper and stationery.....	21 82
H. Brewster & Co., groceries for poor store and paid orders.....	125 95
John Williams & Son, flour for Poor Store.....	161 00
Dwight Palmer, orders for fish.....	42 00
B. O'Reilly, orders for burials.....	59 00
N. S. Hackstaff, printing order books.....	60 00
Thos. Peart, orders for meat.....	60 00
Valentine Debus, delivering wood.....	70 31
George Bastian, bread for poor store.....	112 86
Phillip Garrman, " ".....	112 36

And charge Poor Fund. \$1,235 49

#### HIGHWAY FUND.

E. Darrow & Kempshall, stationery.....	\$ 1 40
Ernst & Seifried, bill for nails, &c.....	43 30
" " " " pick handles, &c.....	51 49
G. W. Crouch, plank for Andrews-st. Bridge.....	189 99
Bennett & McGraw, lumber.....	271 78
John Volmar, replanking Clarissa st. Bridge.....	225 00
Thomas Purcell, bills for work on streets.....	572 53

And charge Highway Fund. \$1,355 49

#### EAST AVENUE REPAIR FUND.

R. Milliman, Commissioner, repairs on East avenue.....	\$ 58 00
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And charge that Fund.

#### SOUTH AVENUE REPAIR FUND.

W. D. Oviatt, Commissioner, bill for repairs on South avenue.....	\$179 99
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And charge that Fund.

#### FIRE DEPARTMENT FUND.

Monthly Pay Roll, payable to George B. Harris, Chief Engineer:

Steamer No. 1, engineer and drivers.....	\$135 00
"    2    "    "    "    "    "    "    "	135 00
"    3    "    "    "    "    "    "    "	135 00
"    4    "    "    "    "    "    "    "	135 00
Hook and Ladder Co. No. 1, drivers.....	40 00
R. B. Paine, services at hose depot.....	60 00

Geo. B. Harris, salary 1 month.....	\$640 00
Mosely, Motley & Wilson, mill feed.....	100 00
Perrine & Stewart, repairs.....	32 00
Woodbury, Booth & Co., repairing engines....	28 76
John Renard, bell-ringing.....	291 63
Geo. Tegg, medicine, &c.....	13 75
Steele & Avery, stationery.....	11 00
Wildner, Tracy & Co., printing.....	12 40
D. D. S. Brown, bill for printing.....	5 00
W. H. Wilson, fire caps.....	4 60
H. C. Slisby, grate bars.....	52 50
H. Barnard, oil and sponge.....	2 34
C. F. Williams, cleaning reservoirs.....	8 50
Eliza C. Disbrow, rent of ground.....	15 00
	20 00

And charge Fire Department fund. \$497 48

LAMP FUND.

Rochester Gas Light Company, lighting public lamps.....	\$444 00
Henry Hebing, glass for street lamps.....	33 98
Fred. Stickel, care of kerosene lamps.....	470 00

And charge Lamp fund. \$947 98

IMPROVEMENT FUND.

Also, when there are funds applicable, as follows:

Holloway & Normington, stone for North avenue.....	\$ 20 00
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And charge that fund.

MT. HOPE AVENUE.

Geo. Popp, Commissioner, repairs on Mt. Hope avenue.....	\$ 91 50
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And charge that fund.

ROWE STREET IMPROVEMENT.

John Oldfield, inspecting Rowe-st. improve- ment.....	\$ 37 50
James Conway, work done on Rowe-st. im- provement.....	700 00

And charge that fund.

GRAHAM STREET IMPROVEMENT.

John Crammond, estimate.....	\$ 69 90
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And charge that fund.

THOMPSON STREET IMPROVEMENT.

Cregan & McCormick, final estimate.....	\$245 72
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Peter Miller, bill for inspecting Jersey street sewer.....	\$ 10 00
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And charge that fund.

SMITH STREET SEWER.

Patrick McVay, inspecting Smith street sewer..	\$ 26 25
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David Wagner, estimate for work.....	\$700 00
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And charge that fund.

HUDSON STREET SEWER.

David Wagner, final estimate.....	\$102 87
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And charge that fund.

HEALTH FUND.

Robert Murrow, burying animals.....	\$21 50
Thos. Burns, boarding patient.....	7 21

And charge Health fund. \$28 71

Adopted as follows:  
Ayes—Ald. Cram, Qualtrough, Lutes, Remington, Guggenheim, Carroll, Mutchler, Relyea, Ratt, Taylor, Burke, Paine, Woodruff, Adelman, Horcheler, Bingemer Mauder, Miller, Quin, Parsons—20.  
Nays—Ald. Groot, Kelly—2.  
Adjourned. B. FRANK ENOS, Clerk.

**In Common Council—Aug. 13th, 1867.**

SPECIAL MEETING.

The President of the Board, Ald. William Guggenheim, presiding.

Present—Ald. Cram, Lutes, Andrews, Remington, Graham, Guggenheim, Relyea, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Miller, Quin, Parsons.

Absent—Ald. Spencer, Qualtrough, Groot, Carroll, Mutchler, Copeland, Ratt, Brown, Horcheler, Bingemer, Mauder.

By Ald. Cram—Petition from A. M. Hastings, Superintendent of the Rochester Paper Mill Company. Received and filed.

By Ald. Cram—Resolved, That the prayer of the petition from the Rochester Paper Mill Company be granted on their filing with the Mayor of the city of Rochester the necessary bond, in accordance with their proposition.

Ald. Kelly moved as an amendment, that the Company be required to lay good and substantial iron pipes from a point fifty feet north of Deep Hollow to a point fifty feet south of the same. Carried.

Ald. Paine moved as an amendment, that the city should have the right at all times to cause the removal of said pipes if deemed necessary, in the construction of any improvement which the Common Council may hereafter order. Carried.

Resolution adopted as amended.

Ald. Kelly moved that all the work be done under the direction of the Street Superintendent. Carried.

By Ald. Kelly—Resolved, That the Street Committee are requested to notify the proper officers of the Rochester Water Works Company to immediately clean the streets of all debris left by them in laying their pipes. Adopted.

Ald. Andrews moved a reconsideration. Carried as follows:

Ayes—Ald. Cram, Andrews, Remington, Graham, Relyea, Taylor, Paine, Woodruff, Adleman, Miller—10.

Nays—Ald. Lutes, Guggenheim, Kelly, Burke, Charters, Quin—6.

Ald. Andrews moved to refer to the Street committee. Carried as follows:

Ayes—Ald. Cram, Lutes, Andrews, Remington, Graham, Guggenheim, Relyea, Taylor, Burke, Paine, Woodruff, Adleman, Charters, Miller—14.  
Nays—Ald. Kelly, Quin—2. Adjourned.

B. FRANK ENOS, Clerk.

**In Common Council—Aug. 20th, 1867.**

REGULAR MEETING.

The President of the Board, Ald. William Guggenheim, presiding.

Present—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Ratt, Taylor, Kelly, Burke, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Quin, Parsons.

Absent—Ald. Mutchler, Relyea, Copeland, Brown, Paine, Miller.

Minutes of the previous meetings approved as published.

PETITIONS AND CLAIMS.

By Ald. Quin—Bill of E. H. Hollister. Street Committee. Communication from David Wagner. Law Committee and City

Attorney. Petition of D. Hall and others. Sewer Committee.

By Ald. Mauder—Bill of Curtis, Morey & Co. Contingent Expense committee.

By Ald. Bingemer—Remonstrance of Peter Fitz and others. Table.

By Ald. Charters—Sundry petitions. Wood-en Building committee.

By Ald. Adelman—Sundry bills. Sewer committee.

By Ald. Woodruff—Sundry bills. Contingent Expense committee.

By Ald. Kelly—Sundry bills. Finance committee. Petition of C. J. Hill & Son and others. Fire Department committee.

By Ald. Taylor—Petition of Wm. Levis and others. Table.

By Ald. Ratt—Sundry bills. Finance committee. Petition of H. Sargent and others. Table.

By Ald. Carroll—Petition of D. F. Worcester. Table.

By Ald. Carroll—Resolved, That permission be granted to D. F. Worcester to tap the water pipe on State street in accordance with his petition. Adopted.

By Ald. Graham—Sundry bills. Police committee.

By Ald. Groot—Petition of Lyman Church-ill and others. Sewer committee.

By Ald. Qualtrough—Petitions of M. H. Gregg. Street committee. Daniel Waters. Improvement committee.

By Ald. Lutes—Sundry bills. Poor Com-mittee.

By Ald. Cram—Sundry bills. Street Com-mittee.

#### REPORTS.

Ald. Woodruff, from the Contingent Ex-pense Committee, reported in favor of sundry bills. Finance Committee.

Ald. Graham, from the Police Committee, reported in favor of sundry bills. Finance Committee.

Ald. Adelman, from the Sewer Committee, reported in favor of sundry bills. Finance Committee.

Ald. Lutes, from the Poor Committee, re-ported in favor of sundry bills. Finance Committee.

Ald. Cram, from the Street Committee, re-ported in favor of sundry bills. Finance Committee.

Ald. Taylor presented the following :

REPORT AS TO THE DEATH OF JOHN BEADLE.  
To the Common Council of the City of Roch-ester :

The Law Committee, to whom was referred the petition of the wife of John Beadle, de-ceased, respectfully report—

That upon examining the facts relating to the death of said John Beadle, we find that he died on or about the fifth day of April last, from injuries received by him in falling over the wall of the sidewalk on the north side of Buffalo street, near Engine House No. 4, on the night of the second of April last, a dis-tance of about eight feet. The sidewalk proper is about thirteen feet, and the wall is about two feet in width at that point, and is raised about ten inches above the level of the sidewalk. There were at that time posts set in the sidewalk for a protecting fence or rail-ing, but none had been constructed. The evidence taken before the coroner's jury im-

mediately after his death tends to show, al-though somewhat conflicting, that the de-ceased was intoxicated on the evening of the 2d of April last; that he left the -aloon of Mr. Rhinehart, in the Bennett Block, about 10½ P. M., and went west towards his home. After proceeding some ten or twelve feet from the west end of the block he was seen to stagger or stumble and fall over the wall, striking his head upon a stone at the bottom of the precipice and inflicting a fatal wound. The gas lamp at the northeast corner of the canal bridge was burning brightly, and suf-ficiently lighted the sidewalk at the point where the casualty occurred. The deceased stated before his death that some one had pushed him over the wall. From all the facts your Committee have been able to ascertain they are of the opinion that his death was oc-casioned, in whole or in part, by his intoxica-tion or negligence, or both, while passing along the sidewalk, and that the city is not liable to his administratrix for the damages claimed. If liable at all, however, the ex-treme measure of that liability is \$5,000.

Your Committee therefore report adversely to the prayer of the petition.

All which is respectfully submitted.  
August 20, 1867.

GEO. TAYLOR,  
E. R. ANDREWS,  
Law Committee.

Received, filed, and ordered published.

#### COMMUNICATIONS.

The Clerk presented a communication from the Mayor, relative to the Chairman of the Street Committee of 1864 drawing money from the Treasury. Received and ordered filed.

Ald. Taylor moved that a committee of five be appointed to investigate the matter. Car-ried.

The President appointed as such com-mittee, Ald. Taylor, Andrews, Lutes, Paine, Woodruff.

Ald. Carroll presented communications from the Street Superintendent, relative to severing the connections between sewers run-ning from the town of Gates into the Jay street sewer, and encroachments upon Oak street. Received and filed.

The Clerk presented a communication from the Board of Health, relative to the appoint-ment of Regular and Special Inspectors. Received and filed.

#### ORDINANCES.

##### JONES AVENUE WALL.

By Ald. Ratt—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone and gravel walk, 8 feet wide, on the north side of Jones avenue, from Lake avenue to Frank street. Adopted.

The Surveyor submitted as such estimate \$540.  
By Ald. Ratt—Resolved. That the following im-provement is expedient, viz :

The construction of a stone and gravel sidewalk, 8 feet wide, on the north side of Jones avenue, from Lake avenue to Frank street.

And, whereas, The City Surveyor, under the direc-tion of this Board, has made an estimate of the whole expense thereof, and reported the same at \$540, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be as-sessed for the whole expense thereof, viz :

One tier of lots on the north side of Jones avenue, from Lake avenue to Frank street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said im-provement, are required to attend the Common Coun-cil, on Tuesday evening, September the 3d, 1867, at

half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### JAY STREET WALK.

By Ald. Ratt—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a flag and gravel walk on each side of Jay street, from State street to Oak street, except in front of Brown Square; the flagging to be six feet wide and laid in two courses. Adopted.

By Ald. Ratt—Resolved, That the following improvement is expedient, viz:

The construction of a flag and gravel walk on each side of Jay street, from State street to Oak street, except in front of Brown Square; the flagging to be six feet wide and laid in two courses.

And, whereas, The City Surveyor, under the direction of the Board, has made an estimate of the whole expense thereof, and reported the same at \$4,100, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of Jay street from State street to Oak street.

And further, Resolved, That the tax-payers to be assessed for making such improvement may, by paying interest as hereinafter provided, on the amount assessed to them individually, pay their assessments in three equal payments, viz: One-third of the amount assessed within three months after the confirmation of the assessment roll, without interest; one-third of the amount, with interest, at the rate of seven per cent. per annum, within one year from the confirmation of said roll; and the remaining one-third, with interest, at the same rate, within two years from the confirmation of such roll.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening, Sept. the 3d, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### SOUTH AVENUE IMPROVEMENT.

By Ald. Ratt—Resolved, That the City Surveyor ascertain and report to this Board the expense of improving South avenue, from Mt. Hope avenue to Munger street, by setting curbstone, paving the gutters, laying a flag-stone walk, 5 feet wide on both sides, and constructing crosswalks. Adopted.

The Surveyor submitted as such estimate \$9,500.

By Ald. Ratt—Resolved, That the following improvement is expedient, viz:

The improvement of South avenue, from Mt. Hope avenue to Munger street, by setting curb-stone, paving the gutters, laying a flag-stone walk, 5 feet wide, on both sides, and constructing crosswalks.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$9,500, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of South avenue, from Mt. Hope avenue to Munger street.

And further, Resolved, That the tax-payers to be assessed for making such improvement may, by paying interest as hereinafter provided, on the amount assessed to them individually, pay their assessments in three equal payments, as follows: One-third of the amount assessed within three months after the confirmation of the assessment roll, without interest; one-third of the amount, with interest, at the rate of seven per cent. per annum, within one year from the confirmation of said roll; and the remaining one-third, with interest, at the same rate, within two years from the confirmation of such roll.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, September the 3d, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### VARNUM STREET OPENING.

By Ald. Burke—Resolved, That the City Surveyor ascertain and report to this Board the expense of opening Varnum street from its northern termination about 219 feet north of Phelps avenue to its southern termination at the north line of lands now or formerly owned by Christiana Baldwin. Adopted.

The Surveyor submitted as such estimate \$3,000.

By Ald. Burke—Resolved, That the following improvement is expedient, viz:

The opening of Varnum street from its present northern termination, about 219 feet north of Phelps avenue, to its southern termination at the north line of

lands now or formerly owned by Christiana Baldwin, and that the following described territory is deemed necessary to be taken for said improvement, viz:

Beginning on the north line of lands owned by Christiana Baldwin, at its intersection with the east line of Varnum street; thence southerly in a direct line to a point in the east line of said street 219 feet north of Phelps avenue; thence westerly to a point in the west line of said street 206 feet north of Phelps avenue; thence northerly in a direct line to the north line of said lands now or formerly owned by Christiana Baldwin, at its intersection with the west line of Varnum street; thence easterly on said north line to the place of beginning.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$3,000, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of Varnum street, and said street thus opened, from Brisbane street to Jones avenue.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Sept. the 3rd, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard.

Resolved further, That the Assessors be, and are hereby instructed to confer with the owners of property required to be taken for said improvement and report to this Board upon what conditions the same can be purchased. Adopted.

#### LITCHFIELD STREET WALK.

On motion of Ald. Ratt, the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all the persons appearing, Ald. Ratt submitted the following:

An ordinance to construct walks on Litchfield street.

The Common Council of the city of Rochester do ordain and determine as follows:

A plank sidewalk 4 feet and 8 inches wide on the east side of Litchfield street, shall be constructed, from Allen street to the line between lots 3 and 4 in the S. C. Jones tract, and on the west side from Allen st. to the north line of the Perkins and Schermerhorn tract, and from the angle in said street at the rear line of lot No. 11 in the S. C. Jones tract to Brown street, and constructing the necessary crosswalks.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at three hundred dollars, which estimate was by this Board approved; the sum of three hundred dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on the east side of Litchfield street, from Allen street to the northeastern line of lot No. 4 in the S. C. Jones tract, and one tier of lots on the west side from Allen street to the north line of the Perkins and Schermerhorn tract, and lots Nos. 10 and 11 in the S. C. Jones tract.

On which above described portion of the city, the said sum of three hundred dollars is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city designated of the said amount of expense, in proportion, as nearly as may be, to the advantages which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 24th day of August, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Ald. Taylor moved as an amendment to strike out "8 inches."

Ordinance passed, as amended, as follows: All ayes -21.

#### SOUTH WASHINGTON STREET IRON RAILING.

Ald. Cram presented the final ordinance for South Washington street iron railing, and moved its postponement for two weeks. Carried.

#### YORK STREET EXTENSION.

Ald. Burke presented the final ordinance for York street extension, which was postponed two weeks.

**BROADWAY SEWER.**

Ald. Adleman presented the final ordinance for a sewer in Broadway, which was postponed two weeks.

**FITZHUGH STREET EXTENSION.**

Ald. Burke presented the final ordinance for Fitzhugh street extension.

Ald. Andrews moved its indefinite postponement.—Lost.

Ald. Groot moved as an amendment, that that portion of Fitzhugh street south of Lafayette street and said street extended, be widened to the same width as that north of Lafayette street. Carried.

Ald. Groot moved that further action be postponed for two weeks. Carried.

**MT. VERNON AVENUE EXTENSION, &C.**

Ald. Burke presented the final ordinance for Mt. Vernon Avenue Extension, &c., which was postponed for two weeks.

**ASSESSMENTS.**

Ald. Adelman presented the Assessment roll for Jay street sewer, which was confirmed as follows: All ayes—17.

Ald. Cram presented the Assessment rolls for repairing walks on Elizabeth, West avenue, Prospect, Ambrose, Court, William, South avenue and Graham streets, which were confirmed as follows: All ayes—19.

Ald. Spencer presented the Assessment roll for Main and Scio streets Reservoir, which was confirmed as follows: All ayes—19.

Ald. Ratt presented the Assessment roll for German street improvement, which was confirmed as follows: All ayes—19.

**UNFINISHED BUSINESS.**

Ald. Groot called up the following:

By Ald. Qualtrough—Whereas, The military organization existing in this city since 1863, known as the "Old Thirteenth," being the resident surviving officers and privates of the 13th Regiment, N. Y. S. Volunteers, the first regiment of troops raised in this city and vicinity at the outbreak of the Rebellion, and one which was raised and went forward promptly, served out its term of enlistment with honor, and returned and was mustered out of service honorably with only about one-sixth of the number of men enlisted for the Regiment, and after being so mustered out and paid did organize themselves as an independent military company; and

Whereas, At the time of the apprehended rebel raids from Canada upon this and other cities, the services of this organization were sought and received by the Mayor and military authorities for the defence of the city, and the corps was under arms until the apprehensions of a raid had subsided, and

Whereas, It is said that the members of this organization were promised that they should be paid for their time so spent for the city, which payment has never been made; and

Whereas, The said corps are now making an effort to provide themselves with equipments for their use as a military company.

Resolved, That the City Treasurer be directed to pay Henry J. Wynkoop, Treasurer of the "Old Thirteenth" military company, the sum of four hundred dollars, and charge the amount to Contingent Fund. Adopted as follows:

Ayes—Alds. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Guggenheim, Carroll, Ratt, Kelly, Burke, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Quin, Parsons—20.

Nays—Ald. Taylor—1.

Ald. Kelly moved to adjourn until tomorrow evening at 7½ o'clock. Carried.

B. FRANK ENOS, Clerk.

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**In Common Council—Aug. 21st,  
1867.**

**ADJOURNED MEETING.**

The President of the Board, Ald. William Guggenheim, presiding.

Present—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Guggenheim, Relyea, Taylor, Kelly, Burke, Woodruff, Adelman, Charters, Horcheler, Mauder, Quin, Parsons.

Absent—Ald. Graham, Carroll, Mutchler, Copeland, Ratt, Brown, Paine, Bingemer, Miller.

**ORDINANCES.****PROSPECT STREET SEWER.**

By Ald. Adelman—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone sewer, 18 inches by 2 feet in Prospect street, from a point 35 feet north of Adams street to the sewer in West avenue. Adopted.

The Surveyor submitted as such estimate \$2,500.

By Ald. Adelman—Resolved, That the following improvement is expedient, viz:

The construction of a stone sewer, 18 inches by 2 feet in Prospect street, from a point 35 feet north of Adams street to the sewer in West avenue.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$2,500, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of Prospect street, from Adams street to West avenue.

And, further, Resolved, That the tax-payers to be assessed for such improvement may, by paying interest as hereinafter provided, on the amount assessed to them individually, pay their assessments in three equal payments, as follows: One-third of the amount assessed within three months after the confirmation of the assessment roll, without interest; one-third of the amount, with interest, at the rate of seven per cent. per annum, within one year from the confirmation of said roll; and the remaining one-third, with interest, at the same rate, within two years from the confirmation of such roll.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, September the 3d, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

**CHAMPION STREET WALK.**

Ald. Burke presented the final ordinance for Champion street walk, and moved its postponement until the next regular meeting. Carried.

**EXECUTIVE.**

Ald. Qualtrough presented the resignation of James Jones, as a Commissioner of Deeds. Accepted.

On motion, the Board proceeded to ballot for a Commissioner of Deeds, when Henry H. Pryor received 15 votes and was declared appointed.

**MISCELLANEOUS.**

By Ald. Cram—Resolved, That the City Superintendent is hereby directed to remove the building on lot No. 17, in section C of the Frankfort Tract, back to the true north line of Oak street, and charge the expense thereof to the owner or owners thereof.—Adopted.

By Ald. Cram—Resolved, That the City Superintendent is hereby directed to remove the fence in front of lot No. 1, in section C of the Frankfort Tract, back to the true north

line of Oak street, and charge the expense thereof to the owner or owners thereof.—Adopted.

By Ald. Cram—Resolved, That the Flood Committee be directed to advertise for sale the portable engine belonging to the city, and to sell the same at not less than six hundred dollars. Also, to settle with G. S. Copeland for the use of said engine, and credit the proceeds thereof to the Flood Fund.

Ald. Spencer moved as an amendment to strike out \$600. Lost.

Resolution adopted as follows:

Ayes—Ald. Qualtrough, Andrews, Remington, Kelly, Burke, Adelman, Charters, Horcheler, Mauder, Quin—10.

Nays—Ald. Spencer, Cram, Lutes, Groot, Guggenheim, Relyea, Taylor, Parsons—8.

Ald. Cram moved that a committee of three be appointed, of which Ald. Quin shall be chairman, to investigate the matter of the portable engine owned by the city being used by private parties. Carried.

The Chair appointed as such committee Ald. Quin, Relyea, Spencer.

By Ald. Cram—Resolved, That the persons assessed for Litchfield street walk be granted permission to build their own walks, if done within thirty days, under the direction of the Improvement Committee. Adopted.

By Ald. Qualtrough—Resolved, That the tax of S. Guggenheimer on one thousand dollars personal property be and is hereby remitted, and the City Treasurer authorized to charge the same to erroneous assessment. Referred to the Assessors.

By Ald. Groot—Resolved, That the several committees and city officers certify as to the correctness of all bills for hack hire, when employed by them, before the same is presented to the Board for payment. Adopted.

By Ald. Andrews—Resolved, That the ordinance for opening and widening South Fitzhugh street be amended so as to assess one tier of lots on each side of Fitzhugh street, from Edinburgh street to Spring street. Referred to the Committee on Opening Streets.

By Ald. Remington—Resolved, That the City Treasurer be directed to receive of J. B. Bennett, upon all back taxes except upon taxes levied for the year 1867, the amount of said taxes with 7 per cent. interest. Adopted.

By Ald. Kelly—Resolved, That the City Superintendent is hereby directed to remove the barn now standing in McCormick alley, between Thompson and West streets, back on the lot owned by the builder of the barn, under the advise of the City Attorney. Adopted.

By Ald. Burke—Resolved, That the Treasurer be and he is hereby authorized to receive from property owners taxed for Hanover street plank walk, 25 per cent. in full of their assessment for said walk. Adopted.

By Ald. Burke—Resolved, That his Honor the Mayor be and he is hereby authorized to execute a contract with Henry Frederick for the improvement of German street, from North avenue to Hibbard street, in accordance with his proposition. Adopted.

By Ald. Burke—Resolved, That the Clerk draw two orders for five hundred and fifty dollars each in favor of Whitmore, Carson & Co., and payable to their order, one in one year from August 20th, 1867, and one in two years from the same date, both with interest, and the Treasurer is hereby authorized to ac-

cept the same in behalf of the city, and charge Monroe Avenue Sidewalk Fund. Adopted as follows: All ayes—19.

By Ald. Burke—Resolved, That the Street Superintendent be required to notify the owners or occupants of property on Spencer street, between Lake avenue and Lyell street, to repair their walks, and in case they do not attend to such requirements the Superintendent shall repair the same, and the cost thereof be assessed upon the property benefited according to section 211 of the city charter as amended. Adopted.

By Ald. Burke—Resolved, That the Street Superintendent be required to notify S. D. Walbridge to build a walk over the excavation in front of his premises on the corner of Allen and State streets within ten days. Adopted.

By Ald. Burke—Whereas, The city of Rochester has taken a part of a lot of land belonging to the heirs of Edward Magee, deceased, for the extension of Orchard street, from Wilder to Maple streets, in the 11th Ward, and the Commissioners appointed for that purpose awarded \$650 for the same to be paid to said heirs, &c.; and

Whereas, Edward Magee and John Magee, of Marshall, Calhoun county, Michigan, are two of said heirs and entitled each to one-fourth part of said \$650, awarded and appropriated for that purpose; and

Whereas, John A. McGorray is empowered by said Edward and John Magee, by power of attorney, to collect said money belonging to them.

Resolved, That the City Treasurer be and is hereby directed to pay to John A. McGorray \$325, being the amount of said award coming to said Edward and John Magee, as soon as there is money in the treasury for that purpose. Adopted as follows: All ayes—19.

By Ald. Burke—Resolved, That the Rochester City and Brighton Railroad Company are hereby directed and required in pursuance of the 2d section of an ordinance passed June 4th, 1862, to put in good repair the surface of the street inside the rails and for two feet four inches outside thereof, on and along so much of their road as lies on State street and Lake avenue, between Jay and McCracken streets, by filling all the holes in said surface with gravel or McAdam stone, and in case they do not comply with such requirement the Commissioner of Lake avenue shall repair said surface as above mentioned and the cost be assessed on said Company. Adopted.

By Ald. Charters—Resolved, That Greentree & Wile have leave to place a wooden cornice on their brick building on the east side of Mill street, near Mumford street.—Adopted.

By Ald. Charters—Resolved, That D. S. Parshal, Bridget Tormey, George E. Ripson, Michael Stolls, have leave to erect wooden buildings on their lots, according to their several petitions, under direction of the Fire Marshal. Adopted.

By Ald. Charters—Resolved, That J. Jenny have leave to remove his wooden building from the corner of Clinton and Franklin streets to his lot at a point on Clinton street, near Lowel street, passing the same through Clinton street; provided said Jenny files satisfactory security with the Mayor indemnifying the city against all damage caused by moving the same. Adopted.

By Ald. Adelman—Resolved, That the Treasurer be, and he is hereby authorized to receive from property owners taxed for Cayuga street sewer, seventy-nine and a half per cent. in full of their assessment for said sewer. Adopted.

By Ald. Adelman—Resolved, That the Treasurer be, and he is hereby authorized to receive from property owners taxed for Jersey street sewer, eighty four per cent. in full of their assessment for said sewer. Adopted.

By Ald. Adelman—Resolved, That his Honor the Mayor be, and he is hereby requested to execute a contract with Jerry McCarty, for the construction of a sewer in Jay street in accordance with his proposition. Adopted.

By Ald. Adelman—Resolved, That the Clerk draw two orders for four hundred dollars each, in favor of F. C. Lauer and Son, and payable to their order; one in one year from August 20th, 1867, and one in two years from the same date, both with interest; and the Treasurer is hereby authorized to accept the same in behalf of the City and charge Sellinger, St. Joseph and Herman streets sewer fund.

Ald. Qualtrough moved its reference to the City Attorney to report. Lost.

Resolution adopted as follows:  
Ayes—Ald. Spencer, Cram, Lutes, Andrews, Remington, Guggenheim, Relyea, Taylor, Kelly, Burke, Adelman, Charters, Horcheler, Mauder, Quin, Parsons—16.

Nays—Ald. Qualtrough, Groot—2.  
By Ald. Quin—Resolved, That His Honor, the Mayor, be authorized to enter into contract with Whitmore, Carson & Co., for the construction of a crosswalk across Lake avenue, at Lyell street, according to their proposition. Adopted.

By Ald. Quin—Resolved, That the City Clerk be authorized to purchase — copies of the new City Directory, issued by Messrs. Webb & Fitzgerald, for the years 1867 and 1868, at wholesale price. Postponed indefinitely.

By Ald. Quin—Resolved, That the Committee on Streets will not from this date take any notice or act on any bill or bills that may be presented to them or come under their department, unless said bills are left with the chairman or other member of said committee on the Monday afternoon previous to the regular meeting. Adopted.

By Ald. Qualtrough—Sundry bills. Street Committee.

FINANCE BUDGET.

AUGUST 21, 1867.

By Ald. Kelly—Resolved, That the Treasurer pay as follows:

CONTINGENT FUND.

Fulton & Lyon, surveyor's stakes .....	\$ 18 98
Wm Whitehair, hack hire .....	2 50
Sherlock & Sloan, repairs to City Hall .....	33 67
John King, hack hire .....	12 25
C. A. Kellogg, bill .....	54 50
Samuel Stoddard, hack hire .....	4 00
Curtis, Morey & Co., bill .....	158 80
do do do .....	890 66

And charge Contingent fund. \$1,124 82

HIGHWAY FUND.

J. Reynolds, Cattle Police, 2 days services...	3 34
Robt McNear, " " 2 " " "	3 34
Richard Allen, " " 17 " " "	28 89
Anthony Paul, " " 19 " " "	31 78
John Harper, " " 19 " " "	31 78
John R. Stiles, " " 19 " " "	31 78
Thomas Purcell, bill for disbursements .....	498 98
John Culhane, hack hire .....	4 00
Wm. Whitehair, " " .....	2 50
John Brady, repairing walks .....	203 44

O. M. Rice, inspecting Clarissa street bridge, payable to Elliott Rice .....	103 75
Holloway & Norrington, crosswalk .....	95 00
Maltby Strong, gravel and dirt .....	21 25
Wm. Emerson, lumber .....	3 98

And charge Highway fund. \$1,063 06

JONES SQUARE IMPROVEMENT FUND.

C. Brost, bill, payable to City Treasurer.....\$ 23 00  
And charge that Fund.

LAKE AVENUE REPAIR FUND.

Fred Miller, bill for repairs .....
 270 79 || And charge that Fund. |  |

IMPROVEMENT FUND.

Also, when there are funds applicable, as follows:

McCConnell & Jones, in full for constructing sewer in Cayuga street.....\$870 75  
And charge that fund.

W. I. Hanford, in full for constructing plank sidewalk on Hanover street.....\$108 65  
And charge that fund.

David Wagner, in full, for constructing sewer in Union street.....\$ 78 56  
And charge that fund.

John Brady, in full, for constructing crosswalk on Plymouth avenue.....\$126 00  
And charge that fund.

Valentine F. Whitmore, in full, for constructing sidewalk on the east side of South St. Paul-st. Canal Bridge.....\$910 00  
And charge that fund.

John Volman, on his contract for re-planking Clark-st. Bridge.....\$100 00  
And charge that fund.

E. Watson, in full, for constructing sewer in Jersey street (\$196.21 payable to D. Copeland, Jr.).....\$362 61  
And charge that fund.

Whitmore, Carson & Co., on their contract for constructing sidewalks on Monroe avenue.....\$300 00  
And charge that fund.

John Cramond, for constructing sewer in Kelly street.....\$500 00  
And charge that fund.

Daniel McCormick, on his contract for constructing sewer in Kelly street.....\$200 00  
And charge that fund.

P. J. McMenomy on his contract for constructing sewer in Gregory street.....\$400 00  
And charge that fund.

F. C. Lauer & Son, in full, for constructing Smith street sewer.....\$403 60  
And charge that fund.

F. C. Lauer & Son, in full, for constructing Hickory street sewer.....\$137 40  
And charge that fund.

David Wagner, in full, for constructing Alexander street sewer.....\$ 90 20  
And charge that fund.

P. C. Kavanaugh, inspecting Kelly street sewer..\$ 27 50  
M. G. Warner, .. Cayuga street sewer 50 00  
M. Schuster, .. Union street sewer.. 82 50

And charge several funds.

POOR FUND.

Curtis, Morey & Co., bill for printing .....	\$ 3 00
D. D. S. Brown, .. .. .	3 00
Wilder, Tracy & Co., .. .. .	3 00

And charge Poor fund. \$ 9 00

POLICE FUND.

Samuel M. Sherman, 1 mo. sal. to Aug. 1, '67.....	\$125 00
Alexander McLean, .. .. .	75 00
Monroe A. Green, .. .. .	75 00
Peter Hughes, .. .. .	75 00
Wm. J. Rogers, .. .. .	75 00
Jonathan Dresser, .. .. .	75 00
L. Johnson, .. .. .	75 00
Peter Yost, .. .. .	75 00
John H. Dana, .. .. .	75 00
James Sullivan, .. .. .	75 00
Warren H. Noyce, .. .. .	75 00
Edward Van Vorst, .. .. .	75 00
Charles McCormick, .. .. .	75 00
Thos. F. Burchell, .. .. .	75 00
Wm. F. Lusk, .. .. .	75 00
Bartholomew Crowley, .. .. .	75 00
John J. Garrett, .. .. .	75 00
Thos. F. Hurley, .. .. .	75 00
Albert H. Bruman, .. .. .	75 00
Frank B. Allen, .. .. .	75 00
Thomas Lynch, .. .. .	75 00
Michael Hyland, .. .. .	75 00



William Rodgers, .. .. .	75 00
James McKelvey, .. .. .	75 00
Frank Plass, .. .. .	75 00
Joseph G. Roworth .. .. .	75 00
William White, .. .. .	75 00
John Bagan, .. .. .	75 00
Phillip Schaad, .. .. .	75 00
Jas. K. Foster, .. .. .	75 00
L. P. Angovine, .. .. .	75 00
J. W. Lord, .. .. .	75 00
John Barry, .. .. .	75 00
Mich'l Tierney, .. .. .	75 00
A. H. Franklin, 3 days in June unpaid .. .. .	82 00
Ferry Marzloff, 29 days salary to Aug. 1, 1867 .. .. .	72 50
Michael Flynn, 29 .. .. .	72 50
E. W. McBurney, 29 .. .. .	72 50
Joseph T. Clary, 29 .. .. .	72 50
P. H. Sullivan, 29 .. .. .	72 50
W. R. McArthur, 26 .. .. .	65 00
	<hr/>
	\$3,110 00

Examined and approved as being correct.

HENRY L. FISH,  
HENRY S. HEBARD, } Police Commissioners.  
GEO. G. COOPER,

S. M. Sherman, disbursements.....	\$ 53 68
Curtis, Morey & Co., publishing ordinances....	8 75
Peter Wagner & Bro., bill for repairs.....	11 25
	<hr/>
	\$73 68

And charge Police fund.

Ald. Groot moved as an amendment, to strike from the Highway budget, the claim of Holloway & Northington, for a crosswalk on West avenue. Lost as follows:

Ayes—Ald. Qualtrough, Groot, Andrews, Remington, Kelly, Burke, Charters, Quin—8.  
Nays—Ald. Spencer, Cram, Lutes, Guggenheim, Relyea, Taylor, Woodruff, Adelman, Horcheler, Mauder, Parsons—11.

Ald. Andrews moved as an amendment, to strike from the budget the claim of Curtis, Morey & Co.—one for \$31.87, and another for \$8.75. Lost as follows:

Ayes—Ald. Qualtrough, Groot, Andrews, Remington, Kelly, Charters, Horcheler, Quin, Parsons—9.  
Nays—Ald. Spencer, Cram, Lutes, Guggenheim, Relyea, Taylor, Burke, Woodruff, Adelman, Mauder—10.

Budget adopted as follows:

Ayes—Ald. Spencer, Cram, Lutes, Guggenheim, Relyea, Taylor, Burke, Woodruff, Adelman, Mauder—10.  
Nays—Ald. Qualtrough, Groot, Andrews, Remington, Kelly, Charters, Horcheler, Quin, Parsons—9.  
Adjourned.

B. FRANK ENOS, Clerk.

**In Common Council—Sept. 3d,  
1867.**

REGULAR MEETING.

Ald. Cyrus F. Paine, President *pro tem.* presiding.

Present—Ald. Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Copeland, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller.

Absent—Ald. Spencer, Quin, Parsons.  
Minutes of the previous meeting approved as published.

PETITIONS AND CLAIMS.

By Ald. Cram—sundry bills. Street Committee.

By Ald. Qualtrough—Petitions of R. M. Olen; Wooden Building Committee. Strong & Redfield; Street Committee. H. Sibley; referred to city attorney and assessors.

By Ald. Lutes—Sundry bills. Poor Committee.

By Ald. Graham—Bills of S. M. Sherman. Police Committee.

By Ald. Mutchler—Sundry petitions. Table.

By Ald. Ratt—Sundry bills. Improvement Committee.

By Ald. Taylor—Remonstrance of D. D. Lynch and others. Table.

By Ald. Kelly—Sundry bills; Fire Department Committee. Sundry petitions. Table.  
By Ald. Burke—Petition of Terry McManis. Referred to Assessors.

By Ald. Woodruff—Sundry bills; Contingent Expense Committee. Petition of James Lennon; Street Committee

By Ald. Adelman—Sundry bills; Sewer Committee. Sundry petitions; table.

By Ald. Mauder—Sundry bills; Lamp Committee. Petition of Peter Theis and others; Street Committee.

By Ald. Charters—Remonstrance of August Miller and others. Table.

By Ald. Groot—Sundry petitions. Wooden Building Committee.

REPORTS.

Ald. Ratt, from the Improvement Committee, reported in favor of sundry bills. Finance Committee.

Ald. Lutes, from the Poor Committee, reported in favor of sundry bills. Finance Committee.

Ald. Kelly, from the Fire Department committee, reported in favor of sundry bills. Finance committee.

Ald. Graham, from the Police committee, reported in favor of bill of S. M. Sherman. Finance committee.

Ald. Taylor, from the Law committee, made a verbal report relative to the Buffalo street lateral sewers, and moved that the matter be referred to the Sewer committee. Lost.

Ald. Remington moved that further time be granted the Law committee. Carried

Ald. Woodruff, from the Contingent committee, reported in favor of sundry bills. Finance committee.

Ald. Mauder, from the Lamp committee, reported in favor of sundry bills. Finance committee.

Ald. Adelman, from the Sewer committee, reported in favor of sundry bills, and moved their reference to the Finance committee.

Ald. Mauder objected to referring the bill of August Wollert to the Finance committee.

Ald. Horcheler moved that the bill of P. J. McManomey be referred back to the Sewer committee, it being \$75 too much. Lost.

Ald. Groot moved to strike out \$75 and pay the balance. Lost as follows:

Ayes—Ald. Qualtrough, Groot, Andrews, Remington, Graham, Mutchler, Paine, Horcheler, Bingemer—9.

Nays—Ald. Cram, Lutes, Carroll, Relyea, Copeland, Ratt, Brown, Kelly, Burke, Woodruff, Adelman, Charters, Mauder, Miller—14.

Ald. Groot moved that the bill be referred to the Street committee. Lost as follows:

Ayes—Ald. Qualtrough, Groot, Andrews, Remington, Graham, Mutschler, Burke, Bingemer—8.

Nays—Ald. Cram, Lutes, Guggenheim, Carroll, Relyea, Copeland, Ratt, Brown, Kelly, Paine, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller—16.

Ald. Groot moved its reference to a special committee. Lost as follows:

Ayes—Ald. Qualtrough, Groot, Andrews, Remington, Graham, Mutschler, Copeland, Burke, Paine, Horcheler, Bingemer—11.

Nays—Ald. Cram, Lutes, Guggenheim, Carroll, Relyea, Ratt, Brown, Kelly, Woodruff, Adelman, Charters, Mauder, Miller—13.  
Ald. Adelman's motion to refer the several bills to the Finance Committee, was carried as follows:

Ayes—Ald. Lutes, Guggenheim, Carroll, Relyea, Copeland, Ratt, Brown, Kelly, Woodruff, Adelman, Charters, Mauder, Miller—13.

Nays—Ald. Cram, Qualtrough, Groot, Andrews, Remington, Graham, Mutchler, Burke, Paine, Horcheler, Bingemer—11.

Ald. Ratt, from the Park Committee, reported in favor of the bill of Jas. Lennon. Finance Committee.

Ald. Cram, from the Street Committee, reported in favor of sundry bills. Finance Committee.

Ald. Lutes presented the report of the Overseer of the Poor for the month of August:

Whole amount expended, ..... \$1,571.36  
Less County and Towns, ..... 300.84

Total for City, ..... \$1,270.52

Number of families assisted, 392. Amount disbursed to soldiers' families, \$215. Filed.

COMMUNICATIONS.

At this point, President Guggenheim came in and took the Chair.

The Clerk presented a communication from the Assessors, relative to the tax of Peter Hughes, J. Geo. Beatzel and S. Guggenheimer. Also, in reference to extending Mt. Vernon avenue, York and Varnum streets. Received and filed.

Ald. Horcheler presented the following:

HEADQUARTERS 1ST BATTALION, N. G. S. N. Y.,  
"ROCHESTER UNION GRAYS"  
ROCHESTER, N. Y., Sept. 3, 1867.

To the Hon. Common Council of the City of Rochester:

GENTLEMEN—You are respectfully invited to attend the annual review and inspection of this command, which will take place Wednesday, September 11th, at 2½ o'clock P. M., on Jones Square.  
WM. M. Lewis,  
Major Commanding.

Accepted.

Ald. Cram presented a communication from the School Superintendent, asking the Common Council to raise \$10,000 for the purpose of building a school house. Referred to the School committee.

TREASURER'S MONTHLY REPORT.

CITY TREASURER'S OFFICE,  
Sept. 3d, 1867.

To the Honorable the Common Council:

GENTLEMEN—The Treasurer herewith submits the Monthly Statement of the balances of the principal funds, on the 31st day of August, 1867, as required by section 59 of the City Charter:

	Credit Balance.
Contingent Fund.....	\$ 1,338 72
Fire Department Fund.....	6,841 19
Highway Fund.....	445 17
Lamp Fund.....	15,898 30
Poor Fund.....	19,030 32
Police Fund.....	4,725 39
Park Fund.....	15 05
Board of Health Fund.....	1,331 34
Sewer Repair Fund.....	119 01
South Avenue Repair Fund.....	160 00
Lyell Street ..	49 67
North Street ..	190 25
St. Paul-st. Repair Fund (N. Y. C. R. E. to Scramton street).....	100 00
St. Paul-st. Repair Fund (Scramton street to City Line).....	100 00

Monroe Avenue Repair Fund.....	96 88
Mt. Hope Avenue ..	0 86
Plymouth Avenue ..	291 45
West Avenue ..	247 30
Lake Avenue ..	58 52
East Avenue ..	324 81

H. P. LANGWORTHY, Treasurer.

Subscribed and sworn to before me, this 3d day of September, 1867.

B. FRANK ENOS,  
Notary Public.

ORDINANCES.

PROSPECT STREET SEWER.

On motion of Ald. Adelman, the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing, Ald. Adelman submitted the following:  
An ordinance to construct a sewer in Prospect street.

The Common Council of the City of Rochester do ordain and determine as follows:

A stone sewer 18 inches by 2 feet in Prospect street, from a point 3½ feet north of Adams street to the sewer in West avenue, shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at two thousand five hundred dollars, which estimate was and is hereby approved; the sum of two thousand five hundred dollars being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on each side of Prospect street, from Adams street to West avenue.

On which above described portion of the city the said sum of two thousand five hundred dollars is hereby ordered to be assessed.

And the tax payers to be assessed for making such improvement, may, by paying interest, as hereinafter provided, on the amount assessed to them individually, pay their assessments in three equal payments, as follows: One-third of the amount assessed within three months after the confirmation of the assessment roll, without interest; one-third of the amount with interest at the rate of seven per cent. per annum, within one year from the confirmation of said roll; and the remaining one-third, with interest at the same rate, within two years from the confirmation of such roll.

And David McKay E. T. Oatley and C. M. St. John, the assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 7th day of Sept., 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Ald. Groot moved its reference back to the committee to enlarge the territory to be assessed. Lost.

Ordinance adopted as follows:  
Ayes—Ald. Cram, Qualtrough, Lutes, Andrews, Remington, Graham, Guggenheim, Mutchler, Relyea, Copeland, Ratt, Brown, Kelly, Burke, Paine, Adelman, Horcheler, Bingemer, Mauder—11.

Nays—Ald. Groot, Carroll, Woodruff, Charters—4.

BROADWAY SEWER.

Ald. Adelman presented the final ordinance for a sewer in Broadway.

Ald. Ratt moved its postponement until the second regular meeting in April, 1868. Lost as follows:

Ayes—Ald. Andrews, Remington, Mutchler, Relyea, Copeland, Ratt, Kelly, Woodruff, Charters, Bingemer, Mauder—11.

Nays—Ald. Cram, Qualtrough, Lutes, Groot, Guggenheim, Carroll, Brown, Burke, Paine, Adelman, Horcheler, Miller—12.

Ald. Groot moved its postponement for two weeks. Lost.

Ald. Ratt moved its indefinite postponement. Carried as follows:

Ayes—Ald. Andrews, Remington, Graham, Guggenheim, Mutchler, Relyea, Copeland, Ratt, Kelly, Burke, Paine, Woodruff, Charters, Mauder—14.

Nays—Ald. Cram, Qualtrough, Lutes, Groot, Carroll, Brown, Adelman, Horcheler, Bingemer, Miller—10.

VARNUM STREET SEWER.

Ald. Adelman moved to reconsider the vote on the first ordinance for Varnum street sewer, which was lost June 13th, 1867. Carried.

Ald. Kelly moved to postpone further action for two weeks. Carried.

Ald. Mauder moved to adjourn until to-morrow evening. Lost.

#### GRAPE STREET SEWER.

By Ald. Adelman—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a pipe sewer 12 inches in diameter in Grape street from a point 20 feet north of Orange street to the sewer in Jay street. Adopted.

The Surveyor submitted as such estimate \$490.

By Ald. Adelman—Resolved, That the following improvement is expedient, viz:

The construction of a pipe sewer 12 inches in diameter in Grape street, from a point 20 feet north of Orange street, to the sewer in Jay street.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$490, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of Grape street, from Orange street to Jay street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Sept. the 17th, 1887, at half past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### VARNUM STREET OPENING.

On motion of Ald. Burke, the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing, Ald. Burke submitted the following:

An ordinance to open Varnum street.

The Common Council of the city of Rochester do ordain and determine as follows:

Varnum street shall be opened from its present northern termination, about 219 feet north of Phelps avenue, to its southern termination at the north line of lands now or formerly owned by Christiana Baldwin, and that the following described territory is deemed necessary to be taken for said improvement, viz:

Beginning on the north line of lands owned by Christiana Baldwin, at its intersection with the east line of Varnum street; thence southerly in a direct line to a point in the east line of said street 219 feet north of Phelps avenue; thence westerly to a point in the west line of said street 206 feet north of Phelps avenue; thence northerly in a direct line to the north line of said lands now or formerly owned by Christiana Baldwin, at its intersection with the west line of Varnum street; thence easterly on said north line to the place of beginning.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at three thousand dollars, which estimate was and is hereby approved; the sum of three thousand dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on each side of Varnum street, and said street thus opened, from Brisbane street to Jones avenue.

And the City Attorney is hereby directed to publish the notice required by law, that application will be made to the County Court of Monroe county for the appointment of Commissioners to inquire into and determine what damages and compensation the owner or owners of such land to be taken will be entitled to for the same, and that he serve such notice as required by law.

Passed by the following vote:

Ayes—Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Ratt, Brown, Kelly, Burke, Paine, Woodruff, Adelman, Horcheler, Bingemer, Mauder, Miller—21.  
Nays—Ald. Quatrrough, Charters—2.

#### SOUTH FITZHUUGH STREET WIDENING AND EXTENSION.

By Ald. Burke—Resolved, That the City Surveyor ascertain and report to this Board the expense of widening South Fitzhugh street on the east side from Lafayette street to the north line of the Caledonia tract, and extending said street from the north line of said tract to Edinburgh street. Adopted.

The Surveyor submitted as such estimate \$2,500.

By Ald. Burke—Resolved, That the following improvement is expedient, viz:

The widening of South Fitzhugh street on the east side, from Lafayette street to the north line of the Caledonia tract, by making the same 47 feet wide, and

extending said street, of the same width, from the north line of said tract to Edinburgh street, and the following described territory is deemed necessary to be taken for said improvement, viz:

Beginning in the north line of the Caledonia tract at its intersection with the west line of Fitzhugh street, thence south-westerly along the west line of Fitzhugh street produced to the west line of the east half of lot No. 71 in the Caledonia tract; thence southerly along the west line of the east half of said lot 71 to a point where a line run parallel with the west line of Fitzhugh street, and 47 feet distant at right angles therefrom would intersect the same; thence northerly on a line parallel with the west line of Fitzhugh street and 47 feet distant therefrom to Lafayette street; thence westerly along Lafayette street to the east line of Fitzhugh street, thence southerly along the east line of Fitzhugh street to the north line of the Caledonia tract; thence westerly along the north line of said tract to the place of beginning.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$2,500, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of South Fitzhugh street, and said street extended from Spring street to Edinburgh street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Sept. the 17th, 1887, at half past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### MT. VERNON AVENUE EXTENSION, &c.

On motion of Ald. Burke, the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing, Ald. Burke submitted the following:

An ordinance to extend Mt. Vernon avenue, &c.

The Common Council of the city of Rochester do ordain and determine as follows:

Mt. Vernon avenue shall be extended from Caroline street to the northeasterly line of lot No. 32 in the Gregory tract, and opening a street from Grand street along the northeasterly line of lots 32 and 70 in said tract to Nelson street, and the following described territory is deemed necessary to be taken for said improvement, viz:

Beginning in the north line of Caroline street, at its intersection with the west line of Mount Vernon avenue produced; thence northeasterly on said west line produced to a point 30 feet distant at right angles from the southeasterly line of lot No. 40 in the Gregory tract; thence northeasterly on a line parallel with the southeasterly line of lots 40, 33, 38, 37, 36, 35, 34, 33 and 32 in said tract, to the southeasterly line of lot No. 26 in said tract; thence southeasterly along the southeasterly line of lots 26 and 25 in said tract to a point 30 feet distant at right angles from the southeasterly line of lot No. 32 in said tract; thence southwesterly on a line parallel with and 30 feet distant from the southeasterly line of lots 32, 33, 34, 35, 36, 37, 38, 39, 40, 45, 46 and 47 in said tract to Caroline street; thence northerly along Caroline street to the place of beginning.

Also, beginning on the southerly line of Grand st. 60 feet distant northeasterly at right angles from the northeasterly line of lot No. 32 in the Gregory tract; thence southeasterly on a line parallel with the northeasterly lines of lots 32 and 70 in said tract to Nelson street; thence southeasterly along Nelson street to the northeasterly line of said lot No. 70; thence northerly along the northeasterly line of said lot No. 70 and lot No. 32 in said tract to Grand street; thence along Grand street to the place of beginning.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at three thousand dollars, which estimate was and is hereby approved; the sum of three thousand dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

All the houses and lands within the following described territory, viz:

Beginning in South avenue at its intersection with Caroline street; thence easterly along Caroline street to Nelson street; thence northerly along Caroline street to Grand street; thence westerly along the Cayuga st. to Grand street; thence southwesterly along Grand street and South avenue to the place of beginning.

And the City Attorney is hereby directed to publish the notice required by law, that application will be

made to the County Court of the county of Monroe, for the appointment of Commissioners to inquire into and determine what damages and compensation the owner or owners of such land to be taken will be entitled to for the same, and that he serve such notice as required by law.

Passed as follows: All ayes—19.

#### YORK STREET EXTENSION.

Ald. Burke presented the final ordinance for York street extension.

Carried as follows: Ald. Charters moved its indefinite postponement.

Ayes—Ald. Qualtrough, Groot, Remington, Guggenheim, Mutchler, Relyea, Kelly, Paine, Charters, Bingemer, Miller—11.

Nays—Ald. Cram, Lutes, Andrews, Graham, Ratt, Brown, Burke, Adelman, Horcheler, Mauder—10.

Ald. Qualtrough moved to adjourn until to-morrow evening. Lost.

Ald. Andrews was called to the Chair.

#### SCRANTON STREET SEWER.

Ald. Guggenheim moved to reconsider the ordinance for a sewer in Scranton street, passed August 6th, 1867. Carried.

Ald. Guggenheim moved that the ordinance be postponed indefinitely. Carried as follows:

Ayes—Ald. Qualtrough, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Charters, Bingemer, Mauder, Miller—30.

Nays—Ald. Cram, Adelman, Horcheler—3.

#### ASSESSMENTS.

Ald. Adelman presented the assessment roll for Union street sewer, which was confirmed as follows: All ayes—23.

Ald. Adelman presented the assessment roll for Scranton street sewer, which was lost.

Ald. Woodruff moved to suspend the rule to adjourn at 11 o'clock. Lost.

Adjourned until to-morrow evening at 7½ o'clock.

B. FRANK ENOS, Clerk.

## In Common Council, September 4th, 1867.

### ADJOURNED MEETING.

The President of the Board, Ald. William Guggenheim, presiding.

Present—Aids. Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Guggenheim, Mutchler, Relyea, Rati, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Horcheler, Bingemer, Mauder, Miller.

Absent—Aids. Spencer, Graham, Carroll, Copeland, Brown, Charters, Qin, Parsons.

#### ORDINANCES.

##### ALLEN STREET SEWER.

Ald. Mauder presented the first ordinance for Allen street sewer.

Ald. Groot moved its reference back to the committee, with directions to bring in an ordinance in accordance with the petition. Carried.

##### SOUTH AVENUE IMPROVEMENT.

Ald. Ratt presented the final ordinance for South Avenue improvement, and moved its postponement until the next regular meeting. Carried.

##### JAY STREET WALK.

Ald. Ratt presented the final ordinance for Jay street walk.

Ald. Kelly moved its indefinite postponement. Lost as follows:

Ayes—Ald. Lutes, Mutchler, Relyea, Kelly, Burke, Paine, Woodruff, Adelman, Horcheler, Mauder—10.

Nays—Ald. Cram, Qualtrough, Groot, Andrews, Remington, Guggenheim, Rati, Taylor, Bingemer, Miller—10.

Ald. Qualtrough moved as an amendment to strike out the word "each," and insert the word "south." Carried.

Ald. Qualtrough moved to postpone further action until the next regular meeting. Carried.

##### ALLEN STREET SEWER.

Ald. Adelman presented the first ordinance for Allen street sewer.

Ald. Qualtrough moved its indefinite postponement. Carried.

##### PROSPECT STREET SEWER.

Ald. Remington moved to reconsider the ordinance for Prospect street sewer, passed Sept. 3d, 1867. Carried.

Ald. Taylor moved that the ordinance be amended by increasing the territory to be assessed by taking in all the territory lying between Prospect street and Reynolds street, except one tier of lots on the south side of West avenue, one tier of lots on the east side of Reynold street, and one tier of lots on the north side of Adams street. Also to increase the size of the sewer to 3 feet by 18 inches. Carried.

Ald. Taylor moved to postpone further action until the next regular meeting. Carried.

#### CLINTON STREET SEWER.

By Ald. Mauder—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone sewer 2 feet by 8 feet in Clinton street, from Sellinger street to Lowell street. Aadopted.

The Surveyor submitted as such estimate \$500.

By Ald. Mauder—Resolved, That the following improvement is expedient, viz:

The construction of stone sewer 2 feet by 2 feet in Clinton street, from Sellinger street to Lowell street.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$500, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of Clinton street from Sellinger street to Lowell street, one tier of lots on each side of Sellinger street from St. Joseph street to Clinton street, one tier of lots on each side of St. Joseph street from a point 40 feet north of Catherine street to Metzger street and one tier of lots on each side of Herman street from a point 200 feet west of Hudson street to St. Joseph street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Sept. the 17th, 1867, at half past 7 o'clock at the Common Council Hall, when allegations will be heard. Adopted.

#### JONES AVENUE WALK.

On motion of Ald. Ratt, the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing, Ald. Ratt submitted the following:

An ordinance to construct a walk on Jones avenue from Lake avenue to Frank street.

The Common Council of the city of Rochester do ordain and determine as follows:

A stone and gravel sidewalk eight feet wide, on the north side of Jones avenue, from Lake avenue to Frank street, shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having, made an estimate of such expense, and reported the same at five hundred and forty dollars, which estimate was and is hereby approved; the sum of five hundred and forty dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on the north side of Jones avenue, from Lake avenue to Frank street.

On which above described portion of the city, the said sum of five hundred and forty dollars is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 7th day of Sept., 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote: All ayes—20.

#### CHAMPION STREET WALK.

On motion of Ald. Ratt the Board proceeded to hear allegations in relation to the improvement described in the ordinance below.

After hearing such allegations from all persons appearing,

Ald. Ratt submitted the following:

A plank sidewalk 4 feet and 8 inches wide shall be constructed on each side of Champion street, from the west line of lot No. 30 in the McCrackenville tract to Burns street.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses

and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at eight hundred and sixty dollars, which estimate was and is hereby approved; the sum of eight hundred and sixty dollars being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on each side of Champion street, from the west line of lot No. 30 in the McCrackenville tract to Burns street.

On which above described portion of the city, the sum of eight hundred and sixty dollars is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of land and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 7th day of Sept., 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote: All ayes—20.

#### CHATHAM STREET IMPROVEMENT.

By Ald. Ratt—Resolved, That the City Surveyor ascertain and report to this Board the expense of improving Chatham street from Franklin street to Andrews street, by setting a curb of Medina stone on both sides, McAdamizing the roadway, paving the gutters with cobble stone, and constructing a flag and brick walk on both sides, with the necessary cross-walks. Adopted.

The Surveyor submitted as such estimate \$5,700.

By Ald. Ratt—Resolved, That the following improvement is expedient, viz: The improvement of Chatham street from Franklin street to Andrews street, by setting a curb of Medina stone on both sides, McAdamizing the roadway, paving the gutters with cobble stone, and constructing a flag and brick walk on both sides, with the necessary cross-walks.

And, whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$5,700, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of Chatham street from Franklin street to Andrews street.

And further, Resolved, That the tax-payers to be assessed for making such improvement may, by paying interest as hereinafter provided, on the amount assessed to them individually, pay their assessments in three equal payments, as follows: One-third of the amount assessed within three months after the confirmation of the assessment roll, without interest; one-third of the amount, with interest, at the rate of seven per cent. per annum, within one year from the confirmation of said roll; and the remaining one-third, with interest, at the same rate, within two years from the confirmation of such roll.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Sept. the 17th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### ASSESSMENTS.

Ald. Ratt presented the assessment rolls for Graham street improvement, re-assessment; Thompson street improvement, re-assessment, and Stone street improvement, which were confirmed as follows:

Yeas—Alds. Cram, Qualtrough, Lutes, Andrews, Remington, Guggenheim, Mutschler, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Horcheler, Bingemer, Mauder, Miller—19.

Nays—Ald. Groot—1.

Ald. Mauder presented the assessment roll for St. Joseph street sewer, which was confirmed as follows: All ayes—20.

Ald. Cram presented the assessment roll for Lake avenue cross-walks.

Ald. Burke moved its postponement until the next regular meeting. Carried.

#### EXECUTIVE.

Ald. Qualtrough presented the resignation of Geo. Truesdale as a Commissioner of Deeds. Accepted.

Ald. Qualtrough moved to ballot for a Commissioner of Deeds. Carried.

First Ballot—W. H. Truesdale, 13; blank, 2. No choice.

Second Ballot—W. H. Truesdale, 13; blank, 1. No choice.

On motion further balloting was postponed until the next regular meeting.

#### MISCELLANEOUS.

By Ald. Miller—Resolved, That the City Property Committee be and are hereby authorized to have the windows and doors in the Chief Engineer's office, Poor Master's office, police office and Street Superintendent's office repaired, and charge Fire Department, Poor, Police, and Street Funds for such repairs, to the amount expended on each.

Ald. Qualtrough moved its indefinite postponement. Carried.

By Ald. Adelman—Resolved, That his Honor the Mayor, be and he is hereby authorized to execute a contract with David Wagner, for the construction of a sewer in Union street, in accordance with his proposition.

Ald. Groot moved its reference back to the committee, in order to examine bids. Lost. Resolution adopted.

By Ald. Adelman—Resolved, That his Honor the Mayor, be and he is hereby authorized to execute a contract with John Cregan, for the construction of a sewer in St. Joseph street, in accordance with his proposition. Adopted.

By Ald. Adelman—Resolved, That the Clerk draw two orders in favor of P. J. McManomey, one for one hundred and fifty dollars payable to his order in one year, from September 3d, 1867; and one for six hundred dollars, payable to the order of David Copeland, Jr., in two years from the same date, both with interest; and the Treasurer is hereby authorized to accept the same in behalf of the city and charge Gregory street Sewer Fund.—Adopted as follows:

Ayes—Ald. Cram, Lutes, Remington, Guggenheim, Mutchler, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Bingemer, Mauder, Miller—16.

Nays—Ald. Qualtrough, Groot, Horcheler—3.

By Ald. Adelman—Resolved, That the Clerk draw two orders for six hundred dollars each, in favor of F. C. Lauer & Son, and payable to their order, one in one year from September 3d, 1867, and one in two years from the same date, both with interest; and the Treasurer is hereby authorized to accept the same in behalf of the city, and charge Sellinger, St. Joseph and Herman streets Sewer Fund. Adopted as follows:

Ayes—Ald. Cram, Lutes, Remington, Guggenheim, Mutschler, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Horcheler, Bingemer, Mauder, Miller—17.

Nays—Qualtrough, Groot—2.

By Ald. Adelman—Resolved, That the Treasurer be, and he is hereby authorized to receive from property owners taxes for Rome street sewer, 75 per cent. in full of their assessment therefor. Adopted.

By Ald. Adelman—Resolved, That the Treasurer be, and he is hereby authorized to receive from property owners taxed for Kelly

street sewer, between Hanover and Hadson streets, 79% per cent. in full of their assessment for said sewer. Adopted.

By Ald. Adelman—Resolved, That the Treasurer be, and he is hereby authorized to receive from property owners taxed for Gregory street sewer, ninety-one per cent. in full of their assessment for said sewer.

Ald. Horcheler moved its postponement until the next regular meeting. Carried.

By Ald. Adelman—Resolved, That the Treasurer credit Frederick Schaffer, and Delma S. Zegar \$5.91 each on their assessment for Gregory street sewer and charge said fund. Adopted.

By Ald. Adelman—Resolved, That V. Fleckenstein have leave to construct a tile sewer from his cellar on Brown street, to the sewer in Francis street. Referred to the Sewer committee.

#### FINANCE BUDGET.

Ald. Paine presented the Finance Budget, and moved that only three of the Health Inspectors be paid.

Ald. Groot moved to refer the Health budget back to the Board, to designate which three Inspectors to pay. Lost as follows:

Ayes—Ald. Mutschler, Adelman, Horcheler, Bingemer—4.

Nays—Ald. Cram, Qualtrough, Lutes, Groot, Remington, Guggenheim, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Mauder, Miller—15.

Ald. Taylor moved as an amendment to strike from the budget the claims of F. J. Irwin, Robt. Morrow and Michael Hughes, the three special Inspectors.

Ald. Groot moved as an amendment to the amendment, to strike from the budget the names of Geo. Moshier, David Niven and Chas. Burns, the three permanent Inspectors. —Lost as follows:

Ayes—Ald. Qualtrough, Groot, Remington, Mutschler, Ratt, Kelly, Paine, Bingemer—8.

Nays—Ald. Cram, Lutes, Guggenheim, Relyea, Taylor, Burke, Woodruff, Adelman, Horcheler, Bingemer, Mauder, Miller—11.

Ald. Taylor's amendment was carried as follows:

Ayes—Ald. Cram, Lutes, Guggenheim, Relyea, Ratt, Burke, Woodruff, Adelman, Mauder, Miller—11.

Nays—Ald. Qualtrough, Groot, Remington, Mutschler, Kelly, Paine, Horcheler, Bingemer—8.

Ald. Horcheler moved as an amendment to the Budget, to strike out \$75 from the claim of P. J. McManomey. Lost.

Ald. Horcheler appealed from the decision of the Chair.

The Chair was sustained as follows:

Ayes—Ald. Cram, Qualtrough, Lutes, Remington, Mutschler, Relyea, Ratt, Taylor, Kelly, Burke, Woodruff, Adelman, Mauder, Miller—14.

Nays—Ald. Groot, Horcheler, Bingemer—3.

Ald. Groot moved as an amendment to strike from the Budget the claim of P. J. McManomey.

While the subject was under discussion the hour of 11 o'clock having arrived, the President declared the Board adjourned.

B. FRANK ENOS, Clerk.

## In Common Council—Sept. 17th, 1867.

### REGULAR MEETING.

The President of the Board, Wm. Guggenheim, presiding.

Present—Ald. Spencer, Qualtrough, Lutes, Groot, Remington, Guggenheim, Mutschler, Relyea, Copeland, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Adelman, Cherters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons.

Absent—Ald. Cram, Andrews, Graham, Carroll.

Minutes of the previous meeting approved as published.

#### PETITIONS AND CLAIMS

By Ald. Quin—Sundry bills. Street committee. Petition of Geo. Ruber and others. Improvement committee.

By Ald. Mauder—Sundry bills. Lamp committee.

By Ald. Miller—Bill of Jos. Zorn. Contingent committee. Petition of Joseph Brickler. Referred to the Assessors.

By Ald. Horcheler—Bill of W. D. Oviatt. Finance committee.

By Ald. Adelman—Sundry bills. Sewer committee.

By Ald. Woodruff—Sundry bills. Contingent committee. Petition of Thos. Moulson. Table.

By Ald. Kelly—Remonstrance of Oscar Bennett and others. Table.

By Ald. Taylor—Remonstrance of Isaac Butts and others. Table.

By Ald. Ratt—Sundry bills. Improvement committee. Petition of C. H. Pomeroy and others. Table.

By Ald. Copeland—Sundry petitions. Wooden Building committee.

By Ald. Relyea—Remonstrance of John Groh and others. Table.

By Ald. Remington—Memorial of Chas H. Maurer. Street committee and City Attorney, with power to settle.

By Ald. Qualtrough—Petition of Mary M. Marshall. Law committee and City Attorney.

By Ald. Spencer—Sundry bills. Fire Department committee.

#### INVITATION TO A GOLD WEDDING.

Ald. Groot presented the following:

ROCHESTER, Sept. 17, 1867.

*To the Mayor and Common Council of the City of Rochester:*

I take the liberty to invite you to my golden wedding, which takes place next Monday, September 23d, at 9 A. M. in St. Joseph's Church; also to the call and supper the same evening at Falls Field Hall.

I am a German by birth, an old soldier of the French revolutionary war, a long resident of this country, and the compound age of my bride and myself is 160 years.

Your presence at such an interesting ceremony would be highly gratifying to me and the old woman.

Yours respectfully, JOSEPH HETTIG.

Accepted unanimously.

#### REPORTS.

Ald. Quin, from the Street committee, reported in favor of sundry bills. Finance committee.

Ald. Spencer, from the Fire Department committee, reported in favor of sundry bills. Finance committee.

Ald. Ratt, from the Improvement committee, reported in favor of sundry bills. Finance committee.

Ald. Woodruff, from the Contingent committee, reported in favor of sundry bills. Finance committee.

Ald. Adelman, from the Sewer committee, reported in favor of sundry bills. Finance committee.

Ald. Mauder, from the Lamp committee, reported in favor of sundry bills. Finance committee.

Ald. Taylor presented the following

**SPECIAL REPORT ON INVESTIGATION:**

*To the Honorable the Common Council of the City of Rochester:*

GENTLEMEN—The special committee appointed by your Honorable Body, August 21st, to investigate and report to your Board their findings upon charges made against a citizen of the Ninth Ward of said city, relative to transactions which took place during the years 1864-5, and when said individual was a member of the Common Council and Chairman of the Street committee, beg leave most respectfully to make the following report, viz.: That they have held several meetings and taken the sworn testimony of parties who were at that time connected with the city government, and who were familiar with the operations of the Street committee and the street department of the city government.

The charges made were substantially that about the 28th of March, 1865, Benjamin Butler, the then Street Superintendent, drew an order upon the City Treasurer (with whom it was then customary to pay such orders) for the sum of \$400 in favor of Ald. M. C. Mordoff, and that at that time the city was not indebted to said Mordoff to that amount or for any other amount, and did not at any time thereafter receive an equivalent for the amount of the order.

The Committee ascertained upon the outset by the receipt of Mr. Mordoff upon the stub of the order book then in use by the Superintendent, and also by the testimony of Mr. Mordoff and the Superintendent that such an order was drawn, and that, as it appears by the Treasurer's books, said order was paid on or about the 1st day of April of said year, and charged upon the Treasurer's books to the debt of the street account for the years 1864 and '65.

The testimony of Mr. Butler, in explanation of the matter, is as follows, and the Committee would here say that the explanation as given by Mr. Mordoff is substantially the same as that given by Mr. Butler, viz.: That for the municipal years of 1864 and '65 he was Street Superintendent, and Alds. Mordoff, Hebing and Fish the members of the Street Committee; that Ald. Mordoff, when at home and in health, was the active member of the Committee; that Ald. Mordoff dealt in oak lumber, and during the season furnished oak plank for use on the streets, in repairing bridges, cross walks, &c., &c.; that he commenced buying said lumber of him in May, 1864, and that up to August 3d he had purchased of him to the amount of \$309.45, and that said amount was paid him about that

time by order of the Common Council; that he continued to purchase plank of him as he needed it (and bought none of any one else) from that time until the 28th of March, 1865, when the amount due Mr. Mordoff was about \$260, though no bill was produced before your committee or memoranda or account made at the time. Mr. Butler, however, said he thought Mr. Mordoff did present a bill, and that it was subsequently filed in the Clerk's office. He then says that they were just making up their final report for the year, which showed a balance of several hundred dollars remaining in the fund, and that Mr. Mordoff and Mr. Hebing being present, they deemed it expedient to expend a portion of the balance for plank, to be used for street work, instead of allowing the whole amount to go to the sinking fund; that Mr. Mordoff suggested the purchasing of him of a quantity of oak plank being in his yard at that time; that he assented, and sent Mr. Ross, his clerk, to the yard, with Mr. Mordoff and measured up an amount sufficient to make up with what was then owing Mr. Mordoff—the sum of \$400—which was the amount of the order drawn; that a portion of the lumber then purchased was used by McCormick & Cregan upon West street, in repairing flood damages, and for which they presented a bill, made out in favor of Mr. Mordoff, for \$75 (this bill was produced before the committee) and which he refused to allow or have anything to do with, as said lumber had once been paid for. He further testified that Ald. Cram finally gave him the bill and told him to settle with Mr. Mordoff, but that he did not know that anything was done with the bill afterwards; that out of this same pile of lumber were built three cross-walks, the lumber in each of which was worth \$16. Said walks were built where walks had been carried away by the great flood, and the cost of re-building was properly chargeable to Flood account, as was also the work done by McCormick & Cregan on West street, but that it was never credited to Street Fund and charged to Flood Fund. This is substantially the explanation as given by Mr. Butler and ex-Ald. Mordoff. Ex-Ald. Hebing's testimony was taken, who testified that he had no recollection of the Street Committee's having directed the drawing of the check, did not recollect of ever having been consulted with regard to it, and had no recollection that Mr. Mordoff furnished lumber for the use of the city during that year. Ex-Ald. Fish's testimony was substantially the same, to wit: that he knew nothing of the order for \$400; never was consulted with regard to it, and did not know, though a member of the Street Committee, that Mr. Mordoff sold the city any lumber during that year.

These are the facts mainly that have been elicited by your committee by the testimony of the parties named. The order it will be borne in mind was for \$400. According to the testimony of Mr. Butler there was then due Mr. Mordoff about \$260; that afterwards there was used upon West street by Cregan & McCormick as per bill produced, 1500 feet of lumber, which at the rate of \$50 per m., the price charged in the bill (although Mr. Butler stated that the price agreed upon with Mr.

Mordoff was \$40 per m.) would amount to \$75. The three crosswalks built out of the lumber at \$16 each, amounting to \$48, making a total of \$383.

The Committee desire to say that these figures and explanations are all based upon the sworn statement of the individuals named; that no bills or memoranda, either entries in journals or cash books, were produced before your Committee either by Mr. Mordoff or Mr. Butler touching upon the matter before your Committee, excepting the bill above alluded to of \$75, which appears to have been altered to \$45, and another charge added of 696 feet of oak plank at \$30 per m., amounting to \$20.80, which, added to the \$45, makes altogether \$65.88. The bill appears to be received in full by Mr. Mordoff. All the explanation the Committee are able to give of the bill is that the item of \$75, afterwards altered to \$45, is (according to the testimony of Mr. Butler) for oak lumber used on West street by Messrs. McCormick & Cregan in repairing damages done by the flood, and that it had been paid for in the order of \$400. We find, however, by the proceedings of the Common Council of 1865 and '66 that about the 1st of August of that year Ald. Cram offered a resolution, which passed, directing the Treasurer to pay a large number of bills amounting in the aggregate to \$10,490.70, payable to Benjamin Butler, and charge to damages caused by the flood account, and that one of those bills was one in favor of M. C. Mordoff, for the amount of \$45. Subsequently, on the 8th of August, the Clerk drew an order on the Treasurer for the whole amount ordered, viz. \$10,490.70, and on the 13th of August, as appears by the endorsement on the back of the order, the Treasurer paid the same by delivering up orders which he held, drawn by the Superintendent, for the amount of \$9,751.91 and the balance of \$738.79 in cash. Mr. Mordoff testified that he received nothing for lumber furnished the city after the \$400. The committee have been unable to receive a satisfactory explanation of the matter further than that given by Mr. Butler and the orders and receipts which we have named, from which it appears that the item of \$45 was first paid to Mr. Mordoff in the \$400 order, and afterwards by order of the Common Council to Mr. Butler.

The committee in conclusion would call the attention of the Board to the fact that the money paid to Mr. Mordoff was never ordered paid by the Common Council either previous to its being paid, or was it ever confirmed or acted upon afterwards by the Board; the order was charged by the Treasurer direct to the street account for that year, a loose, unauthorized and careless proceeding, to characterize it by no stronger language. They desire also to call attention to one portion of the testimony given in explanation of the drawing of the order for \$400, viz., that instead of there being a balance of \$937.19 left in the Highway Fund at the close of the year, as reported March 28th by the Street committee to the Common Council and after the order for \$400 had been drawn (but of which no account was made in the report) that as it appears by the Treasurer's books and so certified to by the Treasurer, the account was overdrawn upon its being finally closed up and after the order for \$400 had

been paid to the amount of \$500.84.

The committee desire to say finally that they intere upon the investigation of this matter with the determination simply of ascertaining the facts and reporting them to your body. Believing they have received all the information in regard to it that is practicable, they have reported them fully and ask to be discharged from further service.

All of which is respectfully submitted.

GEORGE TAYLOR,  
S. R. WOODRUFF,  
E. R. ANDREWS,  
JOHN LUTES,  
CYRUS F. PAINE,  
Committee.

Received, filed, and ordered published.

The Clerk presented the report of the Police Justice for the month of August. Total amount received \$314. Filed.

The Clerk reported that the Mayor had revoked the license of Chas. McAnally. Filed.

#### COMMUNICATIONS.

The Clerk presented a communication from the Assessors, relative to the tax of Hiram Sibley, Terry McMannis and Wm. H. Emerson. Received and filed.

#### ORDINANCES.

##### COURT STREET WOODEN BRIDGE.

By Ald. Groot—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a wood bridge on Court street, over the mill race, on the west side of the Genesee River. Adopted.

The Surveyor submitted as such estimate \$1,632.

By Ald. Groot—Resolved, That the following improvement is expedient, viz:

The construction of a wood bridge on Court street over the mill race, on the west side of the Genesee River.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$1,632, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

All the property on each side of the upper mill race, (west side,) belonging to the owners of said race.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, October the 1st, 1867, at half past 7 o'clock, at the Common Council Hall, when allegations will be heard.

Ald. Qualtrough moved its indefinite postponement. Ald. Taylor moved its postponement for two weeks, and that the Flood Committee be directed to bring all the ordinances relating to flood damages at once. Lost as follows:

Ayes—Ald. Spencer, Qualtrough, Lutes, Relyea, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Miller—11.

Nays—Ald. Groot, Remington, Guggenheim, Mutchler, Copeland, Ratt, Brown, Charters, Horcheler, Bingemer, Mauder, Quin, Parsons—13.

Ald. Qualtrough's motion to postpone indefinitely, was lost as follows:

Ayes—Ald. Spencer, Qualtrough, Lutes—3.  
Nays—Ald. Groot, Remington, Guggenheim, Mutchler, Relyea, Copeland, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons—21.

The ordinance passed as follows:  
Ayes—Ald. Groot, Guggenheim, Mutchler, Relyea, Copeland, Ratt, Brown, Kelly, Paine, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons—17.

Nays—Ald. Spencer, Qualtrough, Lutes, Remington, Taylor, Burke, Woodruff—7.

##### JAY STREET WALK.

Ald. Ratt presented the final ordinance for Jay street walk.

Ald. Qualtrough moved its indefinite postponement. Carried.

##### CHATHAM STREET IMPROVEMENT.

Ald. Ratt presented the final ordinance for Chatham street improvement.

Ald. Remington moved its postponement until the second regular meeting in April, 1868. Carried.



## STATE STREET CROSSWALK.

By Ald. Quin—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone crosswalk across State street on the south side of Furnace street. Adopted.

The Surveyor submitted as such estimate \$125.

By Ald. Quin—Resolved, That the following improvement is expedient, viz.:

The construction of a stone crosswalk across State street on the north side of Furnace street.

And, whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$125, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz.:

One tier of lots on the south side of Furnace street from State street to Mill street, one tier of lots on the east side of State street, from Furnace street to the south line of Lot No. 50 in the Frankfort tract, and Lots 99 and 100 and 101 in said tract.

And the Clerk is hereby directed to publish notice in pursuance of the 14th of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening, Oct. the 1st, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

## SOUTH AVENUE IMPROVEMENT.

On motion of Ald. Ratt the Board proceeded to hear allegations in relation to the improvement described in the ordinance below.

After hearing such allegations from all persons appearing, Ald. Ratt submitted the following:

An ordinance to improve South avenue from Mt. Hope avenue to Munger street.

The Common Council of the City of Rochester do ordain and determine as follows:

South avenue shall be improved from Mt. Hope avenue to Munger street, by setting curb-stone, paving the gutters, laying a flag-stone walk, 5 feet wide, on both sides, except in front of those premises where cement walks have recently been constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at nine thousand five hundred dollars, which estimate was and is hereby approved; the sum of nine thousand five hundred dollars being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on each side of South avenue, from Mt. Hope avenue to Munger street.

On which above described portion of the city the said sum of nine thousand five hundred dollars is hereby ordered to be assessed.

And the tax payers to be assessed for making such improvement, may, by paying interest, as hereinafter provided, on the amount assessed to them individually, pay their assessments in three equal payments, as follows: One-third of the amount assessed within three months after the confirmation of the assessment roll, without interest; one-third of the amount with interest at the rate of seven per cent. per annum, within one year from the confirmation of said roll; and the remaining one-third, with interest at the same rate, within two years from the confirmation of such roll.

And David McKay, E. T. Oatley and C. M. St. John, the assessors of said city, not interested in any of the property so assessed, nor of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 21st day of Sept., 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote:

Ayes—Ald. Spencer, Qualtrough, Lutes, Groot, Remington, Guggenheim, Mutchler, Relyea, Copeland, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Adelman, Binghamer, Mauler, Miller, Quin, Parsons—22.

Nays—Ald. Charters, Horcheler—2.

## SOUTH FITZHUGH STREET WIDENING AND EXTENSION.

On motion of Ald. Burke, the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing, Ald. Burke submitted the following:

An ordinance to extend and widen South Fitzhugh street.

The Common Council of the city of Rochester do ordain and determine as follows:

South Fitzhugh street on the east side, shall be widened from Lafayette street to the north line of the Caledonia tract, by making the same 47 feet wide, and extending said street, of the same width, from the north line of said tract to Edinburg street, and the following described territory is deemed necessary to be taken for said improvement, viz.:

Beginning in the north line of the Caledonia tract at its intersection with the west line of Fitzhugh street, thence south-westerly along the west line of Fitzhugh street to the west line of the east half of lot No. 71 in the Caledonia tract, thence southerly along the west line of the east half of said lot 71 to a point where a line run parallel with the west line of Fitzhugh street, and 47 feet distant at right angles therefrom, would intersect the same; thence northerly on a line parallel with the west line of Fitzhugh street and 47 feet distant therefrom to Lafayette street; thence westerly along Lafayette street to the east line of Fitzhugh street, thence southerly along the east line of Fitzhugh street to the north line of the Caledonia tract; thence westerly along the north line of said tract to the place of beginning.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at two thousand five hundred dollars, which estimate was and is hereby approved; the sum of two thousand five hundred dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on each side of South Fitzhugh street and said street extended from Spring street to Edinburg street.

And the City Attorney is hereby directed to publish the notice required by law, that application will be made to the county court of the County of Monroe, for the appointment of Commissioners to inquire into and determine what damages and compensation the owner or owners of such land to be taken will be entitled to for the same, and that he serve such notice as required by law.

Passed by the following vote: All ayes—24.

## CLINTON STREET SEWER.

On motion of Ald. Adelman the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing, Ald. Adelman submitted the following:

An ordinance to construct a sewer in Clinton street, from Sellinger street to Lowell street.

The Common Council of the city of Rochester do ordain and determine as follows:

A stone sewer 2 feet by 2 feet in Clinton street, from Sellinger street to Lowell street shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at five hundred dollars, which estimate was and is hereby approved; the sum of five hundred dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on each side of Clinton street from Sellinger street to Lowell street, one tier of lots on each side of Sellinger street from Joseph street to Clinton street, one tier of lots on each side of St. Joseph street from a point 40 feet north of Catherine street to Hoeltzer street, and one tier of lots on each side of Herman street from a point 200 feet west of Hudson street to St. Joseph street.

On which above described portion of the city, the said sum of five hundred dollars is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 21st day of Sept., 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote: All ayes—22.

#### GRAPE STREET SEWER.

On motion of Ald. Adelman, the Board proceeded to hear allegations in relation to the improvement described in the ordinance below :

After hearing such allegations from all persons appearing, Ald. Adelman submitted the following :

An ordinance to construct a sewer in Grape street.

The Common Council of the city of Rochester do ordain and determine as follows :

A pipe sewer 12 inches in diameter in Grape street, from a point 20 feet north of Orange street, to the sewer in Jay street, shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at four hundred and ninety dollars, which estimate was and is hereby approved; the sum of four hundred and ninety dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows :

One tier of lots on each side of Grape street, from Orange street to Jay street.

On which above described portion of the city the sum of four hundred and ninety dollars is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 21st day of September, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote :

Ayes—A. Sperry, Qualtrough, Lutes, Remington, Guggenhein, Mutchler, Rejcek, Copeland, Hall, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Binghamer, Mauder, Miller, Parsons—21.

Nays—Ald. Quin—1.

#### ALLEN STREET SEWER.

By Ald. Adelman—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone sewer, 2½ feet by 3½ feet, in Allen street, from Elizabeth street to State street; thence on the line of the present sewer across State street, under the Waverly Block and Congress Hall, across Mill street, under the Brackett House, and across Front street to the Front street outlet sewer.—Adopted.

The Surveyor submitted as such estimate, \$10,000.

By Ald. Adelman—Resolved, That the following improvement is expedient, viz :

The construction of a stone sewer, 2½ feet by 3½ feet, in Allen street, from Elizabeth street to State street; thence on the line of the present sewer across State street, under the Waverly Block and Congress Hall, across Mill street, under the Brackett House, and across Front street to the Front street outlet sewer.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$10,000, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz :

All the houses and lands within the following described territory, viz :

Beginning at the west side of the Genesee River on the south line of the New York Central Railroad property; thence westerly along said south line to the center of State street, including the property of said railroad company on the south side of the track, between the river and Mill street; thence southerly along State street, including one tier of lots on the west side thereof to Allen street; thence westerly along Allen street, including one tier of lots on the north side thereof to Elizabeth street; thence southerly along Elizabeth street, including one tier of lots on the west side thereof to Buffalo street; thence easterly along Buffalo street, excepting one tier of lots on the north side thereof, to State street; thence northerly along State street, excepting one tier of lots on the west side thereof, to Allen street; thence across State street to the south-west corner of lot No. 22, in Campbell's subdivision of a part of Frankfort; thence easterly along the south line of said lot, and lot 17 in said subdivision, to Mill street; thence across Mill street to the south line of property owned by James Brackett; thence easterly along said south line to Front street; thence in a direct line to the place of beginning.

And further, Resolved, That the tax-payers to be assessed for making such improvement may, by paying interest as hereinafter provided, on the amount assessed to them individually, pay their assessments in three equal payments, as follows : One-third of the amount assessed within three months after the confirmation of the assessment roll, without interest; one-third of the amount, with interest, at the rate of seven per cent. per annum, within one year from the confirmation of said roll; and the remaining one-third, with interest, at the same rate, within two years from the confirmation of such roll.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, October the 1st, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### AMBROSE STREET SEWER.

By Ald. Adelman—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone sewer, 18 inches by 2 feet, in Ambrose street, from Frank street to the sewer in Graham street. Adopted.

The Surveyor submitted as such estimate \$1,410.

By Ald. Adelman—Resolved, That the following improvement is expedient, viz :

The construction of a stone sewer, 18 inches by 2 feet, in Ambrose street, from Frank street to the sewer in Graham street.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$1,410, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz :

One tier of lots on each side of Ambrose street from Frank street to Graham street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening, October the 1st, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### VARNUM STREET SEWER.

By Ald. Adelman—Whereas, by a resolution adopted by the Board of Health, Varnum street, from Lorimer street to Bloss street, was declared a nuisance, and in the opinion of this Common Council is a nuisance, now the afore, for the purpose of abating such nuisance,

Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone sewer, 2 feet by 18 inches, in Varnum street, from a point 140 feet north of Jones avenue to a point 310 feet north of Lorimer street. Adopted.

The Surveyor submitted as such estimate \$1,640.

By Ald. Adelman—Resolved, That the following improvement is expedient, viz :

The construction of a stone sewer, 18 inches by 2 feet in Varnum street, from a point 140 feet north of Jones avenue to a point 310 feet north of Lorimer st.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$1,640, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz :

One tier of lots on each side of Varnum street, from Jones avenue to a point 310 feet north of Lorimer st.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, October the 1st, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### BROWN STREET SEWER.

By Ald. Adelman—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone sewer 18 inches by 2 feet in Brown street, from a point 133 feet west of Maple street to the sewer in King street. Adopted.

The Surveyor submitted as such estimate \$2,550.

By Ald. Adelman—Resolved, That the following improvement is expedient, viz :

The construction of a stone sewer, 18 inches by 2 feet, in Brown street, from a point 133 feet west of Maple street to the sewer in King street.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$2,550, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz :

One tier of lots on each side of Brown street, from a point 185 feet west of Maple street to King street, and lots 1, 2 and 3 on the west side of Wilder street.

And further, Resolved, That the tax-payers to be assessed for making such improvement may, by paying interest as hereinafter provided, on the amount assessed to them individually, pay their assessments in three equal payments, as follows: One-third of the amount assessed within three months after the confirmation of the assessment roll, without interest; one-third of the amount, with interest, at the rate of seven per cent. per annum, within one year from the confirmation of said roll; and the remaining one-third, with interest, at the same rate, within two years from the confirmation of such roll.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, October the 1st, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### PROSPECT STREET SEWER.

Ald. Adelman presented the final ordinance for Prospect street sewer.

Ald. Taylor moved as an amendment to reduce the size of the sewer to 2 feet by 18 inches; also, to reduce the estimate to \$2,500, and change the territory to be assessed by striking out "except one tier of lots on the east side of Reynolds street," and insert "excepting territory upon the east side of Reynolds street to the depth of 100 feet." Carried.

Ald. Groot moved a reconsideration. Carried as follows:

Ayes—Ald. Qualtrough, Groot, Mutchler, Copeland, Brown, Kelly, Burke, Paine, Charters, Binghamer, Quin, Parsons—13.

Nays—Ald. Spencer Lutes, Remington, Guggenheim, Relyea, Taylor, Woodruff, Adelman, Horcheler, Mauder, Miller—11.

Ordinance lost as follows:

Ayes—Ald. Qualtrough, Remington, Mutchler, Relyea, Copeland, Ratt, Brown, Kelly, Burke, Paine, Woodruff, Adelman, Binghamer, Mauder, Quin, Parsons—16.

Nays—Ald. Spencer, Lutes, Groot, Guggenheim Taylor, Charters, Horcheler, Miller—8.

Ald. Groot moved a reconsideration. Carried.

Ald. Taylor moved that the ordinance be amended, by changing the territory to be assessed, by striking out the words "excepting one tier of lots on the east side of Reynolds street," and inserting "a strip of territory on the east side of Reynolds street, ninety feet deep." Carried.

Ald. Groot moved to postpone further action for two weeks. Carried.

#### ASSESSMENTS.

Ald. Quin presented the Assessment roll for State street crosswalks.

Ald. Kelly moved its postponement for two weeks. Carried.

Ald. Spencer moved to adjourn until tomorrow evening at 7½ o'clock. Lost.

#### EXECUTIVE.

On motion of Ald. Qualtrough, the Board proceeded to ballot for a Commissioner of Deeds, when W. H. Truesdale received 9 votes, scattering 8. No choice.

On motion of Ald. Qualtrough, further balloting was postponed for two weeks.

Ald. Groot presented the resignation of W. H. Mathews, as a Commissioner of Deeds.—Accepted.

#### MISCELLANEOUS.

By Ald. Qualtrough—Resolved, That the tax of S. Guggenheimer on one thousand dollars personal property be and is hereby remitted, and the City Treasurer authorized to adopt the same to erroneous assessment.—Adopted.

By Ald. Qualtrough—Resolved, That owners of property upon improved streets wishing to lay or relay sidewalks, must in each case do so under the direction of the Improvement committee, or under a resolution of this Board specifying in terms the kind of walk, the material to be used and the manner of laying such walk. Adopted.

By Ald. Qualtrough—Whereas this board did at its last preceding regular meeting direct the service of a notice upon S. D. Walbridge directing him to rebuild or repair the sidewalks in front of property on State and Allen streets within the period of ten days after service of such notice; and

Whereas the said S. D. Walbridge has failed to comply with such order, and the said walks still remain impassable, to the great inconvenience of the public and the detriment of business property in the neighborhood, therefore

Resolved, That the Superintendent of Streets is hereby directed to cause the said sidewalks to be laid in a suitable manner with Medina Flag Stone without delay, and the expense of building or laying sidewalks shall be assessed upon and collected from the owner or owners of the property upon which stores are now being erected at the corner of State and Allen streets, in the manner required by law. Adopted.

By Ald. Qualtrough—Whereas, It is shown by the last monthly report of the City Treasurer that several of the general funds raised by tax for city purposes, were on the first of September instant, either entirely exhausted, or without sufficient money at their credit to pay pending claims; and,

Whereas, Such a condition of the financial affairs of the city at this period of the year is unusual, as will appear from the following extracts from the journals:

Page 122, Oct. 5, 1864, Treasurer's Monthly Report.

Contingent Fund, Cr. balance....	\$11,192 57
Highway do do .....	4,390 70
Police do do .....	11,720 64

Page 116, Oct. 3, 1865, Treasurer's Monthly Report.

Contingent Fund, Cr. balance.....	\$7,577 85
Highway do do .....	5,783 81
Police do do .....	7,129 24

Page 118, Oct. 2, 1866, Treasurer's Monthly Report.

Contingent Fund.....	\$6,017 29
Highway do .....	5,949 41
Police do .....	2,721 34

And Whereas, Section 60, title IV. of the City Charter specifies, among other provisions, as follows, to wit:

"But no warrant, check or draft shall be signed by the Clerk, or be paid or accepted by the Treasurer, the effect of which shall be to overdraw any of the funds aforesaid, or when there shall not be money in the Treasury applicable to the payment of such warrant, check or draft, to pay the same in full. Any violation of this provision by the Clerk or Treasurer shall be a misdemeanor, and shall subject the offender to a fine of not less than ten dollars nor exceeding one hundred dollars; and it shall be the duty of the District Attorney of the County of Monroe to prosecute any person so violating this provision on the complaint of any tax-payer of the city of Rochester." and

Whereas the City Charter (section 86, title V.) further specifies among other provisions as follows, to wit: "No member of the Common Council shall vote for the payment of any money out of any of the general funds herein named, or out of any other fund in the City Treasury, knowing that such fund

is without money to pay the same; and any person violating this provision shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than fifty dollars nor more than one hundred dollars, and be imprisoned in the Monroe County penitentiary for the period of ten days, and the District Attorney of the County of Monroe is hereby specially directed, and it shall be his duty, to prosecute all persons violating this provision upon the complaint of any tax-payer of said city." And

Whereas it appears that the General Fund for the construction and repair of streets, alleys, lanes and bridges is not only already exhausted but is in debt now about three thousand dollars, which there is no fund to meet; and

Whereas, It is proved that the Rule of this Board restraining the standing committees thereof from incurring any debt or liability or making or creating by contract or otherwise any lien upon the general fund under its charge above and beyond the sum of twenty-five dollars—unless the same shall be sanctioned by this Board (as well as the final provisions of the charter above quoted) has been disregarded by at least one of the standing committees, that upon streets and bridges, not only in violation of the law and the usage of this Board but to the detriment of this Board and the reputation of its members in the minds of the tax-payers of the city; now therefore

Resolved, That it is the deliberate sense of this Board, and is ordained as a standing resolution, that no committee of this Board or member thereof shall, under any circumstances whatever, make or enter into any contract for material to be furnished, or labor to be performed, which shall be, or be liable to be or become a charge upon any of the General Funds of the city, except there shall be at the time funds in the City Treasury at the credit of the particular fund involved sufficient to pay the same after paying all pending and all outstanding claims against such fund; and that any violation of this rule shall deprive the person or persons so violating of the right to speak or vote in any of the meetings of this Board, and to the pains and penalties by law prescribed for a malfeasance in office.

Ald. Taylor moved its indefinite postponement. Carried as follows:

Ayes—Ald. Spencer, Lutes, Guggenheim, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Bingemer, Mauder, Miller—14.

Nays—Ald. Qualtrough, Groot, Remington, Mutchler, Copeland, Brown, Charters, Horcheler, Quin, Parsons—10.

Ald Taylor moved to adjourn until tomorrow evening at 7½ o'clock. Carried.

B. FRANK ENOS, Clerk.

**In Common Council, September 18th, 1867.**

ADJOURNED MEETING.

The President of the Board, Ald. Wm. Guggenheim, presiding.

Present—Ald. Spencer, Qualtrough, Lutes,

Groot, Remington, Guggenheim, Mutchler, Relyea, Copeland, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons.

Absent—Ald. Cram, Andrews, Graham, Carroll.

MISCELLANEOUS.

By Ald. Lutes—Resolved, That the City Treasurer be directed to pay Geo. Moshier, David Niven, Robert Morrow, F. J. Irwin, M. Hughes and Chas. Burns, each \$56.68, and charge Health Fund.

Ald. Groot moved as an amendment to strike out the names of Geo. Moshier, David Niven and Chas. Burns. Lost as follows:

Ayes—Ald. Qualtrough, Groot, Remington, Mutchler, Copeland, Brown, Kelly, Paine, Charters, Horcheler, Quin, Parsons—12.

Nays—Ald. Spencer, Lutes, Guggenheim, Relyea, Ratt, Taylor, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller—12.

Ald. Taylor moved the previous question. Carried as follows:

Ayes—Ald. Spencer, Lutes, Guggenheim, Relyea, Ratt, Taylor, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller—12.

Nays—Ald. Qualtrough, Groot, Remington, Mutchler, Copeland, Kelly, Paine, Charters, Horcheler, Quin, Parsons—11.

Resolution adopted as follows:

Ayes—Ald. Spencer, Lutes, Guggenheim, Relyea, Ratt, Taylor, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller—12.

Nays—Ald. Qualtrough, Groot, Remington, Mutchler, Copeland, Kelly, Paine, Charters, Horcheler, Quin, Parsons—11.

By Ald. Lutes—Resolved—That Daniel Leary have leave to construct a flag-stone sidewalk and setting curb-stone in front of his premises on Otesgo street, in accordance with the grade established by this Board, under the direction of the Improvement Committee and City Surveyor. Adopted.

By Ald. Lutes—Resolved, That the Treasurer credit Poor Fund \$48.00 for wood furnished the Pest House, and charge Health Fund. Adopted.

By Ald. Lutes—Resolved, That the Treasurer is hereby directed to pay F. Moshier & Co. and Smith & Roberts \$1,035 each, in full on their contract for coal, and charge Poor Fund. Adopted as follows: All ayes—23.

By Ald. Groot—Resolved, That the owners of the block on the northeast corner of Buffalo and State streets, formerly known as "Burns Block," have permission to close one of the entrances to the basement, on Buffalo street, and substitute therefor an entrance upon State street, under the direction of the Street Committee, not exceeding three and one-half feet in width from the line of the buildings.

Ald. Burke moved its indefinite postponement. Carried, as follows:

Ayes—Ald. Remington, Guggenheim, Mutchler, Relyea, Copeland, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Mauder, Miller, Quin, Parsons—15.

Nays—Ald. Spencer, Qualtrough, Lutes, Groot, Ratt, Brown, Charters, Horcheler, Bingemer—9.

Ald. Kelly moved a reconsideration. Lost. By Ald. Remington—Whereas, There is an impression with some of the tax-payers of

this city that one or more of the funds entrusted to the care of the several committees of this Board has been overdrawn, at this early day, to a large amount; and

Whereas, Such an impression may or may not be erroneous; therefore be it

Resolved, That each committee having charge of a fund is hereby directed to report, at the next regular meeting of this Board, the condition of the fund entrusted to its care; also, for what, where and when such funds have been expended; and all outstanding bills against the fund, together with a report showing a comparison with last year at this time. Adopted.

By Ald. Mutchler—Resolved, That the City Treasurer be and he is hereby directed to cancel the tax of \$11.42 assessed to William N. Emerson on lot No. 9, on the east side of Ford street, in the Third Ward, and charge the same to erroneous assessments. Adopted.

By Ald. Mutchler—Resolved, That the Treasurer is hereby directed to refund to J. Geo. Baetzel \$19.03, amount of city tax on \$500 valuation, and charge erroneous assessments. Referred to City Attorney.

By Ald. Mutchler—Resolved, That the Treasurer pay the following bills when there is money in the Treasury, and charge House for Truants:

H. Brewster & Co., grocers, \$108.60; John Siddons, repairing range, \$31.93; J. W. Adams, Superintendent of Disbursements, \$39.65; Geo. W. Fisher, paper, \$3.12; Howe & Rogers, \$12.20; Hubbard & Northrop, dry goods, \$51.43; F. Moser & Co., coal, \$30; J. N. Whitney & Co., flour, &c., \$199.22. Adopted as follows: All ayes—24.

By Ald. Relyea—Resolved, That this Board recommend to all persons who contemplate laying or relaying plank walks that they substitute cement for plank, it being more durable and but a little more expensive, if any, than plank. Adopted.

By Ald. Copeland—Resolved, That J. Braddt, F. J. Schafter, D. Devenport, Eliza Copethon, have leave to erect wooden buildings, according to their several petitions, under the direction of the Fire Marshal; also that Mr. H. Menter have leave to construct a wooden cornice on his building on the east side of South St. Paul street.—Adopted.

By Ald. Ratt—Resolved, That the Clerk draw an order for three hundred dollars in favor of David Wagner, and payable to his order in two years from September 17th 1867, with interest, and the Treasurer is hereby authorized to accept the same in behalf of the city, and charge Tremont street Improvement Fund. Adopted as follows:

Ayes—Ald. Spencer, Qualtrough, Lutes, Remington, Guggenheim, Mutchler, Relyea, Copeland, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Bingemer, Mauder, Miller, Quin, Parsons.—22.

Nays—Ald. Groot, Horcheler—2.

By Ald. Ratt—Resolved, That the Clerk draw two orders for one thousand dollars each, in favor of David Wagner, and payable to his order, one in one year from September 3d, 1867, and one in two years from the same date, both with interest. And the Treasurer is hereby authorized to accept the same in behalf of the City and charge Tremont Street Improvement fund.

Ald. Groot moved as an amendment to pay only \$1,500. Lost.

Resolution adopted as follows:

Ayes—Ald. Spencer, Qualtrough, Lutes, Remington, Guggenheim, Mutchler, Relyea, Copeland, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons.—23.

Nays—Ald. Groot—1.

By Ald. Ratt—Resolved, That the Treasurer collect from property owners taxed for Galusha street plank walk as follows: From O. H. Palmer, \$50.90; from E. W. Wadsworth, \$13.50; from D. H. Davis, \$13.50, and from all others assessed for said walk, 4 per cent. in full of their assessment for said walk. Adopted.

By Ald. Ratt—Resolved, That the Treasurer be, and he is hereby authorized to receive from property owners taxed for Gardner Park plank walk, 2 per cent. in full of their assessment for said walk. Adopted.

By Ald. Ratt—Resolved, That the City Treasurer be, and he is hereby directed to cancel the tax of \$13.32 assessed on the property of Peter Hughes in the 7th Ward, and charge the same to erroneous assessments. Adopted.

By Ald. Ratt—Resolved, That the Treasurer credit Monroe Avenue side walk fund \$37.48, and charge contingent fund, the same being the amount assessed upon Monroe Avenue Cemetery for said improvement. Referred to City Attorney to report.

By Ald. Ratt—Resolved, That the Improvement Committee be, and they are hereby authorized to let the work of grading Jones Avenue, and constructing a stone and gravel walk on the north side from Lake Avenue to Frank street, and his Honor the Mayor, is hereby requested to execute a contract for the same. Postponed until the next regular meeting.

By Ald. Ratt—Resolved, That the Treasurer be, and he is hereby authorized to receive from property owners taxed for Rowe street Improvement, 85 per cent. in full, for their assessment for said Improvement. Adopted.

By Ald. Ratt—Resolved, That the Treasurer be, and he is hereby authorized to receive from property owners taxed for Mt. Hope avenue railing 82 per cent., and from those taxed for South avenue railing 37 per cent., in full of their assessment for said railing.—Adopted.

By Ald. Ratt—Resolved, That his Honor the Mayor be and is hereby authorized to enter into contract with N. H. Galusha for the casting of fifty lamp posts at the same cost as the present contract with said Galusha for the posts now being delivered to the Lamp committee.

Ald. Qualtrough moved its postponement until the next regular meeting. Lost.

Ald. Mauder moved its indefinite postponement. Lost as follows:

Ayes—Ald. Lutes, Groot, Guggenheim, Mutchler, Brown, Paine, Adelman, Horcheler, Mauder, Miller—10.

Nays—Ald. Spencer, Qualtrough, Remington, Relyea, Copeland, Ratt, Taylor, Kelly, Burke, Woodruff, Charters, Bingemer, Quin, Parsons—14.

Ald. Kelly moved as an amendment to strike out "N. H. Galusha" and insert "Chapin & Terry," at \$9 per lamp post, of the

same weight as those furnished by N. H. Galusha.

Ald. Groot moved as an amendment to the amendment, to refer the whole matter to the committee, and that they be directed to advertise for proposals. Carried.

By Ald. Taylor—Resolved, That the Special Committee on Damages caused by the Flood be directed to bring in ordinances at the next regular meeting for the purpose of assessing locally the total amount expended in making those repairs, in accordance with the law passed by the last Legislature. Adopted.

By Ald. Kelly—Whereas, The "First Battalion Light Artillery," ("Rochester Union Grays") one of the oldest and most efficient organizations in the State, is at great personal expense to maintain its standard, receiving but \$250 for its yearly support from the State, while its yearly expenses exceed \$600, and as its parade just past has cost the command \$810 or over; and having never received or asked any aid from the city, while the city a few years since appropriated \$1,000 for the 54th Regiment, therefore

Resolved, That the sum of \$250 be appropriated and paid to the "First Battalion Light Artillery" for the purpose set forth in the above preamble.

Ald. Kelly moved its reference to a special committee to report. Carried.

The Chair appointed as such committee Ald. Kelly, Paine, Burke.

Ald. Kelly moved that the President of the Board and Mayor be added to the committee. Carried.

Ald. Paine asked to be excused from serving on the committee. Granted.

The Chair appointed in his place Ald. Qualtrough.

By Ald. Kelly—Resolved, That the Committee upon City Property be authorized to sell the vacant lot on West avenue, purchased for an engine house, upon the most favorable terms, and place the avails in the treasury, to the credit of the fund which originally paid for it. Referred to City Property Committee to report.

#### VARNUM STREET SEWER.

Ald. Kelly moved to reconsider the vote on the first ordinance for Varnum street sewer, passed last evening. Carried.

Ald. Kelly moved as an amendment to increase the estimate to \$2,010. Carried.

Ordinance adopted as amended.

By Ald. Burke—Resolved, That the owners of lands on Champion street have four weeks in which they may individually construct the contemplated plank walk in front of their respective premises in accordance with the ordinance therefor under direction of the Improvement Committee and Surveyor, and that such owners be properly credited in the premises. Adopted.

By Ald. Woodruff—Resolved, That the City Treasurer receive from Thomas Moulson one hundred dollars, and cancel the judgment obtained against him March 24th, 1859, of two hundred and twenty dollars and costs, according to his petition. Referred to Law Committee and Attorney.

Ald. Paine presented the resignation of A. J. Wilkin, as a Commissioner of Deeds. Accepted.

On motion of Ald. Paine, the Board proceeded to ballot for a Commissioner of Deeds,

when M. H. Davis received 13 votes, A. D. Walbridge 16, W. H. Truesdale 14, S. M. Stewart 6, Scattering 4. A. D. Walbridge was declared appointed.

SECOND BALLOT—W. H. Truesdale, 16; M. H. Davis, 15; S. M. Stewart, 7; scattering, 2. W. H. Truesdale and M. H. Davis were declared appointed.

By Ald. Charters—Resolved, That the Street Superintendent be directed to clean out the lateral sewer on North street, at the crossing of the New York Central Railroad. Referred to the Sewer Committee.

By Ald. Adelman—Resolved, That the Treasurer be, and he is hereby authorized to receive from property owners taxed for Kelley street sewer, between Joiner and St. Joseph streets, 79 per cent. in full of their assessment for said sewer. Adopted.

By Ald. Adelman—Resolved, That the Treasurer be, and he is hereby authorized to receive from property owners taxed for Gregory street sewer, 91 per cent. in full of their assessment for said sewer. Adopted.

Ald. Qualtrough moved to suspend the rule to adjourn at 11 o'clock. Carried.

By Ald. Adelman—Resolved, That the Clerk draw two orders for four hundred dollars each in favor of J. McCarty, and payable to his order, one in one year from September 17th, 1867, and one in two years from the same date, both with interest; and the Treasurer is hereby authorized to accept the same in behalf of the city, and charge Jay street Sewer Fund. Adopted as follows: All ayes—23.

By Ald. Adelman—Resolved, That the Clerk draw two orders for seven hundred and fifty dollars each, in favor of F. C. Lauer and Son, and payable to their order, one in one year from September 17th, 1867, and one in two years from the same date; both with interest; and the Treasurer is hereby authorized to accept the same in behalf of the City and charge Sellinger, St. Joseph and Herman streets sewer fund. Adopted as follows: All ayes—23.

By Ald. Horcheler—Resolved, That the tax payers on South avenue have 60 days time to construct the walks in front of their own premises either of flag or cement, according to their original petition for the improvement and under the direction of the Improvement committee and City Surveyor. Adopted.

By Ald. Mauder—Resolved, That the Street Superintendent notify the owners of property on St. Joseph street, from Herman street to the city line, also on both sides of Lowell street; Broadway, from Mouroe avenue to Nelson street, to repair the respective walks within five days, and in case they neglect to do so, the Street Superintendent is hereby directed to repair the same in accordance with Section 212 of the City Charter as amended. Adopted.

By Ald. Quin—Whereas, An act was passed by the Legislature of this State at its last session "Authorizing the Common Council of the city of Rochester to borrow \$10,000 upon the credit of the city for the purpose of purchasing or improving sites and buildings or enlarging school houses," therefore,

Resolved, That in pursuance of said act the City Treasurer is hereby directed to borrow at this time \$2,000 of said amount and credit the same to the Board of Education, for the purpose of purchasing a site for another

school-house in the Thirteenth Ward, known as the school lot on Concord avenue. Adopted as follows:

Ayes—Ald. Spencer, Qualtrough, Groot Remington, Gurgenheim, Mutchler, Relyea, Copeland, Katt, Taylor, Burke, Paine, Woodruff, Adelman, Charters, Horebeler, Bingenme, Mauder, Miller, Quin, Parsons—21.

Nayes—Ald. Lutes, Kelly—2.

By Ald. Quin—Resolved, That the Treasurer be, and he is hereby authorized to receive from property owners taxed for cross-walks on Mill, Factory, State and St. Paul streets, as follows, viz.:

For Mill and Factory streets, 67 per cent.  
 " State street..... 92 " "  
 " St. Paul street..... 85 " "

in full of the assessment for said cross-walks, Adopted.

By Ald. Quin—Resolved, That all committees of this Board are hereby directed not to purchase any materials or supplies, unless there is money in the treasury belonging to the funds which said purchases are chargeable to. Adopted.

By Ald. Quin—Whereas, There seems to be a disagreement between the members of the Committee on Lamps; therefore

Resolved, That Aldermen Burke and Parsons be and they are hereby added to the Committee on Lamps, as members of the same. Adopted.

By Ald. Parsons—Resolved, That the portion of the city now known as Main and New Main streets be and is hereby changed to East Broadway, and the other portion now called Buffalo street and West avenue shall be hereafter known as West Broadway. Postponed indefinitely.

FINANCE BUDGET.

SEPTEMBER 3d, 1867.

By Ald. Paine—Resolved, That the Treasurer pay as follows:

CONTINGENT FUND.

Daniel Richmond, Surveyor, 1 month's salary .. \$250 00  
 B. Frank Enos, Clerk, .. 100 00  
 E. A. Raymond, Attorney, .. 91 67  
 David McKay, Assessor, .. 100 00  
 E. T. Oatley, .. 100 00  
 C. M. St. John, .. 108 00  
 William Tracy, Messenger .. 66 69  
 F. Moslier & Co., coal for City Hall .. 175 15  
 Sage, Sons & Co., Buffalo, letter heads..... 15 00  
 [payable to the City Clerk.]  
 Thos. Culhane, hack hire .. 2 25  
 William Tracy, disbursements .. 15 53

And charge Contingent fund. \$1,016 28

POOR FUND.

Joseph Hoffman, one month's salary..... \$100 00  
 T. E. Scrantom, .. 75 00  
 Chas. H. Swift, 4 weeks salary..... 20 00  
 Geo. Gates, 1 month's salary .. 30 00  
 Joseph Hoffman, disbursements .. 18 38  
 E. Butterfield, transportation .. 19 50  
 A. Hebbard, flour for Poor store .. 1 47  
 J. D. McIntosh, candles .. 42 75  
 B. Klem & Son, orders for burials..... 48 50  
 Henry East, .. meat .. 120 00  
 Dwight Palmer, .. fish .. 27 00  
 E. Brownell, .. shoes .. 44 25  
 John Groh, .. shoes .. 44 50  
 A. Pratt, .. shoes .. 7 50  
 B. Doanor, .. groceries .. 12 75  
 Moore & Cole, orders for groceries and rice for Poor store..... 35 90  
 H. F. Smith orders for groceries .. 34 50  
 H. W. Jones, .. 36 75  
 A. M. Semple, fish, &c, for Poor store..... 16 40  
 E. Weigel, bread .. 121 50  
 George Bastian, bread .. 124 20  
 Philip Lawman, bread .. 121 59  
 Minges & Mayer, orders for burials..... 54 50  
 Valentine Debus, delivering wood..... 46 56

And charge Poor Fund. \$1,349 58

HIGHWAY FUND.

McConnell & Jones, material and labor on streets..... \$ 75 81  
 Walker & Kilpeck, bill for nails..... 19 00  
 Edward Fox, bill for blacksmithing..... 7 15  
 James Fee, bill for wagon grease, &c..... 3 36  
 James Lennon, pay roll from 19th to 31st of August, 1867..... 313 24  
 Charles M. St. John, city map for Superintendent's office..... 5 00

And charge Highway Fund. \$424 06

FIRE DEPARTMENT FUND.

Monthly Pay Roll, payable to George B. Harris, Chief Engineer:  
 Steamer No. 1, engineer and drivers..... \$185 00  
 .. 2 .. .. 135 00  
 .. 3 .. .. 135 00  
 .. 4 .. .. 135 00  
 Hook and Ladder Co. No. 1, drivers..... 40 00  
 R. B. Paine, services at hose depot..... 60 00

Geo. B. Harris, salary 1 month..... \$610 00  
 100 00

F. H. Hollister, kindling wood and lumber..... \$ 9 80  
 Curtis, Morey & Co., advertising..... 6 75  
 John Ritzgen, painter..... 2 00  
 Sherlock & Sloan, steam fittings..... 21 20  
 A. & E. Breunau, sheeting, &c..... 9 82  
 J. H. Pool & Co., mill feed..... 20 35  
 Merick, Hayes & Co., brooms and matches..... 6 15  
 Smith & Roberts, steam coal..... 14 00  
 Jacob Lux, harness work..... 33 00  
 P. B. & M. H. Whiteck, wood..... 25 00  
 Jacob Hyne, bell ringing..... 12 50  
 Robert Hannahs, hay, payable to L. C. Spencer 14 14  
 Geo. W. Bowen, do. do. do. do. 18 52

And charge Fire Department fund. \$912 38

IMPROVEMENT FUND.

Also, when there are funds applicable, as follows:  
 James Conway, in full for improving Rowe street..... \$ 55 58  
 And charge that fund.  
 P. J. McMenomy, in full for constructing sewer in Gregory street..... 134 68  
 \$28 40 payable to David Copeland, Jr.  
 And charge that fund.  
 David Wagner, in full for constructing sewer in Rome street..... 533 78  
 And charge that fund.  
 Daniel McCormick, in full for constructing sewer in Kelly street..... 586 43  
 August Wollert, bill inspecting Kelly street sewer..... 35 00  
 And charge that fund.  
 M. Schister, bill inspecting Rome street sewer. 40 00  
 And charge that fund.  
 Wm. M. Ware, bill inspecting Gregory street sewer..... 180 00  
 And charge that fund.  
 D. D. Lynch, bill for inspecting Tremont street improvement..... 57 50  
 payable to H. W. Jones.  
 And charge that fund.

POLICE FUND.

Samuel M. Sherman, 1 mo. sal. to Sept. 1, '67..... \$125 00  
 Alexander McLean, .. 75 00  
 Monroe A. Green, .. 75 00  
 Peter Hughes, .. 75 00  
 Thomas Lynch, .. 75 00  
 John H. Dana, .. 75 00  
 L. P. Angevine, .. 75 00  
 P. H. Sullivan, .. 75 00  
 John Ragan, .. 75 00  
 Phillip Schaad, .. 75 00  
 Charles McCormick, .. 75 00  
 James McKelvey, .. 75 00  
 Perry Marzloff, .. 75 00  
 J. W. Lord, .. 75 00  
 Joseph G. Roworth .. 75 00  
 John Barry, .. 75 00  
 Thos. P. Hurley, .. 75 00  
 William White, .. 75 00  
 Warren H. Noyce, .. 75 00  
 Michael Hyland, .. 75 00  
 Michael Flynn, .. 75 00  
 John J. Garrett, .. 75 00  
 Wm. F. Lusk .. 75 00  
 Edward Van Vorst, .. 75 00  
 E. W. Murney, .. 75 00  
 William Rodgers, .. 75 00  
 Joseph T. Clary, .. 75 00  
 Albert H. Bruman, .. 75 00  
 Bartholomew Crowley, .. 75 00  
 Jonathan Dresser, .. 75 00  
 Wm. J. Rozers, .. 75 00  
 Peter Yost, .. 75 00

L. Johnson, .. .. .	75 00
James Sullivan, .. .. .	75 00
Frank B. Allen, .. .. .	75 00
A. H. Franklin, 29 days' salary .. .. .	72 50
T. F. Burchell, 29 .. .. .	72 50
Mich'l Tierney, 29 .. .. .	72 50
Jas. K. Foster, 29 1/2 .. .. .	11 25
Frank Plass, 27 1/2 .. .. .	68 75
W. R. McArthur, 27 1/2 .. .. .	68 75

\$3,101 25

Examined and approved as being correct.  
 HENRY L. FISH,  
 HENRY S. HEBARD, } Police Commissioners.  
 GEO. G. COOPER,  
 Rochester, Sept. 2, 1867.  
 S. M. Sherman, disbursements .. .. . \$ 81 89  
 And charge Police Fund.

LAMP FUND.

Henry Hebing, glass for street lamps .. .. .	\$ 24 48
Fred. Stickle, care of kerosene oil lamps for month of August, 1867 .. .. .	470 00
Boyd, Commenginger & Co., repairing lamps..	49 03
And charge Lamp fund.	\$543 51

HEALTH FUND.

John H. York, burying dead animals .. .. .	\$ 10 25
Chas. Burns .. .. .	6 73
Geo. Moshier, .. .. .	3 43

Ald. Groot moved the previous question, which was to adopt the Budget. Lost as follows:

Ayes—Ald. Qualtrough, Groot, Kelly, Charters, Horcheler, Quin, Parsons—7.  
 Nays—Ald. Spencer, Lutes, Guggenheim, Relyea, Ratt, Burke, Paine, Woodruff, Adelman, Mauder, Miller—11.

Ald. Burke moved to reconsider the vote on the motion of Ald. Groot, to strike from the Budget the claims of Geo. Moshier, David Niven and Charles Burns, which was lost at the last regular meeting. Carried.

Ald. Burke moved that the names of Geo. Moshier, David Niven and Chas. Burns be stricken from the Budget. Carried.

Ald. Qualtrough moved to reconsider the vote on the motion of Ald. Horcheler to strike out from the Budget \$75 of P. J. McManomy's claim. Lost as follows:

Ayes—Ald. Qualtrough, Horcheler, Bingemer—3.  
 Nays—Ald. Spencer, Lutes, Groot, Remington, Guggenheim, Mutchler, Relyea, Copeland, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Mauder, Miller, Quin, Parsons—20.

The Budget was adopted as follows:  
 Ayes—Ald. Spencer, Lutes, Guggenheim, Relyea, Copeland, Ratt, Taylor, Burke, Woodruff, Adelman, Mauder, Miller, Quin, Parsons—14.  
 Nays—Ald. Qualtrough, Groot, Remington, Mutchler, Kelly, Paine, Charters, Horcheler, Bingemer—9.

ROCHESTER, Sept. 17, 1867.

CONTINGENT FUND.

William Zorn, painting and repairs Common Council room .. .. .	\$ 46 00
P. F. Carr, hack hire .. .. .	2 00
Wm. Whitehack, hack hire .. .. .	7 50
Rochester Gas Co., bill for gas at City Hall .. .. .	15 62
B. Frank Enos, bill for disbursements .. .. .	4 74
Frank Van Doorn, bill for sign for Mayor's office .. .. .	6 00

And charge Contingent Fund. \$121 89

FIRE DEPARTMENT FUND.

James Field, rope for H. & L. Co. .. .. .	\$ 39 09
Perrine & Stewart, repairs .. .. .	32 66
Rochester Gas Light Co., gas for Fire Department .. .. .	40 25
Osgood & Farley, oil .. .. .	7 50

And charge Fire Department fund. \$119 50

MAIN AND SCIO STREET RESERVOIR REPAIR.

McCormell & Jones, labor and materials .. .. . \$211 66

And charge that fund.

IMPROVEMENT FUND.

When there are funds applicable, as follows:

SOUTH AVENUE FUND.

W. D. Oviatt, Commissioner, bill, repairs on South avenue .. .. . \$ 93 06  
 And charge that fund.

EAST AVENUE FUND.

McCormell & Jones, bill, work cleaning street. 4 50  
 And charge that fund.

STONE STREET IMPROVEMENT.

John Stotter, bill for crosswalks on Stone street 34 54  
 And charge that fund.

TREMONT STREET IMPROVEMENT.

David Wagner, on his contract for Tremont street improvement .. .. . 1,300 00  
 And charge that fund.

GALUSHA STREET SIDEWALK.

W. I. Hanford, in full for his contract for Galusha street sidewalk .. .. . 88 90  
 And charge that fund.

STONE STREET IMPROVEMENT.

E. Watson, bill for crosswalk .. .. . 43 72  
 And charge that fund.

KELLY STREET SEWER.

John Crammond, in full for his contract for Kelly street sewer .. .. . 121 14  
 And charge that fund.

JAY STREET SEWER.

J. McCarty, on his contract for work done on Jay street sewer .. .. . \$400 00  
 And charge that fund.

ST. JOSEPH STREET SEWER.

John Cregan, in full for work done on St. Joseph street sewer .. .. . 276 87  
 And charge that fund.

Holloway & Normington, in full for constructing crosswalks on Mill and Factory streets.. \$130 02  
 do. do. on State street .. .. . 163 60  
 do. do. on St. Paul street .. .. . 96 00  
 And charge appropriate funds.

LAMP FUND.

Rochester Gas Light Co., gas for street lamps for quarter ending Sept. 1st, 1867 .. .. . \$3,703 33  
 And charge lamp fund.

Budget adopted as follows:  
 Ayes—Ald. Spencer, Qualtrough, Lutes, Remington, Guggenheim, Mutchler, Relyea, Copeland, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Bingemer, Mauder, Miller, Quin, Parsons—21.

Nays—Ald. Groot, Horcheler—2.  
 Adjourned.

B. FRANK ENOS, Clerk.

In Common Council—Oct. 1st, 1867.

REGULAR MEETING.

The President of the Board, Ald. William Guggenheim, presiding.

Present—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Relyea, Copeland, Ratt, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons.

Absent—Ald. Mutchler, Taylor, Brown.  
 Minutes of the previous meeting approved as published.

PETITIONS AND CLAIMS.

By Ald. Spencer—Sundry bills. Fire Dept. committee.

By Ald. Cram—Sundry bills. Street committee.

By Ald. Lutes—Sundry bills. Poor committee.

By Ald. Graham—Sundry bills. Police committee.

By Ald. Relyea—Petition of Geo. Ruland and others. Referred to Assessors.

By Ald. Copeland—Sundry petitions.—Wooden Building committee.

By Ald. Ratt—Sundry bills. Improvement and Lamp committee.

By Ald. Burke—Remonstrance of Wm. Wilson and others. Table.

By Ald. Woodruff—Sundry bills. Contingent committee.

By Ald. Adelman—Sundry bills. Sewer committee. Petition of Jacob Howe, asking permission to run a drain from his premises into Buffalo street sewer, and moved that the prayer of the petitioner be granted.



Ald. Groot moved its reference back to the Sewer committee to make the necessary arrangements. Lost.

Ald. Groot moved as an amendment, that all the owners of property on Fitzhugh, Sophia and Washington streets be granted the same permission. Lost.

Ald. Spencer moved as an amendment, that Mr. Howe's request be granted, on his obtaining permission from the tax-payers on Buffalo street. Carried.

Ald. Adelman's motion, as amended, was carried.

By Ald. Adelman—Petitions of H. C. Wanzler and others. Table. Leo Schlitzer and others. Improvement committee. Frank Shearer and John Beese, and moved to receive and file. Lost.

By Ald. Charters—Remonstrance of Geo. F. Lotspike and others. Table.

By Ald. Mauder—Sundry bills. Lamp Committee. Petition of John Schwartz and Philip Kramp. Referred to Assessors.

By Ald. Miller—Sundry bills. Contingent Committee.

By Ald. Quin—Petition of Philip Quamback. Wooden Building Committee.

REPORTS.

Ald. Adelman, from the Sewer Committee, reported in favor of sundry bills. Finance Committee. Also in reference to the construction of bridges across the outlet for Court and William street sewers. Received and filed.

Ald. Spencer, from the Fire Department Committee, reported in favor of sundry bills. Finance Committee.

Ald. Ratt, from the Improvement Committee, reported in favor of sundry bills. Finance Committee.

Ald. Ratt, from the Lamp Committee, reported in favor of sundry bills. Finance Committee.

Ald. Lutes, from the Poor Committee, reported in favor of sundry bills. Finance Committee.

Ald. Adelman presented the following

REPORT RELATIVE TO THE SEWER REPAIR FUND:

To the Hon. the Common Council of the city of Rochester:

In compliance with a resolution adopted Sept. 18th, the Sewer Committee would make the following statement with regard to the Sewer Repair Fund:

Total amount paid from said fund from April 1st to Sept. 18th, 1867..\$	800 00
Amount of bills unpaid.....	37 40

Total.....\$	837 40
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Deduct amount paid from the fund of this year for work done under the direction of the Committee of last year .....	\$ 25 00
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Total cost of work done under the direction of the present Committee.....	812 40
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Amount paid for work done from April 1st to Sept. 18th, 1866.....\$	1,037 93
Amount of bills unpaid at that date	175 50

Total.....\$	1,213 43
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F. A. ADELMAN,  
JOHN MAUDER,  
JOHN LUTES,  
Sewer Committee.

Received, filed and ordered published.

Ald. Carroll, from the Street committee, presented a report relative to the claim of C. H. Maurer, for damages to his horse by falling through Andrews street bridge. Received and filed.

Ald. Andrews, from the Law committee, presented a report relative to the claim of David Wagner, for work done on the lateral sewers in Buffalo street, and Mt. Hope avenue improvement. Received and filed.

Ald. Mauder, from the Lamp committee reported in favor of sundry bills. Finance committee.

Ald. Graham, from the Police committee, reported in favor of sundry bills. Finance committee.

Ald. Cram, from the Street committee, reported in favor of sundry bills. Finance committee.

Ald. Woodruff, from the Contingent committee, reported in favor of sundry bills. Finance committee.

Ald. Cram, from the Street committee, presented a report relative to the condition of the Highway fund.

Ald. Groot moved its reference back to the committee, with instructions to bring in a report in accordance with the resolution. Carried.

Ald. Spencer, from the Fire Department committee, presented a report relative to the expenditures and condition of the Fire Department fund. Received and filed.

Ald. Miller, from the City Property Committee, presented a report relative to selling the lot on West Avenue, owned by the city. Received and filed.

The Clerk presented the report of the Police Justice for the month of July. Total amount received, \$1,012. Filed.

COMMUNICATIONS.

The Clerk presented the following:

ROCHESTER, Oct. 1, 1867.

To the Hon. the Common Council:—GENTLEMEN—You are respectfully invited to attend a Fire Department picnic to be held on Thursday, 3d inst., at Maple Grove. No effort will be spared by the Department to make the occasion an agreeable one.

L. C. SPENCER,

Chairman of Committee of Arrangements. Accepted.

MILITARY EXEMPTIONS.

CITY ATTORNEY'S OFFICE,  
Rochester, September 30th, 1867. }

To the Hon. The Common Council of the City of Rochester:

The undersigned to whom was referred the question of Military Exemptions from taxation, respectfully Reports.

That in 1865 the Legislature of this State repealed the 146th section of the Military Code of 1862, which allowed a deduction of \$500 from the valuation of the real and personal property of all persons who had served in the National Guard, and received an honorable discharge. The Court of Appeals of this State in the case of The People vs. Roper, 35 New York Reports, p. 630, has decided, that this exemption from taxation did not have the force of a contract with those who enlisted after its passage, and that any subsequent Legislature had a right to repeal it.

The section of the military Code now in force, relating to this question, is as follows:

Section 146. Every non-commissioned officer, musician, or private of the National Guard of this State, shall be holden to do duty therein for the term of seven years from his enlistment, unless disability after enlistment shall incapacitate him to perform such duty, or he shall be regularly discharged by the commandant of his regiment; all general and staff officers, all field officers, all commissioned and non-commissioned officers, musicians, and privates, of the organized National Guard of this State shall be exempt from jury duty during the time they shall perform military duty, and shall be entitled to a deduction in the assessment of their real and personal property, to the amount of five hundred dollars each, except cavalymen, artillerymen, and mounted officers, who shall be entitled to a deduction of one thousand dollars on all classes of taxes. And every person who shall have so served seven years, and shall have been honorably discharged as required by this section, shall forever after, as long as he remains a citizen of this State, be exempt from jury duty. No non-commissioned officer, musician or private in the National Guard shall be discharged from service except for physical disability or expiration of term of service.—Discharges for physical disability shall be given only upon the certificate of the regimental surgeon; and no member of any company shall be discharged from service except upon the certificate of the commanding officer of his company that such member has turned over or satisfactorily accounted for all property issued to and charged to him. Commanding officers of regiments shall make returns through intermediate officers, to the Adjutant-General, on the first day of January and July in each year, of all discharges granted by them during the previous six months, giving names and the grades of the persons so discharged, and the causes for which discharged.

It is manifest from this section, thus in effect construed by our Court of Appeals, that no person, not now a member of the National Guard of this State, is entitled to any deduction in the assessment of his real and personal property, on account of previous membership or service.

E. A. RAYMOND, City Attorney.

Received and ordered published.

#### ANNUAL PARADE OF THE FIRE DEPARTMENT.

CHIEF ENGINEER'S OFFICE,  
ROCHESTER, Oct. 1, 1867. }

To the Honorable Common Council:

GENTLEMEN—I have the honor to state to your honorable Board that the annual parade of the Fire Department for inspection and review will take place, on Wednesday 9th inst., at 2 o'clock P. M.

This occasion will be the semi-centennial anniversary of the organization of the Rochester Fire Department, the first Fire Company in the city (then village) of Rochester, having been organized on the 9th day of October 1817.

I extend in behalf of the force under my command a cordial invitation to his Honor the Mayor, to the members of your honorable Board and to officers of the City Govern-

ment generally, to attend the anniversary parade, and to participate in the exercises attendant upon and subsequent to the parade.

I have the honor to be gentlemen,  
your obedient servant,  
GEO. B. HARRIS,  
Chief Engineer Fire Department.  
Received and ordered published.

#### TREASURER'S MONTHLY REPORT. CITY TREASURER'S OFFICE, } Oct. 1st, 1867. }

To the Honorable the Common Council:

GENTLEMEN—The Treasurer herewith submits the Monthly Statement of the balances of the principal funds, on the 28th day of September, 1867, as required by section 59 of the City Charter:

	Credit Balance.
Contingent Fund.....	\$ 708 35
Fire Department Fund.....	5,887 85
Highway Fund.....	59 74
Lamp Fund.....	11,700 49
Poor Fund.....	15,418 84
Police Fund.....	2,842 25
Park Fund.....	15 35
Board of Health Fund.....	989 60
Sewer Repair Fund.....	26 95
South Avenue Repair Fund.....	160 00
Lyell Street ..	49 67
North Street ..	190 25
St. Paul-st. Repair Fund (N. Y. C. R. E. to Scranton street)	100 00
St. Paul-st. Repair Fund (Scranton street to City Line).....	96 38
Monroe Avenue Repair Fund.....	0 86
Mt. Hope Avenue ..	291 45
Plymouth Avenue ..	247 90
West Avenue ..	58 62
Lake Avenue ..	820 81
East Avenue ..	..

H. P. LANGWORTHY, Treasurer.

Subscribed and sworn to before me, this 1st day of  
October, 1867. B. FRANK ENOS,  
Notary Public.

#### ORDINANCES.

##### REPEAL OF PENAL ORDINANCE.

By Ald. Ratt—Resolved, That sections 1, 2 and 3 of penal ordinance relating to the Erie Canal and Feeder and Basin, in the Twelfth Ward, be and are hereby repealed. Adopted as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Relyea, Copeland, Ratt, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Bingemer, Mauder, Miller, Parsons—23.

Nays—Ald. Horcheler, Quin—2.

Ald. Relyea moved to reconsider the vote. Lost.

##### LEWIS STREET GRADING.

By Ald. Ratt—Resolved, That the City Surveyor ascertain and report to this Board the expense of the improvement of Lewis street, from Davis street to Scio street, by grading the roadway and sidewalk. Adopted.

The Surveyor submitted as such estimate \$340.

By Ald. Ratt—Resolved, That the following improvement is expedient, viz:

The grading of the roadway and sidewalks on Lewis street, from Davis street to Scio street.

And, Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$340, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of Lewis street, from Davis street to Scio street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, October 1st, 1867, at half past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

##### STONE STREET IMPROVEMENT.

By Ald. Ratt—Resolved, That the City Surveyor ascertain and report to this Board the expense of improving the sidewalk on the west side of Stone street, from Main street to Court street, by resetting the curb stone eight feet from the line of the street, repaving the gutter, laying a brick sidewalk and constructing crosswalks. Adopted.

The Surveyor submitted as such estimate \$1,200.

By Ald. Ratt—Resolved, That the following improvement is expedient, viz:

Improving the sidewalk on the west side of Stone street, from Main street to Court street, by resetting the curb stone eight feet from the line of the street, repaving the gutters, laying a brick sidewalk and constructing crosswalks.

And, whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$1,200, which estimate is hereby approved.

Resolved further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on the west side of Stone street, from Main street to Court street.

And the Clerk is hereby directed to publish notice in pursuance of section 161, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Oct. the 15th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### COURT STREET WOODEN BRIDGE.

Ald. Groot presented the final ordinance for a wooden bridge over the mill race on Court street, and moved as an amendment to strike out \$1,632 and insert \$1,900.

Ald. Cram moved an amendment to the amendment, by adding to the territory to be assessed, one tier of lots on each side of Court street, between Exchange street and the race.

Ald. Kelly moved that the whole matter be postponed indefinitely. Lost as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Andrews, Carroll, Kelly, Burke—8.

Nays—Ald. Groot, Remington, Guggenheim, Relyea, Copeland, Ratt, Kelly, Paine, Woodruff, Adelman, Charters, Horcheler, Binger, Miller, Quin, Parsons—15.

Ald. Cram's amendment, to increase the territory, was lost.

Ald. Groot's amendment, to increase the estimate, was carried.

Ald. Groot moved to postpone further action two weeks. Carried.

On motion of Ald. Kelly, the Board adjourned until to-morrow evening at 7½ o'clock.

B. FRANK ENOS, Clerk.

### In Common Council—Oct. 2nd, 1867.

#### ADJOURNED MEETING.

The President of the Board, Ald. William Guggenheim, presiding.

Present—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Guggenheim, Carroll, Relyea, Ratt, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Binger, Mauder, Miller, Quin, Parsons.

Absent—Ald. Graham, Mutchler, Copeland, Taylor, Brown.

#### ORDINANCES.

##### MONROE AVENUE WALK RE-ASSESSMENT.

By Ald. Ratt—Whereas, The Common Council of the City of Rochester did, on the 19th day of March, 1867, ordain and determine that Monroe avenue, from Alexander street to Goodman street, should be improved by constructing a flag or plank walk on each side, from Alexander street to Goodman street; and that the whole expense thereof should be assessed upon the owners and occupants of houses and lands to be benefited thereby; and did estimate such expense at the sum of \$3,000; and

Whereas, A greater sum of money has been expended in making said improvement, and that such greater sum thus expended amounts to \$310; therefore

Resolved, That the sum of \$310 be assessed upon the owners and occupants of one tier of lots on each side of Monroe avenue, from Alexander street to Goodman street.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby

notified to meet for this purpose, on Saturday, the 5th day of October, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote:

Ayes—Ald. Spencer, Lutes, Andrews, Guggenheim, Carroll, Relyea, Ratt, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Binger, Miller, Parsons—17.

Nays—Ald. Qualtrough, Groot, Mauder, Quin—4.

#### PROSPECT STREET SEWER.

On motion of Ald. Adelman the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing, Ald. Adelman submitted the following:

An ordinance to construct a sewer in Prospect street,

The Common Council of the city of Rochester do ordain and determine as follows:

A stone sewer, 2 feet by 2 feet in Prospect street, from a point 35 feet north of Adams street to the sewer in West avenue, shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at three thousand two hundred dollars, which estimate was and is hereby approved, the sum of three thousand two hundred dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on each side of Prospect street, from Adams street to West avenue, and a strip of territory lying between Prospect street and Reynolds street, except one tier of lots on the south side of West avenue, a strip of territory on the east side of Reynolds street, ninety feet deep, and one tier of lots on the north side of Adams street.

On which above described portion of the city, the said sum of three thousand two hundred dollars is hereby ordered to be assessed.

And the tax payers to be assessed for making such improvement, may, by paying interest, as hereinafter provided, on the amount assessed to them individually, pay their assessments in three equal payments, as follows: One-third of the amount assessed within three months after the confirmation of the assessment roll, without interest; one-third of the amount with interest at the rate of seven per cent. per annum, within one year from the confirmation of said roll; and the remaining one-third, with interest at the same rate, within two years from the confirmation of such roll.

And David McKay, E. T. Oatley and C. M. St. John, the assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said assessors are hereby notified to meet for this purpose, on Saturday, the 5th day of October, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Ald. Adelman moved its postponement until the next regular meeting. Carried.

Ald. Groot moved a reconsideration. Carried.

The ordinance was then passed by the following vote:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Guggenheim, Relyea, Ratt, Kelly, Burke, Paine, Woodruff, Adelman, Horcheler, Binger, Miller, Quin, Parsons—21.

Nays—Ald. Carroll—1.

Ald. Groot moved a reconsideration. Lost.

#### ALLEN STREET SEWER.

Ald. Adelman presented the final ordinance for Allen street sewer, and moved its postponement until the next regular meeting. Carried as follows:

Ayes—Ald. Spencer, Groot, Andrews, Relyea, Ratt, Burke, Adelman, Horcheler, Binger, Miller, Quin, Parsons—12.

Nays—Ald. Qualtrough, Lutes, Guggenheim, Carroll, Kelly, Paine, Woodruff, Charters, Mauder—9.

#### AMBROSE STREET SEWER.

Ald. Adelman presented the final ordinance for Ambrose street sewer.

Ald. Lutes moved as an amendment to strike out "two feet" and insert "18 inches." Carried.

Ordinance, as amended, was lost as follows, it requiring 21 votes:

Ayes—Ald. Spencer, Lutes, Groot, Andrews, Guggenheim, Carroll, Relyea, Ratt, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Binger, Mauder, Miller, Parsons—13.

**Nays**—Ald. Qualtrough, Horcheler, Quin—3.  
Ald. Qualtrough moved a reconsideration. Carried.  
Ald. Kelly moved to postpone further action until the next regular meeting. Carried.

#### BROWN STREET SEW R.

Ald. Adelman presented the final ordinance for Brown street sewer.

Ald. Quin moved as an amendment, to extend the sewer to West avenue. Carried.

Ald. Qualtrough moved to postpone further action until the next regular meeting. Carried.

Ald. Adelman moved a reconsideration. Carried.

Ald. Adelman moved to refer the ordinance back to the committee, to bring in a new ordinance. Carried.

#### VARNUM STREET SEWER.

Ald. Adelman presented the final ordinance for Varnum street sewer.

Ald. Burke moved its postponement until the second regular meeting in April, 1868. Carried.

#### ASSESSMENTS

Ald. Ratt presented the Assessment Rolls for Litchfield street walk, Champion street walks, Jones avenue walk, which were confirmed as follows:

**Ayes**—Ald. Qualtrough, Lutes, Andrews, Guggenheim, Carroll, Ratt, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Miller, Parsons—16.

**Nays**—Ald. Quin—1.

Ald. Cram presented the assessment roll for Lake avenue crosswalks, which was confirmed as follows:

**Ayes**—Ald. Cram, Qualtrough, Lutes, Andrews, Remington, Guggenheim, Carroll, Relyea, Ratt, Kelly, Paine, Woodruff, Adelman, Horcheler, Bingemer, Mauder, Miller, Quin—18.

**Nays**—Ald. Burke—1.

#### EXECUTIVE.

Ald. Paine offered the resignation of Wm. Graebe, as Commissioner of Deeds. Accepted.

On motion of Ald. Paine, the Board proceeded to ballot for a Commissioner of Deeds, when Martin W. Cooke received 18 votes, and was declared appointed.

#### MISCELLANEOUS.

By Ald. Quin—Whereas, An act was passed by the Legislature of this State at its last session authorizing the Common Council of the city of Rochester to borrow ten thousand dollars upon the credit of the city, for the purpose of purchasing or improving sites and building or enlarging school-houses; therefore,

Resolved, That in pursuance of said act the City Treasurer is hereby authorized to borrow eight thousand dollars, and credit the same to the Board of Education, and payable to them in instalments, on the certificate of the architect, for the purpose of erecting a school-house on the lot recently purchased on the corner of North street and Concord avenue.

Ald. Groot moved its postponement until the next regular meeting. Lost as follows:

**Ayes**—Ald. Spencer, Qualtrough, Lutes, Groot, Ratt, Kelly, Burke, Paine—8.

**Nays**—Ald. Cram, Andrews, Guggenheim, Carroll, Relyea, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons—14.

Ald. Kelly moved its indefinite postponement. Lost as follows:

**Ayes**—Ald. Spencer, Qualtrough, Lutes, Groot, Carroll, Ratt, Kelly, Burke, Paine—9.

**Nays**—Ald. Cram, Andrews, Remington, Guggenheim, Relyea, Woodruff, Adelman,

Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons—14.

Ald. Andrews moved, as an amendment, to strike out that portion relative to paying on the certificate of the Architect. Lost as follows:

**Ayes**—Ald. Cram, Andrews, Remington, Relyea, Charters, Parsons—6.

**Nays**—Ald. Spencer, Qualtrough, Lutes, Groot, Guggenheim, Carroll, Ratt, Kelly, Burke, Paine, Woodruff, Adelman, Horcheler, Bingemer, Mauder, Miller, Quin—17.

Resolution adopted as follows:

**Ayes**—Ald. Cram, Andrews, Remington, Guggenheim, Relyea, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons—14.

**Nays**—Ald. Spencer, Qualtrough, Lutes, Groot, Carroll, Ratt, Kelly, Burke, Paine—9.

Ald. Miller presented a communication from the Assessors, relative to the tax of Joseph Brickler. Received and filed.

By Ald. Miller, Resolved—That the city Treasurer be and he is hereby directed to refund to Joseph Brickler \$19 03, in accordance with report of the Assessors, and charge the same to erroneous assessments. Adopted as follows: All ayes—23.

By Ald. Miller—Resolved, That the City Property Committee be authorized to sell the lot on West avenue to John Harris, in accordance with his proposition, and the City Attorney is hereby directed to draw the necessary papers. Adopted.

By Ald. Adelman—Resolved, That the Treasurer be, and he is hereby authorized to receive from property owners taxes for St. Joseph street sewer, between Bowery and Atwater streets, 67 per cent. in full of their assessment for said sewer. Adopted.

By Ald. Adelman—Resolved, That the Clerk draw two orders for three hundred dollars each in favor of J. McCarty, and payable to his order; one in one year from October 1st, 1867, and one in two years from the same date—both with interest; and the Treasurer is hereby authorized to accept the same in behalf of the city, and charge Jay street sewer fund. Adopted as follows: All ayes—22.

By Ald. Adelman—Resolved, That D. Fleckenstein have leave to construct a tile sewer from his cellar on Brown street to the sewer in Francis street.

Ald. Qualtrough moved its indefinite postponement. Lost.

Resolution adopted.

By Ald. Paine—Resolved, That the Treasurer make the city's notes at three months date, payable at Powers' Banking House, for an amount not exceeding in the aggregate the sum of thirty-one thousand dollars; that he get the same discounted, and charge the discount to "Damages by Flood Account," being the amount of notes previously made and discounted on that account and paid at maturity. Adopted.

By Ald. Paine—Resolved, That the Treasurer make the city's notes at three months date, payable at Powers' Banking House, for an amount not exceeding in the aggregate the sum of eighteen thousand seven hundred dollars; that he get the same discounted, and charge the discount to "Armory Site Fund," being the amount of notes previously made and discounted on that account, and

paid at maturity. Adopted.

By Ald. Kelly—Resolved, That the City Treasurer is hereby directed to credit John A. Cline on lots one and two, section O, Graham street, thirty-six dollars and charge the same to Graham street improvement re-assessment fund. Adopted.

By Ald. Kelly—Resolved, That the hospitalities of the city be tendered to General P. H. Sheridan, while on his westward tour, and that the President of this Board is hereby requested to appoint a committee of reception of seven, the Mayor to be chairman thereof. Adopted.

The President appointed as such committee, Ald. Kelly, Spencer, Paine, Ratt, Parsons, Bingemer, Woodruff.

Ald. Kelly moved that the President be added. Carried.

Ald. Qualtrough moved to suspend the rule to adjourn at 11 o'clock. Carried.

Ald. Kelly moved to reconsider the resolution adopted last evening, relative to Jacob Howe draining into Buffalo st. sewer. Carried.

Ald. Groot presented the following:

ROCHESTER, Oct. 2d, 1867.

To the Hon. the Common Council:

I hereby agree that I will not oppose the construction of a sewer in North Fitzhugh street, and will willingly pay my assessment, just as though I had no sewer running from my premises into the Buffalo street sewer.

JACOB HOWE.

Received and ordered published.

Ald. Paine moved that the prayer of the petition of Jacob Howe, relative to draining into Buffalo street sewer be granted. Carried.

By Ald. Burke—Whereas, It is alleged that certain parties have, without the permission of this Board of Common Council, changed the location of the curb stone set in Lyell street, at its junction with Lake avenue, claiming, as is understood, that the lines of Lyell street, as heretofore established and understood, were erroneous; and,

Whereas, Such lines have been so established and understood for a longer term than five years, by virtue of which occupancy and use the Common Council has authority and jurisdiction over the lands so used as a part of Lyell street; and,

Whereas, The angles formed by the junction of the Harford road (now Lyell street), with the River road (now State street and Lake avenue), were landmarks, and so made in description of lands sold or conveyed at the time of the allotments of lands in that part of the city, thus rendering the existence and perpetuation of those landmarks important to property owners in that portion of the city; now, therefore,

Resolved, That the City Surveyor be directed to survey and accurately determine the lines of Lyell street, at its junction with State street and Lake avenue, and to permanently fix and establish the corners, defining the width of the street, and describing the angles formed, and report with a map, showing the same to this Board. Adopted.

By Ald. Ratt—Resolved, That his Honor the Mayor be and is hereby authorized to enter into contract with Chapin & Terry for fifty lamp posts, according to their proposi-

tion, ten dollars and eighty cents per post. Adopted.

By Ald. Ratt—Resolved, That his Honor the Mayor be, and he is hereby requested to execute a contract with Wm. I. Hanford for the construction of a plank sidewalk on the south side of Clifton street, from Francis street to Genesee street, in accordance with his proposition. Adopted.

By Ald. Ratt—Resolved, That the fine imposed upon G. F. Crouch & Co., on or about the 24th of September, 1867, for violation of section 1, 2 and 3 of penal ordinance relating to Erie Canal feeder and basins, is hereby remitted by paying costs. Adopted.

By Ald. Ratt—Resolved, That the Clerk draw two orders, for two hundred and fifty dollars each in favor of Whitmore, Carson & Co. and payable to their order, one in one year from October 1st, 1867, and one in two years from the same date, both with interest, and the Treasurer is hereby authorized to accept the same in behalf of the city and charge Monroe Avenue Sidewalk Fund. Adopted as follows: All ayes—23.

By Ald. Ratt—Resolved, That the Treasurer be, and is hereby authorized to receive from property owners taxed for Tremont street improvement 96 per cent. in full of their assessment for said improvement. Adopted.

By Ald. Ratt—Resolved, That the Clerk draw two orders in favor of David Wagner and payable to his order as follows, viz: One for four hundred and fifty dollars payable in one year from September 30th, 1867, and one for one hundred and fifty dollars payable in two years from the same date, both with interest; and the Treasurer is hereby authorized to accept the same in behalf of the city, and charge Tremont street improvement fund. Adopted as follows: All ayes—23.

By Ald. Relyea—Resolved, That the attention of the Park committee be called to the wretched condition of Franklin Square, said Square being nearly covered with weeds and also the coarse gravel walks being in such a condition that persons passing through it are obliged to walk on the grass instead of the walks, and that the committee be instructed to put the Square in a suitable condition at an expense not to exceed fifteen dollars, and charge Park fund. Lost.

By Ald. Carroll, Resolved—That the City Treasurer pay Chas. H. Maurer (as per recommendation of the Street Committee and City Attorney) \$150, on his giving a receipt in full and discontinuing his suit without cost to the city, and charge Contingent Fund.

Adopted as follows:

Ayes—Ald. Spencer, Cram, Lutes, Groot, Andrews, Remington, Guggenheim, Carroll, Relyea, Ratt, Kelly, Burke, Adelman, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons—19.

Nays—Ald. Qualtrough, Paine, Woodruff—8.

Ald. Remington presented a resolution to remit the tax against Maria Loysen. Postponed until the next regular meeting.

Ald. Groot moved to reconsider the resolution passed at the last regular meeting, giving the people on South avenue 60 days time to build their own walks. Carried.

Ald. Quin moved that 20 days time be granted. Carried.

By Ald. Groot—Resolved, That the Treasurer pay Williams & McConnell (payable to the City Treasurer) two hundred and twenty-three dollars three cents, \$223.03, and charge Court St. Sewer Fund. Adopted as follows:

Ayes—Ald. Cram, Qualtrough, Groot, Andrews, Remington, Guggenheim, Carroll, Relyea, Ratt, Kelly, Burke, Paire, Woodruff, Horeheler, Bingemer, Mauder, Miller, Quin—18.

Nays—Ald. Lutes, Adelman—2.

Ald. Groot moved that when the Board adjourn it be until next Monday evening, at 7½ o'clock, for the purpose of designating the places for holding the polls of election the ensuing year. Carried.

Ald. Groot presented a communication from the Assessors relative to the tax against Ald. Mauder. Received and filed.

By Ald. Groot—Resolved, That the City Treasurer be, and he is hereby directed to refund to Alderman John Mauder eleven dollars and forty-two cents, that amount having been erroneously assessed to him on Lot No. 2 in the Simmons & Lee tract, and charge the same to account of erroneous assessments. Adopted as follows: All ayes—20.

By Ald. Andrews—Resolved, That O. M. Rice, J. C. Locke, R. M. Olin, George R. Welch, have leave to erect wood buildings according to their several petitions, under the direction of the Fire Marshal—Adopted.

Ald. Andrews presented a report relative to the judgment in favor of the city against Thomas Moulson. Received and filed.

By Ald. Andrews—Resolved, That the City Attorney be authorized to discharge the judgment recovered by the city of Rochester against Thomas Moulson, on the 24th of March, 1859, for \$232.73, on his paying into the City Treasury the sum of one hundred and fifty dollars and all the costs.

Ald. Quin moved as an amendment to add the words, "and interest." Lost.

Resolution adopted.

By Ald. Qualtrough—Resolved, That the City Treasurer be, and he is hereby directed to refund to Hiram Sibley the sum of one hundred and forty-seven dollars and thirty-one cents (in accordance with the report of the Assessors and City Attorney, filed September 18, 1867), that sum having been erroneously assessed to said Sibley in 1866, on lots 11 and 23 in the 2,000 acre tract, and charge the same to account of erroneous assessments. Adopted as follows: All ayes—19.

By Ald. Cram—Resolved, That the Treasurer be, and he is hereby authorized to receive from property owners taxed for cross-walk on Lake avenue, at Lyell and Cliff streets, 77 per cent., and from those assessed for cross-walk at Jones avenue, 84 per cent., in full of their assessment for said cross-walks. Adopted.

By Ald. Cram—Resolved, That the City Treasurer be directed to charge North Avenue Fund, \$45.00, and credit Highway Fund. Adopted.

Ald. Cram presented a resolution relative to Martin Reed erecting gates on Green alley. Postponed until the next regular meeting.

By Ald. Cram—Resolved, That Danl. Marsh have to next May, to lay his flag walk on

South Avenue on condition that he raises his plank walk and puts the same in good condition. Postponed indefinitely.

By Ald. Cram—Resolved, That the City Treasurer be directed to pay Mablou Greig \$13.80 for building bridge on Falls street, and charge the same to Falls Street Improvement Fund. Postponed until the next regular meeting.

By Ald. Cram—Resolved, That the name of the street known as McDonald avenue be changed to that of Baden street. Lost.

#### FINANCE BUDGET.

OCTOBER 1, 1867.

By Ald. Paine—Resolved, That the Treasurer pay as follows:

#### CONTINGENT FUND.

E. A. Raymond, City Attorney, bill for printing points.....	\$ 13 75
Wm. Tracy, bill for disbursements.....	13 27
F. Wray, keys and repairing locks.....	4 90
F. H. Marshall, binding city charter, &c.....	13 00

And charge Contingent Fund. \$ 44 92

#### POOR FUND.

Joseph Hoffman, one month's salary.....	\$100 00
J. E. Scrantom, .. .. .	75 00
George Gates, .. .. .	30 00
C. H. Swift, .. .. .	20 00
Chas. Vail, physician, one quarter's salary.....	125 00
W. S. Ely, .. .. .	225 00
J. M. Casey, .. .. .	135 00
W. M. Fleming, .. .. .	125 00
C. E. Rider, .. .. .	125 00
L. Knuchling, .. .. .	125 00
Joseph Hoffman, disbursements at office.....	54 20
Rochester City Hospital.....	605 29
St. Mary's .. .. .	462 43
St. Patrick's Orphan Asylum.....	376 14
St. Mary's .. .. .	648 86
Rochester .. .. .	363 00
St. Joseph's .. .. .	165 00
Home for the Friendless .. .. .	351 00
M. Weigel, paid orders.....	6 00
J. Gerling, flour for poor store.....	137 50
Moore & Cole, groceries for poor store .. .. .	462 06
J. D. McIntosh, soap for poor store .. .. .	60 34
Frost & White, orders for meat.....	25 00
George Bastian, bread for poor store .. .. .	116 19
Phillip Yawman, .. .. .	119 43
E. Weigel, .. .. .	120 34
Henry East, orders for meat .. .. .	100 00
Valentine Debus, delivering wood.....	42 81

And charge Poor Fund. \$5,152 06

#### LAMP FUND.

N. H. Galusha, bill for fifty lamp posts.....	\$592 30
Robert Shannon, bill for carting lamp posts....	2 00
Fred. Stickle, bill for care of kerosene lamps one month.....	506 25
Fred. Stickle, setting glass in street lamps.....	14 65
Henry Hebing, glass for street lamps.....	39 02
Michael Brown, labor setting street lamps.....	78 73

And charge Lamp Fund. \$1,233 17

#### FIRE DEPARTMENT FUND.

Monthly Pay Roll, payable to George B. Harris, Chief Engineer:	
Steamer No. 1, engineers and drivers.....	\$133 00
.. .. .	135 00
.. .. .	135 00
.. .. .	135 00
Hook & Ladder Co. No. 1, driver.....	40 00
R. B. Paine, services at hose depot.....	60 00
George B. Harris, Chief Engineer, salary one month.....	100 00
Total.....	\$740 00
Quarterly Pay-Roll:	
Steam Engine Co. No. 1, pay of hosemen.....	\$115 00
.. .. .	115 00
.. .. .	115 00
.. .. .	115 00
Hook & Ladder Co. No. 1, pay of Company.....	250 00
Total.....	\$710 00
Payable to George B. Harris, Chief Engineer:	
Jas. Malcolm, Assistant Engineer, one quarter's salary.....	50 00
F. O'Brien, Assistant Engineer, one quarter's salary.....	50 00

L. S. Gibson, Assistant Engineer, one quarter's salary.....	50 00
Chas. Frank, Assistant Engineer, one quarter's salary.....	50 00
O. L. Angevine, Fire Marshal, 1 month's salary	175 00
Alert Hose Co. No. 1, quarterly appropriation.	250 00
Sack and Bucket Co. No. 1,	250 00
J. B. Bennett, one quarter's rent of Engine House No. 4.....	31 25
Edward Harris, attorney, one quarter's rent Engine House No. 4.....	31 25
Browning & Cutting, horse doctoring (contract)	9 00
W. H. Carr, horse doctoring (contract).....	10 50
Cutting & Cooney, horse shoeing.....	42 35
<b>Total.....</b>	<b>\$1,709 25</b>
Millington & Starks, copper and iron work.....	50 29
Wm S. Kewin, bellringing.....	17 50
Woodbury, Booth & Co., repairs to engines....	8 51
<b>*And charge Fire Department Fund.....</b>	<b>\$897 30</b>

**IMPROVEMENT FUND.**

Also when there are funds applicable:

A. H. Jervis, bill for inspecting St. Joseph street sewer.....	\$ 12 50
And charge that fund.....	
Whitmore, Carson & Co., in full for their contract for building Lake avenue crosswalks....	\$417 94
And charge that fund.....	
Wm. Carroll, Commissioner, repairs on St. Paul street, from New York Central Railroad to Scranton street.....	76 00
And charge that fund.....	
Whitmore, Carson & Co., in full for their contract for constructing Monroe avenue sidewalks.....	\$481 82
And charge that fund.....	
John Brady, bill for inspecting Monroe avenue sidewalks.....	\$ 50 00
And charge that fund.....	
D. Wagner, in full for contract for Tremont-st. improvement.....	\$ 72 22
And charge that fund.....	
Henry Frederick, on his contract for German-st. improvement.....	\$700 00
And charge that fund.....	

**POLICE FUND.**

Peter Hughes, one month's salary to Oct. 1st....	75 00
Wm. J. Rogers, .. .. .	75 00
Jonathan Dresser, .. .. .	75 00
Thos. Lynch, .. .. .	75 00
John H. Dana, .. .. .	75 00
Lewis P. Angevine, .. .. .	75 00
James McKelvey, .. .. .	75 00
Ferry Marzluff, .. .. .	75 00
Joseph S. Koworth, .. .. .	75 00
John Barry, .. .. .	75 00
Thos. F. Hurley, .. .. .	75 00
Warren H. Noyce, .. .. .	75 00
Michael Ryan, .. .. .	75 00
Wm. F. Lusk, .. .. .	75 00
Edward Vanvorst, .. .. .	75 00
E. W. McBurney, .. .. .	75 00
Wm. Rogers, .. .. .	75 00
Albert H. Bruman, .. .. .	75 00
Bartholomew Crowley, .. .. .	75 00
Peter Yost, .. .. .	75 00
Lyman Johnson, .. .. .	75 00
James Sullivan, .. .. .	75 00
Frank B. Allen, .. .. .	75 00
Thos. T. Burchell, .. .. .	75 00
James K. Foster, .. .. .	75 00
Frank Plass, .. .. .	75 00
W. R. McArthur, .. .. .	75 00
Chas. McCormick, 29 days' salary	72 50
John Ragan, 29 .. .. .	72 50
John Rogers, 29 .. .. .	72 50
Phillip Schaad, 29 .. .. .	72 50
J. W. Lord, 28 .. .. .	70 00
Joseph T. Clary, 23 .. .. .	70 00
Wm. White, 27 1/2 .. .. .	68 75
Michael Tierney, 27 .. .. .	67 50
P. H. Sullivan, 24 .. .. .	60 00
Michael Hyland, 24 .. .. .	60 00
John J. Garrett, 17 1/2 .. .. .	43 75
Examined and approved as being correct.	
GEO. G. COOPER	
HENRY S. HEBARD, } Police Commissioners.	
HENRY L. FISH	
Samuel M. Sherman, bill for disbursements....	24 50
Peter Wagner & Bro., bill for repairs of Police office.....	10 40
<b>Total.....</b>	<b>\$2,789 90</b>
And charge Police Fund.....	
Passed by the following vote: All ayes—21.	

**HEALTH FUND.**

H. H. Langworthy, quarter salary.....	\$ 125 00
B. Frank Enos, .. .. .	75 00
Thos. Burns, keeper Pest House, 2 months.....	40 00
Geo. Moshier, regular Inspector.....	35 00
David Niven .. .. .	35 00
Chas. Burns .. .. .	35 00
Robt. Morrow, special .. .. .	50 00
F. J. Irwin .. .. .	50 00
M. Hughes .. .. .	33 40
John H. York, burying dead animals.....	22 50

And charge Health fund. \$ 500 90  
 Ald. Groot moved as an amendment, to strike out the names of Geo. Moshier, David Niven and Charles Burns. Lost as follows:  
 Ayes—Ald. Qualtrough, Groot, Andrews, Kelly, Paine, Charters, Horcheler, Quin, Parsons—9.  
 Nays—Ald. Spencer, Cram, Lutes, Guggenheim, Carroll, Relyea, Ratt, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller—13.

Ald. Groot called for a division of the question, and moved to vote on the budget with the Inspectors left out. Carried.  
 The motion to pay all but the Inspectors was lost as follows:  
 Ayes—Ald. Qualtrough, Andrews, Guggenheim, Paine, Charters, Horcheler, Quin, Parsons—8.  
 Nays—Ald. Spencer, Cram, Lutes, Groot, Carroll, Relyea, Ratt, Kelly, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller—14.

Ald. Ratt moved a reconsideration. Carried as follows:  
 Ayes—Ald. Lutes, Andrews, Remington, Guggenheim, Relyea, Ratt, Burke, Paine, Woodruff, Adelman, Bingemer, Mauder, Miller—13.  
 Nays—Ald. Spencer, Cram, Qualtrough, Groot, Carroll, Kelly, Charters, Horcheler, Quin, Parsons—10.  
 Ald. Enos moved that the salaries of the Inspectors be voted on first. Carried as follows:  
 Ayes—Ald. Spencer, Cram, Lutes, Guggenheim, Carroll, Relyea, Ratt, Burke, Paine, Woodruff, Adelman, Bingemer, Mauder, Miller—14.  
 Nays—Ald. Qualtrough, Groot, Andrews, Remington, Kelly, Charters, Horcheler, Quin, Parsons—9.

The salaries of the Inspectors were ordered paid, as follows:  
 Ayes—Ald. Spencer, Cram, Lutes, Guggenheim, Carroll, Relyea, Ratt, Burke, Woodruff, Adelman, Bingemer, Mauder, Miller—13.  
 Nays—Ald. Qualtrough, Groot, Andrews, Remington, Kelly, Paine, Charters, Horcheler, Quin, Parsons—10.  
 The remainder of the budget was ordered paid, as follows:  
 Ayes—Ald. Qualtrough, Lutes, Andrews, Remington, Guggenheim, Relyea, Ratt, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Parsons—16.  
 Nays—Ald. Spencer, Cram, Groot, Carroll, Kelly, Burke, Quin—7.  
 Adjourned. B. FRANK ENOS, Clerk.

**In Common Council—Oct. 7th, 1867.**

**ADJOURNED MEETING.**

The President of the Board, Ald. Wm. Guggenheim, presiding.  
 Present—Ald. Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Guggenheim, Carroll, Relyea, Ratt, Kelly, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons.  
 Absent—Ald. Spencer, Graham, Mutchler, Copeland, Taylor, Brown, Burke.  
 Ald. Qualtrough moved that the minutes of the previous meeting be approved as published.

The President ruled the motion out of order. On motion of Ald. Qualtrough, the Board proceeded to name the following

- PLACES FOR HOLDING THE POLLS OF ELECTION:**  
 First Ward—Assessors' office, Court House.  
 Second Ward—No. 3's Engine House.  
 Third Ward—No. 110 Plymouth avenue.  
 Fourth Ward—Graham's building, corner Main and Lancaster streets.

Fifth Ward—Near the Falls Field House, in a temporary building erected for the purpose.

Sixth Ward—No. 34 Atwater street.

Seventh Ward—Lewis F. Hynes', corner Monroe avenue and Union street.

Eighth Ward—H. B. Knapp's office, West avenue.

Ninth Ward—No. 337 State street.

Tenth Ward—J. Wentz's, 112 East avenue.

Eleventh Ward—Brick store, next to 11th Ward House, Grape street.

Twelfth Ward—Hotchkins' Block, West Alexander street.

Thirteenth Ward—Valentine Fincer's, corner Chatham and Kelly streets.

Fourteenth Ward—Stewart's brick building, corner Delevan and North streets.

Adjourned. B. FRANK ENOS, Clerk.

## In Common Council, October 15th, 1867.

### REGULAR MEETING.

The President of the Board, Ald. William Guggenheim, presiding.

Present—Ald. Cram, Lutes, Groot, Andrews, Remington, Guggenheim, Carroll Mutchler, Relyea, Copelan, Ratt, Burke, Paine, Woodruff, Adelman, Charters, Horchler, Mauder, Quin, Parsons.

Absent—Ald. Spencer, Qualtrough, Graham, Taylor, Brown, Kelly, Bingemer, Miller.

Minutes of the previous meeting approved as published.

### PETITIONS AND CLAIMS.

By Ald. Adelman—Sundry bills. Sewer Committee.

By Ald. Woodruff—Remonstrance of J. J. Van Zandt and others. Table.

By Ald. Burke—Remonstrance of Walter Liddell and others. Table.

By Ald. Ratt—Bill of Gas Company. Lamp Committee. Petition of David Pettinger and others. Table.

By Ald. Carroll—Bill of Thomas G. Palmer. Finance Committee. Petition of James McGahan, and moved its reference to the Grievance Committee.

Ald. Remington moved its reference to the Board of Health. Carried as follows:

Ayes—Ald. Lutes, Andrews, Remington, Relyea, Copeland, Ratt, Burke, Paine, Woodruff, Parsons—10.

Nays—Ald. Cram, Guggenheim, Carroll, Charters, Quin—5.

By Ald Remington—Communication from John Thompson, for relief of tax on Mt. Hope avenue. Street committee.

By Ald. Andrews—Communication from Alex. Allen. Table.

By Ald. Copeland—Petition of William Tallinger. Wooden Building committee.

By Ald. Quin—Petition of F. C. Lauer and others. Committee on Opening streets.

### REPORTS.

Ald. Ratt, from the Lamp committee, reported in favor of the Gas Company bill.—Finance committee.

Ald. Adelman, from the Sewer committee,

reported in favor of sundry bills. Finance committee.

Ald. Lutes presented the report of the Overseer of the Poor, for the month of September:

Whole amount expended.....\$1,412 45

Less county and towns..... 244 57

Total for city.....\$1,167 88  
Number of families assisted 397 Amount disbursed to soldiers' families \$209. Filed.

The Clerk presented the report of the Police Justice for the month of September.—Amount collected \$354.30. Filed.

The Clerk presented a favorable report from the Assessors, relative to a tax against property belonging to St. Joseph Church Society. Received and filed.

The Clerk presented the following

REPORT IN THE MATTER OF ALTERING AND ESTABLISHING THE LINES OF WEST ALLEY:

STATE OF NEW YORK, MONROE COUNTY IN COUNTY COURT, ss—In the matter of altering and establishing the lines of West alley: To the Common Council of the City of Rochester.

The undersigned Commissioners appointed in the above matter, by an order of the County Court of Monroe county, dated October 4, 1867, respectfully report as follows:

That we caused the proper notice to be published of the time and place of our meeting, and in pursuance thereof met on the 15th day of October, 1867, at 10 o'clock A. M., at the office of E. A. Raymond, Esq., City Attorney, No 5, Eagle Block, in the city of Rochester, and after being duly sworn to faithfully discharge our duties as such Commissioners without favor or partiality, did duly proceed to view the lands and premises proposed to be taken for altering and establishing the lines of West alley, and did duly deliberate upon the matter. We further report that there should be paid to the owner of the land proposed to be taken for said improvement, the sum of six hundred dollars. We are informed that it is one party only who is to be paid therefor, but proof of title was not made to us, and we leave such proof to be produced to the proper authorities.

All of which is respectfully submitted this 15th day of October, 1867.

GEO. G. MUNGER,  
GEO. D. STILLSON,  
S. W. D. MOORE,  
Commissioners.

Received, and the next regular meeting, October 29th, 1867, was fixed when appeals therefrom will be heard.

### ORDINANCES.

#### LEWIS STREET GRADING.

On motion of Ald. Ratt, the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all the persons appearing, Ald. Ratt submitted the following:

An ordinance to grade Lewis street, from Davis street to Scio street.

The Common Council of the city of Rochester do ordain and determine as follows:

The roadway and sidewalks on Lewis street, from Davis street to Scio street, shall be graded.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at



three hundred and forty dollars, which estimate was and is hereby approved; the sum of three hundred and forty dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on each side of Lewis street, from Davis street to Scio street.

On which above described portion of the city the said sum of three hundred and forty dollars is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of land and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 19th day of October, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote: All ayes—17.

#### HOELTZER STREET OPENING.

By Ald. Burke—Resolved, That the City Surveyor ascertain and report to this Board the expense of opening Hoeltzer street, from St. Joseph street to the west line of the Lee tract, in the Lee tract.

The Surveyor submitted as such estimate \$800.

By Ald. Burke—Resolved, That the following improvement is expedient, viz:

The opening of Hoeltzer street, from St. Joseph street to the west line of lot No. 4 in the Lee tract, and the following described territory is deemed necessary to be added for said improvement, viz:

Beginning in the west line of St. Joseph street, at its intersection with the south line of lot No. 4 in the Lee tract; thence westerly along said south line to the west line of said lot; thence northerly along said west line 33 feet; thence easterly parallel with the south line of said lot to St. Joseph street; thence southerly to the place of beginning.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$800, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of Hoeltzer street, from St. Joseph street to the west line of lot No. 4 in the Lee tract.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening, Oct. the 29th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### UNION STREET SEWER RE-ASSESSMENT.

By Ald. Adelman—Whereas, The Common Council of the City of Rochester did, on the 6th day of August, 1861, ordain and determine that a stone sewer should be constructed in Union street, from a point 20 feet north of the south line of Wm. Summerhay's lot to a point 30 feet north of the south line of J. C. Locke's lot; and that the whole expense thereof should be assessed upon the owners and occupants of houses and lands to be benefited thereby, and did estimate such expense at the sum of \$310; and

Whereas, A greater sum of money has been expended in constructing said sewer, and that such greater sum thus expended amounts to \$80.00; therefore

Resolved, That said sum of \$80 be assessed upon the owners and occupants of one tier of lots on each side of Union street, from a point 2 feet north of the south line of Wm. Summerhay's lot, to a point 30 feet north of the south line of J. C. Locke's lot.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 19th day of October, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote: All ayes—17.  
Ayes—Ald. C. M. St. John, Andrews, Remington, Gugenheim, Carroll, Relyea, Copeland, Ratt, Burke, Paine, Woodruff, Adelman, Charters, Quin, Parsons—16.

Nays—Ald. Groot—1.

#### AMBROSE STREET SEWER.

By Ald. Adelman, Whereas, By a resolution adopted by the Board of Health, it was declared that for the preservation of the public health a sewer should be constructed in Ambrose street, from Frank street to Graham street, and in the opinion of this Common Council it is so essential; therefore

Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone sewer 18 inches by 18 inches in Ambrose street, from Frank street to Graham street. Adopted.

The Surveyor submitted as such estimate \$1,410.

By Ald. Adelman—Resolved, That the following improvement is expedient, viz:

The construction of a stone sewer 18 inches by 18 inches in Ambrose street, from Frank street to the sewer in Graham street.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$1,410, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of Ambrose street, from Frank street to Graham street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, October the 29th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### COURT STREET WOODEN BRIDGE.

Ald. Groot presented the final ordinance for Court street wooden bridge, and moved its postponement for two weeks. Carried.

#### ALLEN STREET SEWER.

Ald. Adelman presented the final ordinance for Allen street sewer.

Ald. Carroll moved its indefinite postponement. Carried as follows: All ayes—17.

#### ALLEN STREET SEWER.

By Ald. Adelman—Whereas, By a resolution adopted by the Board of Health, May 31st, 1867, it was declared essential for the preservation of the public health that a sewer should be constructed in Allen street, from Elizabeth street to State street, and in the opinion of this Common Council it is so essential; therefore

Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone sewer 2 feet by 3½ feet in Allen street, from Elizabeth street to the sewer in State street. Adopted.

The Surveyor submitted as such estimate \$6,000.

By Ald. Adelman—Resolved, That the following improvement is expedient, viz:

The construction of a stone sewer 2 feet by 3½ feet in Allen street, from Elizabeth street to the sewer in State street.

And whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$6,000, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on both sides of Allen street, from Elizabeth street to State street; and one tier of lots on both sides of Fitzhugh, Sophia, Washington and Elizabeth streets, from Suffolk street to Aha street, except one tier of lots on the north side of Buffalo street. Also including all the territory between Hunter alley, Ford street, Elizabeth street and the Erie Canal.

And further, Resolved, That the tax-payers to be assessed for making such improvement may, by paying the same in advance, be relieved, on the amount assessed to them individually, pay their assessments in three equal payments, as follows: One-third of the amount assessed within three months after the confirmation of the assessment roll, without interest; one-third of the amount, with interest, at the rate of seven per cent, per annum, within one year from the confirmation of said roll; and the remaining one-third, with interest, at the same rate, within two years from the confirmation of such roll.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, October the 29th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### STONE STREET IMPROVEMENT.

On motion of Ald. Ratt, the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing, Ald. Ratt submitted the following:

An ordinance to improve Stone street, from Main street to Court street.

The Common Council of the city of Rochester do ordain and determine as follows:

The sidewalk on the west side of Stone street shall be improved from Main street to Court street, by resetting the curb stone eight feet from the line of the street, repaving the gutters, laying a brick sidewalk and constructing crosswalks.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at one thousand two hundred dollars, which estimate was and is hereby approved; the sum of one thousand two hundred dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem to be benefited by said improvement is described as follows:

One tier of lots on the west side of Stone street, from Main street to Court street.

On which above described portion of the city the said sum of one thousand two hundred dollars is hereby ordered to be assessed. And the assessors, E. J. McKay, E. J. Oatley and C. M. St. John, the assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said assessors are hereby notified to meet for this purpose, on Saturday, the 19th day of October, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote: All ayes—17.  
Ald. Groot moved that the committee be instructed not to let this contract for the above improvement until next April, and that all parties interested be allowed to build their own walls, if done before that time. Carried.

#### ASSESSMENTS.

Ald. Adelman presented the Assessment rolls for a sewer in Grape and Clinton streets, which were confirmed as follows: All ayes—18.

Ald. Ratt presented the Assessment roll for South avenue improvement, which was confirmed as follows: All ayes—17.

#### MISCELLANEOUS.

By Ald. Cram—Resolved, That Martin Reed be and is hereby granted permission to erect a gate at each end of Green alley, between Jay and Smith streets, said gates to remain there only during the pleasure of the Common Council.

Ald. Quin moved as an amendment that the public should have free use of said alley. Carried.

Resolution adopted as amended.

By Ald. Cram—Resolved, That the Street Superintendent is hereby directed to notify the owners or occupants of property on Genesee street; Scio street, from East avenue to Delevan street; Ontario street, from North to Scio streets; Prospect street, from Adams street to West avenue; Court street, from Chestnut street to Union street; Magne street, from Brown street to Lyell street; Achilles street, from North street to Stillson street; William street, from Monroe avenue to East avenue; Union street, from Monroe avenue to East avenue; Rome street and Chatham street, from Andrews street to Franklin street; west side of Franklin square; to repair their walks within five days, and in case they neglect to repair the same, that the cost be assessed upon the property benefited, according to section 212 of the city charter as amended. Adopted.

By Ald. Cram—Resolved, That the City Superintendent be directed to repair the hole in Lake avenue, at the corner of Ambrose street, and that the expense be charged to Lake Avenue Fund. Postponed indefinitely.

By Ald. Cram—Resolved, That John Sheridan is hereby granted permission to build his own walk, on Jones avenue, if done by April 1st, 1868. Adopted.

By Ald. Lutes—Whereas, In the suit of Joseph Hoffman, Overseer, &c. vs. Josiah L. Bangs, judgment for \$74.90, costs on the appeal was recovered against the Overseer, and proceedings for an attachment against him are about to be taken to collect the same. Therefore,

Resolved, That the City Treasurer is hereby directed to pay to J. D. Husbands, Esq., the attorney of said Josiah L. Bangs, the sum of \$74.90, costs against said Overseer, and charge Poor Fund.

Resolved, That the City Attorney proceed to collect of James Flora said sum of \$74.90, he having agreed to indemnify the said Overseer against all costs and expenses of the appeal in said suit. Adopted as follows:

Ayes—Ald Cram, Lutes, Groot, Andrews, Remington, Guggenheim, Carroll, Mutchler, Relyea, Copeland, Ratt, Burk, Paine, Woodruff, Charters, Horcheier, Parsons—17.

Nays—Ald. Quin—1.

#### FIRE ALARM TELEGRAPH.

Ald. Andrews called up the communication relative to Fire Alarm Telegraph, and moved that it be published. Carried.

ROCHESTER, Oct. 15, 1867.

To the Hon. The Common Council of the City of Rochester:

GENTS—I am authorized by Dr. S. D. Cushman, of New Lisbon, Ohio, to make the following proposition to your Honorable body to put in a Fire Alarm Telegraph in this city:

He will put in twelve miles of wire, ten instruments, complete. Main Battery, Battery Furniture, and furnishing all the materials excepting the poles; (very few will be needed,) do all the work, and run it six months at his own expense; the city to give him the right of way, for \$1900, to be paid as follows: when the work is completed and accepted pay him \$1500, and the balance in monthly payments. Whenever the city wishes to extend these wires, and add to the number of instruments, it shall be done at the same rates.

He will put it in, in the most complete manner, for he wants it as a sample Fire Alarm Telegraph that he may invite the Fire Departments of other cities to examine his system. He also wishes to make Rochester his home, and have his instruments manufactured here, so as to add improvements to them.

The above is his object in putting his Fire Alarm at so low a price, which is about the cost of instruments and materials.

Truly yours, ALEX. ALLEN.

By Ald. Andrews—Resolved, That the proposition made by Dr. L. D. Cushman, through Alexander Allen, be accepted, and that he be authorized to erect and put in operation one of his Patent Fire Alarm Telegraphs, with one box located in each ward, in accordance with the terms of said proposition, to be done

under the direction of the Fire Department Committee.

Ald. Groot moved its indefinite postponement. Lost as follows:

Ayes—Ald. Groot, Guggenheim, Mutchler, Burke, Charters, Horcheler, Quin—7.

Nays—Ald. Cram, Lutes, Andrews, Remington, Carroll, Relyea, Copeland, Ratt, Paine, Woodruff, Parsons—11.

Ald. Cram moved its reference to the Fire Department Committee, and that they report at the next meeting. Carried.

Ald. Andrews, from the Special committee to confer with the Supervisors, relative to repairs on Clarissa street bridge, asked for further time. Granted.

Ald. Groot moved that the committee be directed to confer with the Supervisors relative to the repairs done to Main street bridge; also, in reference to the Arsenal lot. Carried.

Ald. Cram moved that Ald. Groot and Remington be added to the Special committee. Carried.

By Ald. Groot—Whereas, Great complaint is being made by the tax-payers, in consequence of the expenditures in supporting the High School, therefore

Resolved, That a committee of three be appointed to investigate the matter, and report to the Board the actual expense of running said High School, together with the number of scholars and the average cost of each scholar. Adopted.

The President appointed as such committee, Ald. Groot, Lutes, Quin.

Ald. Quin asked to be excused from serving on the committee. Granted.

Ald. Paine was appointed in his place.

By Ald. Relyea—Resolved, That the City Treasurer be and he is hereby directed to refund to George Ruland and others, trustees of St. Joseph's Church, the sum of \$76.10, erroneously assessed on the property of said church, located on the south side of Andrews street, and charge the same to erroneous assessments. Adopted as follows: All ayes—20.

By Ald. Mutchler—Resolved, That the Treasurer pay C. T. Amsden \$31.25 for insurance on House for Truants, when there is money applicable, and charge Truant Fund. Adopted as follows: All ayes—20.

By Ald. Copeland—Resolved, That the Street Superintendent be hereby required to notify the owners or occupants of property on Griffith street, from Moaroe avenue to St. Paul street; Marshall street, from Monroe avenue to St. Paul street; Pearl street, from Griffith street to Nelson street; Broadway street, from Monroe avenue to Nelson street; George street, from Chestnut street to Union street; Manhattan street, from Court street to Monroe avenue; to repair their walks in front of their premises, and in case they do not attend to said requirement, the Superintendent be and is hereby directed to repair the same, and the cost thereof be assessed upon the property benefitted, according to section 212 of the city charter as amended.—Adopted.

By Ald. Burke—Resolved, That the City Treasurer pay to Francis Magee, or to his legally authorized attorney, the sum of one hundred and sixty-two dollars and fifty cents, (\$162.50,) being his part of \$650 awarded to

the heirs of Edward Magee for the extension of Orchard street, in the 11th ward of this city, as soon as there is money in the treasury for that purpose. Adopted as follows: All ayes—19.

By Ald. Adelman—Resolved, That His Honor the Mayor be, and he is hereby requested, to execute a contract with David Wagner for constructing a sewer in Grape street, and with P. J. McMenomy for constructing a sewer in Clinton street, in accordance with their propositions. Adopted.

By Ald. Adelman—Resolved, That the Sewer committee are hereby directed to cause Sellinger, St. Joseph and Jay streets to be graded in accordance with the wishes of the taxpayers on said streets. Adopted.

By Ald. Adelman—Resolved, That John Rice and Frank Sharer have leave to construct a five-inch tile sewer from their cellars, on Child street, to the sewer in Jay street.—Ruled out of order.

#### FINANCE BUDGET.

OCTOBER 15TH, 1867.

By Ald. Patne—Resolved, That the Treasurer pay as follows:

#### LAMP FUND.

Rochester Gas Co., lighting and extinguishing street lamps.....\$447 60  
And charge that fund.

#### IMPROVEMENT FUNDS.

Also when there are funds applicable, as follows:

Thomas G. Palmer, on his contract for constructing Centre Square fence.....\$ 1,000 00  
And charge that fund.

F. C. Lauer & Son, on their contract for constructing Sellinger, St. Joseph and Herman street sewer..... 1,800 00  
And charge that fund.

M. G. Warner, Sr., bill, inspecting Union street sewer..... 30 00  
And charge that fund.

David Wagner, in full for his contract for constructing Union street sewer..... 350 00  
And charge that fund.

Adopted as follows: All ayes—19.  
Adjourned. B. FRANK ENOS, Clerk.

### In Common Council—Oct. 23d, 1867.

#### SPECIAL MEETING.

Ald. Joseph Qualtrough, President pro tem., presiding.

Present—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Carroll, Relyea, Copeland, Ratt, Kelly, Burke, Paine, Adelman, Horcheler, Miller, Quin, Parsons.

Absent—Ald. Remington, Graham, Guggenheim, Mutchler, Taylor, Brown, Woodruff, Charters, Bingemer, Mauder.

#### FIRE ALARM TELEGRAPH.

The President stated that the object of calling the Council together, was to witness the working of the Fire Alarm Telegraph, under the direction of Mr. Gamewell.

After the same had been satisfactorily explained, and the working of the Telegraph shown, Ald. Spencer moved that a committee, outside of the Fire Department Committee, be appointed to enquire into the cost of constructing the Fire Alarm Telegraph in this city, and report to the Board at its next meeting. Carried.

The President appointed as such committee, Ald. Lutes, Parsons, Cram.

Ald. Adelman moved that the Fire Department Committee be added. Carried.  
Adjourned.

B. FRANK ENOS, Clerk.

**In Common Council, October 29th, 1867.**

**REGULAR MEETING.**

Ald. Joseph Qualtrough, President *pro tem.*, presiding.

Present—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Carroll, Mutchler, Relyea, Ratt, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller, Quin.

Absent—Ald. Graham, Remington, Guggenheim, Copeland, Taylor, Brown, Bingemer, Parsons.

Minutes of the previous meeting approved as published.

**PETITIONS AND CLAIMS.**

By Ald. Spencer—Sundry bills. Fire Department Committee. Petition of E. M. Stewart. Table.

By Ald. Cram—Sundry bills. Street Committee.

By Ald. Lutes—Sundry bills. Poor Committee. Remonstrance of H. Stilwell and others. Table.

By Ald. Mutchler—Petitions of E. H. Bowman. Referred to the Assessors. O. W. Brown, M. Kritz, Susan Ferry, Bennett & McGraw, N. A. Stone. Referred to Wooden Building Committee.

By Ald. Ratt—Sundry bills. Lamp and Improvement Committees. Bill of Charles Mills. Finance Committee.

By Ald. Kelly—Petition of Alice L. Williams and others. Table.

By Ald. Woodruff—Sundry bills. Contingent Committee.

By Ald. Adelman—Sundry bills. Sewer Committee.

By Ald. Horcheler—Bill of W. H. Oviatt. Finance Committee.

By Ald. Quin—Petitions of Briggs & Bro. Dean Graneal. Street Committee. Samuel Burns and others, John C. Lauer. Grievance Committee.

By Ald. Paine—Petition of Alex. Allen. Street Committee.

**REPORTS.**

Ald. Cram, from the Street Committee, reported in favor of sundry bills. Finance Committee.

Ald. Spencer, from the Fire Department Committee, reported in favor of sundry bills. Finance Committee.

Ald. Lutes, from the Poor Committee, reported in favor of sundry bills. Finance Committee.

Ald. Ratt, from the Improvement and Lamp Committees, reported in favor of sundry bills. Finance Committee.

Ald. Woodruff, from the Contingent Committee, reported in favor of sundry bills. Finance Committee.

Ald. Adelman, from the Sewer Committee, reported in favor of sundry bills. Finance Committee.

Ald. Quin presented the following report relative to a claim against the

**ROCHESTER AND BRIGHTON RAILROAD COMPANY.**

*To the Honorable the Common Council:*

The undersigned, a special committee to whom was referred the bill against the Rochester & Brighton Railroad Company in favor of the city, respectfully report:

That the City Superintendent, with the consent of the Street Committee, in the months of August, September and October, 1865, made the repairs in said bill, which the Superintendent of the Street Railroad, Mr. Randall, requested should be done and promised to reimburse the city therefor, instead of doing it himself. The bill contains only the actual expenses paid by the city in making such repairs, and is herewith annexed. Your committee therefore report that the Street Railroad Company is liable to pay the amount of said bill with interest, and recommend that the City Attorney be authorized to proceed to collect the same, for the benefit of the Highway fund.

All of which is respectfully submitted.

Oct. 29, 1867.

The Rochester City and Brighton Railroad Company, to the City of Rochester, Dr.

August, 1865. To repairing roadway at west end of Main Street Bridge.....\$165.82

October, 1865. To repairing South St. Paul street as per agreement.... 159.44

To repairing cross walks Buffalo and Exchange street corners..... 71.75

To repairing cross walks on corner of Main and St. Paul streets..... 37.25

To raising railroad track in front of Court House on Buffalo street..... 31.13

Total .....\$465.39

JOHN QUIN,  
L. F. RELYEA,  
JOSEPH QUALTROUGH,  
Committee.

Received and ordered published.

Ald. Groot presented the following report in regard to the expense of supporting the

**ROCHESTER HIGH SCHOOL:**

*To the Hon the Common Council of the City of Rochester:*

GENTLEMEN—The committee appointed to investigate the "matter of complaint by taxpayers concerning expenditures in supporting the High School," beg leave to present the following report:

Your Committee have had under consideration the present position and importance of the High School or Free Academy as a part of the system of public schools in our city, both in regard to its efficiency as an institution of learning, and also, more particularly, as to the expenditure of money required for its maintenance.

As regards the cost of supporting this branch of the public schools we find, after a careful examination of the published reports of the Academy and comparing the same with reports from similar institutions in various parts of this State, that in this respect the expenditure falls below the average, as will be seen by the following statement derived from the annual reports of the High Schools in this and other cities.

Taking the expenditures, including salaries of teachers and other expenses and the aver-

age attendance of scholars for the year 1866, we find the cost of instruction for each scholar to be as follows:

In the Lockport Union School per scholar.....	\$35 56
In the Watertown High School per scholar.....	36 44
In the Rochester Free Academy per scholar.....	37 25
Oswego High School, per scholar.....	37 89
Troy ".....	40 93
Buffalo Central School ".....	54 27
Average cost of scholar.....	40 33
The estimated amount required for the High School the present year is as follows:	
For salaries of teachers.....	\$4,000 00
For repairs, fuel, Janitor's salary and its share of incidental expenses and supplies.....	800 00
	\$4,800 00

Average attendance of scholars for the months of September and October 130, making the cost of instruction per scholar \$36.90.

Your Com. also find that the High School, as an educational institution, has been steadily growing in favor with those who have been most familiar with its course of instruction and internal management. The attendance of scholars has also increased notwithstanding the requirements for admission are such that only those can enjoy its benefits who have attained a high degree of proficiency in the studies prescribed. These requirements are attainable by all, and have had a good influence upon the scholars in the public schools, acting as an incentive to increased efforts that they may be able to gain admission to the High School.

Your Committee, in view of these facts, believe that there is no just ground for complaint by tax-payers, and are of the opinion that the Rochester Free Academy is entitled to and should receive its full share of the monies raised for school purposes.

All of which is respectfully submitted.

W. H. GROOT,  
CYRUS F. PAINE,  
JOHN LUTES,  
Committee.

Received and ordered published.

Ald. Groot presented the following report on

#### REPAIRS TO MAIN STREET BRIDGE.

To the Honorable the Common Council:

GENTLEMEN:—The Flood Committee to whom was referred the matter of repairs to Main street bridge, and who were directed to confer with the Board of Supervisors relative to their paying a portion of said expenses, would respectfully report that after a meeting of a similar committee from the county with your committee, and a careful examination of the bills, the Board of Supervisors voted to pay \$4,530.20 of the expenses for repairing said bridge.

Your committee would also report that they had sold the portable engine belonging to the city for \$575.

All of which is respectfully submitted.

E. R. ANDREWS,  
W. H. GROOT,  
JAMES H. KELLY,  
A. CRAM,  
Committee.

Received and ordered published.  
Ald. Lutes presented the following report relative to the

#### FIRE ALARM TELEGRAPH.

To the Honorable the Common Council:

The special committee appointed at the last meeting of the Board to confer with Mr. Gamewell and ascertain his terms for the construction of a Fire Alarm Telegraph, beg leave to submit herewith Mr. Gamewell's proposition, with specification and price. The plan proposed will give to the city a very thorough and complete system, available for Fire and Police purposes, and equal to any in use in any city in the country.

JOHN LUTES,  
L. F. KELYEA,  
A. CRAM,  
L. C. SPENCER,  
J. H. KELLY,  
Committee.

Oct. 29, 1867.

#### SPECIFICATIONS AND PROPOSALS FOR THE AMERICAN FIRE ALARM AND POLICE TELEGRAPH, FOR THE CITY OF ROCHESTER, N. Y.:

To the Honorable the Common Council of the City of Rochester, N. Y.:

GENTLEMEN:—The undersigned, proprietors of the American Fire Alarm, and Police Telegraph, respectfully propose to erect and put in readiness for operation their system of Automatic Telegraph Fire Alarms in your city, according to the following specifications, and upon the conditions thereunto annexed, to-wit:

For the Central or Battery Station—One (1) Automatic Electro-Magnetic Repeater, arranged for at least four (4) independent circuits, sounding a general alarm on the gongs and Court-House bell, if used, and giving the return signal in the signal boxes. Four (4) Relay Magnets; four (4) Telegraph Keys; four (4) Galvanometers; all the lightning arrestors necessary for the proper protection of the foregoing apparatus, together with all the necessary commutators for changing circuits or connections, and for testing the integrity of the same; all tables, or stands, upon which the foregoing apparatus is to be properly arranged: sixty-five (65) cups of the improved sulphate of copper battery; all the wire used inside of the Central Station to be of copper, well insulated, and the joinings well soldered.

For the Signal Stations—Thirty-five (35) cottage shaped, cast iron boxes, with hinged doors and combination locks; five (5) keys to each; locks and keys to be uniform throughout the city; each station to contain the necessary mechanism and electrical arrangements for indicating to the Central Station (by simply moving a slide) its exact locality, and receiving therefrom signals indicating scenes of danger in other portions of the city; each station to contain a telegraph key and electro-magnetic call bell for police purposes, or engineers' signals, and to be furnished with lightning arresters and proper ground escapes for the same. These stations are to be securely fastened on walls or buildings where practicable, or on poles where houses can not be had, at a height of not less than four (4) feet from the ground; and to be distinctly numbered with their own number; the wires entering and leaving each station to be enclosed in gas pipe for a distance of at

least fifteen (15) feet above the ground. These stations to be located by the Fire Department Committee.

*For the Engine House Gongs.*—Five (5) of our best electro-magnetic mechanical gong strikers; gongs to be at least thirteen (13) inches in diameter, provided with lightning arresters and proper ground escapars for the same. Apparatus to be neatly encased, and securely placed in each engine house, and five (5) direct action electro-magnetic call bells, or gongs, one (1) each to be placed in the Fire Marshal's, Chief Engineer's, Hose and Ladder, Alert Hose, and Protective Companies houses.

*For the Signal and Alarm Circuits.*—A sufficient quantity (not to exceed twenty-five (25) miles) of the best quality of annealed, galvanized, No. nine (9) wire (iron) to connect the various signal boxes and engine house gongs with the central station. Said wire to be properly insulated on strong supports attached to the highest houses obtainable near the line of circuits; where houses cannot be obtained then said wires are to be well insulated on poles at a height of not less than twenty-five (25) feet above the ground, and with not less than thirty-five (35) fastenings to the mile.

The signal and alarm circuits to be entirely metallic.

*For the Poles.*—All the poles used, to be of sound timber, not less than thirty (30) feet long nor less than five (5) inches in diameter at the top, firmly set at least four (4) feet in the ground.

The foregoing proposals contemplate a very thorough and complete system of municipal Telegraph for your city, combining the best features of the various Telegraphs erected by us, and now in operation in some eighteen (18) cities in this country; dispensing with the expense of a regular Central Station, and requiring but a portion of the time of one intelligent person daily, to inspect the Galvanometers and keep up the Batteries, yet so arranged that should the future growth of your city, demand in after years, a regular Central Station, the only alterations necessary would be the introduction of the Central Office apparatus at an expense of about fifteen hundred (1500) dollars.

The average time required to communicate a definite and general alarm is within twenty (20) seconds, or less than one-third ( $\frac{1}{3}$ ) of a minute.

We propose to complete the whole work in our usual thorough and workmanlike manner, so that the ordinary repairs for years to come, will be a nominal matter; and do hereby convey, transfer and assign to the city on the completion of, and payment for, the work herein proposed to be done, the absolute and unrestricted right to use and perpetuate the apparatus to the extent enumerated, during the full term of our various patents, and all extensions of the same, and have the entire system completed and in readiness for operation within four (4) months after the date of the contract herein contemplated, for the sum of fourteen thousand (14,000) dollars upon the following conditions, to wit:

The city of Rochester, N. Y., represented by its honorable Fire Department Committee of the Common Council, shall place at the

disposal of the undersigned within one (1) month after the signing of the contract, (if required) a suitable room, or rooms, for the Central, or Battery Station; shall guarantee the right of way for the various wire circuits through the public highways.

Finally, the said city of Rochester, N. Y., represented by its honorable Fire Department Committee of the Common Council, shall pay to the undersigned the aforesaid sum of fourteen thousand (14,000) dollars in cash, or in such other manner as may be mutually agreed upon, on the completion of the work to the satisfaction of the committee, in accordance with the foregoing specifications and proposals; all of which is

Respectfully submitted,

GAMEWELL & Co.,

of 104 Centre street, New York.

Rochester, N. Y., Oct. 28, 1867.

*ADDENDA.*—At the suggestion of many heavy tax payers in your city, we submit the following additional estimate: Should it be deemed advisable to strike the alarm bell on the Court House we will furnish one (1) of our first class electro-magnetic bell strikers of sufficient power to give the full tone of said bell, with all the chains, weights, hammers, machine room, under lock and key, weight enclosure, and extra wires with attachments pertaining thereto, so as to have the bell placed on an independent circuit, all complete, for the additional sum of fifteen hundred (1500) dollars. Should a greater quantity of wire than twenty-five (25) miles be required, exclusive of the alarm bell circuit, above referred to, an additional sum of three hundred (300) dollars per mile shall be paid to the undersigned for each mile, including poles, painting, insulators and labor, all complete and ready for operation.

Respectfully submitted.

GAMEWELL & Co.,

104 Centre street, New York.

Rochester, N. Y., Oct. 28, 1867.

Received and ordered published.

Ald. Cram presented the following report relative to

REMITTING TAX AGAINST JOHN THOMPSON.

To the Honorable the Common Council:

The Street Committee to whom was referred the petition of John Thompson, respectfully report that upon examining the facts relating to the assessment complained of by the petitioner, they find that he was assessed: for Mt. Hope Avenue Improvement, twelve hundred and sixty-nine dollars, and for the re-assessment for the deficiency of said assessment, one hundred and eleven dollars seventy-four cents; that he was originally assessed upon five hundred and forty feet front and deep, the rate being \$2.35 per foot, the same as the other tax payers adjacent and opposite him; that the Erie canal feeder divides his premises, and the strip between the feeder and the street ranging from about fifteen to forty feet in width, is claimed in part by the State of New York, but how much is so claimed your committee have been unable to ascertain. In consequence of the peculiar situation of his premises Mr. Thompson claims an equitable deduction from his assessments.

Although your Committee is opposed to considering such applications, after the

Assessment Roll has been confirmed, and an opportunity given for allegations against it by any and all the tax-payers. Yet from the peculiar circumstances of this case your committee recommend that these assessments against Mr. Thompson be canceled, upon his paying to the City Treasurer the amount of the original assessment and re-assessment, within thirty days from this date, without interest.

All of which is respectfully submitted.

A. CRAM,  
W. M. CARROLL,  
JOHN QUIN,

October 29, 1867. Committee.  
Received and ordered published.

#### COMMUNICATIONS.

The Clerk presented the following:

MAYOR'S OFFICE,  
Rochester, Oct. 29, 1867. }

*Gentlemen of the Common Council:*

Permit me to call your attention to the fact that many of the contracts you award are not executed—not having been presented for that purpose. The following have never been executed, viz.:

May 16th, 1867, Whitmore, Carson & Co., for Monroe avenue walks. August 7th, Whitmore, Carson & Co., for Lake avenue, Jones avenue and Cliff street. August 21st, Whitmore, Carson & Co., Lake avenue cross walks. August 7th, Boyd & Gomminger, for fifty lamps. August 21st, H. Frederick, for German street improvement. October 2d, W. I. Hartford, for Clifton street walk.

Some of the contracts that have been executed the work was completed or nearly so when the contracts were brought in to be executed.

Respectfully yours,

HENRY L. FISH, Mayor.

Received and ordered published.

The Clerk presented a communication from the Assessors relative to the tax against John Schwartz and Philip Kramp. Also, the Mayor's Annual Address and Reports of the various departments of the cities of Hartford, Conn., and Cleveland, Ohio. Received.

Ald. Cram presented the following

INVITATION FROM THE INDUSTRIAL SCHOOL.  
ROCHESTER, Oct. 28th.

*To the Honorable the Common Council of the City of Rochester:*

**GENTLEMEN:**—The managers of the Industrial School most earnestly solicit the pleasure of your company at supper on Friday evening next, at 76 Exchange street, it being the occasion of the annual donation for the benefit of the institution.

A choice entertainment of charades and music will be furnished during the evening.

ELLEN M. ARINK,  
Cor. Sec.

Adopted.

#### ORDINANCES—FLOOD DAMAGES.

##### REPAIRS ON STATE STREET.

By Ald. Groot—Whereas, By Act, Chap. 435, Laws of 1867, the Common Council of the City of Rochester are required to make local assessments for repairing the damages caused by the freshet in the Genesee River and Erie and Genesee Valley Canals, in the City of Rochester, in March, 1865, upon the owners and occupants of houses and lands benefited by such repairs; and

Whereas, The sum of \$120 has been expended by said city in repairing the damages to State street, from Buffalo street to Mumford street, in said city, caused by said freshet; therefore

Resolved, That the following portions of said city

are deemed benefited and proper to be assessed for the whole expense thereof, under said Act, as follows: One tier of lots on each side of State street, from Buffalo street to Mumford street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Nov. the 12th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard.

Ald. Spencer moved its indefinite postponement.

Lost as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Kelly, Burke—6.

Nays—Ald. Groot, Andrews, Carroll, Mutchler, Relyea, Ratt, Paine, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller, Quin—14.

Ordinance adopted as follows: Ayes—Ald. Groot, Andrews, Carroll, Mutchler, Relyea, Ratt, Paine, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller, Quin—14.

Nays—Spencer, Cram, Qualtrough, Lutes, Kelly, Burke—6.

#### ROAD LEADING FROM COURT STREET TO THE

##### MONROE COUNTY JAIL.

By Ald. Groot—Whereas, By Act, Chap. 435, Laws of 1867, the Common Council of the City of Rochester are required to make local assessments for repairing the damages caused by the freshet in the Genesee River and Erie and Genesee Valley Canals, in the City of Rochester, in March, 1865, upon the owners and occupants of houses and lands benefited by such repairs; and

Whereas, The sum of \$68.58 has been expended by said city in repairing the damages to the road leading from Court street to Monroe County Jail in said city, caused by said freshet; therefore

Resolved, That the following portions of said city are deemed benefited and proper to be assessed for the whole expense thereof, under said Act, as follows:

The County of Monroe.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening, Nov. the 12th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted as follows:

Ayes—Ald. Groot, Andrews, Carroll, Mutchler, Relyea, Ratt, Paine, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller, Quin—14.

Nays—Ald. Spencer, Cram, Qualtrough, Lutes, Kelly, Burke—6.

#### REPAIRS ON LAKE AVENUE.

By Ald. Groot—Whereas, By Act, Chap. 435, Laws of 1867, the Common Council of the City of Rochester are required to make local assessments for repairing the damages caused by the freshet in the Genesee River and Erie and Genesee Valley Canals, in the City of Rochester, in March, 1865, upon the owners and occupants of houses and lands benefited by such repairs; and

Whereas, The sum of \$7,219.80 has been expended by said city in repairing the damages to Lake avenue, from Spencer street to the city line in said city, caused by said freshet; therefore

Resolved, That the following portions of said city are deemed benefited and proper to be assessed for the whole expense thereof, under said act, as follows:

One tier of lots on each side of Lake avenue, from Spencer street to the city line.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Nov. the 12th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard.

Ald. Kelly moved its indefinite postponement. Lost as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Kelly, Burke, Horcheler—7.

Nays—Ald. Groot, Andrews, Carroll, Mutchler, Relyea, Ratt, Paine, Woodruff, Adelman, Charters, Mauder, Miller, Quin—13.

Ald. Spencer moved to adjourn for two weeks. Lost as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Carroll, Kelly, Burke, Mauder—8.

Nays—Ald. Groot, Andrews, Mutchler, Relyea, Ratt, Paine, Woodruff, Adelman, Charters, Horcheler, Miller, Quin—12.

Ald. Kelly moved to adjourn for one week. Lost as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Kelly, Mauder—6.

Nays—Ald. Groot, Andrews, Carroll, Mutchler, Relyea, Ratt, Paine, Woodruff, Adelman, Charters, Horcheler, Miller, Quin—14.

Ordinance adopted as follows:

Ayes—Ald. Groot, Andrews, Carroll, Mutchler, Relyea, Ratt, Paine, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller, Quin—14.  
Nays—Ald. Spencer, Cram, Qualtrough, Lutes, Kelly, Burke—6.

Ald. Groot moved that the Clerk proceed to read the ordinance.

Ald. Kelly moved as an amendment that he have permission to ask the City Attorney a question.

Ald. Relyea moved as an amendment to the amendment that Ald. Kelly take the City Attorney into the hall to ask him the question. Carried as follows:

Ayes—Ald. Andrews, Carroll, Mutchler, Relyea, Ratt, Kelly, Adelman, Charters, Mauder, Miller, Quin—11.

Nays—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Burke, Paine, Woodruff, Horcheler—9.  
Ald. Groot's motion that the Clerk read the ordinance was lost.

Ald. Andrews moved to reconsider the vote.

Ald. Kelly moved to postpone Ald. Andrews' motion indefinitely. Lost as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Kelly, Burke—6.

Nays—Ald. Groot, Andrews, Carroll, Mutchler, Relyea, Ratt, Paine, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller, Quin—14.

Ald. Kelly moved its postponement for two weeks. Lost as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Kelly, Burke—6.

Nays—Ald. Groot, Andrews, Carroll, Mutchler, Relyea, Ratt, Paine, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller, Quin—14.

Ald. Groot moved the previous question. Carried as follows:

Ayes—Ald. Groot, Andrews, Carroll, Mutchler, Relyea, Ratt, Paine, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller, Quin—14.

Nays—Ald. Spencer, Cram, Qualtrough, Kelly, Burke—5.

Ald. Lutes was excused from voting on the above question.

Ald. Andrews' motion to reconsider was carried as follows:

Ayes—Ald. Groot, Andrews, Carroll, Mutchler, Relyea, Ratt, Paine, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller, Quin—14.

Nays—Ald. Spencer, Cram, Qualtrough, Lutes, Kelly, Burke—6.

Ald. Groot's motion that the Clerk read the ordinance was carried.

#### REPAIRS ON TROUP STREET.

By Ald. Groot—Whereas, By act, Chap. 435, Laws of 1867, the Common Council of the city of Rochester are required to make local assessments for repairing the damages caused by the freshet in the Genesee river and Erie and Genesee Valley canals, in the city of Rochester, in March, 1865, upon the owners and occupants of houses and lands benefited by such repairs; and

Whereas, The sum of \$41.25 has been expended by said city in repairing the damages to Troup street, from Prospect street to the Genesee Valley canal, therefore

Resolved, That the following portions of said city are deemed benefited and proper to be assessed for the whole expense thereof, under said act, as follows: One tier of lots on each side of Troup street, from Prospect street to the Genesee Valley canal.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Nov. the 12th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard.

Ald. Groot moved its adoption and called for the previous question. Carried as follows:

Ayes—Ald. Groot, Andrews, Carroll, Mutchler, Relyea, Ratt, Paine, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller, Quin—14.

Nays—Ald. Spencer, Cram, Qualtrough, Lutes, Kelly, Burke—6.

Ordinance adopted as follows:

Ayes—Ald. Groot, Andrews, Carroll, Mutchler, Relyea, Ratt, Paine, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller, Quin—14.

Nays—Ald. Spencer, Cram, Qualtrough, Lutes, Kelly, Burke—6.

#### ALLEY RUNNING FROM EXCHANGE PLACE.

By Ald. Groot—Whereas, By Act, Chap. 435, Laws of 1867, the Common Council of the City of Rochester are required to make local assessments for repairing the damages caused by the freshet in the Genesee River and Erie and Genesee Valley Canals, in the city of Rochester, in March, 1865, upon the owners and occupants of houses and lands benefited by such repairs; and

Whereas, The sum of \$68.75 has been expended by said city in repairing the damages to the alley running southerly from Exchange Place, in rear of lots fronting on Front street, in said city, caused by said freshet, therefore

Resolved, That the following portions of said city are deemed benefited and proper to be assessed for the whole expense thereof, under said Act, as follows: One tier of lots on each side of the alley running southerly from Exchange place in rear of lots fronting on Front street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Nov. the 12th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted as follows:

Ayes—Ald. Groot, Andrews, Carroll, Mutchler, Relyea, Ratt, Paine, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller, Quin—14.

Nays—Ald. Spencer, Cram, Qualtrough, Lutes, Kelly, Burke—6.

#### REPAIRS ON SCHOOL ALLEY.

By Ald. Groot—Whereas, By Act, Chap. 435, Laws of 1867, the Common Council of the City of Rochester are required to make local assessments for repairing the damages caused by the freshet in the Genesee river and Erie and Genesee Valley canals, in the city of Rochester, in March, 1865, upon the owners and occupants of houses and lands benefited by such repairs; and

Whereas, The sum of \$114.44 has been expended by said city in repairing the damages to School alley, from Buffalo street to the Erie canal in said city, caused by said freshet, therefore

Resolved, That the following portions of said city are deemed benefited and proper to be assessed for the whole expense thereof, under said Act, as follows:

One tier of lots on each side of School alley, from Buffalo street to the Erie canal.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, November the 12th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted as follows:

Ayes—Ald. Groot, Andrews, Carroll, Mutchler, Relyea, Paine, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller, Quin—13.

Nays—Ald. Spencer, Cram, Qualtrough, Lutes, Kelly, Burke—6.

#### REPAIRS ON ANDREWS AND MUMFORD STREETS.

By Ald. Groot—Whereas, By Act, Chap. 435, Laws of 1867, the Common Council of the City of Rochester are required to make local assessments for repairing the damages caused by the freshet in the Genesee River and Erie and Genesee Valley Canals, in the City of Rochester, in March, 1865, upon the owners and occupants of houses and lands benefited by such repairs; and

Whereas, The sum of \$489.46 has been expended by said city in repairing the damages to Andrews and Mumford streets, from St. Paul street to State street, in said city, caused by said freshet, therefore

Resolved, That the following portions of said city are deemed benefited and proper to be assessed for the whole expense thereof, under said Act, as follows: One tier of lots on each side of Andrews and Mumford streets, from St. Paul street to State street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Nov. the 12th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### REPAIRS ON MUMFORD STREET.

By Ald. Groot—Whereas, By Act, Chap. 435, Laws of 1867, the Common Council of the City of Rochester are required to make local assessments for repairing the damages caused by the freshet in the Genesee River and Erie and Genesee Valley Canals, in the city of Rochester, in March, 1865, upon the owners and occupants of houses and lands benefited by such repairs; and

Whereas, The sum of \$61.88 has been expended by said city in repairing the damages to Mumford street, from State street to the Genesee river, in said city, caused by said freshet, therefore

Resolved, That the following portions of said city are deemed benefited and proper to be assessed for the whole expense thereof, under said Act, as follows:

One tier of lots on each side of Mumford street, from State street to the Genesee river.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that



all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Nov. the 12th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted as follows:

Ayes—Ald. Groot, Andrews, Carroll, Mutchler, Relyea, Paine, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller, Quin—13.

Nays—Ald. Spencer, Cram, Qualtrough, Lutes, Kelly, Burke—6.

#### REPAIRS ON LAKE AVENUE AND WHITE STREET.

By Ald. Groot—Whereas, By Act, Chap. 435, Laws of 1867, the Common Council of the city of Rochester are required to make local assessments for repairing the damages caused by the freshet in the Genesee River and Erie and Genesee Valley Canals, in the city of Rochester, in March, 1863, upon the owners and occupants of houses and lands benefited by such repairs; and

Whereas, The sum of \$742.42 has been expended by said city in repairing the damages to Lake avenue, from Cliff street to Spencer street, and White street from Lake avenue to the east line of lot No. 742 in said city, caused by said freshet; therefore

Resolved, That the following portions of said city are deemed benefited and proper to be assessed for the whole expense thereof, under said act, as follows:

One tier of lots on each side of Lake avenue, from Cliff street to Spencer street, and one tier of lots on each side of White street, from Lake avenue to the east line of lot No. 742.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Nov. the 12th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted as follows:

Ayes—Ald. Groot, Andrews, Carroll, Mutchler, Relyea, Paine, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller, Quin—13.

Nays—Ald. Spencer, Cram, Qualtrough, Lutes, Kelly, Burke—6.

Ald. Kelly moved to adjourn one week. Lost as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Kelly, Horcheler, Mauder—7.

Nays—Ald. Groot, Andrews, Carroll, Mutchler, Relyea, Burke, Paine, Woodruff, Adelman, Charters, Miller, Quin—12.

Ald. Kelly moved to postpone further action on the flood ordinances for two weeks. Lost as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Kelly, Burke, Adelman, Mauder—8.

Nays—Ald. Groot, Andrews, Carroll, Mutchler, Relyea, Ratt, Paine, Woodruff, Charters, Horcheler, Mauder, Miller, Quin—12.

#### REPAIRS ON BUFFALO STREET AND MAIN STREET BRIDGE.

By Ald. Groot—Whereas, By Act, Chap. 435, Laws of 1867, the Common Council of the city of Rochester are required to make local assessments for repairing the damages caused by the freshet in the Genesee River and Erie and Genesee Valley Canals, in the city of Rochester, in March, 1863, upon the owners and occupants of houses and lands benefited by such repairs; and

Whereas, The sum of \$2,837.72 has been expended by said city in repairing the damages to Buffalo street between the Erie Canal and the Genesee River, and the sewer therein and Main street bridge, in said city, caused by said freshet; therefore

Resolved, That the following portions of said city are deemed benefited and proper to be assessed for the whole expense thereof, under said act, as follows:

One tier of lots on each side of Buffalo and Main streets, from the Erie Canal to St. Paul street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Nov. the 12th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard.

Ald. Groot moved the previous question. Carried as follows:

Ayes—Ald. Groot, Andrews, Carroll, Mutchler, Relyea, Ratt, Paine, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller, Quin—14.

Nays—Ald. Spencer, Cram, Qualtrough, Lutes, Kelly, Burke—6.

Ordinance adopted as follows:

Ayes—Ald. Groot, Andrews, Carroll, Mutchler, Relyea, Ratt, Paine, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller, Quin—14.

Nays—Ald. Spencer, Qualtrough, Lutes, Kelly, Burke—5.

Ald. Kelly moved to adjourn one week. Lost as follows:

Ayes—Ald. Spencer, Qualtrough, Lutes, Kelly—4.

Nays—Ald. Groot, Andrews, Carroll, Mutchler, Relyea, Ratt, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller, Quin—15.

Ald. Mauder moved to adjourn for two weeks. Lost as follows:

Ayes—Ald. Spencer, Qualtrough, Lutes, Carroll, Kelly, Charters, Horcheler, Mauder—8.

Nays—Ald. Groot, Andrews, Mutchler, Relyea, Ratt, Burke, Paine, Woodruff, Adelman, Miller, Quin—11.

#### REPAIRS ON SPRING STREET.

By Ald. Groot—Whereas, By Act, Chap. 433, Laws of 1867, the Common Council of the city of Rochester are required to make local assessments for repairing the damages caused by the freshet in the Genesee River and Erie and Genesee Valley Canals, in the city of Rochester, in March, 1863, upon the owners and occupants of houses and lands benefited by such repairs; and

Whereas, The sum of \$59.69 has been expended by said city in repairing the damages to Spring street, from Caledonia avenue to Ford street, in said city, caused by said freshet; therefore

Resolved, That the following portions of said city are deemed benefited and proper to be assessed for the whole expense thereof, under said act, as follows:

One tier of lots on each side of Spring street, from Caledonia avenue to Ford street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, November the 12th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted as follows:

Ayes—Ald. Groot, Andrews, Carroll, Mutchler, Relyea, Ratt, Paine, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller, Quin—14.

Nays—Ald. Spencer, Qualtrough, Lutes, Kelly, Burke—5.

#### REPAIRS ON FRANK STREET.

By Ald. Groot—Whereas, By Act, Chap. 435, Laws of 1867, the Common Council of the City of Rochester are required to make local assessments for repairing the damages caused by the freshet in the Genesee River and Erie and Genesee Valley Canals, in the city of Rochester, in March, 1863, upon the owners and occupants of houses and lands benefited by such repairs; and

Whereas, The sum of \$632.50 has been expended by said city in repairing the damages to Frank street, from Lyell street to Bloss street, in said city, caused by said freshet;

Therefore resolved, That the following portions of said city are deemed benefited and proper to be assessed for the whole expense thereof, under said act, as follows:

One tier of lots on each side of Frank street, from Lyell street to Bloss street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Nov. the 12th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted as follows:

Ayes—Ald. Groot, Andrews, Carroll, Mutchler, Relyea, Ratt, Paine, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller, Quin—14.

Nays—Ald. Spencer, Qualtrough, Lutes, Kelly, Burke—5.

#### REPAIRS ON FRONT STREET.

By Ald. Groot—Whereas, By Act, Chap. 435, Laws of 1867, the Common Council of the city of Rochester are required to make local assessments for repairing the damages caused by the freshet in the Genesee River and Erie and Genesee Valley Canals, in the city of Rochester, in March, 1863, upon the owners and occupants of houses and lands benefited by such repairs; and

Whereas, The sum of \$437.50 has been expended by said city in repairing the damages to Front street, from Mumford street to the Railroad, and the sewer therein, in said city, caused by said freshet; therefore

Resolved, That the following portions of said city are deemed benefited and proper to be assessed for the whole expense thereof, under said act, as follows:

One tier of lots on each side of Front street, from Mumford street to the Railroad.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Nov. the 12th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

**REPAIRS ON FRONT STREET.**

By Ald. Groot--Whereas, By Act, Chap. 435, Laws of 1867, the Common Council of the City of Rochester are required to make local assessments for repairing the damages caused by the freshet in the Genesee River and Erie and Genesee Valley Canals, in the City of Rochester, in March, 1865, upon the owners and occupants of houses and lands benefited by such repairs; and

Whereas, The sum of \$1,171.25 has been expended by said city in repairing the damages to Front street, from Buffalo street to the south line of the McIntosh Block and the sewer therein, in said city, caused by said freshet; therefore

Resolved, That the following portions of said city are deemed benefited and proper to be assessed for the whole expense thereof, under said Act, as follows: One tier of lots on each side of Front street, from Buffalo street to the south line of the McIntosh Block.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Nov. the 12th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard.

Ald. Kelly moved its indefinite postponement. Lost as follows:

Ayes--Ald. Spencer, Cram, Qualtrough, Lutes, Kelly, Burke, Charters--7.

Nays--Ald. Groot, Andrews, Mutchler, Relyea, Ratt, Paine, Woodruff, Adelman, Horcheler, Mauder, Miller, Quin--12.

Ald. Kelly moved its postponement for two weeks. Lost as follows:

Ayes--Ald. Spencer, Cram, Qualtrough, Lutes, Kelly, Burke--4.

Nays--Ald. Groot, Andrews, Mutchler, Relyea, Ratt, Paine, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller, Quin--18.

Ald. Kelly moved to adjourn. Lost as follows:

Ayes--Ald. Spencer, Cram, Qualtrough, Lutes, Kelly, Mauder--6.

Nays--Ald. Groot, Andrews, Mutchler, Relyea, Ratt, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Miller, Quin--13.

Ald. Groot moved the previous question. Carried as follows:

Ayes--Ald. Groot, Andrews, Mutchler, Relyea, Ratt, Paine, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller, Quin--13.

Nays--Ald. Spencer, Cram, Qualtrough, Lutes, Kelly, Burke--6.

Ordinance adopted.

**REPAIRS ON HILL AND PLATT STREETS.**

By Ald. Groot--Whereas, By Act, Chap. 435, Laws of 1867, the Common Council of the city of Rochester are required to make local assessments for repairing the damages caused by the freshet in the Genesee river and Erie and Genesee Valley canals, in the city of Rochester, in March, 1865, upon the owners and occupants of houses and lands benefited by such repairs; and

Whereas, The sum of \$420 has been expended by said city in repairing the damages to Hill and Platt streets, from Ford street to Allen street, and the sewer therein, in said city, caused by said freshet, therefore

Resolved, That the following portions of said city are deemed benefited and proper to be assessed for the whole expense thereof, under said act, as follows:

One tier of lots on each side of Hill and Platt streets, from Ford street to Allen street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening, November the 12th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted as follows:

Ayes--Ald. Groot, Andrews, Mutchler, Relyea, Ratt, Paine, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller, Quin--13.

Nays--Ald. Spencer, Cram, Qualtrough, Lutes, Kelly, Burke--6.

**REPAIRS ON OAK STREET.**

By Ald. Groot--Whereas, By Act, Chap. 435, Laws of 1867, the Common Council of the city of Rochester are required to make local assessments for repairing the damages caused by the freshet in the Genesee River and Erie and Genesee Valley Canals, in the city of Rochester, in March, 1865, upon the owners and occupants of houses and lands benefited by such repairs; and

Whereas, The sum of \$37.02 has been expended by said city in repairing the damages to Oak street, from Smith street to Lyell street, in said city, caused by said freshet; therefore

Resolved, That the following portions of said city are deemed benefited and proper to be assessed for

the whole expense thereof, under said Act, as follows: One tier of lots on each side of Oak street, from Smith street to Lyell street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Nov. the 12th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

**REPAIRS ON MILL AND CENTRE STREETS.**

By Ald. Groot--Whereas, By Act, Chap. 435, Laws of 1867, the Common Council of the City of Rochester are required to make local assessments for repairing the damages caused by the freshet in the Genesee River and Erie and Genesee Valley Canals, in the city of Rochester, in March, 1865, upon the owners and occupants of houses and lands benefited by such repairs; and

Whereas, The sum of \$1,343.75 has been expended by said city in repairing the damages to Mill street, from the south line of Railroad avenue to the north line of Centre street, and Center street, from Mill street to Otsego street, in said city, caused by said freshet, therefore

Resolved, That the following portions of said city are deemed benefited and proper to be assessed for the whole expense thereof, under said Act, as follows: One tier of lots on each side of Mill street, from the south line of Railroad avenue to the north line of Centre street, and one tier of lots on each side of Centre street, from Mill street to Otsego street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Nov. the 12th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

**REPAIRS ON MILL STREET.**

By Ald. Groot--Whereas, By Act Chap. 435, Laws of 1867, the Common Council of the city of Rochester are required to make local assessments for repairing the damages caused by the freshet in the Genesee River and Erie and Genesee Valley Canals, in the city of Rochester, in March, 1865, upon the owners and occupants of houses and lands benefited by such repairs; and

Whereas, The sum of fifty dollars has been expended by said city in repairing the damages to Mill street, from Exchange Place to Mumford street, in said city, caused by said freshet; therefore

Resolved, That the following portions of said city are deemed benefited and proper to be assessed for the whole expenses thereof, under said act, as follows: One tier of lots on each side of Mill street, from Exchange Place to Mumford street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Nov. the 12th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

**REPAIRS ON FURNACE STREET.**

By Ald. Groot--Whereas, By Act, Chap. 435, Laws of 1867, the Common Council of the city of Rochester are required to make local assessments for repairing the damages caused by the freshet in the Genesee River and Erie and Genesee Valley Canals, in the city of Rochester, in March, 1865, upon the owners and occupants of houses and lands benefited by such repairs; and

Whereas, The sum of \$156.25 has been expended by said city in repairing the damages to Furnace street, from State street to the Mill Race, in said city, caused by said freshet; therefore

Resolved, That the following portions of said city are deemed benefited and proper to be assessed for the whole expense thereof, under said Act, as follows: One tier of lots on each side of Furnace street, from State street to the Mill Race.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Nov. the 12th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard.

Ald. Kelly moved its indefinite postponement. Lost as follows:

Ayes--Ald. Spencer, Qualtrough, Lutes, Kelly, Burke, Paine, Charters--7.

Nays--Ald. Groot, Andrews, Mutchler, Relyea, Ratt, Woodruff, Adelman, Horcheler, Mauder, Miller, Quin--11.

Ordinance adopted.

**REPAIRS ON MONTGOMERY ALLEY.**

By A. d. Groot--Whereas, By Act, Chap. 435, Laws

of 1867, the Common Council of the City of Rochester are required to make local assessments for repairing the damages caused by the freshet in the Genesee River and Erie and Genesee Valley Canals, in the City of Rochester, in March, 1865, upon the owners and occupants of houses and lands benefited by such repairs; and

Whereas, The sum of \$187.50 has been expended by said city in repairing the damages to Montgomery Alley from Buffalo street to the south line of the Central Churot lot, in said city, caused by said freshet; therefore

Resolved, That the following portions of said city are deemed benefited and proper to be assessed for the whole expense thereof, under said Act, as follows: One tier of lots on each side of Montgomery Alley from Buffalo street to the south line of the Central Churot lot.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Nov. the 12th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### REPAIRS ON WEST STREET.

By Ald. Groot—Whereas, By Act, Chap. 435, Laws of 1867, the Common Council of the city of Rochester are required to make local assessments for repairing the damages caused by the freshet in the Genesee river and Erie and Genesee Valley canals, in the city of Rochester, in March, 1865, upon the owners and occupants of houses and lands benefited by such repairs, and

Whereas, The sum of \$625.00 has been expended by said city in repairing the damages to West street, from Lyell street to Costar street, in said city, caused by said freshet; therefore

Resolved, That the following portions of said city are deemed benefited and proper to be assessed for the whole expense thereof, under said Act, as follows:

One tier of lots on each side of West street, from Lyell street to Costar street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, November the 12th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### REPAIRS ON DEAN STREET.

By Ald. Groot—Whereas, By Act Chap. 435, Laws of 1867, the Common Council of the city of Rochester are required to make local assessments for repairing the damages caused by the freshet in the Genesee River and Erie and Genesee Valley Canals, in the city of Rochester, in March, 1865, upon the owners and occupants of houses and lands benefited by such repairs, and

Whereas, The sum of \$120 has been expended by said city in repairing the damages to Dean street, from Kent street to Frank street, in said city, caused by said freshet; therefore

Resolved, That the following portions of said city are deemed benefited and proper to be assessed for the whole expense thereof, under said act, as follows:

One tier of lots on each side of Dean street, from Kent street to Frank street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Nov. the 12th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### REPAIRS ON PLATT STREET.

By Ald. Groot—Whereas, By Act, Chap. 435, Laws of 1867, the Common Council of the city of Rochester are required to make local assessments for repairing the damages caused by the freshet in the Genesee River and Erie and Genesee Valley Canals, in the city of Rochester, in March, 1865, upon the owners and occupants of houses and lands benefited by such repairs; and

Whereas, The sum of \$165 has been expended by said city in repairing the damages to Platt street, from State street to Kent street, in said city, caused by said freshet; therefore

Resolved, That the following portions of said city are deemed benefited and proper to be assessed for the whole expense thereof, under said act, as follows:

One tier of lots on each side of Platt street, from State street to Kent street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Nov. the 12th, 1867, at

half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### REPAIRS ON VARNUM STREET.

By Ald. Groot—Whereas, By Act, Chap. 435, Laws of 1867, the Common Council of the city of Rochester are required to make local assessments for repairing the damages caused by the freshet in the Genesee River and Erie and Genesee Valley Canals, in the City of Rochester, in March, 1865, upon the owners and occupants of houses and lands benefited by such repairs; and

Whereas, The sum of \$764.56 has been expended by said city in repairing the damages to Varnum street, from Jones avenue to Phelps avenue, in said city, caused by said freshet; Therefore

Resolved, That the following portions of said city are deemed benefited and proper to be assessed for the whole expense thereof, under said Act, as follows: One tier of lots on each side of Varnum street from Jones avenue to Phelps avenue.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, November, the 12th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### REPAIRS ON PLATT STREET.

By Ald. Groot—Whereas, By Act, Chap. 435, Laws of 1867, the Common Council of the City of Rochester are required to make local assessments for repairing the damages caused by the freshet in the Genesee River and Erie and Genesee Valley Canals, in the City of Rochester, in March, 1865, upon the owners and occupants of houses and lands benefited by such repairs; and

Whereas, The sum of \$633.11 has been expended by said city in repairing the damages to Platt street, from Frank street to Mill street, in said city, caused by said freshet; therefore

Resolved, That the following portions of said city are deemed benefited and proper to be assessed for the whole expense thereof, under said Act, as follows:

One tier of lots on each side of Platt street, from Frank street to Mill street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Nov. the 12th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### REPAIRS ON LYELL STREET.

By Ald. Groot—Whereas, By Act, Chap. 435, Laws of 1867, the Common Council of the City of Rochester are required to make local assessments for repairing the damages caused by the freshet in the Genesee River and Erie and Genesee Valley Canals, in the City of Rochester, in March, 1865, upon the owners and occupants of houses and lands benefited by such repairs; and

Whereas, The sum of \$1,375 00 has been expended by said city in repairing the damages to Lyell street, from State street to the Erie Canal and the sewer therein, in said city, caused by said freshet; therefore

Resolved, That the following portions of said city are deemed benefited and proper to be assessed for the whole expense thereof, under said Act, as follows:

One tier of lots on each side of Lyell street, from State street to the Erie Canal.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Nov. the 12th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### COURT STREET WOODEN BRIDGE.

Ald. Groot presented the final ordinance for Court street wooden bridge, and moved its postponement for two weeks. Carried.

#### HOELTZER STREET OPENING.

Ald. Burke presented the final ordinance for Hoeltzer street opening, and moved its postponement for two weeks. Carried.

#### WEST ALLEY LINES.

Ald. Burke presented the report of the Commissioners for altering and establishing the lines of West alley for confirmation.

Ald. Cram moved its reference back to the Commissioners for correction. Carried.

#### ALLEN STREET SEWER.

Ald. Adleman presented the final ordinance for Allen street sewer, and moved its postponement for two weeks. Carried.

## LAKE AVENUE CROSSWALK.

By Ald. Cram—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone crosswalk across Lake avenue at the north side of White street. Adopted.

The Surveyor submitted as such estimate \$170.

By Ald. Cram—Resolved, That the following improvement is expedient, viz:

The construction of a stone crosswalk across Lake avenue at the north line of White street.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$170, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of Lake avenue, from point 132 feet north of Cliff street to a point 132 feet north of White street, and one tier of lots on the north side of White street, from Cliff street to a point 80 feet west of Lake avenue.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Nov. 13th, 1867, at half past 7 o'clock, at the Common Council Hall; when allegations will be heard. Adopted.

## OAK STREET WALK.

By Ald. Ratt—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a plank side walk, 6 feet wide, on the east side of Oak street, from a point 100 feet north of Jay street to the north line of lot No. 345 in the Frankfort tract. Adopted.

The Surveyor submitted as such estimate \$50.

By Ald. Ratt—Resolved, That the following improvement is expedient, viz:

The construction of a plank sidewalk, 6 feet wide, on the east side of Oak street, from a point 100 feet north of Jay street to the north line of lot No. 345 in the Frankfort tract.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$50, which estimate is hereby approved.

Resolved, further, That the following portions of said city are deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on the east side of Oak street, from a point 100 feet north of Jay street to the north line of lot No. 345 in the Frankfort tract.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Nov. 13th, 1867, at half past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

## AMBROSE STREET SEWER.

On motion of Ald. Adelman the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all the persons appearing, Ald. Adelman submitted the following:

An ordinance to construct a sewer in Ambrose street, from Frank street to Graham street.

Whereas, By a resolution adopted by the Board of Health, it was declared that for the preservation of the public health a sewer should be constructed in Ambrose street, from Frank street to Graham street, and in the opinion of this Common Council it is so essential, therefore

the Common Council of the city of Rochester do ordain and determine as follows:

A stone sewer 18 inches by 18 inches in Ambrose street, from Frank street to the sewer in Graham street shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at one thousand four hundred and ten dollars, which estimate was and is hereby approved; the sum of one thousand four hundred and ten dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on each side of Ambrose street, from Frank street to Graham street.

On which above described portion of the city the said sum of one thousand four hundred and ten dollars is hereby ordered to be assessed.

And David May, E. T. O'Leary and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so

interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 2nd day of Nov., 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Mutchler, Ratt, Kelly, Burke, Falne, Woodruff, Adelman, Horcheler, Mauder, Miller, Quin—17.

Nays—Ald. Charters—1.

## ASSESSMENTS.

Ald. Ratt presented the Assessment roll for Monroe avenue Walks re-assessment, which was confirmed as follows: All ayes—18.

Ald. Cram presented the Assessment roll for Repairing walks on Buffalo, Union, Caruga, Magna and Gorham streets, and West avenue and Caledonia avenue, which was confirmed as follows: All ayes—19.

Ald. Adelman presented the Assessment roll for Prospect street sewer, which was confirm as follows: All ayes—18.

Ald. Groot moved to suspend the rule to adjourn at 11 o'clock. Carried.

[Concluded in to-morrow's paper.]

B. FRANK ENOS, Clerk.

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**in Common Council—Oct. 29th,  
1867.**

[Concluded from yesterday.]

## MISCELLANEOUS.

By Ald. Quin—Resolved, That the City Attorney be and is hereby directed to collect from the Rochester City & Brighton Railroad Company, the sum of \$465.39, with interest, in accordance with the report submitted to the Board this evening. Also \$966.52, one-third of the expense for repaving Clarissa street bridge. Adopted.

By Ald. Quin—Resolved, That the alley running from German street to Bay street, between lots Nos. 4, 5 and 6, and 21, 22, 23, 24 and 10 in the North Davis tract, be, and the same is hereby declared a public alley. Adopted.

By Ald. Quin—Resolved, That Briggs & Bro. have leave to erect bridges across Pindle alley, according to the prayer of their petition, under the direction of the Street Committee, and that the first bridge above the street shall be sixteen feet above the surface of the street, said bridges to remain only during the pleasure of the Common Council. Adopted.

By Ald. Quin—Resolved, That the Treasurer credit Highway fund \$1,136.47, and charge as follows:

West avenue Side Walk Repair fund, \$236.11; Prospect street, \$103.42; Ambrose street, \$71.90; Court street, \$210.65; South avenue, \$41.78; Cayuga street, \$60.45; Union street, \$136.15; Buffalo street, \$69.31; Caledonia avenue, \$206.70. Adopted.

By Ald. Quin—Resolved, That the City Treasurer be, and hereby is instructed to remit to Mary M. Loysen the sum of \$5 71, on account of assessment for general city tax of 1867, upon her lot, No. 71 in the "Wilson & Emerson Tract," fronting on south side of Baden street, and that such remitted sum be charged to erroneous assessments; as said lot was erroneously assessed as improved

property when such property should rightly have been assessed as a vacant lot for only the sum of \$1.90. Adopted as follows; All ayes—18.

By Ald. Mauder—Resolved, That the City Treasurer be and he is hereby directed to remit the tax of \$3.81 assessed on the house and lot of Philip Kramp, in the Fifth Ward, and \$4.76 assessed on the house and lot of John Schwartz, in the Thirteenth Ward, and charge the same to erroneous assessments. Adopted.

By Ald. Horcheler—Resolved, That permission is hereby granted Peter Cullen to erect a frame dwelling on his lot, No. 2, Cayuga street. Adopted.

By Ald. Horcheler—Resolved, That five dollars of a tax assessed on the lot owned by Mary A. McNabb for Jefferson street plank walk be and is hereby remitted, she having built her own walk, but was taxed thirty per cent. instead of two per cent., as it should have been, and charge erroneous assessments.

Ald. Quin moved as an amendment to strike out the words "erroneous assessments" and insert "contingent fund." Lost.

Ald. Cram moved its reference to the Assessors. Carried.

By Ald. Adelman—Resolved, That his Honor the Mayor be and he is hereby requested to execute a contract with Benjamin McFarlin, for the construction of Prospect street sewer, in accordance with his proposition. Adopted.

By Ald. Adelman—Resolved, That the Treasurer be and he is hereby authorized to receive from property owners taxed for Grape street sewer, seventy-five per cent. in full of their assessment for said sewer. Adopted.

Ald. Adelman moved to suspend for the present the action of the resolution requiring bids to be presented to the Board before contracts can be executed, in order to present a resolution relative to the contract for Ambrose street sewer. Carried.

By Ald. Adelman—Resolved, That his Honor the Mayor be and he is hereby requested to execute a contract for constructing a sewer in Ambrose street, when requested to do so by the Sewer Committee. Adopted.

By Ald. Kelly—Resolved, That the resolution adopted by this Board, October 15th, giving to John Sheridan permission to build his own walk on Jones avenue, be and the same is hereby reconsidered. Adopted.

The resolution above referred to was postponed indefinitely.

By Ald. Kelly—Resolved, That John Sheridan, John Bradford, Mahlon Gregg, Robert Vaughan and Frank L. Kelly have permission to build their own walks on Jones avenue, the same to be done under direction of the Improvement Committee and City Surveyor and in strict conformity with the ordinance and the same to be completed by May 1, 1868. Adopted.

By Ald. Ratt—Resolved, That the Lamp Committee be and they are hereby authorized to advertise for proposals for the making of fifty street lamps. Adopted.

By Ald. Ratt—Resolved, That his Honor the Mayor be and he is hereby requested to execute a contract with David Wagner for constructing flag-walk on Frank street, with John Cregan for grading Lewis street, and

with McConnell & Jones for constructing flag-walks, &c., on South avenue in accordance with their proposition. Adopted.

Ald. Ratt moved to reconsider the resolution adopted July 24th, 1867, relative to Wilson street plank walk. Carried.

By Ald. Ratt—Resolved, That the Treasurer be, and he is hereby authorized to receive from property owners, taxed for Wilson street plank walk, on the south side, ninety-four and a half per cent. in full of their assessment for said walk; from Joseph Waugmer, \$40.20; John U. Flad, \$32.80, and from all others assessed for said walk, on the north side, twenty per cent. in full of their assessment for said walk. Adopted.

By Ald. Mutchler—Resolved, That the Treasurer pay the following bills when there is money in the Treasury, and charge House for Truants: J. W. Adams, salary, \$350; John Sinclair, salary, \$78; Mary Streeter, 13 weeks, \$65; Fannie Elton, 13 weeks, \$52; Rachel Crowley, 11 weeks, \$44; Jane McLaughlin, 16 weeks, \$32; Margaret Crawley, 5½ weeks, \$16.50; Henry Quimby, bill, \$6.15; J. Talman & Co., soap, \$5; H. Mutchler, bill, \$18.08; Reynolds Bros., \$17.73; H. Theims, meat, \$25.85; J. Schleir & Bro., meat, \$33.71; Engert & Frick, coal, \$206.75; F. C. Lauer & Son, \$172. Adopted as follows, All ayes—18.

By Ald. Mutchler—Resolved, That Marzell Kreig, Mrs. Susan Parry, Bennett & McGraw, Newell A Stone, Oscar W. Brown, have leave to erect wooden buildings, according to their several petitions, under the direction of the Fire Marshal. Adopted.

By Ald. Groot—Resolved, That a special committee, consisting of Aldermen Spencer, Relyea and Andrews, be appointed to confer with the underwriters of the city and other parties interested in the construction of the Fire Alarm Telegraph, and report to this Board at its next regular meeting. Adopted.

On motion, Ald Groot, Lutes, Quin, Kelly and Qualtrough were added to the committee.

Ald. Ratt moved that the Mayor be added. Lost.

By Ald. Groot—Resolved, That the Sewer Committee be instructed to appoint S. Garigus Inspector of the work upon the sewer in Prospect street. Referred to the Sewer Committee.

By Ald. Lutes—Resolved, That the suit brought against H. A. Palmer by the city for violating city ordinance, be discontinued without costs. Referred to the City Attorney.

By Ald. Lutes—Resolved, That a committee of three members of this Board be appointed, whose duty it shall be to ascertain and report the reason, if any exists, why John Bradford is assessed at the rate of thirty-eight cents per foot for repairing side-walks on Ambrose street, while responsible parties are willing to build new walks in the same locality for thirty-one cents per foot. Adopted.

The President appointed as such committee Ald. Lutes, Quin, Cram.

By Ald. Spencer—Resolved, That permission be granted to E. M. Stewart to tap the water pipe in State street, opposite store No. 69, with a service pipe not exceeding one and a half inches in diameter, upon the filing of the bond required in cases of opening lateral

sewers; the work to be done under the supervision of the Chief Engineer of the Fire Department, Adopted.

By Ald. Cram—Whereas, Many of the flag sidewalks of the city have settled and become very uneven and dangerous; and

Whereas, The said walks are located in front of the best paying and most productive property in the city, and the owners having failed to keep the same in proper repair; therefore it is hereby

Resolved, That the Superintendent be and he is hereby directed to notify all the owners of property where the walks are out of repair and uneven to repair and even up the same without delay.

Resolved further, That the said Superintendent be and he is hereby directed to report the names of all the parties who fail to properly repair such walks to this Board at its next regular meeting to the end that ordinances may be passed to repair the same before winter sets in. Adopted.

**FINANCE BUDGET.**

OCTOBER 29, 1867.

By Ald. Paine—Resolved, That the Treasurer pay as follows:

**CONTINGENT FUND.**

Thomas Knowles, hackhire.....	\$3 00
John Carroll, ..	3 25
John King, ..	2 50
Patrick Burns, ..	6 00
John Sullivan, ..	2 00
Nathan Sprague, ..	11 25
George Mohler, (payable to Treasurer) 50 bush- els charcoal.....	7 50
William Tracy, disbursements.....	8 52
D. D. S. Brown, bill printing.....	17 50
B. Frank Enos, bill disbursements.....	176 20

And charge Contingent Fund. **\$237 72**

**POOR FUND.**

Joseph Hoffman, one month's salary.....	\$100 00
T. E. Scramton, ..	75 00
C. H. Swift, four weeks' salary.....	28 00
Joseph Hoffman, disbursements at office.....	53 54
A. S. Winston, transportation of paupers.....	43 88
Jonathan King, orders for burials.....	31 50
B. Palmer, orders for fish.....	62 00
H. B. Hathaway, sugar and molasses for poor store.....	104 06
A. M. Semple, sugar and rice for poor store....	94 67
George Bastian, bread for poor store.....	114 30
Johanna Yawman, ..	110 96
E. Weigel, ..	113 53
H. Bender & Co., orders for burials.....	148 50
W. Wadsworth, crackers for poor store.....	47 16
Henry East, orders for meat.....	160 00
J. H. Pool & Son, flour for poor store.....	168 00
B. O'Reilly, orders for burials.....	57 50
J. & A. Klem, ..	67 50

And charge Poor Fund. **\$1,581 70**

**LAMP FUND.**

Boyd, Gommenginer & Co., bill lamps, &c....	\$720 06
Fred. Stickle, care of kerosene lamps.....	513 75
Henry Hebing, bill for glass.....	47 48
Geo. Van Houten, bill for gasburners.....	47 58

And charge Lamp Fund. **\$1,228 87**

**FIRE DEPARTMENT FUND.**

Monthly Pay Roll, payable to George B. Harris, Chief Engineer:	
Steamer No. 1, engineer and drivers.....	\$135 00
.. 2, ..	135 00
.. 3, ..	135 00
.. 4, ..	135 00
Hook & Ladder Co. No. 1, driver, one month.....	40 00
R. B. Paine, services at hose depot.....	60 00
George B. Harris, Chief Engineer, salary one month.....	100 00
Total.....	\$740 00
Geo. Arnold, repairing Protective carriage.....	\$ 20 00
E. B. Booth & Son, repairing clock.....	1 00
W. Wingate, hay for H. & L. Co. No. 1.....	3 10
John Babbage, ringing alarm bells.....	50 00
W. C. Johnson, stabling for No. 3.....	14 25
F. Moser & Co., coal for Fire Department.....	224 25
Geo. B. Harris, disbursements, 3 mos.....	53 06

And charge Fire Department Fund. **\$365 66**

**HEALTH FUND.**

Geo. Mosher, burying dead animals.....	\$ 2 25
Frank J. Irwin, Inspector, 1 mo. salary.....	50 00
Robt. Morrow, ..	50 00
Thos. Burns, Keeper Pest House, 1 month.....	20 00

And charge Health fund. **\$ 122 25**

**IMPROVEMENT FUND.**

Also when there are funds applicable, as follows:

**SOUTH AVENUE FUND.**

W. D. Orvatt, Com'r, 27 loads of gravel.....	\$ 16 20
And charge that fund.....	

**MONROE AVENUE FUND.**

C. Mills, Com'r, bill repairs.....	22 66
And charge that fund.....	

**GRAPE STREET SEWER.**

David Wagner, in full for his contract for con- structing Grape street sewer.....	329 80
And charge that fund.....	

**GERMAN STREET IMPROVEMENT.**

Henry Frederick, in full for his contract for improvement of German street.....	236 02
And charge that fund.....	

Adopted as follows: All ayes—18.  
Adjourned. B. FRANK ENOS, Clerk.

**in Common Council—Nov. 1st,  
1867.**

**SPECIAL MEETING.**

No quorum being present, the Board ad-  
journed. B. FRANK ENOS, Clerk.

**in Common Council—Nov. 5th,  
1867.**

**SPECIAL MEETING.**

Ald. Geo. Taylor, President pro tem., pre-  
siding.  
No quorum being present, the Board ad-  
journed. B. FRANK ENOS, Clerk.

**in Common Council, Nov. 12th,  
1867.**

**REGULAR MEETING.**

Ald. Ezra Andrews, President pro tem.,  
presiding.

Present—Ald. Spencer, Cram, Qualtrough,  
Lutes, Groot, Andrews, Remington, Carroll,  
Mutchler, Relyea, Ratt, Taylor, Brown, Kelly,  
Burke, Paine, Woodruff, Adelman, Charters,  
Horcheler, Bingemer, Mauder, Miller, Quin,  
Parsons.

Absent—Ald. Graham, Guggenheim, Cope-  
land.

The President presented the following in-  
junction relative to

**REPAIRS ON LAKE AVENUE.**

Supreme Court, Monroe County. Edward  
Wamsley, Mortimer C. Mordoff and Wil-  
liam Thompson, plaintiffs, for themselves  
and such others as may join, &c., against  
the City of Rochester, defendant.

On reading the complaint in this action,  
duly verified, hereto annexed, I hereby order  
and enjoin the defendant, the City of Roches-  
ter, and the Mayor and Common Council  
thereof, and each and every member of said  
Common Council, and the attorneys and coun-  
sels and agents and assistants of the defend-  
ant, and each and every of them, under the pen-  
alties imposed by law, that they, and each and  
every of them, do absolutely desist and re-  
frain from passing any ordinance or resolu-

tion, or taking any steps or action of any kind whatever, to assess, or for the purpose of assessing, any sum whatever upon any lot of land or real estate upon either side of Lake avenue, in said city of Rochester, from Spencer street to the north boundary line of said city, or upon any owner or occupant of any such lot of land or real estate, having reference to the raising of any sum of money to repay or reimburse the defendant any sum or sums paid or expended by it for or in consequence of repairs of any damages to said avenue caused by a freshet in the Genesee river or Erie or Genesee valley canal, in March, 1865, pursuant to chapter 435 of the laws of 1867, or otherwise, until the further order of the Court in the premises.

JNO. C. CHUMASERO,  
Mon on County Judge.

Rochester, N. Y., Nov. 12, 1867.

Ald. Groot moved its reference to the City Attorney.

Ald. Kelly moved to lay Ald. Groot's motion on the table. Lost as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Kelly, Burke, Auelman—7.

Nays—Ald. Groot, Andrews, Remington, Carroll, Mutchler, Relyea, Ratt, Taylor, Brown, Paine, Woodruff, Charters, Horcheler, Bingemer, Mauder, Miller, Quin—17.

Ald. Groot's motion to refer to City Attorney was carried.

#### PETITIONS AND CLAIMS.

By Ald. Mauder—Petition of Peter Coppetan. Table.

By Ald. Adelman—Sundry bills. Sewer Committee.

By Ald. Woodruff—Sundry bills. Contingent Committee

By Ald. Kelly—Bill of M. Daus. Finance Committee.

Ald. Kelly presented the following proceedings of a

#### MEETING OF TAX PAYERS :

*To the Honorable the Common Council of Rochester :*

GENTLEMEN—At a meeting of the citizens, tax payers interested in the ordinances now before the Board for flood damages, the following resolution and amendment was passed, and Brackett H. Clark, H. E. Shaffer, M. C. Mordoff, W. S. Thompson and B. M. Baker were appointed a committee to present the same to your honorable body.

On motion of Clark D. Page—

Resolved, That a Special Committee be appointed to confer with the Common Council to obtain from them a complete list of the amounts said to have been expended for flood repairs, the localities where the several amounts were expended and the names of persons to whom money was paid for said repairs and the amounts thereof in full for publication.

Amendment offered by W. F. Holmes—

“And that affidavits of the persons performing the work and receiving the money be attached to each bill, affirming the correctness thereof,” which amendment was accepted and passed as a part of the original Resolution.

Ald. Kelly moved that a committee of three be appointed to confer with the above committee appointed at the Citizens' meeting.—Carried.

The President appointed as such committee, Ald. Kelly, Paine, Relyea.

Ald. Kelly moved that Ald. Groot be added to the committee.

Ald. Relyea moved as an amendment that Ald. Groot be added to the committee in his place. Carried.

Ald. Kelly moved that Ald. Lutes be added to the committee. Lost.

By Ald. Taylor—Petition of James Mounghan. Grievance Committee.

By Ald. Ratt—Sundry bills. Improvement and Lamp Committees.

By Ald. Mutchler—Petition of F. Koehler. Table.

By Ald. Carroll—Bill of Thos. G. Palmer. Finance Committee. Petition of James McGahan. Table.

Ald. Groot presented the following, which was ordered published :

#### ENCROACHMENTS IN THE GENESSEE RIVER.

*To the Honorable the Common Council of the City of Rochester :*

A part of the property on the south side of Buffalo street, in and adjoining the river, at the west end of the bridge, and adjacent thereto, has changed hands recently, and it is currently reported that some of the owners are now engaged in preparations for building, and that others are contemplating building, and repairing buildings partially destroyed by fire and flood; more or less of all of which property and buildings are (as we understand and believe) in the bed of the river, and contributed as obstructions to the free passage of the water, largely to the disastrous results of the great flood that so devastated our city in 1865.

It is also reported that parties now owning, or until recently were owners of more or less of said property, are about commencing, or have already commenced, suits against the city for damages claimed to have been suffered to the property aforesaid and erections thereon, by reason of said flood;

Now, therefore, it seems to the undersigned the duty of your honorable body to restrain by injunction any and all persons owning, or claiming to own, said property or any part thereof, from placing or erecting any piers, buildings, or other obstructions to the free passage of the water of the Genessee river, or from repairing any buildings or other structures that are now so obstructing the free passage of said water.

In view of the necessity for prompt and vigorous action in the premises, the undersigned earnestly urge upon your honorable body the adoption of measures necessary to restrain all persons from placing any further obstructions to the free passage of water as aforesaid, as well as from maintaining any heretofore existing.

M. F. Reynolds, J. I. Robins, Jacob Minges, W. S. Osgood, Ernst Seifried, J. J. Vanzandt, D. W. Powers, H. Stilwell, W. A. Reynolds, Jno. H. Hill, James Breck, Joseph Curtis, John E. Morey, Edward M. Smith, Joseph Medbery, Smith, Perkins & Co., Wilder, Tracy & Co., B. P. Robinson, James Brackett, Darius Perrin.

By Ald. Groot—Bill of Wm. S. Brown. Finance Committee.

By Ald. Qualtrough—Petition of S. Cole-

man & Co. Table. Bill of Rochester Gas Company. Sewer Committee.

By Ald. Miller—Remonstrance of Jacob Schroth and others. Table.

By Ald. Cram—Sundry bills. Street Committee.

By Ald. Lutes—Remonstrance of Chauncey Young and others. Table.

#### REPORTS.

Ald. Woodruff, from the Contingent Committee, reported in favor of sundry bills. Finance Committee.

Ald. Adelman, from the Sewer Committee, reported in favor of sundry bills. Finance Committee.

Ald. Cram, from the Street Committee, reported in favor of sundry bills. Finance Committee.

Ald. Ratt, from the Lamp and Improvement Committees, reported in favor of sundry bills. Finance Committee.

Ald Lutes presented the report of the Overseer of the Poor for the month of October:

Whole amount expended.....	\$1,425 16
Less county and towns.....	269.05

Total for city.....	\$1,156.11
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Number of families assisted, 366. Amount disbursed to soldiers' families, \$207. Filed.

The Clerk presented the report of the Police Justice for the month of October. Total amount received \$301. Filed.

The Clerk presented the following

#### REPORT IN THE MATTER OF ALTERING AND ESTABLISHING THE LINES OF WEST ALLEY.

*To the Honorable the Common Council of the City of Rochester:*

The undersigned Commissioners, to whom was referred back the report presented to the Common Council in the matter of establishing the lines of West alley, respectfully report: That they have taken further evidence of the title of the premises in question, and find that the legal title is held by one Abijah Fitch, of Auburn, New York, subject to certain incumbrances, which appear on record. We therefore report that he is entitled to receive the amount of one award, which should be paid him after he releases the premises from all liens and incumbrances, upon the certificate of the City Attorney.

All of which is respectfully submitted.

GEO. D. STILLSON,  
S. W. D. MOORE,  
Commissioners.

November 12, 1867. Fees, \$12.00.

Received; and the next regular meeting, November 26th, 1867, was fixed when appeals therefrom will be heard.

The Clerk presented the following

#### REPORT IN THE MATTER OF OPENING VARNUM STREET.

State of New York, Monroe County, ss.:  
In Monroe County Court. In the Matter of the proposed opening of Varnum street, in the City of Rochester.

*To the Honorable the Common Council of the City of Rochester:*

The under-signed Commissioners, duly appointed in the matter of the proposed opening of Varnum street, in said city of Rochester, by an order of the Monroe County

Court, made and entered on the 4th day of October, 1867, do hereby report as follows, viz: That such Commissioners met at the office of the City Attorney, in said city of Rochester, on the 15th day of October, 1867, at 2 o'clock P. M., pursuant to notice, for that purpose, duly published according to law, and after being duly sworn according to provisions of the City Charter, faithfully to discharge their duties as such Commissioners, without favor or partiality, did thereupon proceed to view the lands and premises proposed to be taken for the said opening of Varnum street; that on the last said day they adjourned their proceedings to the 21st day of October, 1867, when they again met and continued such proceedings in examining the property and premises to be taken, and in discharging their duty; and thereupon adjourned their further proceedings to the 22d day of October, 1867, at which last said time such Commissioners met pursuant to adjournment, and took such testimony as was then offered, as to the value of the property or premises to be taken, and thereupon adjourned their further proceedings to the 25th of October, 1867; on which last said day such Commissioners again met and took such testimony as was then offered in regard to the value of property or premises to be taken for the opening of said street, and thereupon adjourned to the 28th of October 1867, to take further testimony in the premises; and on the last said day again met and took such further testimony as was then offered and thereupon proceeded with their duties in estimating the value of the buildings, nursery stock, property, premises and lands to be taken for said street; and being then unable to complete such estimate did adjourn their further proceedings to the 29th of October, 1867, at which time they again met pursuant to adjournment and proceeded with their duties of estimating and determining the value of said property, premises and lands; and then being unable to complete the same, thereupon adjourned their further proceedings to the 30th day of October, 1867, when they again met and took such further testimony as was then offered in regard to said premises to be taken, and thereupon adjourned to the 2d day of November, 1867, when such Commissioners again proceeded and took such further testimony as was then offered in regard to the said premises and lands, and thereupon adjourned their further proceedings to the 8th day of November, 1867, at which time they again met for the purpose of completing their estimates and making this report, and being then unable to complete the same, thereupon adjourned to the 9th day of November, 1867, when they again met and proceeded with their duties, reviewing their former proceedings and making this report in duplicate, to be filed, one copy thereof in the Office of the City Clerk, and the other, together with the testimony taken by them, in the Office of the Clerk of Monroe county; and having ascertained with all practical certainty, the several pieces and parcels of land and other property to be taken or removed for said opening, and the names and residences of the owners and occupants thereof respectively; and having



carefully considered the evidence and consulted as to the value of the lands, premises and property, as aforesaid proposed to be taken, and the rights of the owners and occupants thereof—the said Commissioners have appraised the amount of damages which, in their judgment, the said owners and occupants of the lands and property to be taken for said opening of Varnum street, will severally sustain by being deprived thereof, and the amount of compensation which should be paid to them respectively; and hereby report and submit a description of said lands to be so appropriated, and the names and residences of said owners and occupants, and the amount of damages each will sustain and which they should receive as compensation on being deprived of such lands and property, to wit:

The lands to be taken for said opening are described as follows, viz: Beginning on the north line of lands now or formerly owned by Christiana Baldwin, at its intersection with the east line of Varnum street; thence southerly in a direct line to a point in the east line of said street 219 feet north of Phelps avenue; thence westerly to a point in the west line of said street 266 feet north of Phelps avenue; thence northerly in a direct line to the north line of said land now or formerly owned by Christiana Baldwin, at its intersection with the west line of Varnum street; thence easterly on said north line to the place of beginning.

The whole of the said lands comprise about one acre and four hundred and two thousandths of an acre, (1 402-1000 A.), and are wholly occupied by Messrs. Ryan & Dempsey for nursery purposes; and upon which lands are situated several nursery buildings and a large amount of growing nursery stock.

The said lands have been surveyed and laid down or made to appear upon a map thereof, made by the City surveyor, and marked "Exhibit B," and filed in the office of the City Clerk at the same time of filing and as forming a part of this report. The title to a part or several parcels of said lands is vested in James M. Whitney, residing in Rochester, which said part and parcels belonging to him are indicated and appear, by his name and red shaded lines, upon the said map, and which said part and parcels of said lands belonging to said Whitney, and to be taken for said street, comprise about three hundred and thirty-eight thousandths (338-1000) of an acre of land, and for which land the said James M. Whitney should be paid the sum of seven hundred and twenty-three dollars and thirty-five cents (\$723.35), as the appraised value or compensation therefor, upon being deprived thereof, and upon his procuring such land to be released from a certain mortgage covering the same for \$2,500, made by him to the Rochester Savings Bank, and from any other incumbrance that may appear upon said premises.

The residue of the said lands required for said street comprise about one acre and sixty-four thousandths of an acre (1 64-1000 A.) owned and occupied by Charles J. Ryan and John Dempsey, (tenants in common), residing in Rochester, and comprising the said firm of Ryan & Dempsey, and which lands belonging to said Ryan & Demp-

sey and required for said street are indicated and made to appear by their firm name and green shaded lines upon the said map; and which said lands of Ryan & Dempsey, to be taken, we find to be worth the sum \$2,276 and sixty-five cents, (\$2,276 65) which sum should be paid to them, as the value or compensation therefor, upon their being deprived thereof, and upon their procuring the same to be released from three several mortgages, recorded in the Monroe county Clerk's office, one in Liber eighty-three of mortgages, at page 448, and another in Liber ninety-seven of mortgages at page 379, and the other in Liber 119 of mortgages at page 390, and from any other incumbrance that may appear.

The said sum \$2,276 65 being the price or compensation for simply such lands, exclusive of the buildings and nursery stock upon the same. The buildings to be taken or removed from the lands required for said street, we estimate and find to be worth the further sum of \$700, (\$700) which sum should also be paid to said Messrs. Ryan & Dempsey, as compensation for their said buildings, upon being deprived thereof; and the nursery stock growing upon the lands required for the said opening, and specified in the schedule marked "exhibit A," filed with this report in the City Clerk's office, we find is all owned by said Ryan and Dempsey, and worth, in our judgment, after examining the same and considering the testimony of E. A. Frost and others relating thereto, the further sum of three thousand two hundred and fifty dollars (\$3,250), which additional sum should also be paid to them as compensation for said nursery stock upon their being deprived thereof.

Said Commissioners further report that said Messrs. Ryan & Dempsey have a proposition to remove and keep for their own use the said nursery stock upon their being allowed 40 per cent. of the alleged value thereof for loss and expense of moving the same. And we respectfully recommend that your honorable body endeavor to make some arrangement, at some reasonable price, with said Ryan & Dempsey, whereby they may retain said stock and buildings, and remove the same immediately at this favorable season of the year, and thus save much loss and expense that might otherwise be unavoidable.

And said Commissioners further report that said nursery stock consists, in a great part, of grape vines, bulbous roots, currants, raspberries, junipers, herbaceous plants and other articles that make but very little show upon the grounds, and that they have had much difficulty in determining the fair value thereof, and were unable to complete this report on said 9th day of November, and therefore adjourned to this 11th day of November 1867, whereupon they took still further testimony in the premises, confirming their judgment in the estimates made. Also they find from testimony of John Dempsey, this day, that a small portion of said stock, specified in said schedule, has been removed from said grounds by said Ryan and Dempsey since these proceedings were commenced; and that the value of such articles so removed amounts to about \$203, and that the same

were so removed by reason of their believing that said lands were to be taken for said street, and that they would have to remove all of such stock on such land, and that otherwise they would not have removed the same, and that the damage resulting to them from such removal of those said articles, amounts to \$83, or thereabouts.

All of which report is respectfully submitted.

GEO. P. DRAPER,  
EZRA JONES,  
S. W. D. MOORE,  
Commissioners.

Dated Rochester, November 11th, 1867.

Received, and the next regular meeting, Nov. 26th, 1867, was fixed when appeals therefrom will be heard.

#### COMMUNICATIONS.

The Clerk presented the following, which was referred to the Law committee and City Attorney:

MAYOR'S OFFICE, ROCHESTER, Nov. 1, 1867.

Gentlemen of the Common Council of the City of Rochester:

As the land immediately south of Main St. Bridge on the west bank of the Genesee River having recently changed hands and important changes are now being made, the property lately owned by Deacon Barton contiguous to the Bridge is being rebuilt, and the large stone building still further south is being reconstructed; and as the owners of property near the River desire some action on the part of the City authorities, I beg to call your attention to this matter to the end that you may take such action in the premises as you may deem expedient and for the public good. It is said that the east end of the large stone building projects into the River, with how much truth I know not. I am not aware that there is any encroachment contemplated or attempted, but I deem the matter relative to the bed of the River and the water way of the most vital importance to the entire people, and that your prompt and immediate attention may be given to the subject. So that if any encroachment was or should be attempted it may be checked in time to save expense to the parties in possession, and to save and prevent vexatious delays and law suits.

I beg to refer you to a special act passed May 1st, 1865, which you will find in the City Charter, at page 135, section 7, in relation to encroachments, which reads as follows, viz:

"§ 7. The Common Council of the City of Rochester are hereby authorized, and it is hereby made its duty to prevent the construction of any encroachment upon or obstructions in the bed of the Genesee river within the limits of said city, and for that purpose said Common Council may institute any action or proceedings in the name of said city a plaintiff therein, and upon the granting of any injunction order in any such action, an undertaking in the usual form, in the name of and on behalf of said city as such plaintiff, executed by the Mayor of said city in his official capacity, shall be sufficient and surety shall be required thereto."

Very respectfully,

HENRY L. FISH, Mayor.

The Clerk presented the following:

CITY ATTORNEY'S OFFICE, ROCHESTER, }  
November 12, 1867. }

To the Common Council of the City of Rochester:

The undersigned, to whom was referred the resolution in relation to the suit against H. A. Palmer, in favor of the city, adopted at the last meeting, respectfully reports:

That in October, 1866, an action was commenced before the Police Justice against Mr. Palmer for violating section 6 of the penal ordinance relating to streets, for placing obstructions in Oak street, upon the complaint of the City Superintendent. The obstructions consisted of coal, boards, &c., placed in the street by Mr. Palmer. Upon appearing before the Police Justice, his counsel pleaded that the city had no title to the land embraced in that part of Oak street, and as the Police Justice had no power to try questions of title to real estate, he gave a bond and removed the case to the Supreme Court. A summons and complaint in this Court was filed with the Justice within the time required by law, for the same cause of action, and claiming twelve penalties of \$5 each, with costs of suit. A copy of these papers was served on Mr. Palmer on the 21st of November, 1866, to which neither he nor his counsel ever served any answer. Upon the suggestion of the Law committee, as the fines against other parties obstructing the street had been remitted by the Council, I proposed to the counsel of Mr. Palmer to discontinue the suit upon payment of all costs and expenses. This proposition has been made several times, but has never been accepted. At the last special term of the Supreme Court, held on the 24th of October last, upon due notice served upon the defendant's counsel, judgment was ordered by the court against him in favor of the city for \$60, and \$33 costs and expenses. Understanding that Mr. Palmer desired to ask the Council to remit the judgment, no execution has been issued to collect it.

The City Superintendent, before the suit was begun, had been ordered by the Council to remove the obstructions, but owing to the impracticability of carrying out these directions, commenced the suit to test the rights of the defendant, and enforce the ordinance.

All which is respectfully submitted.

E. A. RAYMOND, City Attorney.

The Clerk presented a communication from the City Attorney, reporting favorably on the petition of J. G. Baetzel. Also one from the Assessors, reporting unfavorable on the petition of Edward H. Boorman. Received and filed.

Ald. Cram presented a communication from the Street Superintendent, relative to notifying the owners of property in front of which flag walks were laid and need repairing. Received and filed.

#### TREASURER'S MONTHLY REPORT.

CITY TREASURER'S OFFICE, }  
Nov. 12th, 1867. }

To the Honorable the Common Council:

GENTLEMEN—The Treasurer herewith submits the Monthly Statement of the balances of the principal funds, on the 11th day of November, 1867, as required by section 59 of the City Charter:

	Credit Balance.
Contingent Fund.....	\$ 1,188 54
Fire Department Fund .....	743 24
Highway Fund.....	1,192 85

Lamp Fund.....	8,641 82
Poor Fund.....	10,609 61
Police Fund.....	52 25
Park Fund.....	15 65
Board of Health Fund.....	267 45
Sewer Repair Fund.....	
South Avenue Repair Fund.....	10 75
Lyell Street .....	160 00
North Street .....	49 47
St. Paul-st. Repair Fund (N. Y. C. R. R. to Scranton street).....	123 25
St. Paul-st. Repair Fund (Scranton street to Oley Line).....	100 00
Monroe Avenue Repair Fund.....	73 73
Mt. Hope Avenue .....	0 86
Plymouth Avenue .....	291 45
West Avenue .....	247 30
Lake Avenue .....	58 52
East Avenue .....	320 81

H. P. LANGWORTHY, Treasurer.

Subscribed and sworn to before me, this 12th day of November, 1867. B. FRANK ENOS,  
Notary Public.

#### ORDINANCES—FLOOD DAMAGES.

Ald. Groot presented the final ordinances for Repairs on Lake avenue, Court street, Wooden Bridge, Repairs on State street, Road leading from Court street to Monroe County Jail, Repairs on Tronp street, Alley running from Exchange Place, Repairs on School alley, Repairs on Mumford, and Andrews streets, Repairs on Mumford street, Repairs on Lake avenue and White street, Repairs on Buffalo street and Main street bridge, Repairs on Spring street, Repairs on Frank street, Repairs on Front street, Repairs on Hill and Platt streets, Repairs on Oak street, Repairs on Mill and Centre streets, Repairs on Mill street, Repairs on Furnace street, Repairs on Montgomery alley, Repairs on West street, Repairs on Dean street, Repairs on Platt street, Repairs on Varum street, Repairs on Platt street, Repairs on Lyell street, and moved their postponement for four weeks.

Ald. Spencer moved their postponement until the first regular meeting in March, 1868. Lost as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Taylor, Kelly, Burke, Adelman—8.

Nays—Ald. Groot, Andrews, Remington, Carroll, Mutchler, Relyea, Ratt, Brown, Paine, Woodruff, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons—17.

Ald. Groot's motion to postpone for four weeks, was carried as follows:

Ayes—Ald. Qualtrough, Groot, Andrews, Remington, Carroll, Mutchler, Relyea, Ratt, Taylor, Brown, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons—20.

Nays—Ald. Spencer, Cram, Lutes, Kelly, Burke—5.

#### HOELTZER STREET OPENING.

Ald. Burke presented the final ordinance for Hoeltzer street opening.

Ald. Mauder moved its postponement for two weeks, and that the petition and remonstrance be referred to the assessors, and they to report whether a majority petition or not. Carried.

#### OAK STREET WALK.

On motion of Ald. Ratt, the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing, Ald. Ratt submitted the following:

An ordinance to construct a walk on Oak street.

The Common Council of the city of Rochester do ordain and determine as follows:

A plank sidewalk, 6 feet wide, on the east side of Oak street, from a point 100 feet north of Jay street to the north line of lot No. 345 in the Frankfort tract, shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at fifty dollars, which estimate was and is hereby approved; the sum of fifty dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on the east side of Oak street, from a point 100 feet north of Jay street to the north line of lot No. 345 in the Frankfort tract.

On which above described portion of the city, the said sum of fifty dollars is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occu-

pants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 16th day of November, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote: All ayes—25.

#### ALLEN STREET SEWER.

On motion of Ald. Adelman, the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing, Ald. Adelman submitted the following:

An ordinance to construct a sewer in Allen street, from Elizabeth street to State street.

Whereas, By a resolution adopted by the Board of Health, May 31st, 1867, it was declared essential for the preservation of the public health that a sewer should be constructed in Allen street, from Elizabeth street to State street, and in the opinion of this Common Council it is so essential; therefore

The Common Council of the city of Rochester do ordain and determine as follows:

A stone sewer, 2 feet by 3½ feet in Allen street, from Elizabeth street to the sewer in State street, shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses; and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at six thousand dollars, which estimate was and is hereby approved; the sum of six thousand dollars being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on both sides of Allen street, from Elizabeth street to State street; and one tier of lots on both sides of Fitzhugh, Sophia, Washington and Elizabeth streets, from Buffalo street to Allen street, except one tier of lots on the north side of Buffalo street, Also including all the territory between Hunter alley, Ford street, Elizabeth street and the Erie Canal.

On which above described portion of the city, the said sum of six thousand dollars is hereby ordered to be assessed.

And the tax payers to be assessed for making such improvement, may, by paying interest, as hereinafter provided, on the amount assessed to them individually, pay their assessments in three equal payments, as follows: One-third of the amount assessed within three months after the confirmation of the assessment roll, without interest; one-third of the amount with interest at the rate of seven per cent. per annum, within one year from the confirmation of said roll; and the remaining one-third, with interest at the same rate, within two years from the confirmation of such roll.

And David McKay E. T. Oatley and C. M. St. John, the assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 16th day of November, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Ald. Qualtrough moved its indefinite postponement. Lost as follows:

Ayes—Ald. Qualtrough, Lutes, Groot, Carroll, Relyea, Paine, Charters—6.

Nays—Ald. Spencer, Cram, Andrews, Remington, Taylor, Brown, Kelly, Burke, Adelman, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons—16.

Ald. Groot moved to postpone for two weeks. Lost as follows:

Ayes—Ald. Qualtrough, Lutes, Groot, Carroll, Relyea, Paine, Woodruff, Charters—8.

Nays—Ald. Spencer, Cram, Andrews, Remington, Ratt, Taylor, Brown, Kelly, Burke, Adelman, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons—16.

Ald. Spencer moved the previous question. Carried as follows:

Ayes—Ald. Spencer, Cram, Andrews, Remington, Relyea, Ratt, Taylor, Brown, Kelly, Burke, Woodruff, Adelman, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons—18.

Nays—Ald. Qualtrough, Lutes, Groot, Carroll, Paine, Charters—6.

Ordinance passed by the following vote:  
Ayes—Ald. Spencer, Cram, Andrews, Remington,

Ratt, Taylor, Kelly, Burke, Woodruff, Adelman, Horcheler, Binghamer, Mauder, Miller, Quin, Parsons—16.

Nays—Ald. Qualtrough, Lutes, Groot, Carroll, Relyea, Brown, Paine, Charters—8.

Ald. Kelly moved a reconsideration. Lost as follows:

Ayes—Ald. Qualtrough, Lutes, Groot, Carroll, Brown, Paine, Charters—7.

Nays—Ald. Spencer, Cram, Andrews, Remington, Relyea, Ratt, Taylor, Kelly, Burke, Woodruff, Adelman, Horcheler, Binghamer, Mauder, Miller, Quin, Parsons—17.

#### LAKE AVENUE CROSSWALK.

Ald. Cram presented the final ordinance for Lake Avenue Crosswalk.

Ald. Burke moved its indefinite postponement. Carried.

#### ASSESSMENTS.

Ald. Adleman presented the assessment roll for Union street sewer re-assessment, which was confirmed as follows:

Ayes—Ald. Spencer, Cram, Lutes, Andrews, Remington, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Horcheler, Binghamer, Mauder, Miller, Quin, Parsons—19.

Nays—Ald. Qualtrough, Groot, Carroll, Brown, Charters—5.

Ald. Ratt presented the assessment rolls for Stone street improvement and Lewis street grading, which were confirmed as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Andrews, Remington, Carroll, Relyea, Ratt, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Binghamer, Mauder, Miller, Quin, Parsons—21.

Nays—Ald. Groot—1.

#### MISCELLANEOUS.

By Ald. Cram—Resolved, That the Street Superintendent is hereby directed to notify the owners of property on Hunter st. from Caledonia ave. to Genesee st.; Atkinson st. from Plymouth ave. to Caledonia ave.; Jay and Smith sts. from Magna st. to the city line; Warehouse st. east side; Reynolds st. from West ave. to Seward st.; to repair their respective walks within five days, and in case they neglect to do so, the Street Superintendent is hereby directed to repair the same in accordance with Section 212 of the City Charter as amended. Adopted.

By Ald. Qualtrough—Resolved, That the Street Superintendent notify the Trustees of St. Patrick's church to remove forthwith the rubbish from off the walk in front of their church, on Platt street. Adopted.

By Ald. Qualtrough—Resolved, That S. Coleman & Co., are hereby granted permission to erect scales on Platt street, in accordance with their petition. Lost.

By Ald. Lutes—Resolved, That the Treasurer be and hereby is instructed to receive of Richard Bradfield \$19 76, in full, for repairing walks on Ambrose street. Referred to Street committee to report.

By Ald. Lutes—Resolved, That the suit brought against H. A. Palmer by the city for violating city ordinance, be discontinued without costs. Adopted.

Ald. Woodruff moved to suspend the rule to adjourn at 11 o'clock. Carried.

By Ald. Groot—Resolved, That the two per cent. for contingent expenses, assessed upon the tax payers for South avenue improvement and Prospect street sewer, shall only be assessed upon the actual cost of said improvements instead of upon the Surveyor's estimates. Lost as follows:

Ayes—Ald. Groot, Remington, Brown, Horcheler, Binghamer—5.

Nays—Ald. Spencer, Cram, Qualtrough, Andrews, Carroll, Mutchler, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Charters, Mauder, Miller, Quin, Parsons—18.

By Ald. Remington—Resolved, That the Superintendent of Streets is hereby directed to repair the gutter at the southeast corner of Court and Clinton streets, so as to admit of the free passage of water.

Ald. Kelly moved as an amendment, by adding "repairing crosswalk on the corner of Ambrose and Frank streets." Carried.

Resolution adopted as amended.

By Ald. Carroll—Resolved, That the Street Superintendent notify the owners of property on Water street, from Main to Mortimer streets, to repair the covering over the race, within five days from the service of such notice. Adopted.

By Ald. Carroll—Resolved, That the Treasurer is hereby directed to cancel the tax of \$26, assessed against Mrs. Buckley, in 1866, for repairs to flag walk on North St. Paul St. Referred to Street committee.

Ald. Mutschler called up the petition of F. Koehler.

Ald. Quin moved that the prayer of the petitioner be granted. Carried.

By Ald. Ratt—Resolved, That his honor the Mayor be and is hereby authorized to enter into contract with Boyd, Gomminger & Co. to furnish fifty lamps, according to their proposition, at five dollars and fifty cents (\$5.50) each.

Ald. Kelly moved as an amendment to strike out Boyd, Gomminger & Co., and insert "Westcott & Raikes," at \$6, the lamps to be made of three plate tin and double plate glass. Lost as follows:

Ayes—Ald. Spencer, Cram, Groot, Brown, Kelly—5.

Nays—Ald. Qualtrough, Andrews, Remington, Carroll, Mutchler, Relyea, Ratt, Taylor, Burke, Paine, Woodruff, Charters, Horcheler, Binghamer, Mauder, Miller, Quin, Parsons—18.

Resolution adopted.

By Ald. Ratt—Resolved, That the Treasurer collect from Patrick O'Brien \$17.04, and from all others assessed for repairing the sidewalk on the east side of Stone street fifteen per cent. in full of their assessments for said repairs. Adopted.

By Ald. Ratt—Resolved, That the Treasurer be and he is hereby authorized to receive from property owners taxed for Clifton street plank walk, (south side) between Francis and Genesee streets, ninety six per cent. in full of their assessment for said walk.

Resolved further, That the Treasurer credit William Simpson \$118.83 and Henry Talbot \$80.07 on their assessment for said walk. Adopted.

By Ald. Ratt—Resolved, That the Treasurer be and he is hereby authorized to receive from St. Patrick's Church and the Catholic Orphan Asylum eighty-nine per cent. in full of their assessments for Frank street flag walk. Adopted.

By Ald. Ratt—Resolved, That the tax-payers on Hudson street be and they are hereby granted permission to construct a plank walk

on the east side of Hudson street, from the city line to Herman street, under the direction and supervision of the Improvement Committee and the City Surveyor, who are hereby authorized and directed to establish and fix the grade thereof. Adopted.

By Ald. Taylor—Resolved, That the Street Superintendent be and he is hereby directed forthwith to remove all obstructions in the alley between Tremont and Adams streets, from Reynolds to Francis streets. Adopted.

By Ald. Taylor—Resolved, That the Street Superintendent be and he is hereby directed to notify the owners of property lying adjacent to the streets and alleys in the Gregg tract west of Francis street and between Hunter and Bartlett streets, to remove all obstructions therefrom within five days from the service of said notice, and in case they neglect to comply with the requirements of said notice that he be directed to immediately cause their removal. Adopted.

By Ald. Kelly—Resolved, That all papers now in possession of any Alderman of this Board, relating to the total expenditures said to have been made by the city for Flood repairs shall be deposited in the Clerk's Office, forthwith, subject to the examination of the special committee appointed this evening. Also, all bills chargeable to the Flood fund, and not yet paid. Adopted.

By Ald. Quin—Resolved, That the Treasurer be and he is hereby authorized to receive from Daniel Green \$4.75 in full of his assessment for Weld street improvement, he having built the sidewalk in front of his premises. Adopted.

By Ald. Woodruff—Resolved, That the Treasurer credit Contingent Fund \$250 08, and charge as follows:

Jefferson street Plank Walk Fund.....	\$ 1 82
Graham .. Improvement Fund.....	9 20
Thompson .. .. .	7 48
Rowe .. .. .	16 62
Anson Park .. .. .	6 26
Tremont street .. .. .	16 78
German .. Plank Walk .. .. .	13 98
Wilson .. .. .	3 65
Fulton .. .. .	3 98
Hanover .. .. .	6 62
Hudson .. sewer .. .. .	4 45
Gregory .. .. .	10 08
Hickory .. .. .	12 87
Alexander .. .. .	19 00
Union .. .. .	7 80
Smith .. .. .	7 94
Jersey .. .. .	5 65
Kelley .. .. Fund east of St. Joseph-st	4 59
Cayuga .. .. Fund .. .. .	7 82
Kelley .. .. Fund west of St. Joseph-st	9 25
Rome .. .. Fund .. .. .	5 86
St. Joseph .. .. .	10 22
Union .. .. extension .. .. .	9 63
Grape .. .. .	8 80
Sellinger, St. Joseph and Herman streets	7 90
Sewer Fund .. .. .	7 55
Plymouth avenue Crosswalk Fund .. .. .	1 40
Lyell and Cliff streets Crosswalk Fund .. .. .	4 12
Lake avenue Crosswalk Fund, at Jones avenue .. .. .	4 44
Jay street Sewer Fund .. .. .	15 00
Frank street Flag Walk Fund .. .. .	4 22

Adopted.

#### FINANCE BUDGET.

NOVEMBER 12TH, 1867.

By Ald. Paine—Resolved, That the Treasurer pay as follows:

#### CONTINGENT FUND.

Daniel Richmond, Surveyor, 1 month's salary ..	\$250 00
E. A. Raymond, Attorney, .. .. .	31 67
David McKay, Assessor, .. .. .	100 00
E. T. Oatley, .. .. .	100 00
C. M. St. John, .. .. .	100 00

William Tracy, Messenger, 2 month's ..	133 82
D. S. Brown, printing to Oct. 1st, ..	449 75
Wm. Whitehair, hackhire, ..	4 63
Wm. Willett, .. .. .	2 00
John King, .. .. .	2 00
And charge Contingent fund.	\$1,232 74

#### HIGHWAY FUND.

Pay of Street Labor-ers, from Aug. 19th to Nov. 9th, inclusive, payable to City Clerk, ..	\$551 96
Wm. I. Hanford, making crosswalk, ..	11 93
Thos. Lynch, .. .. .	20 52
And charge Highway fund.	\$584 46

#### HEALTH FUND.

John H. York, burying dead animals .. .. .	\$ 5 50
Chas. Burns, .. .. .	2 50
And charge health fund.	

#### LAMP FUND.

Chapin & Terry—bill for fifty lamp posts .. .. .	\$540 00
And charge lamp fund.	

#### IMPROVEMENT FUNDS.

Also when there are funds applicable, as follows:

#### EAST AVENUE REPAIR FUND.

Whitmore, Carson & Co., repairs .. .. .	\$ 12 00
And charge that fund.	

#### PLYMOUTH AVENUE REPAIR FUND.

Wm. S. Brown, Com'r, bill for repairs .. .. .	225 50
And charge that fund.	

#### LYELL STREET REPAIR FUND.

M. Daus, Com'r, repairs on Lyell street .. .. .	155 00
And charge that fund.	

#### CENTRE SQUARE FENCE.

Thomas G. Palmer, in full for building Centre square fence .. .. .	790 80
And charge that fund.	

#### CLIFTON STREET PLANK WALK.

W. I. Hanford, in full for constructing Clifton street plank walks—\$137.51, payable to Wm. I. Hanford; \$278.22 payable to Bennett, McGraw & Co.; \$48.68 payable to George W. Crouch & Co. .. .. .	459 41
And charge that fund.	

#### FRANK STREET FLAG WALK.

David Wagner, in full for constructing flag walk on Frank street .. .. .	439 90
And charge that fund.	

#### STONE STREET SIDEWALK.

John Stotter, in full for constructing sidewalk on Stonestret, payable as follows: \$24.12 to James McMannis; \$4.30 to D. Copeland, Jr.; \$47.40 to John Stotter .. .. .	\$73 82
And charge that fund.	

#### SELLINGER, ST. JOSEPH AND HERMAN STREET SEWER.

F. C. Lauer & Son, in full for constructing sewer in Sellinger, St. Joseph and Herman streets .. .. .	127 45
Geo. M. Sellinger, bill for inspecting Sellinger, St. Joseph and Herman street sewer .. .. .	145 00
And charge that fund.	

#### GRAPE STREET SEWER.

M. Schuster's bill for inspecting Grape street sewer .. .. .	20 00
And charge that fund.	

#### JAY STREET SEWER.

Lawrence Hoaner, bill for inspecting Jay street sewer .. .. .	161 25
And charge that fund.	

Legal representatives of J. McCarty, deceased, on the contract for constructing sewer in Jay street, payable to the legal representatives of J. McCarty, deceased, on the certificate of the City Attorney .. .. .	500 00
And charge that fund	
Adopted as follows:	

Ayes—Ald. Spencer, Cram, Qualtrough, Andrews, Remington, Carroll, Belyea, Ratt, Taylor, Brown, Kelly, Burke, Faine, Woodruff, Binghamer, Mauder, Miller, Parsons—18.	
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Nays—Ald. Groot, Horcheler, Quin—8.  
Adjourned. B. FRANK ENOS, Clerk.

**In Common Council, Nov. 19th,  
1867.**

**SPECIAL MEETING.**

Ald. Relyea, President pro tem, presiding.  
Present—Ald. Cram, Qualtrough, Groot, Andrews, Relyea, Ratt, Taylor, Kelly, Paine, Woodruff, Adelman, Charters, Mauder, Miller, Quin, Parsons.

Absent—Ald. Spencer, Lutes, Remington, Graham, Guggenheim, Carroll, Mutchler, Copeland, Brown, Burke, Horcheler, Bingermer.

The President stated that the object in calling the Board together was to make the necessary arrangements for attending the funeral of ex-Mayor Jacob Gould.

On motion, Ald. Andrews, Taylor and Kelly were appointed a committee to draft suitable resolutions, and the following were reported and unanimously adopted:

By Ald. Andrews—Whereas, It has pleased an all-wise Providence to suddenly remove by death our former fellow citizen Gen. Jacob Gould, who, with other public trusts has upon two different occasions occupied the position of Mayor of the city; and

Whereas, This Board of Common Council, desiring to manifest the respect which they in common with the citizens of Rochester bore to the deceased, one who has been so prominently identified with the growth and prosperity of the city, and who in all the relations of life was so worthy the respect and esteem of his fellow citizens, be it

Resolved, That this Board has learned with painful emotions of the decease of our former fellow citizen Jacob Gould, and that to the members of his family in their deep affliction the sympathy and condolence of the Board is tendered.

Resolved, That in testimony of respect for his character and virtues we will attend the funeral in a body, and do hereby invite His Honor the Mayor and ex-Mayors of the city and all other municipal officers to unite with us on the occasion.

Resolved, That a committee of three be appointed to make arrangements in accordance with the foregoing resolution.

Resolved, That the Clerk is hereby directed to transmit a copy of the foregoing preamble and resolution to the family of the deceased.

E. R. ANDREWS,  
GEO. TAYLOR,  
JAS. H. KELLY,  
Committee.

The President appointed as a committee of arrangements, Ald. Woodruff, Paine and Qualtrough.

Ald. Qualtrough moved that the Mayor and President pro tem, be adooed. Carried.

Ald. Qualtrough moved that the Resolutions be published in to-morrow morning's paper. Carried.

Ald. Qualtrough moved that the Board adjourn until to-morrow afternoon at 1 o'clock, and that they meet at that time for the purpose of attending the funeral of ex-Mayor Jacob Gould. Carried.

B. FRANK ENOS, Clerk.

**In Common Council—Nov. 26th.  
1867.**

**REGULAR MEETING.**

Ald. William Ratt, President pro tem, presiding.

Present—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Carroll, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller, Quin, Parsons.

Absent—Ald. Graham, Guggenheim, Mutchler, Relyea, Copeland, Brown, Bingermer.

Minutes of the previous meetings approved as published.

**PETITIONS AND CLAIMS.**

By Ald. Spencer—Sundry bills and petition of John Marx. Fire Department Committee.

By Ald. Cram—Sundry bills. Street Committee.

By Ald. Groot—Resignation of Geo. Lotspike, as a Commissioner of Deeds. Accepted.

By Ald. Lutes—Sundry bills. Poor Committee.

By Ald. Qualtrough—Petition of S. Coleman & Co. Table.

By Ald. Remington—Sundry petitions. Wooden Building Committee.

By Ald. Carroll—Bill of Thos. G. Palmer. Park Committee.

By Ald. Taylor—Petition of Eleanor Lawrence. Table.

By Ald. Burke—Sundry bills and petition of F. Van Doorn and others. Improvement Committee.

By Ald. Kelly—Petition of John H. Jeffries. Wooden Building Committee, with power to act.

By Ald. Woodruff—Sundry bills. Contingent Committee.

By Ald. Adelman—Sundry bills. Sewer committee.

By Ald. Quin—Sundry bills, and petition of J. B. Edwards and others. Table.

By Ald. Parsons—Sundry bills. Lamp committee.

**REPORTS.**

Ald. Carroll, from the Park committee, reported in favor of the bill of Thos. G. Palmer. Finance committee.

Ald. Cram, from the Street committee, reported in favor of sundry bills. Finance committee.

Ald. Burke, from the Improvement committee, reported in favor of sundry bills. Finance committee.

Ald. Kelly, from the Fire Department committee, reported in favor of sundry bills. Finance committee.

Ald. Adelman, from the Sewer committee, reported in favor of sundry bills. Finance committee.

Ald. Quin, from the Street committee, reported in favor of sundry bills. Finance committee.

Ald. Lutes, from the Poor committee, reported in favor of sundry bills. Finance committee.

Ald. Woodruff, from the Contingent committee, reported in favor of sundry bills. Finance committee.

Ald. Parsons, from the Lamp committee, reported in favor of sundry bills. Finance committee.

Ald. Remington, from the Grievance committee, reported progress in the matter of Robert Burns and James Monaghan, and asked for further time. Granted.

Ald. Taylor, from the Law committee, presented the following report relative to

**ENCROACHMENTS IN GENESEE RIVER:**

*To the Honorable the Common Council:*

The Law Committee, to whom was referred the communication of His Honor the Mayor, respecting the repairs of the buildings at the southwest corner of Main street bridge, respectfully report:

That, upon examination, they have not found any new obstructions from the re-building of structures damaged by the flood of March, 1865, or otherwise now being placed in the bed of the Genesee river. They further report that, in their opinion, and as they are advised, the law cited by the Mayor in his communication only empowers the Common Council to institute proceedings to prevent the construction of encroachments upon, or obstructions in, the bed of the river, but not to demolish buildings standing when said statute was enacted.

November 26, 1867.

GEO. TAYLOR,  
E. R. ANDREWS, } Law Committee.  
CYRUS F. PAINE, }  
E. A. RAYMOND, City Att'y.

Received.

The Clerk presented the following

**REPORT OF THE COMMISSIONERS ON THE  
WIDENING AND EXTENSION OF FITZHUGH  
STREET.**

State of New York, County of Monroe, ss.

In Monroe County Court, in the matter of the widening and extension of Fitzhugh street, in the City of Rochester.

*To the Honorable the Common Council of the  
City of Rochester:*

The undersigned Commissioners duly appointed in the matter of the proposed widening and extension of Fitzhugh street, in said city of Rochester, by an order of the Monroe County Court, made on or about the 4th day of October, 1867, pursuant to the statute, do hereby report as follows, viz.:

Said Commissioners met at the office of E. A. Raymond, Esq., City Attorney, in said city of Rochester, on the 15th day of October, 1867, at 10 o'clock A. M., pursuant to notice for that purpose, duly published according to law; and after being duly sworn faithfully to discharge their duties without favor or partiality, proceeded to perform their duties, viewed the premises and lands required for said widening and extension of said street and duly adjourned their proceedings from time to time until the date hereof; that during said proceedings they have taken such testimony as was offered and procured, at different times, in regard to the value of the premises, lands and buildings required to be taken or removed for said street, as appears in the minutes thereof duly filed, and having ascertained with all practical certainty, the several pieces and parcels of land, premises and property required as aforesaid, and the names and residences of the several owners

and occupants thereof, and their rights therein respectively; and having carefully considered the said evidence and properly consulted as to the value of said premises, lands and buildings, and estimated and appraised the amount of damages which said owners and occupants will sustain, and the compensation which they should receive upon being deprived of the same. Now, therefore, we make this our report thereof in duplicate, to be filed, one copy in the office of the City Clerk, and the other, together with the said testimony, in the office of the County Clerk.

The whole of said lands required for said proposed widening and extension are described as follows, viz.: "Beginning in the north line of the Caledonia tract at its intersection with the west line of Fitzhugh street, thence south-westerly along the west line of Fitzhugh street produced to the west line of the east half of lot No. 71 in the Caledonia tract; thence southerly along the west line of the east half of said lot 71 to a point where a line run parallel with the west line of Fitzhugh street, and 47 feet at right angles therefrom would intersect the same; thence northerly on a line parallel with the west line of Fitzhugh street and 47 feet distant therefrom to Lafayette street; thence westerly along Lafayette street to the east line of Fitzhugh street, thence southerly along the east line of Fitzhugh street to the north line of the Caledonia tract; thence westerly along the north line of said tract to the place of beginning

Which lands have been surveyed and made to appear upon a map thereof, by the City Surveyor, and which map is marked "Exhibit A," and filed with this report, as forming a part thereof.

We find that there should be paid, as compensation or damages, upon taking said lands, premises and property, for the proposed widening and extension of said street, as follows, viz.:

First—To Mr. David A. Bowman, residing in said city, the sum of seven hundred and ten dollars (\$710) as compensation for the portion of his lands required for said street, including the trees, fences and other improvements thereon, which lands so required comprise a part of lot No. 71, about thirty-three feet front on north side of Edinburgh street, and extending back about one hundred seventeen and one-half feet to the rear of the lot, as indicated by lines and numbers, and his name upon the said map; and which said sum, \$710, he should receive as owner in fee, upon being deprived of said land and property, and upon his removing any lien or incumbrance that may appear thereon.

Second—To Benjamin Bigelow, residing in California, the sum of eight hundred and seventy-five dollars (\$875) as compensation for that part of his lands and property required for extending said Fitzhugh street, including fences, buildings and other improvements, and damages for cutting away part of the house, and enclosing and refitting the buildings in proper manner; which lands comprise a strip of No. 72, about fourteen feet wide, fronting upon said Edinburgh street, and extending back about 117½ feet, to the rear end of the said lot, as indicated by lines, numbers, and said Bigelow's name upon said map; and which sum \$875, he

should receive upon his being deprived of said lands and premises, and upon his removing any lien or incumbrance upon the same, as the title thereof appears to be vested in him.

Third—To Mrs. C. A. Burr, residing as we are informed, in New York city, the sum of two hundred and fifty dollars (\$250) as compensation for the piece or strip of land extending southerly from Lafayette street, fourteen feet wide, and fronting about 181 feet on the east side of said Fitzhugh street, and required for said widening, and comprising a part of sub-lots Nos. 1, 4, 5 and 6, in large lots 26 and 27, as indicated by numbers, lines, and her name upon said map; which sum, \$250, should be paid to her upon being deprived of such lands, and showing title to the same and removing any incumbrance thereon.

Fourth—To Mrs. Ann O'Connor or her heirs (whose residence or names of the heirs we have not succeeded in ascertaining), the sum of seventy dollars (\$70) as compensation for the piece or strip of land fourteen feet wide or deep and fronting about thirty two feet on said Fitzhugh street, and required for said widening, and comprising a part of sub lot number seven in large lot twenty-seven, as indicated by number, lines and name of said O'Connor upon the said map; which sum should be paid to her or her heirs, upon her or their showing title to such land and removing any incumbrance that may appear thereon, and upon being deprived of the same.

Fifth—To Thomas Naylor, residing in Rochester, the sum of three hundred and fifty dollars (\$350) as compensation for the piece or strip of land fourteen feet wide or deep, and fronting about fifty-one feet on said Fitzhugh street, and required for said widening, and comprising a part of sub lot number eight in said large lot twenty-seven, as indicated by number, lines and his name upon the said map; which sum, \$350, includes damages for taking fence and improvements and cutting away part of the house and enclosing and refitting the buildings in proper manner; and which sum should be paid to him, upon his being deprived of such lands and property and proving title thereto and removing any incumbrance that may appear thereon.

Sixth—To Eliza J. Neil, residing in said city of Rochester, the sum of one hundred and eighty-five dollars (\$185) as compensation for the piece or strip of land, 14 feet wide or deep, and fronting about 128½ feet upon said Fitzhugh street, and required for said widening, and comprising a part of large lot No. 28, as indicated by number, lines and her name upon said map; which sum, \$185, should be paid to her upon her being deprived of said land including improvements and upon her proving title thereto and removing any incumbrance that may appear thereon.

All of which is respectfully submitted.

GEO. P. DRAPER,  
S. W. D. MOORE, } Commissioners.  
J. T. ANDREWS, }

Dated November 27, 1867.

Received, and the next regular meeting, December 10th, 1867, was fixed when allegations therefrom will be heard.

#### COMMUNICATIONS.

The Clerk presented a communication from the Assessors, relative to the tax against Michael Sellinger for the construction of a sewer in Sellinger, St. Joseph and Herman streets. Received and filed.

Ald. Cram presented a communication from the Street Superintendent, relative to repairing walks. Table.

The Clerk presented the following from the City Attorney, which was received and ordered published:

CITY ATTORNEY'S OFFICE,  
ROCHESTER, Nov. 26, 1867. }

To the Honorable the Common Council :

The undersigned, to whom was referred the question of the power of the Common Council to assess the Cemetery on Monroe avenue for local improvements, respectfully reports :

That on the 10th day of June, 1827, Chester Bixby and wife conveyed to the trustees of the village of Rochester the premises in question for the consideration of \$100, by deed recorded in Monroe County Clerk's office, in liber 19, page 345. By the Act of Incorporation of the city of Rochester, in 1834, all the property of the said trustees became vested in the Mayor or Common Council of said city. The title, therefore, to said Cemetery grounds passed to the city of Rochester.

No real estate held by the city is exempted from assessments for local improvements by the city charter, except Mount Hope Cemetery and the public squares and parks.

In my opinion the said Cemetery on Monroe avenue is, therefore, properly assessed for the sidewalk on that street.

All of which is respectfully submitted.

E. A. RAYMOND, •  
City Attorney.

#### ORDINANCES.

##### STATE STREET CROSSWALK.

On motion of Ald. Cram, the Board proceeded to hear allegations in relation to the improvement described in the ordinance below.

After hearing such allegations from all persons appearing, Ald. Cram submitted the following :

An ordinance to construct a cross-walk on State street.

The Common Council of the city of Rochester do ordain and determine as follows :

A stone cross-walk across State street on the south side of Furnace street, shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at one hundred and twenty-five dollars, which estimate was and is hereby approved, the sum of one hundred and twenty-five dollars being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows :

One tier of lots on the south side of Furnace street, from State street to Mill street; one tier of lots on the east side of State street, from Furnace street to the south line of lot No. 50 in the Frankfort tract, and lots 99 and 100 and 101 in said tract.

On which above described portion of the city the said sum of one hundred and twenty-five dollars is hereby ordered to be assessed.

And David McKay, E. F. Oatley and C. M. St. John, the assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said assessors are hereby notified to meet for this purpose, on Saturday,



the 30th day of November, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote: All ayes—21.  
**REPAIRING BRIDGE ON NORTH WATER STREET.**

By Ald. Cram—Resolved, That the City Surveyor ascertain and report to this Board the expense of repairing the bridge over the Mill Race, in North Water street. Adopted.

The Surveyor submitted as such estimate \$53.50.

By Ald. Cram—Resolved, That the following improvement is expedient, viz:

Repairing the bridge over the Mill Race, in North Water street.

And, Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$53.50, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of North Water street, from Main street to a point 55 feet north of Mortimer street.

And further, Resolved, That the tax-payers to be assessed for making such improvement may, by paying interest as hereinafter provided, on the amount assessed to them individually, pay their assessments in three equal payments, as follows: One-third of the amount assessed within three months after the confirmation of the assessment roll, without interest; one-third of the amount, with interest, at the rate of seven per cent. per annum, within one year from the confirmation of said roll; and the remaining one-third, with interest, at the same rate, within two years from the confirmation of such roll.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Dec. the 10th, 1867, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### HOELTZER STREET OPENING.

Ald. Burke presented the final ordinance for Hoeltzer street opening, and moved it: indefinite postponement. Carried.

#### WEST ALLEY LINES.

Ald. Burke moved that the Report of the Commissioners for establishing the lines of West Alley, published in the proceedings of October 16th and November 12th, 1867, be confirmed. Adopted as follows: All ayes—21.

#### VARNUM STREET OPENING.

Ald. Quin moved that the Report of the Commissioners for Varnum street Opening, published in the proceedings of November 12th, 1867, be confirmed. Adopted as follows: All ayes—21.

#### ASSESSMENTS.

Ald. Adelman presented the assessment roll for Ambrose street sewer, which was confirmed as follows: All ayes—20.

#### MISCELLANEOUS.

Ald. Quin called up the petition of J. B. Edmonds and others, and moved its reference to a special committee. Carried.

The President appointed as such committee Ald. Quin, Lutes, Andrews.

Ald. Quin moved that the City Attorney be added. Carried.

By Ald. Parsons—Resolved, That the Treasurer is hereby directed to refund J. Geo. Beatzel \$19.03, tax on \$500 valuation, he being entitled to military exemption, in accordance with the report of the Attorney presented to the Board Nov. 12th, and charge erroneous assessments. Adopted as follows: All ayes—21.

By Ald. Mauder—Resolved, That the city Treasurer be and he is hereby directed to deduct twenty dollars from the assessment of Michael Sellinger for the construction of Sellinger, St. Joseph and Herman streets sewer in accordance with the report of the Assessors, and charge the same to erroneous assessments. Adopted.

By Ald. Miller—Resolved, That the Treasurer is hereby directed to pay F. Moshier

& Co., \$289 25 for coal as per contract, and charge police fund. Adopted as follows: All ayes—20.

By Ald. Adelman—Resolved, That the Clerk draw two orders for six hundred dollars each in favor of Benjamin McFarlin, and payable to his order, one in one year from November 26th, 1867, and one in two years from the same date, both with interest, and the Treasurer is hereby authorized to accept the same in behalf of the city, and charge Prospect street sewer fund. Adopted as follows: All ayes—21.

By Ald. Adelman—Resolved, That the Clerk draw two orders for one hundred and fifty dollars each in favor of F. C. Lauer & Son, and payable to their order, one in one year from November 12th, 1867, and one in two years from the same date, both with interest, and the Treasurer is hereby authorized to accept the same in behalf of the city, and charge Sellinger, St. Joseph and Herman streets sewer fund. Adopted as follows: All ayes—20.

By Ald. Adelman—Resolved, That the Clerk draw two orders for three hundred and fifty dollars each in favor of the Administratrix of the estate of Jeremiah McCarty, deceased, and payable to her order, one in one year from November 26th, 1867, and one in two years from the same date, both with interest; and the Treasurer is hereby authorized to accept the same in behalf of the city and charge Jay street Sewer Fund. Adopted as follows: All ayes—20.

By Ald. Adelman—Resolved, That the Treasurer pay the Rochester Gas Light Company \$460, and charge Front Street Outlet Sewer Fund. Adopted as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Andrews, Remington, Carroll, Ratt, Taylor, Kelly, Burke, raine, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller, Parsons—19.

Nays—Ald. Groot, Quin—2.

By Ald. Adelman—Resolved, That the Treasurer be, and he is hereby authorized to receive from property owners taxed for Hudson street sewer, ninety-seven and a half per cent. in full of their assessment for said sewer. Adopted.

By Ald. Adelman—Resolved, That the Treasurer be, and he is hereby authorized to receive from property owners taxed for Ambrose street sewer, seventy-five and a half per cent. in full of their assessment for said sewer. Adopted.

By Ald. Adelman—Resolved, That the Treasurer be, and he is hereby authorized to receive from property owners taxed for Clinton street sewer, from Sellinger to Lowell streets, twenty-five per cent. in full of their assessment for said sewer. Referred to City Attorney to report.

By Ald. Adelman, Resolved, That the City Attorney is hereby directed to cause new commissioners to be appointed for extension of York street. Adopted.

By Ald. Charters—Resolved, That W. Sprague and M. A. Shaw have leave to erect wooden buildings on their premises, according to their several petitions, under the direction of the Fire Marshal; the building of N. Sprague's to be removed ten feet further from the building adjoining than it now is. Adopted.

By Ald. Paine—Resolved, That the Improvement Committee be instructed to prepare an ordinance for repairing the bridges and improving the roadway on Falls street.

Ald. Qualtrough moved, as an amendment, to strike out the word "Improvement," and insert "Street." Lost.

Resolution adopted unanimously.

By Ald. Burke—Resolved, That the Treasurer be and he is hereby authorized to receive from property owners taxed for Litchfield street sidewalk, nine per cent in full of their assessment for said walk. Adopted.

By Ald. Burke—Resolved, That the Clerk draw two orders for five hundred dollars each, in favor of McConnell & Jones, and payable to their order—one in one year from November 26th, 1867, and one in two years from the same date, both with interest; and the Treasurer is hereby authorized to accept the same in behalf of the city and charge South avenue sidewalk fund. Adopted as follows: All ayes—20.

By Ald. Burke—Resolved, That the Treasurer credit Wm. Babcock \$23 06 on his assessment for Tremont street improvement, he having built the sidewalk in front of his premises, and charge erroneous assessments. Referred to Improvement committee and Attorney.

By Ald. Burke—Resolved, That Duncan Ferguson be granted license for a meat market located on the corner of Lake avenue and Champion streets, upon his paying the regular fee for such license. Adopted.

By Ald. Kelly—The Common Council of the city of Rochester do ordain as follows:

Section 18 of "an ordinance relating to streets, passed May 5, 1863," is amended by striking out the word *November* and substituting *December* therefor. Adopted.

By Ald. Taylor—Resolved, That the city's interest in the west part of lot No. 4, George W. Pratt's sub-division, south side of Bowery street, assessed to Luther F. Spear, said lot having been sold Oct. 31st, 1867, for assessment for Bowery street sewer, be assigned to Eleanor Lawrence, upon the payment of said assessment, together with the costs and interest thereon, and the Mayor is hereby requested to execute the necessary papers. Adopted.

By Ald. Taylor—Resolved, That the Committee on opening and alteration of streets be directed to bring in an ordinance at the next regular meeting for the straightening of the west line of Mill street, between Exchange place and the south line of P. M. Bromley's lot. Adopted.

By Ald. Carroll—Resolved, That the Street Superintendent notify the following parties to repair their sidewalks within five days from the service of such notice, and in case they fail to comply with such notice, then the Street Superintendent repair said walks in accordance with section 212 of the city charter as amended:

Stephen Rogers, bay market lot, Front street; Mex Pfifer, Front street, Nos. 65, 67, 69, 71, 73, 75; William Simpson, Front street, Nos. 54, 56; S. Moulson, 46, 50 and 22 Mill street; William Blanchard, Front street, No. 13; Wm. Simpson, Market street, Nos. 17, 19, 21; S. Hamilton, Mill street, No. 33; Heirs of Wm. Dawson, Mill street, No. 36; G. C. Buell, Mill street, No. 49; S. B. Roby, Mill

street, Nos. 41, 43, 45, 47; Geo. Arnold, State street, Nos. 109, 111; Wm. Brewster, State street, No. 51; Monroe County Savings Bank, State street, No. 29; H. Stilwell, State street, No. 5; S. Hamilton, State street, Nos. 66, 68, 70, 72; M. Wackerman, State street, Nos. 90, 92; A. Erickson, Main street, No. 1, and No. 1, Front street; N. Osburn, Main street, No. 67; J. D. Charles, Main street, No. 95; H. Sibley, St. Paul street, Nos. 1, 3, 5, 7, 7½, 9. Adopted.

By Ald. Remington—Resolved, That the Treasurer is hereby directed to postpone the collection of the assessment for the improvement of the walks on the west side of Stone street until May first, 1868. Adopted.

By Ald. Remington—Resolved, That the Treasurer is hereby directed to postpone the collection of the second installment of the tax payers on the east side of Water street, for the improvement of said street, until the suit now pending is decided. Lost.

By Ald. Groot—Resolved, That the hour of meeting of the Board be changed from 7½ to 7 o'clock, until April 1st, 1868. Lost.

By Ald. Qualtrough—Resolved, That the license fee for Corinthian Hall, heretofore fixed at \$200, be and is hereby reduced to \$100. Lost.

Ald. Cram moved to suspend the rule to adjourn at 11 o'clock. Lost.

By Ald. Qualtrough—Whereas, It is a matter of notoriety that the inhabitants, and the real and personal property in the city of Rochester suffered largely by the great flood of 1865; and

Whereas, It is equally a matter of notoriety that the first overflow of water in the city was occasioned by the deficient height of the canal banks, which was conceded by the Canal Board and the Honorable Legislature, in and by the passage of a law authorizing the raising of the canal banks through the city; therefore

Resolved, That a special committee be appointed, whose duty it shall be to present to the Legislature the claims of the city for damages to streets, lanes, alleys and sewers, which were damaged by the overflow of the canal on the 17th and 18th days of March, 1865, and to procure such indemnification for such damages as may be just. Adopted.

The President appointed as such committee, Ald. Qualtrough, Remington and Parsons.

By Ald. Qualtrough—Resolved, That S. Coleman & Co. have leave to place and maintain a platform scale in Platt street, in accordance with the prayer of their petition, during the pleasure of the Board.

Ald. Quin moved as an amendment to strike out the word "scale."

Ald. Groot moved to postpone the whole matter for two weeks. Lost as follows:

Ayes—Ald. Spencer, Cram, Groot, Kelly, Woodruff, Miller, Quin—7.

Nays—Ald. Qualtrough, Lutes, Remington, Ratt, Taylor, Burke, Paine, Adelman, Charters, Horcheler, Parsons—11.

Ald. Groot moved its indefinite postponement.

While the ayes and nays were being called on the above motion, the hour of 11 o'clock arrived, and the President declared the Board adjourned.

## FINANCE BUDGET.

NOVEMBER 26, 1867.

By Ald. Paine—Resolved, That the Treasurer pay as follows:

## CONTINGENT FUND.

Darrow & Kempshall, stationery.....	\$ 15 15
Charles King, hack hire.....	2 75
J. H. Perchamas, hack hire.....	1 75
Patrick Carr.....	12 00
John Carroll.....	3 00
Frank Massett, ..	3 50
John Carroll.....	8 00
Benton & Andrews, printing.....	41 50
A. W. Durfee, sprinkling streets.....	30 00
George H. Barry, bill for searches, &c.....	21 31

And charge Contingent Fund.....

\$138 96

## POOR FUND.

Joseph Hoffman, one month's salary.....	\$100 00
T. E. Scrantom, ..	28 00
C. H. Swift, four weeks' salary.....	58 17
Joseph Hoffman, disbursements at office.....	43 75
J. D. McIntosh, candles for poor store.....	160 00
Henry East, orders for meat.....	24 00
Dwight Palmer, orders for fish.....	15 50
H. B. Hathaway, codfish and coffee for poor store.....	15 00
H. L. Smith, coffee for poor store.....	92 19
Valentine Debus, delivering wood.....	115 47
G. Bastian, bread for poor store.....	116 28
Johanna Yawman, ..	115 94
E. Weigel, ..	105 00
Moseley, Motley & Wilson, flour for poor store.....	8 20
C. Mertz, corn meal for poor store.....	52 00
M. Heavey, hacking at office.....	46 67
H. W. Jones, (payable to S. W. D. Moore) paid orders Overseer Poor.....	

And charge Poor Fund.....

\$1,171 17

## FIRE DEPARTMENT FUND.

Monthly Pay Roll, payable Nov. 30th to George B. Harris, Chief Engineer:	
Steamer No. 1, engineer and drivers.....	\$185 00
.. 2, ..	135 00
.. 3, ..	135 00
.. 4, ..	135 00
Hook & Ladder Co. No. 1, driver, one month.....	40 00
R. B. Paine, services at hose depot.....	60 00
George B. Harris, Chief Engineer, salary one month.....	100 00

Total.....

\$740 00

Benton & Andrews, printing.....	5 25
W. & J. Lovcraft, horse bedding.....	9 00
Geo. H. Barry, registering mortgage.....	1 00
P. B. Whitbeck, wood and sawing.....	50 00
Rochester Gas Light Co., steam coal.....	19 35
E. Coleman & Co., lumber for hayracks.....	4 13
Osgood & Farley, sperm oil.....	30 00

And charge Fire Department Fund.....

\$132 78

## LAMP FUND.

Fred. Stickle, care kerosene lamps and repairs.....	\$589 20
Henry Hebing, bill for glass.....	61 52
Hugh Quinn, setting and resetting kerosene lamp posts.....	50 00
Boyd, Gommenginger & Co., repairs to street lamps.....	44 20
Jacob Frank, carting lamp posts.....	8 00

And charge Lamp Fund.....

\$691 92

## HIGHWAY FUND.

B. F. Penny, coal for Superintendent's office.....	\$ 17 50
W. I. Hanford, making box sewer.....	7 20
T. Lynch, repairing plank walks.....	27 68
A. Cram, bill for one-horse lumber wagon.....	70 00
Thos. Purcell, laborers' pay-roll.....	140 25
John King, hack hire.....	2 00
Roger St. Helen, bill for labor and nails.....	4 71
Fred. Wallers, box sewer on Francis street.....	5 00
Geo. Mosher, bill for labor on streets.....	14 00
James Buckley, making cross-walks and box-sewers.....	31 86

And charge Highway fund.....

\$320 20

## IMPROVEMENT FUND.

Also when there are funds applicable, as follows:

John Cregan, on his contract for improving Lewis street.....	\$ 200 00
And charge that fund.....	
W. I. Hanford, in full for constructing cross-walks on Litchfield street.....	\$ 16 25
And charge that fund.....	
Daniel McCormick, in full for constructing sewer in Ambrose street.....	\$381 50
And charge that fund.....	

The Administratrix of the estate of Jeremiah McCarty, deceased, on contract for constructing sewer in Jay street, in full, on certificate of City Attorney..... \$204 75  
And charge that fund.

Thomas G. Palmer, in full for his contract for painting Center Square fence..... \$190 00  
And charge that fund.

D. E. Barton, in full for his contract for improvement of Falls street..... \$144 00  
And charge that fund.

R. Millman, Commissioner, bill for stone for repair of East avenue..... \$110 00  
And charge that fund.

Joseph Harrison, bill for inspecting Ambrose street sewer..... \$ 40 00  
And charge that fund.

## HEALTH FUND.

Frank J. Irwin, Inspector, ½ mo. salary..... \$ 25 00  
Thos. Morrow, .. 25 00  
Thos. Burns, keeper Pest House, 1 month..... 20 00

And charge Health fund.....

\$ 70 00

Adopted as follows: All ayes—19.

Adjourned.

B. FRANK ENOS, Clerk.

### In Common Council—Nov. 27th, 1867.

## ADJOURNED MEETING.

The President of the Board, Ald. William Guggenheim, presiding.

No quorum being present, the Board adjourned until Tuesday evening, Dec. 3d, 1867.  
B. FRANK ENOS, Clerk.

### In Common Council—Dec. 3d, 1867.

## ADJOURNED MEETING.

The President of the Board, Ald. William Guggenheim, presiding.

Present—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Guggenheim, Carroll, Relyea, Ratt, Taylor, Brown, Kelly, Paine, Adelman, Charters, Horcheler, Mauder, Miller, Quin.

Absent—Ald. Remington, Graham, Mutschler, Copeland, Burke, Woodruff, Binghamer, Parsons.

## MISCELLANEOUS.

The resolution presented by Ald. Qualtrough, at the previous meeting, granting permission to S. Coleman & Co. to place and maintain a platform scale in Platt street, being before the Council.

Ald. Qualtrough moved the previous question. Lost as follows:

Ayes—Ald. Qualtrough, Guggenheim, Ratt, Taylor, Brown, Paine, Adelman, Charters—8.  
Nays—Ald. Cram, Lutes, Groot, Carroll, Relyea, Kelly, Horcheler, Mauder, Miller, Quin—10.

Ald. Groot asked permission to withdraw his motion to postpone the resolution indefinitely.

Objected to by Ald. Qualtrough.

Ald. Groot's motion to postpone indefinitely, was lost as follows:

Ayes—Ald. Cram, Lutes, Groot, Relyea, Kelly, Mauder, Miller, Quin—8.

Nays—Ald. Qualtrough, Guggenheim, Carroll, Ratt, Taylor, Brown, Paine, Adelman, Charters, Horcheler—10.

**In Common Council—Dec. 10th,  
1867.**

REGULAR MEETING.

Ald. Qualtrough moved the previous question. Lost as follows:

Ayes—Ald. Qualtrough, Guggenheim, Brown, Adelman, Charters—5.

Nays—Ald. Cram, Lutes, Groot, Carroll, Relyea, Ratt, Taylor, Kelly, Paine, Horcheler, Mauder, Miller, Quin—13.

Ald. Groot moved to postpone the whole matter until the next regular meeting. Carried as follows:

Ayes—Ald. Spencer, Cram, Lutes, Groot, Guggenheim, Relyea, Kelly, Mauder, Miller, Quin—10.

Nays—Ald. Qualtrough, Carroll, Ratt, Taylor, Brown, Paine, Adleman, Charters, Horcheler—9.

Ald. Spencer moved that a special committee of three be appointed, to assess and collect from all parties drawing water from the canal during the winter season, through the city pipes, a pro-rata fee.

Ald. Kelly moved that the matter be referred to the Fire Department Committee, with power to act, and that they report their action at the next meeting of the Board.—Carried.

Ald. Cram moved that Ald. Groot, Paine and Horcheler be added to the Fire Department Committee, for the purpose of assessing a fee and collecting the same from the parties using water from the canal through the city's pipes. Carried.

By Ald. Spencer—Resolved, That the Law Committee, with the City Attorney, be authorized, and are hereby directed to ascertain whatever rights, if any, the city owns or possesses in the premises occupied by Engine Co. No. 1, and report to this Board.

Resolved, That the Committee on Fire Department be authorized to repair the roof of Engine House No. 1, damaged by fire. Adopted.

By Ald. Kelly—Petition of M. W. Chase. Wooden Building Committee.

By Ald. Kelly—Resolved, That the Street Superintendent is hereby directed to notify the owner of lot on northwest corner of Smith and Jones street, to repair the walks in front of and on the side of his premises within five days, or the same will be repaired according to the charter. Adopted.

EXECUTIVE.

Ald. Groot moved to open under the head of Executive business. Carried unanimously.

The Clerk presented the resignation of Charles W. Hebard, as Commissioner of Deeds. Accepted.

On motion of Ald. Groot, the Board proceeded to ballot for a City Assessor in the place of David McKay, whose term of office expires on the 31st inst. when David McKay received twenty votes, and was declared appointed.

On motion of Ald. Groot, the Board proceeded to ballot for three Commissioners of Deeds, when J. H. Bissell, Geo. F. Loder and P. I. Clum, each received twenty votes and were declared appointed.

Adjourned. B. FRANK ENOS, Clerk.

The President of the Board, Ald. William Guggenheim, presiding.

Present—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Guggenheim, Carroll, Mutschler, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons.

Absent—Ald. Graham, Copeland, Brown, Woodruff.

Minutes of the previous meetings approved as published.

PETITIONS AND CLAIMS.

By Ald. Taylor—Bills of H. B. Knapp.—Finance Committee. John McConvill. Law Committee. Sundry bills. Contingent Committee.

By Ald. Ratt—Sundry bills. Improvement Committee.

By Ald. Carroll—Sundry bills. Street Committee.

By Ald. Andrews—Petition of David A. Bowman. Table.

By Ald. Lutes—Sundry bills. Poor Committee. D. D. Lynch. Sewer Committee.

By Ald. Cram—Sundry bills. Street Committee.

REPORTS.

Ald. Lutes, from the Poor Committee, reported in favor of sundry bills. Finance Committee.

Ald. Ratt, from the Improvement Committee, reported in favor of sundry bills. Finance Committee.

Ald. Taylor, from the Contingent Committee, reported in favor of sundry bills. Finance Committee.

Ald. Spencer, from the Fire Department, Committee reported that the Canal Contractor would not keep the water in the canal during the winter for less than \$1,000.

Ald. Adelman, from the Sewer Committee, reported in favor of sundry bills. Finance Committee.

Ald. Carroll presented the following:

The Street Committee to whom was referred the assessment for repairs for side walks on North St. Paul street, report that they have examined into the matter and find that no repairs has been done upon said walk since the assessment has been confirmed against Mrs. Ann Buckley, and we therefore offer the following:

Resolved, That the Treasurer cancel the tax of \$26 assessed against Mrs. Ann Buckley, for repairs to flag walk on North St. Paul street in 1867.

W. CARROLL, } Committee.  
A. CRAM. }

Adopted.

Ald. Miller presented the report of the Police Justice for the month of November. Total amount collected \$310. Filed.

Ald. Lutes presented the report of the Overseer of the Poor for the month of November:

Whole amount expended.....	\$2,404 78
Less county and towns.....	434 15

\$1,940 63

Number of families assisted 509. Amount disbursed to soldiers' families \$245.50. Filed

COMMUNICATIONS—NICHOLSON PAVEMENT.

The Clerk presented the following :

MAYOR'S OFFICE, }  
ROCHESTER, Dec. 10, 1867. }

Gentlemen of the Common Council:—Pursuant to the request of some of the Aldermen and citizens of our city, I addressed letters of inquiries to the Mayors of some of the prominent cities of the Union, which had introduced and were using what is known as the "Nicholson Pavement," and have received responses from the Honorable Mayors of Chicago, Albany, Cincinnati and St. Louis, together with specification of said "Nicholson Pavement" from the Mayor of Chicago, all of which may prove valuable to your Board.

The letters and specification above referred to I herewith transmit to you for your consideration.

Very truly yours,  
HENRY L. FISH, Mayor.

MAYOR'S OFFICE, }  
ALBANY, N. Y., Dec. 10th, 1867. }

To His Honor the Mayor of the City of Rochester:

SIR:—Your letter making enquiries in relation to the Nicholson pavement is duly received. In reply I would say that several long strips of that pavement have been laid in our city. So far, it is in great favor with our citizens, for myself I regard it as the best pavement in this country. Several of my neighbors and myself have it in front of our dwellings and on no consideration would we exchange it for any other. Our Common Council have not as yet passed any ordinance requiring its general use, but it is quite probable that before long they will require it to be laid in our principal streets. I have seen it in use in the city of Chicago for ten years past and know it to be a success there beyond all question. Respectfully yours,

GEO. H. THACHER, Mayor.

MAYOR'S OFFICE, ST. LOUIS, }  
December 5th, 1867. }

Hon. Henry L. Fish, Mayor of Rochester, New York:

Dear Sir:—Your letter in regard to the introduction of the Nicholson pavement in your city, and enquiring the cost, how it works, and how it is liked, has been received. In reply, allow me to state that I find the Nicholson pavement the most economical and durable pavement, when well put down, that we have yet tried.

Nicholson pavement has been laid in St. Louis since October, 1860, to December, 1867, as follows: October, 1860, 79.56 squares; 1863, 291.62 squares; 1864, 2,201.74 squares; 1865, 1,525.70 squares; 1866, 5,862.38 squares; 1867, 4,286.93 squares. Total number of squares laid since October, 1860, 14,247.93. Total amount of patent fees paid to Samuel Nicholson, under his contract with the city, \$21,371.89. The cost per square of ten feet by ten feet ranges from \$37.50 to \$40.

Very respectfully,  
JAMES S. THOMAS, Mayor.

MAYOR'S OFFICE, }  
Cincinnati, December 2, 1867. }

To Honorable Henry L. Fish, Mayor of Rochester, N. Y.:

DEAR SIR—Yours of the 28th is received. Our experience, for now about three years, with the Nicholson pavement, is favorable. It costs from \$2.25 to \$2.80 per square yard. All pipes for water and gas should be laid before the pavement is put down, as its symmetry is destroyed, and the crown of the street injured by removal of the blocks. It makes a beautiful, smooth street, and is very easy on carriages and horses.

Yours truly,  
CHARLES F. WILSTACH, Mayor.

OFFICE OF THE BOARD OF  
PUBLIC WORKS, Nos. 15 and 17 Wells St., }  
Chicago, Dec. 4, 1867. }

Hon. Henry L. Fish, Mayor, Rochester, N. Y.:

DEAR SIR: The Mayor requests me to reply to your letter of November 28th.

The Wooden Block pavement is used here in preference to any other. Its durability is about ten years, during which time its cost for repairs will be trifling. It costs here about Two dollars (\$2.00) per square yard, which price would include the patent fee, if any.—The city is using a pavement slightly different from the Nicholson, which is considered by this Board better and not included in the patent.

We use every exertion to have all gas, water and drain work done on all lots, occupied and unoccupied—before the laying of any pavements. We do, however, *actually* take up the wooden block pavement for such purposes and relay it. The pavement, I should think, requires greater care and expense, than other pavements, to take it up and relay it without injury. The cost of pavement depends principally upon price of lumber. *Pine* is used here. I enclose a copy of specification.—Without alteration it would be for Nicholson.

Yours truly, A. W. TINKHAM, Sec'y.

Accompanying the letter from Chicago, are specifications.

The above were received and referred to the Improvement Committee.

The Clerk presented a communication from the Assessors, relative to the tax against Mary A. McNab. Received and filed.

TREASURER'S MONTHLY REPORT.

CITY TREASURER'S OFFICE, }  
Dec. 10th, 1867. }

To the Honorable the Common Council:

GENTLEMEN—The Treasurer herewith submits the Monthly Statement of the balances of the principal funds, on the 7th day of December, 1867, as required by section 59 of the City Charter:

	Credit Balance
Contingent Fund.....	\$ 825 68
Fire Department Fund.....	1,030 59
Highway Fund.....	312 69
Laup Fund.....	7,409 90
Poor Fund.....	10,137 45
Police Fund.....	430 41
Park Fund.....	15 05
Board of Health Fund.....	189 45
Sewer Repair Fund.....	10 75
South Avenue Repair Fund.....	5 00
Lyell Street .....	49 57
North Street .....	113 25
St. Paul-st. Repair Fund (N. Y. C. R. R. to Scrantom street).....	100 00
St. Paul-st. Repair Fund (Scrantom street to City Line).....	73 73
Monroe Avenue Repair Fund.....	0 86
Mt. Hope Avenue .....	65 98
Plymouth Avenue .....	247 30
West Avenue .....	.....

Lake Avenue .. .. . 58 52  
 East Avenue .. .. . 198 31  
 H. P. LANGWORTHY, Treasurer.  
 Subscribed and sworn to before me, this 10th day of  
 December, 1887. B. FRANK ENOS,  
 Notary Public.

#### ORDINANCES—FLOOD DAMAGES.

Ald. Groot presented the final ordinances for Court street wooden bridge, Repairs on State street, road leading from Court street to Monroe County Jail, Repairs on Troup street, Alley running from Exchange Place, Repairs on School alley, Repairs on Mumford and Andrews streets, Repairs on Mumford street, Repairs on Lake avenue and White street, Repairs on Buffalo street and Main street Bridge, Repairs on Spring street, Repairs on Frank street, Repairs on Front street, Repairs on Hill and Platt streets, Repairs on Oak street, Repairs on Mill and Center streets, Repairs on Mill street, repairs on Furnace street, Repairs on Montgomery alley, Repairs on West street, Repairs on Dean street, Repairs on Platt street, Repairs on Yarnum street, Repairs on Platt street, Repairs on Lyle street, and moved their postponement for four weeks. Carried.

#### LAKE AVENUE WALK.

Ald. Cram presented the first ordinance for a plank walk in front of lot No. 1, northwest corner of Lake avenue and McCracken street.

Ald. Qualtrough moved as an amendment, to strike out the word "plank" and insert "flag stone." Carried.

Ordinance adopted as amended.

Ald. Cram moved a reconsideration. Carried.

Ald. Spencer moved its reference back to the committee, to bring in an ordinance for a flag stone walk six feet wide. Carried.

#### LAKE AVENUE WALK.

By Ald. Cram—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a flag stone sidewalk, six feet wide, in front of lot No. 1 on the northwest corner of Lake avenue and McCracken street. Adopted.

The Surveyor submitted as such estimate \$95.

By Ald. Cram—Resolved, That the following improvement is expedient, viz:

The construction of a flag stone side walk, six feet wide, in front of lot No. 1 on the northwest corner of Lake avenue and McCracken street.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$95, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

Lot No. 1 on the northwest corner of Lake avenue and McCracken street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Dec. the 24th, 1887, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### MILL STREET WIDENING.

By Ald. Burke—Resolved, That the City Surveyor ascertain and report to this Board the expense of widening Mill street on the west side, from the north line of Wm. Brewster's brick building to the south line of brick building owned by Freeman Clarke. Adopted.

The Surveyor submitted as such estimate \$3,000.

By Ald. Burke—Resolved, That the following improvement is expedient, viz:

The widening of Mill street on the west side from the north line of Wm. Brewster's brick building to the south line of brick building now owned by Freeman Clarke, and the following described territory is deemed necessary to be taken for said improvement, viz: Beginning in the west line of Mill street at the northeast corner of Wm. Brewster's brick building; thence northerly in a direct line to the southeast corner of brick building now owned by Freeman Clarke; thence southerly along the present west line of Mill street to the place of beginning.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$3,000, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of Mill street, from Exchange Place to Mumford street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Dec. the 24th, 1887, at half-

past 7 o'clock, at the Common Council Hall, when allegations will be heard.

Resolved, further, That the Assessors be, and they are hereby instructed, to confer with the owners of the property to be taken for said improvement, and report to this Board upon what conditions the same can be purchased. Adopted.

#### ANSON PARK WALK.

By Ald. Ratt—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a plank sidewalk four feet wide, on each side of Anson Park, from East avenue to its southern termination. Adopted.

The Surveyor submitted as such estimate \$320.

By Ald. Ratt—Resolved, That the following improvement is expedient, viz:

The construction of a plank sidewalk four feet wide, on each side of Anson Park, from East avenue to its southern termination.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$320.00, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of Anson Park, from East avenue to its southern termination.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Dec. the 24th, 1887, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### FENCE ON GENESEE STREET.

By Ald. Quin—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a board fence in front of lots 97, 98, 99, 100 and 101, in the Sibley and Field tract, on the east side of Genesee street. Adopted.

The Surveyor submitted as such estimate \$60.

By Ald. Quin—Resolved, That the following improvement is expedient, viz:

The construction of a board fence in front of lots 97, 98, 99, 100 and 101, in the Sibley and Field tract, on the east side of Genesee street.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$60, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

Lots 97, 98, 99, 100 and 101, in the Sibley and Field tract, on the east side of Genesee street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Dec. the 24th, 1887, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### REPAIRING BRIDGE ON NORTH WATER STREET.

Ald. Cram presented the final ordinance for repairing the mill race bridge on North Water street.

Ald. Remington moved its indefinite postponement. Lost.

Ordinance lost as follows:

Ayes—Ald. Spencer, Cram, Lutes, Andrews, Carroll, Relyea, Burke, Adelman, Charters, Mauder, Miller, Quin, Parsons—15.

Nays—Ald. Qualtrough, Groot, Remington, Taylor, Kelly, Horcheler—6.

Ald. Qualtrough moved a reconsideration. Carried.

Ald. Qualtrough moved to postpone further action for two weeks.

Ald. Groot moved to postpone until the second regular meeting in April, 1888. Lost as follows:

Ayes—Ald. Lutes, Groot, Remington, Guggenheim, Mutchler, Taylor, Kelly, Charters, Parsons—9.

Nays—Ald. Spencer, Cram, Qualtrough, Andrews, Carroll, Relyea, Burke, Adelman, Horcheler, Mauder, Miller, Quin—12.

Ald. Cram moved to postpone until the first regular meeting in July, 1888. Lost.

Ald. Groot moved to table for the present. Lost.

Ald. Cram moved to postpone until the first regular meeting in March, 1888. Lost as follows:

Ayes—Ald. Lutes, Groot, Remington, Guggenheim, Mutchler, Taylor, Kelly, Charters, Horcheler, Quin—10.

Nays—Ald. Spencer, Cram, Qualtrough, Andrews, Carroll, Relyea, Burke, Adelman, Mauder, Miller, Parsons—11.

Ald. Taylor moved to postpone until the second regular meeting in February, 1888. Lost as follows:

Ayes—Ald. Groot, Remington, Guggenheim, Taylor, Kelly, Charters, Horcheler, Quin—3.

Nays—Ald. Spencer, Cram, Qualtrough, Lutes, Andrews, Carroll, Mutchler, Relyea, Burke, Adelman, Mauder, Miller, Parsons—13.

Ald. Qualtrough moved the previous question, Ald. Groot claimed that he was entitled to the floor. The President ruled that Ald. Qualtrough had the floor.

Ald. Groot appealed from the decision of the Chair. The Chair was sustained as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Guggenheim, Carroll, Mutchler, Relyea, Taylor, Burke, Paine, Adelman, Charters, Mauder, Miller, Parsons—15.

Nays—Ald. Lutes, Groot, Remington, Kelly, Horcheler, Quin—6.

Ald. Qualtrough's motion for the previous question, was carried as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Andrews, Guggenheim, Mutchler, Relyea, Burke, Paine, Adelman, Charters, Mauder, Miller, Parsons—15.

Nays—Ald. Groot, Remington, Carroll, Taylor, Kelly, Horcheler, Quin—7.

Ald. Qualtrough's motion to postpone the ordinance for two weeks was carried.

#### WIDENING AND EXTENDING FITZHUGH STREET.

Ald. Burke moved that the report of the Commissioners for widening and extending Fitzhugh street, published in the proceedings of November 26th, 1867, be confirmed.

Ald. Qualtrough moved its reference back to the Commissioners, with the request that they allow David A. Bowman \$300.

Ald. Kelly moved its reference to the Committee on Opening Streets, to take further testimony on the subject, and report at the next meeting. Carried.

#### UNFINISHED BUSINESS.

By Ald. Qualtrough—Resolved, That S. Coleman & Co. have leave to place and maintain a platform scale in Platt street, in accordance with the prayer of their petition, during the pleasure of the Board.

Ald. Quin moved its postponement for eight weeks. Lost as follows:

Ayes—Ald. Spencer, Cram, Lutes, Groot, Kelly, Quin—6.

Nays—Ald. Qualtrough, Remington, Guggenheim, Carroll, Mutchler, Relyea, Ratt, Taylor, Burke, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Parsons—16.

Resolution adopted as follows:

Ayes—Ald. Qualtrough, Andrews, Remington, Guggenheim, Carroll, Mutchler, Ratt, Taylor, Burke, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Parsons—16.

Nays—Ald. Spencer, Cram, Lutes, Groot, Relyea, Kelly—6.

Ald. Quin was excused from voting.

While the ayes and nays were being called on the above resolution, Ald. Quin asked to explain his vote, during which Ald. Qualtrough moved that Ald. Quin be placed in contempt. Lost as follows:

Ayes—Ald. Qualtrough, Andrews, Guggenheim, Taylor, Mauder—5.

Nays—Ald. Spencer, Cram, Lutes, Groot, Remington, Carroll, Mutchler, Relyea, Ratt, Kelly, Burke, Adelman, Charters, Horcheler, Bingemer, Miller, Parsons—17.

#### MISCELLANEOUS.

By Ald. Cram—Resolved, That the City Treasurer be and is hereby directed to cancel the tax against J. W. Parsons for the improvement of Mt. Hope avenue on payment of the amount of assessment, less the interest, if paid within thirty days. Postponed for two weeks.

By Ald. Groot—Resolved, That the several funded committees report to this Board, at its next regular meeting, the total amount of bills standing out unpaid against their respective funds, and that no money be raised to meet the deficiencies until such amounts are presented. Adopted.

By Ald. Groot—Whereas, The Board of Health recently dismissed from their service, two one-arm soldiers who were serving as Health Inspectors; and

Whereas, The said Board did, three weeks afterwards appoint two able bodied men in their places; therefore

Resolved, That a committee of three be appointed to ascertain from the Board of Health why the crippled soldiers were removed and able bodied men appointed instead, and report at the next regular meeting. Adopted as follows:

Ayes—Ald. Qualtrough, Lutes, Groot, Andrews, Remington, Guggenheim, Mutchler, Kelly, Burke, Paine, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons—17.

Nays—Ald. Spencer, Cram, Carroll, Relyea, Taylor, Adelman—6.

The President appointed as such committee, Ald. Groot, Lutes, Mutchler.

Ald. Groot moved that the Mayor and President of the Board be added. Carried.

By Ald. Andrews—Resolved, That George Underhill, agent for Benjamin Bigelow, a part of whose lands and house are to be taken for the widening end extension of south Fitzhugh street, be allowed to move the building from the lands so taken. Adopted.

By Ald. Andrews.—Whereas, Since our last meeting, our respected associate Ald. Copeland, has been called upon to pass through the severest affliction that can fall upon a parent, in the loss of an unusually promising daughter, therefore

Resolved, That while we feel that no words of ours can alleviate their deep sorrow, we would express to Ald. Copeland and his estimable lady, our sincerest sympathy in their great bereavement.

Resolved,—That the Clerk of this Board transmit to Ald. Copeland a copy of the above Preamble and Resolution. Adopted.

By Ald. Mutschler.—Resolved, That the Treasurer pay the following bills when three is money in the Treasury and charge House for Truants: J. W. Adams, Sup. Disbursements, \$69.43; A. Verhoven, blacksmithing, \$47.29; Moore & Cole, groceries, \$70.56; Hubbard & Northrop, bill \$24.89; Philip Hox, hack, \$1.00. Adopted as follows;

Ayes—Ald. Spencer, Cram, Qualtrough, Groot, Andrews, Remington, Guggenheim, Carroll, Mutchler, Relyea, Taylor, Kelly, Paine, Adelman, Charters, Horcheler, Burke, Bingemer, Miller, Quin, Parsons—21.

Nay—Ald. Mauder—1.

By Ald. Taylor—Resolved, That the city's interest in lots 362, 363, 364, 365, 366, 367, in section C, Thurber tract, on the north side of Clifton street, assessed to the heirs of Robert Tate, be transferred and assigned to George Waite upon the payment of one hundred and ten and 15-100 (\$110.15) dollars, the said lots having been sold for taxes and assessments March 7, 1867, March 1, 1866, March 2, 1865, and October 31, 1867, and struck off to the city, and that the Mayor be hereby authorized to execute the necessary papers. Adopted.

By Ald. Taylor—Whereas, The special committee appointed to investigate the charges made against ex-Ald. Mordoff reported September 17th that from the testimony and papers produced before them it appears that the sum of forty-five dollars had been

paid twice by the city through the then Street Superintendent for the same material purchase of ex-Ald. Mordoff, and, Whereas, The said amount of forty-five dollars has not yet been returned to the Treasury of the city, therefore

Resolved, That the Clerk be directed to notify the parties named that they are required by the city to return the said amount within twenty days from the date hereof, and in case they neglect so to do, be it further

Resolved, That the City Attorney be directed to take the necessary steps to collect the same. Adopted.

By Ald. Taylor—Resolved, That the Treasurer is hereby directed to pay to each Board of Inspectors of Election of the several wards the sum of \$40, and charge Contingent Fund. Adopted as follows: All ayes—20.

By Ald. Burke—Resolved, That the Clerk draw two orders for \$125 each, in favor of McConnell & Jones, and payable to their order—one in one year from December 10th, 1867, and one in two years from the same date, both with interest; and the Treasurer is hereby authorized to accept the same in behalf of the city and charge South Avenue Sidewalk Fund. Adopted as follows: All ayes—22.

By Ald. Burke—Resolved, That the Treasurer be and he is hereby authorized to receive from property owners assessed for South avenue improvement, from Alexander street to the city line, two per cent. in full of their assessment for said improvement. Adopted.

By Ald. Burke—Resolved—That the Treasurer be, and he is hereby authorized to pay David S. Montgomery \$14.72, E. A. Hastings \$6.34, John Barry \$8.72, John Hannan \$9.37, Timothy Wallace \$2.97, Timothy Goetzman \$11.29, and credit each the full amount of their assessment for South avenue Sidewalk Improvement, and charge that fund.

Also that he receives from

Frederick Roth.....	\$58 46
Wm. Zimmer.....	50 32
John Ireland.....	12 81
John Kratz.....	13 63
Mary S. Wood.....	13 66
Jane Montgomery.....	13 66
John F. Montgomery.....	13 63
John Donovan.....	16 13
Mary L. Russell.....	16 13
Mrs. Henry Sargent.....	16 13
Wm. J. Luther.....	16 13
Elizabeth Franklin.....	16 13
Geo. W. Allen.....	28 16
Cornelius Duffy.....	12 66
John Nagle.....	38 04
Joseph Wheaten.....	22 33
P. Cunningham.....	23 35
Elizabeth K. Gerry.....	19 30
John Doell, Sr. and Jr.....	16 98
John Fisher.....	10 69
Phillip Bender.....	20 21
Edward Gray.....	21 23
John Lynch.....	22 33
George Chapman.....	43 86
John Ireland.....	21 72
George T. Frost.....	24 20
Arabrose Ames.....	27 17
Samuel M. Purdy.....	19 95
James G. Badger.....	16 13
Benjamin W. Thomas.....	16 13
James J. James.....	16 13
Wilson D. Oviatt.....	23 35
Mary Griffith.....	81 08
Margaret Farrell.....	3 54
John Oetzel.....	7 64
Charles Rodenbach.....	7 64
Flora Reche.....	118 96

And that he receive from all others not above mentioned 80 8-10 per cent. in full of their assessment for said improvement.

Resolved, That the Treasurer be and he is hereby directed to credit Flora Reche \$116 3, on her assessment for South avenue sidewalk and charge erroneous assessments. Referred to the city Attorney.

By Ald. Kelly—Resolved, That the Fire Department Committee are hereby authorized to dispose of the lot on Fitzhugh street now occupied as a hook and ladder house, said lot to be sold at not less than thirty-five hundred dollars, and also that they are empowered to lease the building, in Irving Place owned by the Bank of Monroe for a term of five years at a yearly rental of five hundred dollars. Lost as follows:

Ayes—Ald. Spencer, Lutes, Andrews, Guggenheim, Releya, Kelly—7.

Nays—Ald. Cram, Groot, Remington, Carroll, Mutchler, Taylor, Burke, Paine, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons—16.

Ald. Quin moved to suspend the rule to adjourn at 11 o'clock. Carried.

By Ald. Adelman—Resolved, That the Treasurer be, and he is hereby authorized to receive from property owners assessed for Prospect street sewer 67½ per cent. in full of their assessment for said sewer. Adopted.

By Ald. Quin—Resolved, That the City Superintendent be and he is hereby authorized to prevent and stop the Rochester Water Works Company and Mr. Easton, the contractor, from taking up any of improved streets between now and the first day of March 1868.

Ald. Qualtrough moved to table. Carried as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Guggenheim, Mutchler, Releya, Taylor, Burke, Paine, Parsons—13.

Nays—Ald. Remington, Carroll, Kelly, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin—10.

By Ald. Quin—Resolved, That the Committee upon Fire Department be and are hereby authorized and are hereby instructed, to enter into a contract with the Canal repair contractor for this section of the Erie Canal to maintain a supply of water sufficient for city purposes, in the Erie Canal and feeder within the limits of the city—during the suspension of Canal navigation, at an expense not exceeding the sum of five hundred dollars, and that the additional expense if any, of keeping the water in the Canal during the said period shall be assessed upon the various and several parties using the water and collected by the said repair contractor, and that in case of default or refusal to pay said assessment, then the Committee upon Fire Department, together with the special committee upon the same subject, appointed at the last previous meeting of this Board may in their judgment, cut off the supply of water from parties so refusing to pay their just proportion of the expense of maintaining the winter supply of water, and that they be authorized to open the streets for that purpose. Adopted.



## FINANCE BUDGET.

DECEMBER 10TH, 1867.

By Ald. Paine—Resolved, That the Treasurer pay as follows:

## CONTINGENT FUND.

John McConvill, bill for disbursements	\$ 10 00
M. Hoavy, horse hire	26 00
Cornelius Driscoll, hack hire	7 50
William Willetts, ..	1 25
R. Minges, ..	3 00
Thomas Knowles, ..	3 00
James Perhamas, ..	1 25
B. Frank Enos, disbursements	15 98
Ostrander & Vary, printing	76 50
William H. Tracy, disbursements	16 48

And charge Contingent Fund. . . . . \$160 96

## POOR FUND.

Joseph Hoffman, disbursements at Poor Office	\$ 25 35
C. H. Swift, one week's salary	7 00
Jno. Groh paid orders for shoes	22 50
Jno. Williams & Sons, hour for poor store	153 75
A. W. Durfee, bill for sprinkling	13 00
B. Hathaway, sugar for poor store	62 86
Moore & Cole, paid orders	46 00
B. Downer, paid orders	62 15
Minges & Myer, paid orders for burials	64 50
P. Pitkin, six months rent of wood yard to November 1st, 1867	150 00

And charge Poor Fund. . . . . \$607 11

## HIGHWAY FUND.

Michael McGee, bill for McCAdam stone	\$ 23 12
W. I. Hanford' bill for crosswalks	38 60
Thomas Purcell, laborers pay-roll	150 12

And charge Highway fund. . . . . \$211 84

## IMPROVEMENT FUND.

Also when there are funds applicable.

A. B. Knapp, amount repairs on West avenue, and charne West Avenue Repair Fund	\$194 35
McCConnell & Jones, in full or their contract for constructing South avenue sidewalks, and charge that fund	664 80
John Cregan, on his contract for grading Lewis street in full, and charge that fund	132 20
B. McFarlin, estimate on his contract for constructing Prospect street sewer	684 36
Daniel D. Lynch, inspecting Prospect street sewer, and charge that fund	75 00

Adopted as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Guggenheim, Carroll, Mutchler, Relyea, Taylor, Kelly, Burke, Paine, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Parsons—22.

Nays—Ald. Quin—1.

Adjourned.

B. FRANK ENOS, Clerk.

**In Common Council, Dec. 24th, 1867.**

## REGULAR MEETING.

Ald. James H. Kelly, President pro tem., presiding.

Present—Ald. Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Carroll, Relyea, Copeland, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Mauder, Miller, Quin, Parsons.

Absent—Ald. Spencer, Graham, Guggenheim, Mutchler, Brown, Bingemer.

Minutes of the previous meeting approved as published.

Ald. Lutes moved to adjourn until Monday evening next, at 7½ o'clock. Lost.

## PETITIONS AND CLAIMS.

By Ald. Ratt—Sundry bills. Lamp and Improvement Committee.

By Ald. Carroll—Petition of Rev. Israel Foote and others. Referred to the Assessors.

By Ald. Andrews—Bill of A. E. Nutt. Street Committee.

By Ald. Groot—Petition of Jonas H. Kocher. Law Committee.

By Ald. Lutes—Sundry bills. Poor Committee.

By Ald. Cram—Sundry bills. Street Committee. Petition of Henry S. Potter. Fire Department Committee to report.

By Ald. Relyea—Bill of John Quin. Finance Committee. Sundry bills. Fire Department Committee.

By Ald. Copeland—Petition of Conrad Miller. Wooden Building Committee.

## REPORTS.

Ald. Ratt, from the Improvement and Lamp Committees, reported in favor of sundry bills. Finance Committee.

Ald. Lutes, from the Poor Committee, reported in favor of sundry bills. Finance Committee.

Ald. Remington, from the Grievance Committee, reported *adversely* on the petition of James Moneghan. Received and filed.

Ald. Burke presented the following:

## REPORT ON THE WIDENING AND EXTENSION OF SOUTH FITZBUGH STREET.

To the Hon. the Common Council:

The undersigned to whom was referred the report of the commission on the widening and extension of South Fitzbugh street, respectfully report, that they have taken the testimony of Mr. David A. Bowman and of witnesses produced by him, as to the value of that portion of his lot taken by this improvement, and find that the fair value thereof and of the improvements thereon, is not less than eight hundred dollars. According to the evidence, it appears that Mr. Bowman could have received that amount for it, if he would have sold it at any time within the last year. He has executed a warranty-deed to the city of said premises to be taken in conjunction with the award of the commissioners, which was \$710, when he is ready to deliver, on receiving the sum of \$800. We therefore recommend that said report be confirmed, and said deed be accepted from Mr. Bowman on those terms.

All which is respectfully submitted,

PATRICK BURKE,  
JOHN QUIN,

Committee.

Rochester, Dec. 24, 1867.

Adopted.

Ald. Groot presented the following:

To the Honorable the Common Council:

Your committee who were directed to enquire into the reasons of the Board of Health removing the two one-armed soldiers, would report, that they visited said Board on Friday evening last, and made known their business. The President of the Board stated that the removal was in consequence, mainly, that there was nothing for them to do; but that since then the Health officer thought that at least two Inspectors should be appointed,—and that the Board had so acted; that the Common Council had the right and power to designate the number of Inspectors, but that it was none of their business who the Board of Health appointed to fill those places. Your committee believe that the two one-armed soldiers were removed for the sole purpose of making room for the two old able-bodied men who are now serving.

Respectfully submitted,

W. H. GROOT.

Ald. Groot moved to receive, file and publish.

Ald. Carroll moved to postpone the whole matter until the first regular meeting in April, 1868. Lost as follows:

Ayes—Ald. Cram, Lutes, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Mauder—9

Nays—Ald. Qualtrough, Groot, Andrews, Remington, Copeland, Kelly, Paine, Charters, Horcheler, Quin, Parsons—11

Ald. Taylor moved its reference back to the committee for the majority to sign, or present no report at all.

The President declared the motion out of order.

Ald. Taylor appealed from the decision of the chair, which appeal was sustained as follows:

Ayes—Ald. Qualtrough, Groot, Remington, Copeland, Paine, Charters, Horcheler, Quin, Parsons—9

Nays—Ald. Cram, Lutes, Andrews, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Mauder, Miller—11

Ald. Taylor moved to adjourn until Monday evening next. Lost.

Ald. Taylor moved to postpone the question, to refer back, indefinitely. Carried as follows:

Ayes—Ald. Cram, Lutes, Groot, Andrews, Remington, Carroll, Copeland, Taylor, Paine, Woodruff, Charters, Miller, Quin, Parsons—14

Nays—Ald. Qualtrough, Relyea, Ratt, Kelly, Burke, Horcheler, Mauder—7

Ald. Ratt moved to postpone Ald. Groot's motion to receive and publish, indefinitely. Lost as follows:

Ayes—Ald. Cram, Lutes, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Mauder, Miller—10

Nays—Ald. Qualtrough, Groot, Andrews, Remington, Copeland, Kelly, Paine, Charters, Horcheler, Quin, Parsons—11

Ald. Andrews moved the previous question. Lost.

Ald. Ratt moved to table the whole matter two weeks. Lost as follows:

Ayes—Ald. Cram, Lutes, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Mauder, Miller—11

Nays—Ald. Qualtrough, Groot, Andrews, Remington, Copeland, Kelly, Paine, Charters, Horcheler, Quin, Parsons—11

Ald. Andrews moved the previous question. Carried as follows:

Ayes—Ald. Qualtrough, Groot, Andrews, Remington, Relyea, Copeland, Ratt, Kelly, Burke, Paine, Charters, Horcheler, Quin, Parsons—14

Nays—Ald. Cram, Lutes, Carroll, Taylor, Woodruff, Mauder, Miller—7

Ald. Groot's motion to receive, file and publish was carried as follows:

Ayes—Ald. Qualtrough, Groot, Andrews, Remington, Copeland, Kelly, Paine, Charters, Horcheler, Quin, Parsons—11

Nays—Ald. Cram, Lutes, Carroll, Relyea, Ratt, Taylor, Burke, Woodruff, Mauder, Miller—10

#### COMMUNICATIONS.

The Clerk presented the following:

MAYOR'S OFFICE, ROCHESTER, }  
Dec. 24, 1867.

*Gentlemen of the Common Council of the City of Rochester:*

I have the pleasure herewith to transmit to you a communication from J. L. Lowery, Esq., of Pittsburgh, Pa., with reference to his Combined Stop Cock Fire Hydrant, with explanations and propositions, and a proposition to furnish our city with the same; together with the report of Rufus R. Belknap, of Brooklyn, containing expositions and certificates as to its great value over the common fire hydrant. I respectfully recommend this subject to your most favorable consideration.

Also a circular by D. D. Nash, Esq., containing a most beautiful Patent Fountain Hydrant cut. This is an article of small expense, quite an ornament, and a great luxury for our whole people. I also recommend this to your favorable consideration.

Also a letter from D. B. Smith, Esq., of Elmira, the owner of the patent for the "Nicholson Pavement," or the agent for the same, in response to a letter from me, written November 25, 1867, pursuant to a request of a number of aldermen and other citizens interested in the progress and advancement of our city. It will be seen by this letter that Mr. Smith is to be here to-day or to-morrow for the purpose of conferring with you or a committee of your Board with reference to the introduction of said pavement the coming year. I respectfully recommend that the subjects above mentioned be referred to appropriate committees to examine and confer with the various parties and subjects, and who may report to your Board at a future meeting the results of such conference and investigations.

All of which is most respectfully submitted.

HENRY L. FISH, Mayor.

#### FIRE HYDRANT.

*To the Honorable the Mayor and Common Council of the City of Rochester, N. Y.*

GENTLEMEN—I respectfully solicit the attention of your Board to the great advantages of my improved fire hydrant over the ordinary fire hydrant or hydrant in common use. The advantages of my improved hydrant may be summed up in a few words, as follows: First, it will not freeze in the winter; second, it will supply as much water at any fire as any eight of the hydrants now in use; third, it requires only about one third of the hose for the fire department, and at the same time giving a better supply of water, saving the first cost and repairing of hose, and valuable time when a fire is breaking out.

Fourth—The hydrant will supply either four, six or eight streams of water, so that the hydrant nearest to the fire will supply all the water that will be required in any ordinary fire, not obstructing business or travel for squares around the fire, the lines of hose being very short, not being over two or three hundred feet long from the hydrant to the fire, they will not be endangered or injured by vehicles passing over them, and the lines being so short much larger nozzles can be used and the water thrown with the same head nearly twice the

distance. My hydrant when set in the street costs less than the common hydrant, while it will supply eight times the water.

I will agree to furnish your city any number of my patent hydrant, and stop gates on the following terms: For fire hydrant, street frame and cover, \$70; for hydrant frame and cover, and either four, six, or eight inch branch pipe for the intersection of the street mains, \$85; for each gate used in my combined four way stop, including the street frame and cover, four inch stop gate, \$22; six inch, \$33; eight inch, \$44; ten inch, \$55; twelve inch, \$66.

The hydrant I will warrant to supply as much water to any fire as eight of the common or ordinary hydrants; and that it will not freeze in winter and require but about one-third of the hose. The gates I will warrant to answer all purposes now required of the ordinary stop-gate, and that when set in the street, or connected with the street mains, will not cost over half of the ordinary gate.

I will briefly as possible describe my improvement, but in order that it may be understood it is necessary to understand the ordinary hydrant and gate. I will, therefore, first describe the common hydrant which is set on the sidewalk, and requires a pipe to connect it with the street main. This pipe is usually about four inches in diameter and from ten to thirty feet long, depending on the width of the street. When the hydrant is not in service, the water in this connecting pipe has no motion or circulation, and the hydrant, projecting above the sidewalk, being iron, is a good conductor of the frost, and leads the frost down to the valve, which is at the lower end of the hydrant, freezing the water in the end of the connecting pipe which leads out from the hydrant at a right angle to the street water pipe. As before stated, there being no circulation in the pipe, it soon freezes, and, once frozen, will stay so.

To avoid the possibility of freezing, and to get a greater supply of water than can be got on the old plan, I set my hydrant on the four way stop gate, which answers the double purpose of a stop gate and four way branch pipe, or on the branch pipe at the intersection of the two street mains or street crossings. By this arrangement I not only save the cost of the connecting pipe for the hydrant pipe for the same, five lead joints required to connect the hydrant to the street water main, digging of the trench from the street main to the sidewalk and setting of the hydrant, in all about forty dollars; which, added to the first cost of the hydrant, say thirty dollars, will make the common hydrant when set cost at least seventy dollars, and probably eighty dollars, and at the same time by dispensing with the connecting pipe no dead water remains under the hydrant valve to freeze, for the constant consumption of the water by the citizens keeps the water in motion in the street main; and in addition to the advantage already stated, the hydrant being set at the intersection of the two street mains, or junction, as it were, of four street water mains, the moment the hydrant is opened the four mains leading to it supply it with water, the smallest pipe now laid being four inches in diameter, or twelve and a half inches in area, the combined area of four four-inch pipes be-

ing fifty inches, or eleven times the capacity of the ordinary hydrant, it being but two and a half inches in diameter, or less than five inches area; but as the average size of the street mains is at least six inches in diameter, or equal to the area of twenty-two common fire hydrants, but taking the four-inch pipes it will be admitted that there can be a supply equal in almost any part of your city to fifty inches area of water way. I have made my Fire Hydrant eight inches in diameter, or fifty inches area, the barrel of which, when set in the street branch pipe, projects to the level of the street, where it is covered by a plate or cover that never becomes fast with frost, and so made as to be no obstruction to vehicles passing over it. Each of the fire companies is provided with a head for the hydrant; this head may have four, six or eight nozzles to attach their suction or hose. This head is constantly carried with them to the fire, the first company to the fire after the alarm has been given, lifts the street cover off the nearest fire hydrant, and attaches or screws the hydrant head on, the head standing about eighteen inches above the street, an inch of the screw both of the head and hydrant being cut off so as to allow the head to slip into the hydrant as a guide when it then is screwed fast, the large valve of the hydrant is then opened similar to the ordinary hydrant, and the water rises up into the head, each of the nozzles being provided with separate cut off or valve, so that the water can be either let on or shut off from either nozzle without interfering with the others.—The first company having screwed on the head lets on the water, attaches to one of the nozzles, draws the small valve of the nozzle, and goes to work. Each company, as they arrive at the fire, attach to the next nozzle, and let on the water at the nozzle, the main valve having been opened by the first company, each as they arrive using a nozzle until all are in use. When the fire is out, each in turn, or at pleasure, shut off the small valve at their nozzle, and detach their hose, the last company at the fire screwing up the large hydrant valve, unscrewing the head, and replacing the street cover. The work of screwing on the head, removing street cover, attaching the hose and letting on the water, not requiring one-third of a minute. My hydrants and stop-gates have been in use in Charlestown, Mass., for the last three years, to whom I take pleasure in referring you for any information you desire on the subject. Also to Mr. John H. Rhodes, Water Surveyor, and Commissioner James, Brooklyn, N. Y., who have had a number of my hydrants in use for over four years. Also to the report of this year of the Chief Engineer of the Brooklyn Fire Department, wherein Mr. Doyle recommends that the Water Board would set at every suitable place one of my hydrants. Also the report of the Metropolitan Fire Commissioners, City of New York, published this year. They have also informed me that they would recommend to the Croton Water Board that my hydrants be adopted in that city. I also refer you to the Chief Engineer of the Fire Department of Boston and Charlestown. I might refer you to others, but will not

trouble with more at present, but will hold myself ready to either give any explanation or information required by you. This explanation is very long, but as many questions might arise which I could not be prepared to explain which I have tried to answer in advance. Should your city feel an interest in the matter, and require my presence, I will with pleasure visit your city.

I remain gentlemen,  
Respectfully yours,

JOSEPH L. LOWRY.

Pittsburgh, Dec. 12th, 1867, 48 Pike street, 5th Ward.

P. S.—Enclosed is some reports, card of experiments made by the water and fire commissioners of Brooklyn, New York, which was published by the Fire Marshal of Brooklyn, at the request of the Board of Underwriters of that city.

JOSEPH L. LOWRY.

NICOLSON PAVEMENT.

ELMIRA, Dec. 19, 1867.

Henry L. Fish, Mayor, Rochester:

DEAR SIR:—Yours of the 25th of November making enquiry in regard to the Nicolson pavement, I have delayed to answer expecting every day almost to go to Rochester and see you. I have made such an arrangement as will enable me to be in Rochester next Tuesday or Wednesday, at which time I will be happy to give you all the information you may desire with reference to your enquiry.

Most respectfully yours,

D. B. SMITH.

Received and ordered published.

NORTH CLINTON STREET SEWER.

CITY ATTORNEY'S OFFICE,  
Rochester, Dec. 10, 1867. }

To the Honorable the Common Council:

The undersigned to whom was referred the question of the collection of the assessment for North Clinton street sewer, respectfully reports that the ordinance for said sewer was adopted September 17th last, by a vote of twenty-two members of this Council without a petition of the taxpayers therefor. A resolution was adopted October 15th last directing the Mayor to enter into a contract with P. J. McMenomy for constructing this sewer in accordance with his proposition. No contract was ever executed in pursuance of this resolution. Mr. McMenomy commenced the work, but abandoned it.

In my opinion the taxpayers are not liable to pay any portion of the expenses thus far incurred for this projected improvement, but the same are properly chargeable to the sewer repair fund. All which is respectfully submitted.

E. A. RAYMOND,

City Attorney.

Received, filed and ordered published.

#### ORDINANCES.

##### MILL STREET WIDENING.

Ald. Burke presented the final ordinance for Mill street widening, and moved its postponement for two weeks. Carried.

##### REPAIRING BRIDGE ON NORTH WATER STREET.

Ald. Cram presented the final ordinance for repairing the Bridge on North Water street.

Ald. Paine moved its postponement until the 2d regular meeting in April, 1868, and that the Street Superintendent notify the owners to repair the same within five days. Carried.

##### LAKE AVENUE WALK.

Ald. Cram presented the final ordinance for Lake avenue walk, and moved its postponement for two weeks. Carried.

##### WIDENING AND EXTENDING FITZHUGH STREET.

Ald. Burke moved that the report of the Commissioners for widening and extending Fitzhugh street, published in the proceedings of November 26th, 1867, together with the report of the committee presented this evening, be confirmed. Adopted as follows: All ayes—20.

##### ANSON PARK WALK.

On motion of Ald. Ratt, the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing, Ald. Ratt submitted the following:

An ordinance to construct a walk on Anson Park, from East avenue to its southern termination.

The Common Council of the city of Rochester do ordain and determine as follows:

A plank sidewalk four feet wide, on each side of Anson Park, from East avenue to its southern termination, shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at three hundred and twenty dollars, which estimate was and is hereby approved; the sum of three hundred and twenty dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on each side of Anson Park, from East avenue to its southern termination.

On which above described portion of the city, the said sum of three hundred and twenty dollars is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 28th day of December, 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote: All ayes—20.

##### GENESEE STREET FENCE.

On motion of Ald. Cram the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing, Ald. Cram submitted the following:

An ordinance to construct a board fence on Genesee street.

The Common Council of the city of Rochester do ordain and determine as follows:

A board fence in front of lots 97, 98, 99, 100 and 101, in the Sibley and Field tract, on the east side of Genesee street shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at eighty dollars, which estimate was and is hereby approved; the sum of eighty dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

Lots 97, 98, 99, 100 and 101, in the Sibley and Field tract, on the east side of Genesee street.

On which above described portion of the city, the said sum of eighty dollars is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city, not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose on Saturday, the 28th day of Nov., 1867, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote: All ayes—20.

AMENDMENT OF PENAL ORDINANCE.

By Ald. Qualtrough—Section 10 of the penal ordinance relating to streets, passed May 5, 1863, is hereby amended, by adding thereto the following:  
 "No person shall drive any horse attached to a sleigh through any of the streets or alleys of said city without having bells attached thereto, sufficient to give warning of its approach, under a penalty of five dollars for each offence."  
 Adopted as follows; All ayes—20.

ASSESSMENT ROLLS.

Ald. Cram presented the assessment rolls for repairing walks on Genesee, Magnie and Platt streets, Oak street walk, State street cross-walk, which were confirmed as follows: All ayes—20.

Ald. Barke presented the assessment rolls for Varuan street opening and West alley lines, and moved that the next regular meeting, January 7, 1868, be fixed when appeals therefrom will be heard. Carried.

MISCELLANEOUS.

By Ald. Cram—Resolved, That the Treasurer be and he is hereby directed to credit Highway Fund \$132.48 and charge Genesee street Sidewalk Repair Fund \$82.98; Magna street Sidewalk Repair Fund \$27.46; and Platt street Sidewalk Repair Fund \$23.04. Adopted.

By Ald. Cram—Whereas, Threepiers of the hotel on the northwest corner of Lyell street and Lake avenue, are placed in said Lyell street from four feet at the west line of said building to about nine inches at a point thirty feet east of said west line, according to the lines established by the City Surveyor; therefore

Resolved, That the owner of said premises is hereby required to remove said piers from Lyell street within ten days after the service on said owner of a copy of this resolution by the Street Superintendent, under section 156 of the city charter. Tabled.

By Ald. Cram—Resolved, That the City Treasurer be and is hereby directed to cancel the tax against J. W. Parsons for the improvement of Mt. Hope avenue, on payment of the amount of assessment, less the interest, if paid within thirty days. Adopted.

By Ald. Copeland—Resolved, That the Street Superintendent be hereby directed to collect the bills against sundry persons which have been standing since 1866, to-wit:—Messrs. Crouch & Co., for dirt and rubbish delivered on their lot near their saw-mill \$20; Messrs. Eliwanger & Barry, for manure, \$80, and Mr. S. D. Walbridge, for grading the alley in the rear of his building, corner of State and Allen streets, \$75, and credit Highway fund. Adopted.

By Ald. Copeland—Resolved, That Conrad Miller have leave to erect a wooden building on his lot, No. 9, on Lowel street, in accordance with his petition, under the direction of the Fire Marshal. Adopted.

By Ald. Ratt—Resolved, That the Treasurer be and he is hereby authorized to receive from property owners taxed for Kent alley plank walk two per cent., in full of their assessment for said walk. Adopted.

By Ald. Ratt—Resolved, That the Treasurer be and he is hereby authorized to cancel the assessments against all persons assessed for the following improvements, viz: Centre Park flag walk; Lorimer street plank walk; Fillmore street plank walk, west side; Mum-

ford street flag walk, north side; Summer street improvement; Nassau street plank walk, south side, from Joiner to St. Joseph streets; Nassau street plank walk, north side, from St. Joseph to Chatham streets; Plymouth avenue plank sidewalk; Brown street board fence. Referred to the Improvement committee and Surveyor to report.

By Ald. Paine—Resolved, That the City Clerk be directed to notify all persons having claims against the city of Rochester to present the same at the office of the City Clerk on or before Saturday the fourth day of January, 1868. Adopted.

By Ald. Paine—Resolved, That the Treasurer make the city's vote at three months date, payable at Powers' Banking House, for twenty-five thousand dollars; that he get the same discounted, and charge the discount to Contingent Fund. Adopted.

By Ald. Paine—Resolved, That the Treasurer make the city's note at three months date, payable at Powers' Banking House, for two thousand dollars; that he get the same discounted, and charge the discount to Board of Education, being for renewal of note dated September 27, 1867, and falling due December 30, 1867. Adopted.

By Ald. Horcheler—Resolved, That the City Treasurer be and he is hereby directed to pay W. D. Oviatt, twenty-five dollars, being for cost and amount paid John McConville, Esq., City Attorney, against said Oviatt, for service rendered during his term as term as Captain of Police of the City of Rochester, and charge Police Fund.—Referred to the Police Committee.

By Ald. Miller—Resolved, That the street formerly known as Filmore street, and now known as Concord avenue, be changed back to its former name. Postponed for two weeks.

By Ald. Parsons—Resolved, That the Treasurer is hereby directed to credit the Poor Fund \$36, for wood furnished Post House, and charge Health Fund. Adopted.

FINANCE BUDGET.

DECEMBER 24th, 1866.

By Ald. Paine—Resolved, That the Treasurer pay as follows:

POOR FUND.	
Joseph Hoffman, one month's salary.....	\$100 00
T. E. Scranton, .. .. .	75 00
Henry Hilton, three weeks salary.....	15 00
Chas. Vail, Physician, quarter's salary.....	125 00
W. S. Ely, .. .. .	125 00
C. E. Rider, .. .. .	125 00
J. W. Case, .. .. .	125 00
W. M. Fleming, .. .. .	125 00
L. Kuchling, .. .. .	125 00
Qualtrough & Hunter, four for poor store ..	107 50
Joseph Hoffman, disbursements at office.....	39 99
J. D. McIntosh, soap and candles for poor store.....	69 16
Henry East, paid order for meat.....	220 00
G. Baslian, bread for poor store.....	157 41
I. Yawman, .. .. .	153 73
E. Weigel, .. .. .	155 43
H. B. Hathaway, sugar .. .. .	65 25
And charge Poor Fund.	\$1,908 46

LAMP FUND.	
Michael Brown, carting and setting lamp posts.	\$ 5 60
And charge that fund.	

NORTH STREET REPAIR FUND.	
John Quinn, Commissioner, bill for repairs on North street.....	\$ 40 00
And charge that fund.	

Adopted as follows:  
 Ayes—Ald. Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Relyea, Copeland, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Horcheler, Mauder, Miller, Quin, Parsons—19.  
 Nays—Ald. Carroll—1.  
 Adjourned. B. FRANK ENOS, Clerk.

**In Common Council—Jan. 7th,  
1868.**

**REGULAR MEETING.**

The President of the Board, Ald. William Guggenheim, presiding.

Present—Ald. Spencer, Cram, Qualltrough, Lutes, Groot, Andrews, Remington, Guggenheim, Carroll, Mutchler, Belyea, Copeland, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheier, Bingemer, Mauder, Miller, Qum, Parsons.

Absent—Ald. Graham, Brown.

Minutes of previous meeting approved as published.

**PETITIONS AND CLAIMS.**

By Ald. Qualltrough—Petition of S. Coleman & Co. Table.

By Ald. Lutes—Sundry bills. Poor Committee.

Ald. Groot presented the following:

*To the Mayor, Common Council, and City officers:*

You are respectfully invited to partake of refreshments this evening, at the Oyster Ocean, at 10 o'clock.

Yours respectfully,

D. F. WORCESTER.

January, 7th, 1868.

Accepted.

By Ald. Copeland—sundry petitions. Wooden Building committee.

By Ald. Ratt—sundry bills. Lamp and Improvement committees.

By Ald. Taylor—sundry petitions. Table

By Ald. Kelly—bill of Wm. Murphy. Contingent committee.

By Ald. Woodruff—petition of Wm. A. Loder. Wooden Building committee.

By Ald. Miller—petition of J. C. Spaar. Table.

**REPORTS.**

Ald. Kelly, from the Fire Department committee, reported in favor of sundry bills. Finance committee.

Ald. Lutes, from the Poor Committee, reported in favor of sundry bills. Finance Committee.

Ald. Woodruff reported in favor of the bill of Wm. Murphy. Finance Committee.

Ald. Ratt, from the Lamp and Improvement Committees, reported in favor of sundry bills. Finance Committee.

Ald. Spencer, from the Fire Department Committee, presented a favorable report on the petition of Henry S. Potter, and offered the following:

Resolved, That Henry S. Potter, Esq., be granted permission to tap and draw water from the six-inch main in State street, upon his filing the necessary bonds; the work to be done under the supervision of the Chief Engineer of the Fire Department. Adopted.

Ald. Qain, from the Special Committee on Monroe avenue walks, asked for further time. Granted.

Ald. Cram, from the Street Committee, reported in favor of the bill of Holloway & Normington. Table.

Ald. Ratt, from the Improvent committee, presentation a favorable report relative to canceling certain assessment rolls. Received and filed.

Ald. Carroll, from the Park committee, presented a report showing the condition of the Park fund. Received and filed.

Ald. Ratt, from the Lamp committee, presented a report showing the condition of the Lamp fund. Received and filed.

Ald. Miller, from the Police committee, presented a report showing the condition of the Police fund. Received and filed.

Ald. Cram, from the Street committee, presented a report showing the condition of the Highway fund.

Ald. Qain moved its reference back to the committee for correction. Carried.

Ald. Adleman, from the Sewer Committee, reported that the Sewer Repair fund would require \$325 to meet the demands against said fund to April 1st, 1868.

Ald. Spencer, from the Fire Department committee, presented a report showing the condition of the Fire Department fund. Received and filed.

Ald. Qain called up the report of the Law Committee, relative to the Buffalo street lateral sewers, and on his motion the matter was postponed for two weeks.

Ald. Lutes presented the report of the Overseer of the Poor for the month of December:

Whole amount expended.....	\$3,511 65
Less county and towns.....	660 80

Total for city.....\$2,850 85

Number of families assisted 640. Filed.

**COMMUNICATIONS.**

The Clerk presented the following:

MAYOR'S OFFICE, ROCHESTER, }  
Jan. 7, 1868.

*Gentlemen of the Common Council of the City of Rochester:*

The season is at hand when some action should be had with reference to floods, which in 1865 caused the city so much damage and which threaten the city at each return of spring. A few days since a conference was held with the Hon. N. C. Bradstreet, member of Assembly, Hon. John D. Fay, Canal Commissioner, City Attorney, the undersigned, and others, on the subject above referred to, and thereupon a petition to the Legislature was drafted in accordance with the views of said conference, the printed proof of which I herewith transmit to you and recommend that it be referred to the Charter Amendment Committee in connection with a special committee on floods, who I think should be authorized to take such action as they deemed expedient in the premises, both with reference to the project embodied in said petition and as to additional water way in the river.

Most respectfully yours,

HENRY L. FISH, Mayor.

Received and ordered published.

On motion of Ald. Taylor, the petition alluded to above, was referred to the Charter Amendment Committee.

The Clerk presented a communication from the Assessors, relative to the tax against the property belonging to the Grace Church and Nicholas Gamel. Received.

## TREASURER'S MONTHLY REPORT.

CITY TREASURER'S OFFICE,  
Jan. 7th, 1868.

## To the Honorable the Common Council:

GENTLEMEN—The Treasurer herewith submits the Monthly Statement of the balances of the principal funds, on the 7th day of January, 1868, as required by section 53 of the City Charter:

	Credit Balance.
Fire Department Fund.....	\$ 14 46
Highway Fund.....	826 74
Lamp Fund.....	370 83
Lamp Fund.....	7,404 90
Poor Fund.....	9,037 95
Police Fund.....	430 41
Park Fund.....	15 05
Board of Health Fund.....	153 55
Sewer Repair Fund.....	10 75
South Avenue Repair Fund.....	5 00
Lyell Street.....	9 57
North Street.....	—
St. Paul-st. Repair Fund (N. Y. C. R. R. to Scrantom street).....	—
St. Paul-st. Repair Fund (Scrantom street to City Line).....	100 00
Monroe Avenue Repair Fund.....	73 73
St. Hope Avenue.....	9 86
Plymouth Avenue.....	65 95
West Avenue.....	52 77
Lake Avenue.....	58 52
East Avenue.....	198 81

H. P. LANGWORTHY, Treasurer.

Subscribed and sworn to before me, this 7th day of January, 1868.

B. FRANK ENOS,  
Notary Public.

## ORDINANCES.

## MILL STREET WIDENING.

On motion of Ald. Burke, the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing, Ald. Burke submitted the following:

An ordinance to widen Mill street.  
The Common Council of the city of Rochester do ordain and determine as follows:

The widening of Mill street on the west side from the north line of Wm. Brewster's brick building to the south line of brick building now owned by Freeman Clarke, and the following described territory is deemed necessary to be taken for said improvement, viz: Beginning in the west line of Mill street at the northeast corner of Wm. Brewster's brick building; thence northerly in a direct line to the southeast corner of brick building now owned by Freeman Clarke; thence southerly along the present west line of Mill street to the place of beginning.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at three thousand dollars, which estimate was and is hereby approved; the sum of three thousand dollars being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on each side of Mill street, from Exchange Place to Mumford street.

And the City Attorney is hereby directed to publish the notice required by law, that application will be made to the County Court of the County of Monroe, for the appointment of Commissioners to enquire into and determine what damages and compensation the owner or owners of such land to be taken will be entitled to for the same, and that he serve such notice as required by law.

Passed by the following vote: All ayes—25.

## SMITH STREET EXTENSION.

By Ald. Burke—Resolved, That the City Surveyor ascertain and report to this Board the expense of extending Smith street from Whitney street to Childs street. Adopted.

The Surveyor submitted as such estimate \$1,000.

By Ald. Burke—Resolved, That the following improvement is expedient, viz:

The extension of Smith street from Whitney street to Childs street, and the following described territory is deemed necessary to be taxed for said improvement, namely:

Beginning on the west line of Whitney street, at its intersection with the north line of Smith street produced; thence westerly along said north line produced to Childs street; thence southerly on the west line of Childs street sixty feet; thence easterly on a line parallel with and sixty feet distant from the north line of Smith street produced to Whitney street; thence northerly along the west line of Whitney street to the place of beginning.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$1,000, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

One tier of lots on each side of Smith street, from Whitney street to Childs street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening, Jan. 21st, 1868, at half past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

Resolved further, That the Assessors be, and are hereby instructed to confer with the owners of property required to be taken for said improvement and report to this Board upon what conditions the same can be purchased. Adopted.

## ORDINANCES—FLOOD DAMAGES.

Ald. Groot presented the final ordinances for Court street wooden bridge, Repairs on State street, road leading from Court street to Monroe County Jail, Repairs on Troup street, Alley running from Exchange Place, Repairs on School alley, Repairs on Mumford and Andrews streets, Repairs on Mumford street, Repairs on Lake avenue and White street, Repairs on Buffalo street and Main street Bridge, Repairs on Spring street, Repairs on Frank street, Repairs on Front street, Repairs on Hill and Platt streets, Repairs on Oak street, Repairs on Mill and Center streets, Repairs on Mill street, repairs on Furnace street, Repairs on Montgomery alley, Repairs on West street, Repairs on Dean street, Repairs on Platt street, Repairs on Varnum street, Repairs on Platt street, Repairs on Lyell street, and moved their postponement for four weeks. Carried.

## LAKE AVENUE WALK.

Ald. Cram presented the final ordinance for a flag walk on the northwest corner of Lake avenue and McCracken street, which was lost as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Remington, Gurgenheim, Carroll, Mutchler, Relyea, Kelly, Adelman, Mauder—12.

Nays—Ald. Groot, Andrews, Copeland, Ratt, Taylor, Burke, Paine, Woodruff, Charters, Horcheler, Bingemer, Miller, Quin—13.

Ald. Quin moved a reconsideration. Carried.

Ald. Quin moved to postpone further action two weeks. Carried.

## ALLEN STREET SEWER.

Ald. Taylor moved to postpone further action on Allen street sewer indefinitely.

Ald. Quin moved to table Ald. Taylor's motion.—Lost as follows:

Ayes—Ald. Spencer, Cram, Carroll, Ratt, Kelly, Burke, Paine, Charters, Horcheler, Bingemer, Mauder, Quin—12.

Nays—Ald. Qualtrough, Lutes, Groot, Andrews, Remington, Gurgenheim, Mutchler, Relyea, Copeland, Taylor, Woodruff, Adelman, Miller—13.

Ald. Ratt moved to postpone the whole matter two weeks. Carried.

## ASSESSMENTS.

Ald. Burke presented the assessment roll for establishing the lines of West Alley, and moved its confirmation, which was adopted as follows: All ayes—25.

Ald. Burke presented the assessment roll for Varnum street opening.

Ald. Qualtrough moved its reference back to the Assessors for correction. Carried.

Ald. Burke presented the assessment roll for extending and widening South Fitzhugh street, and moved that the next regular meeting, January 21st, 1868, be fixed when appeals therefrom will be heard.

## UNFINISHED BUSINESS.

Ald. Taylor called up the following:

By Ald. Ratt—Resolved, That the City Treasurer be and he is hereby authorized to cancel the assessments against all persons assessed for the following improvements, viz.: Lorimer street plank walks, Fillmore street plank walks, west side, Mumford street flag walk, north side, Summer street improvements, Nassau street plank walk, north side,

from St. Joseph to Chatham streets, Plymouth avenue plank sidewalks, Brown street board fence and Centre Park flag walk; except the sum of thirty-nine dollars and fifty-nine cents, which was directed to be collected of Mary M. Sornberger by resolution passed January 22d, 1867. Adopted.

Ald. Remington called up the following, and moved its indefinite postponement, which was carried:

By Ald. Miller—Resolved, That the street formerly known as Fillmore street, and now known as Concord avenue, be changed back to its former name.

#### MISCELLANEOUS.

By Ald. Miller—Resolved, That the City Treasurer be and he is hereby instructed to cancel the tax on four hundred and seventy-five dollars, assessed upon the property of Nicholas Gamel in the 13th Ward, in accordance with the report of the Assessors, and charge the same to erroneous assessments. Adopted.

By Ald. Miller—Resolved, That J. Charles Sparr have permission to have his cart stand in front of his store in accordance with his petition.

Ald. Quin moved to postpone two weeks. Lost. Resolution adopted.

By Ald. Adelman—Resolved, That the Treasurer be, and he is hereby directed to cancel the assessment against W. W. Bruff and O. W. Moore for constructing later sewers on Buffalo street between Front and Fitzhugh streets. Adopted.

By Ald. Paine—Resolved, That the Treasurer make the city's note at three months date, payable at Powers' Banking House, for seventeen thousand eight hundred dollars; that he get the same discounted, and charge the discount to "Armory Site" Fund, being for renewal of note dated October 4, 1867, and falling due January 7, 1868. Adopted.

By Ald. Paine—Resolved, That the Treasurer make the city's note at three months date, payable at Powers' Banking House, for thirty-one thousand dollars; that he get the same discounted, and charge the discount to Damages by Flood, &c., being a renewal of note dated October 4, 1867, and falling due January 7, 1868. Adopted.

By Ald. Taylor—Resolved, That the Committee on opening and alteration of streets be directed to cause immediate steps to be taken according to law looking to the closing of so much of the alley running parallel with Litchfield and King streets as is asked for by the petitions of the trustees of Saint Peter's and Paul's congregation and the property owners in that vicinity, presented this evening.

Ald. Ratt moved to table. Lost. Resolution adopted.

By Ald. Copeland—Resolved, That George Ford and J. K. Krank have leave to erect wood buildings in accordance with their several petitions, under the direction of the Fire Marshal. Adopted.

By Ald. Ratt—Resolved, That the Treasurer credit Rochester City and Brighton Railroad Co. \$310.83 on their assessment for Mt. Hope avenue grading, and charge that fund; they having performed work for which they were assessed, the expense of which amounts to the above sum. Postponed four weeks.

By Ald. Mutschler—Resolved, That the Treasurer pay the following bills when there is money in the treasury, and charge House for Truants: J. W. Adams, disbursements, \$53.47; Samuel Bennett, wood, \$65.50; Henry Quimby, potatoes, \$52.15; Henry Thiems, meal, \$21.93. Adopted as follows: All eyes—24.

By Ald. Carroll—Resolved, That the City Treasurer be and he is hereby authorized and directed to cancel the tax of one hundred and fourteen dollars and fifteen cents, assessed on the property belonging to Grace Church on the north side of Mortimer street, in the fifth ward, and charge the same to erroneous assessments. Adopted.

By Ald. Carroll—Resolved, That the Treasurer pay the Street Superintendent \$200, to pay laborers now employed by the city, and charge Highway Fund. Adopted as follows:

Ayes—Ald. Spencer, Cram, Lutes, Carroll, Mutchler, Relyea, Ratt, Taylor, Burke, Woodruff, Adelman, Horcheler, Biugemer, Mauder, Miller—15.

Nays—Ald. Qualtrough, Groot, Andrews, Remington, Copeland, Kelly, Paine, Charters, Quin—9.

By Ald. Remington—Resolved, That a committee of three be appointed to confer with William A. Then, relative to the expense of putting down the Nicholson pavement in our city.

The President appointed as such committee, Ald. Remington, Cram, Qui.

By Ald. Remington—Resolved, That the Street Superintendent is hereby directed to enforce section seven of the penal ordinance passed Nov. 11th, 1862. Adopted.

By Ald. Groot—Resolved, That the Treasurer is hereby directed to cancel the tax against the estate of Geo. Moore, of \$1.46, for repair of walk on Caledonia Avenue, and charge that fund. Adopted.

By Ald. Groot—Resolved, That the Treasurer be directed to refund to J. Coleman & Co. \$25, said sum being the amount of a fine imposed by the Police Justice for the violation of a city ordinance, which fine was paid by said Coleman & Co.

Ald. Carroll moved as an amendment by inserting James McGahan \$25.

Ald. Groot moved to postpone the whole matter two weeks. Carried.

By Ald. Lutes—Resolved, That the Treasurer is hereby authorized to pay to the order of the widow of George Lyntz \$50.22, being the proceeds of a note placed to the credit of the Poor Fund by Overseer of the Poor, and charge Poor Fund. Adopted as follows: All eyes—24.

Ald. Lutes called up the resolution relative to Ambrose street walks.

The committee asked for further time, which was granted.

By Ald. Spencer—Resolved, That the Committee upon fire department be authorized and are hereby directed to contract for the purchase of the necessary material for the manufacture of such an amount of new hose, not less than 500 nor more than 1,000 feet, as the committee may deem necessary, and to provide for the manufacture of such hose.

Ald. Groot moved to postpone two weeks. Lost, as follows:

Ayes—Ald. Groot, Mutchler, Horcheler, Quin—4.



Nays—Ald Spencer, Cram, Qualtrough, Lutes, Andrews, Remington, Carroll, Relyea, Copeland, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Bingemer, Mauder, Miller—20.

Resolution adopted.

By Ald. Cram—Resolved, That the owners of property on the north side of West avenue between Madison and North Francis streets be, and they are hereby authorized to change the location of the alley along the south and east lines of lot No. 7 in the Bush and King tract, so that the north line of said alley shall correspond with the north line of said lot No. 7. Referred to the Street Committee.

By Ald. Cram—Resolved, That the City Treasurer pay Holloway & Normington \$120 for building crosswalk across State street at Furnace street, and charge State street crosswalk fund. Adopted as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Andrews, Remington, Carroll, Mutchler, Relyea, Copeland, Taylor, Burke, Woodruff, Adelman, Charters, Bingemer, Mauder, Miller, Quin.—20.

Nays—Ald. Groot, Kelly, Paine, Horcheler.—4.

#### FINANCE BUDGET.

JANUARY 7, 1868.

By Ald. Paine—Resolved, That the Treasurer pay as follows:

#### CONTINGENT FUND.

Wm. Murphy, bill hack hire.....\$ 3 00  
And charge that fund.

#### MT HOPE AVENUE GRADING.

David Wagner, in full for his contract for grading Mt. Hope avenue.....\$ 57 41  
And charge that fund.

#### POOR FUND.

St. Mary's Hospital.....	\$617 19
Rochester City Hospital.....	514 28
St. Mary's Orphan Asylum.....	663 14
St. Patrick's Orphan Asylum.....	429 00
Moore & Cole, tea for poor store and paid orders.....	363 00
H. B. Hathaway sugar for poor store.....	70 73
A. McDade, paid orders.....	47 50
H. F. Smith.....	113 00
J. H. Pool & Son, flour for poor store.....	161 23
Lane & Paine, paid orders.....	16 90
J. & A. Klein, paid burial orders.....	93 00
C. V. Jeffreys.....	78 00
H. Bender & Co., .....	96 00
Taylor & Brownell, paid orders for shoes.....	180 50
L. A. Pratt.....	68 50
Thos. Lyntz, paid orders (\$65.40, payable to Treasurer).....	94 75
A. & F. Brennan, paid orders.....	53 50
Beir & Stern.....	33 00
A. S. Winston, paid orders for transportation.....	66 39
Joseph Hoffman, disbursements at office.....	39 51
Valentine Debus, delivering wood.....	129 06
W. Wadsworth, crackers for poor store.....	30 09

And charge Poor Fund. \$3,910 29

#### LAMP FUND.

Rochester Gas Light Co., bill for gas, streets, lamps, &c.,.....	\$ 414 93
Fred. Stickle, care kerosene lamps.....	546 86
Boyd, Gommenginger & Co., repairs of lamps.....	173 00
Rochester Gas Light Co., lighting public lamps.....	456 20
Henry Hebing, glass for public lamps.....	84 16

And charge Lamp Fund. \$3,380 15

#### HEALTH FUND.

George Moshier, Inspector, 23 day's salary.....	\$ 38 41
Charles Burns.....	38 41
Thos. Burns, keeper Pest House, one month's salary.....	20 00
Thos. Burns, board of patients, &c.,.....	8 21
Wilder, Tracy & Co., printing.....	3 00
Lane and Paine, carbolic acid.....	1 68

And charge Health fund \$109 71  
Adopted as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Andrews, Remington, Carroll, Mutchler, Relyea, Copeland, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Bingemer, Mauder, Miller, Quin.—21.

Nays—Ald. Groot, Horcheler.—2.

Adjourned.

B. FRANK ENOS, Clerk.

### In Common Council—Jan. 21st, 1868.

#### REGULAR MEETING.

The President of the Board, Ald. Wm. Guggenheim, presiding.

Present—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Copeland, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons.

Absent—Ald. Brown, Charters.

Minutes of previous meeting approved as published.

#### PETITIONS AND CLAIMS.

By Ald. Bingemer—Petition of Laurence Waldert. Table.

By Ald. Woodruff—Sundry Bills. Contingent committee.

By Ald. Taylor—Communication from E. F. Smith, and remonstrance from M. E. Holton and others. Committee on Opening Streets. Petition of John Ireland and others. Table.

By Ald. Copeland—Petition of M. Rich. Wooden Building Committee.

By Ald. Ratt—Sundry bills. Lamp Committee.

By Ald. Groot—Remonstrance of S. D. Porter and others. Table.

By Ald. Lutes—Sundry bills. Poor Committee.

By Ald. Cram—Sundry bills. Street Committee. Petition of Wm. Simpson. Grievance Committee.

#### REPORTS.

Ald. Lutes, from the Poor Committee, reported in favor of sundry bills. Finance Committee.

Ald. Ratt, from the Lamp Committee, reported in favor of sundry bills. Finance Committee.

Ald. Woodruff, from the Contingent Committee, reported in favor of sundry bills, and moved their reference to the Finance Committee.

Ald. Mutchler moved that the bill of Boyd, Gommenginger & Co., be referred back to the committee for correction. Carried.

The remainder of the bills were referred to the Finance committee.

Ald. Woodruff presented a report showing the condition of the Contingent Fund on the 1st of January, 1868. Received and filed.

Ald. Cram presented a report showing the condition of the Street Fund on the 1st of January, 1868. Received and filed.

Ald. Taylor, from the Law committee, presented a report relative to the matter between the city and Aaron Erickson.

Ald. Groot moved that the report be adopted.

Ald. Taylor moved to table the whole matter. Carried.

The Clerk presented the report of the Police Justice for the month of December. Total amount received, \$389. Filed.

Ald. Quin presented the following report relative to

MONROE STREET WALKS.

To the Honorable the Common Council :

The special committee to whom was referred the complaint of certain tax payers as to the assessment for Monroe avenue sidewalks, &c., respectfully report that they have heard the statements of the petitioners on two occasions and examined the premises, and after having carefully considered the whole matter, they report adversely to the prayer of the petitioners.

They would respectfully recommend, however, in view of the condition of the roadway east of Alexander street that it should be cut down to correspond with the grade of the sidewalk.

All of which is respectfully submitted.

JOHN QUIN,  
E. R. ANDREWS,  
JOHN LUTES,  
Committee.

E. A. ROYMOND, City Attorney.

January 21, 1867.

Adopted.

Ald. Bingemer, from the Police committee, reported favorable on the claim of W. D. Oviatt, and offered the following resolution :

Resolved, That the City Treasurer be and he is hereby directed to pay W. D. Oviatt, twenty-five dollars, being for cost and amount paid John McConvill, Esq., City Attorney, against said Oviatt, for services rendered during his term as Captain of Police of the city of Rochester, and charge Police fund.

Ald. Cram moved its reference to the Grievance committee. Lost.

Resolution adopted as follows :

Ayes—Ald. Spencer, Andrews, Remington, Graham, Guggenheim, Carroll, Relyea, Copeland, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Horcheler, Bingemer, Miller, Quin Parsons—20.

Nays—Ald. Cram, Quallthrough, Lutes, Groot, Mutchler—5.

COMMUNICATIONS.

The Clerk presented the following :

MAYOR'S OFFICE,  
ROCHESTER, Jan. 21, 1868. }

Gentlemen of the Common Council :

Some three years since one N. H. Gardiner of this city, while walking on West avenue in the night, fell into a hole in the walk, in front of Mrs. Mary A. Whitcher's premises, a non-resident, and sustained a serious injury. Mr. Gardiner brought a suit against the city, the case was tried and he recovered damages amounting to \$557, which the city paid.

The City Attorney wrote to said Mrs. Whitcher asking her to refund the amount. She not responding the undersigned requested the Attorney to bring a suit to recover back the amount so paid, which he has done, and Mrs. Whitcher has intimated a desire to compromise the matter. I respectfully recommend that the subject matter be referred to the City Attorney and the Law Committee of your Board, with power to settle as they may think the best intents of the city may demand. Very truly yours,

HENRY L. FISH, Mayor.

Received and referred to the City Attorney and Law Committee.

SOUTH AVENUE WALKS.

CITY ATTORNEY'S OFFICE,  
ROCHESTER, January 21, 1868. }

To the Honorable the Common Council :

The Undersigned to whom was referred the matter of South avenue side-walk improvement, respectfully reports as follows :

The object of the reference to me I understand to be simply for my opinion upon the authority of the Common Council over the assessments in question, and not as to the details thereof. The title of the owners of lots bounded on streets, extends to the center of the street, except where the city has purchased the fee of the land occupied by the street, under proceedings for that purpose.—The title of the owners of "corner lots," therefore, extends to the centres of the two streets upon which they are bounded. By Section 211 of the amended City Charter, it is made "the duty of the owner of way-lot or piece of land in said city, to keep the sidewalk adjoining his lot or piece of land, and also the half of the street or alley adjoining the same, in good repair," &c., unless the Common Council shall otherwise determine.

By section 209, it is left discretionary with the Common Council to construct sidewalks or pavements, either by general ordinance as other improvements, or by requiring the owners or occupants of adjoining lots to construct them to the centre of the street, in front of their respective lots. The owners and occupants of "corner lots" form no exception to the rule. Therefore, the Council had the power to compel the owners and occupants of houses and lots within the territory assessed in this case, to build all the sidewalks and crosswalks in front of their respective lots as actually founded. Having allowed them the privilege, notwithstanding the ordinance, to build their own sidewalks to the acceptance of the committee, those who have done so, should be credited with at least the cost of their own walks, and those who have not built at all, or only in part, should be charged with the entire cost to the city of the walks in front of their respective lots founded upon the centre of the street, and credit with what they have done, if anything.

I understand that no claim is made by the taxpayers that any of them should be exempted from paying his fair pro rata share of the cost of the crosswalks, and of the two per cent for the contingent fund.

This brings me to the consideration of the question whether the assessment roll, having been placed in the hands of the Treasurer for collection, is still for any purpose under the control of the Common Council.

By sections 194 to 197 inclusive, of the amended charter, the whole subject of making assessments, hearing appeals therefrom, and correcting the same, is placed under the control of the Assessors. They are required by section 191 to assess the amount of the expense of any improvement upon the owners and occupants of lands and houses within the designated territory, "in proportion as nearly as may be, to the advantage which each shall be deemed to acquire by the making of such improvement." They are not required to be governed in making such assessments by the linear feet front of any lot. But it is left to their discretion to apportion

the assessment among the taxpayers, according to the advantage which they deem, the proposed improvement will be to such persons.

The Common Council, after an assessment roll is reported to them, "may ratify and confirm, or set aside said assessment, or order a new assessment to be made," if in their judgment the same is erroneous or inequitable. But after they have confirmed it, and placed it in the Treasurer's hands for collection, as in this case, they have no such authority over it as to increase the amount assessed to any one or more persons by directions to the Treasurer or otherwise.

Where the proceedings on an assessment are regular, errors by the Assessors in estimating the amount of benefit which each tax payer may receive from an improvement, cannot be corrected after the roll has been confirmed, unless they are so great as to indicate gross dereliction from duty or fraud and conception.

In the case of this improvement the Council has the right to settle with the tax payers upon the basis of charging them with their pro rata share of the expense of building the crosswalks, and with the two per cent. for the Contingent Fund, and the other incidental expenses, according to the assessment roll as made by the Assessors, and to charge those who have not built their own walks with their *pro rata* share of the sidewalks built by the city up to the amount of their respective assessments. And if the assessment on any one person would be thereby increased, the deficiency can be re-assessed upon him under section 207 of the charter, or it may be ordered paid out of some one of the general funds.

A settlement with the tax payers upon these principles will probably require a modification of the details in the resolutions referred to me.

In estimating the amount to be assessed to Miss Flora Reche, the Assessors, as I am informed, adopted the same measurement of her lot as in the assessment for the annual city taxes. The City Surveyor states that she should be credited with the cost of sixty-five feet of sidewalk and seventy feet of curbstone built by her, at contract prices.

After charging her with her *pro rata* share of the same expenses, as the others, the balance of the assessment may be remitted.

I therefore respectfully recommend that this matter be referred to some committee to settle with these parties upon the basis herein indicated.

I may be permitted to add, that if the people to be assessed for any improvement would, in pursuance of the notice which the Assessors always publish, appear before them and make known their grievances before the roll is completed, it would save much complaint afterwards for real inequalities which the Common Council, after the roll is confirmed, cannot correct.

All which is respectfully submitted.

E. A. RAYMOND,  
City Attorney.

Received and ordered published, and referred to the Improvement committee.

#### HEALTH FUND.

CITY CLERK'S OFFICE,  
January 21st, 1868. }

To the Honorable the Common Council :

At a meeting of the Board of Health, held on the 17th day of January, 1868, the following preamble and resolution was unanimously adopted:

By Com. W. W. Carr—Whereas, The \$3,000; being the funds set apart for the use of this Board of Health, having become exhausted, and there being some outstanding claims now due, and that together with the amount necessary to carry the Board through this fiscal year will amount to one thousand dollars; therefore it is hereby

Resolved, That the Common Council of the city of Rochester be and are hereby requested to raise the said sum of one thousand dollars, and place the same in the treasury to the credit of this Board, in pursuance of title 5 section 8 of the City Charter, and that the Clerk of this Board be directed to transmit the foregoing to the said Common Council.

Received. B. FRANK ENOS, Clerk.

The Clerk presented a communication from the Assessors relative to the tax against E. S. Lee in 1866; and also in relation to the extension of Smith street and Varum street opening. Received and filed.

Ald. Cram presented a communication from the Street Superintendent relative to certain claims of the city against private individuals. Received and filed.

#### ORDINANCES.

##### SMITH STREET EXTENSION.

Ald. Burke presented the final ordinance for Smith street extension, which was lost as follows:

Ayes—Ald. Cram, Quaitrough, Lutes, Andrews, Guggenheim, Carroll, Mutchler, Copeland, Ratt, Taylor, Burke, Paine, Woodruff, Adelman, Horcheler, Binghamer Miller, Quin—18.

Nays—Ald. Spencer, Remington, Kelly—3.  
Ald. Spencer moved to reconsider the vote. Carried.

Ald. Quin moved to table for the present. Carried.

##### LAKE AVENUE WALK.

By Ald. Cram—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a plank sidewalk, six feet wide, in front of lot No. 1 on the northwest corner of Lake avenue and McCracken street.

The Surveyor submitted as such estimate \$30.  
By Ald. Cram—Resolved, That the following improvement is expedient, viz:

The construction of a plank sidewalk, six feet wide, in front of lot No. 1 on the northwest corner of Lake avenue and McCracken street.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$30, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz:

Lot No. 1 on the northwest corner of Lake avenue and McCracken street.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, Feb. the 4th, 1868, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### ASSESSMENTS.

Ald. Cram presented the assessment roll for a fence on Genesee street, which was confirmed as follows: All ayes—22.

Ald. Ratt presented the assessment roll for Anson Park walks, which was confirmed as follows: All ayes—22.

Ald. Burke presented the assessment roll

for widening and extending South Fitzhugh street.

Ald. Qualtrough moved its postponement for two weeks. Lost.

The roll was confirmed as follows:

Ayes—Ald. Spencer, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Mutchler, Relyea, Copeland, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Bingemer, Miller, Quin, Parsons—21.

Nays—Ald. Qualtrough, Horcheler—2.

Ald. Burke presented the assessment roll for Varnum street opening, and Tuesday evening, February 4th, 1868, was fixed when appeals therefrom will be heard.

Ald. Burke moved that a committee of three be appointed to confer with Dempsey & Ryan in accordance to the recommendation of the Commissioners of Appraisal. Carried.

The President appointed as such committee Ald. Burke, Kelly, Spencer.

#### EXECUTIVE.

Ald. Mutchler presented the resignation of H. W. D. Brewster, as an Inspector of Elections for the 6th Ward. Accepted.

On motion of Ald. Mutchler, the Board proceeded to ballot for an Inspector of Elections for the 6th Ward, when W. Y. Andrews received seventeen votes, and was declared appointed.

#### MISCELLANEOUS.

By Ald. Cram—Resolved, That the Treasurer be and is hereby directed to receive from Richard Bradfield thirty dollars in full for his tax for building his walk on Ambrose street.

Ald. Qualtrough moved as an amendment to strike out thirty dollars and insert twenty-five dollars.

Ald. Carroll moved as an amendment to the amendment to insert thirty-six dollars. Carried.

Resolution adopted as amended.

By Ald. Cram—Whereas, Three piers of the hotel on the northwest corner of Lyell street and Lake avenue, are placed in said Lyell street from four feet at the west line of said building to about nine inches at a point thirty feet east of said west line, according to the lines established by the City Surveyor; therefore

Resolved, That the owner of said premises is hereby required to remove said piers from Lyell street within ten days after the service on said owner of a copy of this resolution by the Street Superintendent, under section 156 of the city charter. Lost as follows:

Ayes—Ald. Cram, Qualtrough, Groot, Remington, Graham, Mutschler, Copeland, Kelly, Burke, Paine, Quin—11.

Nays—Ald. Spencer, Guggenheim, Carroll, Relyea, Ratt, Woodruff, Adelman, Horcheler, Bingemer, Mauder, Miller, Parsons—12.

By Ald. Qualtrough—Resolved that the Treasurer is hereby directed to cancel the tax against James McGahan on \$1000 personal property, and charge erroneous assessments. Referred to the Assessors.

By Ald. Groot—Resolved, That the City Surveyor be, and he is hereby directed to make an accurate measurement and survey of all the tracks and the railroad property connected therewith, in each of the wards of this city, belonging to the New York Central Railroad Company, in order that the As-

sessors may be enabled to make a just estimate of the value of such property in the assessment rolls for the next fiscal year. Adopted.

By Ald. Groot—Whereas, Constant complaint is being made to this Board, by citizens of Rochester owning property adjacent to the New York Central Railroad, and others who are obliged to cross the same often in transacting their business, that the said Railroad Company is continually violating the laws regulating the same, which not only endangers the lives of our citizens but makes it a nuisance to business men and others wishing to cross said tracks; therefore

Resolved, That a committee of three be appointed, with power to act, to see that the laws of the city, and all laws relative to railroads passing through cities, be enforced. Adopted.

The President appointed as such committee Aldermen Groot, Quin and Qualtrough.

Ald. Groot moved that Ald. Spencer be added. Carried.

By Ald. Copeland—Resolved, That Marvin Rich have leave to erect a wooden building on his lot on Bloss street, according to his petition, under the direction of Fire Marshal. Adopted.

By Ald. Ratt—Resolved, That the Treasurer credit Wm. Babcock \$23.06 on his assessment for Tremont street improvement, he having built the sidewalk in front of his premises, and charge Contingent fund.—Adopted.

By Ald. Taylor—Resolved, That the City Treasurer be and he is hereby directed to refund to E. S. Lee thirty-one dollars and thirty-one cents, being the amount of taxes erroneously assessed to him on land located across the city line in the town of Gates, and charge the same to erroneous assessments. Adopted as follows: All ayes—25.

By Ald. Paine—Resolved, That the City Treasurer is hereby authorized and empowered in accordance with section 8th, title 5 of the City Charter, to make the city's notes payable at Powers' Banking House, and to get the same discounted for an amount not exceeding in the aggregate the sum of sixty thousand and sixty seven (\$60,067) dollars; said notes to be made and to become due at such times as the said Treasurer may deem for the best interests of the city, and the avails of said notes to be applied in the following proportions, viz:

To the credit of the Contingent Expense Fund, to provide for the deficiency in said fund for the current fiscal year, \$13,000; to the credit of the Police Fund for the same purpose, \$21,267; Lamp Fund, \$5,000; Fire Department Fund, \$6,500; Board of Health Fund, \$1,000; Highway Fund, \$7,400; Sewer Repair Fund, \$350; Poor Fund, \$3,000; Park Fund, \$50; House for Idle and Truant Children \$2,500. Total, \$60,067.

And the sum so borrowed be assessed and collected as part of the city taxes for the ensuing year.

Ald. Kelly moved to divide the question, by taking each fund separately.

Ald. Taylor moved to suspend the rule to adjourn at 11 o'clock. Lost as follows:

Ayes—Ald. Spencer, Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor,

Burke, Paine, Woodruff, Adelman, Bingemer, Mauder, Miller—16.

Nays—Ald. Qualtrough, Groot, Remington, Mutschler, Copeland, Kelly, Horcheler, Quin, Parsons—9.

Ald. Taylor moved to adjourn. Carried.  
B. FRANK ENOS, Clerk.

**In Common Council—Jan. 22d,  
1868.**

**ADJOURNED MEETING.**

The President of the Board, Ald. Wm. Guggenheim, presiding.

Present—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Guggenheim, Carroll, Mutschler, Relyea, Copeland, Ratt, Taylor, Kelly, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons.

Absent—Ald. Graham, brown, Burke.

**DEFICIENCIES IN PERMANENT FUNDS.**

The question under discussion being the resolution offered by Ald. Paine, to raise money to meet the deficiencies in the permanent funds.

Ald. Kelly moved as an amendment to strike out so much of the resolution as related to the Board of Health and House for Truants funds.

Ald. Groot moved as an amendment to the amendment to take up each fund separately. Carried as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Mutschler, Copeland, Ratt, Kelly, Paine, Adelman, Charters, Horcheler, Bingemer, Quin, Parsons—18.

Nays—Ald. Guggenheim, Carroll, Relyea, Taylor, Woodruff, Mauder—6.

**CONTINGENT FUND.**

The motion to raise \$13,000 for the Contingent fund was carried as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Guggenheim, Carroll, Mutschler, Relyea, Copeland, Ratt, Taylor, Kelly, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Parsons—23.

Nays—Ald. Quin—1.

**POLICE, LAMP AND FIRE DEPARTMENT FUND.**

The motion to raise \$21,267 for the Police fund, \$5,000 for the Lamp fund, and \$6,500 for the Fire Department fund, was carried as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Guggenheim, Carroll, Mutschler, Relyea, Copeland, Ratt, Taylor, Kelly, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Parsons—24.

Nays—Ald. Quin—1.

**HEALTH FUND.**

The motion to raise \$1,000 for the Health fund was lost as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Andrews, Guggenheim, Carroll, Relyea, Ratt, Taylor, Paine, Woodruff, Adelman, Bingemer, Mauder, Miller—16.

Nays—Ald. Groot, Remington, Mutschler, Copeland, Kelly, Charters, Horcheler, Quin, Parsons—9.

**HIGHWAY FUND.**

The motion to raise \$7,400 for the Highway fund was carried as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Guggenheim, Carroll, Mutschler, Relyea, Copeland, Ratt, Taylor, Kelly, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Parsons—24.

Nays—Ald. Quin—1.

**SEWER REPAIR FUND.**

Ald. Adelman moved as an amendment to strike out \$350 and insert \$400. Carried as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Guggenheim, Mutschler, Relyea, Copeland, Ratt, Taylor, Woodruff, Adelman, Bingemer, Mauder, Miller, Quin, Parsons—17.

Nays—Ald. Groot, Andrews, Remington, Carroll, Kelly, Paine, Charters, Horcheler—8.

The motion to raise \$400 was lost as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Andrews, Guggenheim, Carroll, Mutschler, Relyea, Copeland, Ratt, Taylor, Woodruff, Adelman, Bingemer, Mauder, Miller, Quin, Parsons—19.

Nays—Ald. Groot, Remington, Kelly, Paine, Charters, Horcheler—6.

Ald. Remington moved a reconsideration. Carried.

Ald. Mauder moved as an amendment to strike out \$400 and insert \$351. Carried.

The motion to raise \$351 was carried as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Andrews, Guggenheim, Carroll, Mutschler, Relyea, Copeland, Ratt, Taylor, Paine, Woodruff, Adelman, Charters, Bingemer, Mauder, Miller, Quin, Parsons—21.

Nays—Ald. Groot, Remington, Kelly, Horcheler—4.

**POOR FUND.**

The motion to raise \$3,000 for the Poor fund was carried as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Guggenheim, Carroll, Mutschler, Relyea, Copeland, Ratt, Taylor, Kelly, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Parsons—24.

Nays—Ald. Quin—1.

**PARK FUND.**

The motion to raise \$50 for the Park fund was lost as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Andrews, Remington, Guggenheim, Carroll, Copeland, Ratt, Taylor, Kelly, Paine, Adelman, Charters, Bingemer, Mauder, Miller, Parsons—19.

Nays—Ald. Mutschler, Relyea, Woodruff, Horcheler, Quin—5.

**HOUSE FOR TRUANTS FUND.**

Ald. Mutschler moved to postpone action on the fund for House for Truants until the next regular meeting. Carried.

The following resolution was then passed:

By Ald. Paine—Resolved, That the City Treasurer is hereby authorized and empowered, in accordance with section 86, title 5 of the city charter, to make the city's notes payable at Powers' banking house, and to

get the same discounted for an amount not exceeding in the aggregate the sum of fifty-six thousand five hundred and eighteen dollars (\$56,518); said notes to be made and to become due at such times as the said Treasurer may deem for the best interests of the city; and the avails of said notes to be applied in the following proportions, viz :

To the credit of the Contingent Expense Fund to provide for the deficiency in said fund for the current fiscal year.....	\$ 13,690
To the credit of the Police Fund for the same purpose.....	21,397
To the credit of the Lamp Fund.....	5,000
To .. .. Fire Department Fund.....	6,500
To .. .. Highway Fund.....	7,400
To .. .. Sewer Repair Fund.....	351
To .. .. Poor Fund.....	3,000
	\$56,518

And the sum so borrowed be assessed and collected as part of the city taxes for the ensuing year. Adopted as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Guggenheim, Carroll, Mutschler, Relyea, Copeland, Ratt, Taylor, Kelly, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Parsons—24.

Nays—Ald. Quin—1.  
Ald. Paine presented the Finance Budget.  
Ald. Cram moved to lay on the table for the present. Carried as follows:

Ayes—Ald. Spencer, Cram, Lutes, Andrews, Remington, Guggenheim, Carroll, Mutschler, Ratt, Taylor, Kelly, Paine, Adelman, Charters, Bingemer, Mauder, Miller, Parsons—18.

Nays—Ald. Qualtrough, Groot, Relyea, Copeland, Woodruff, Horcheler, Quin—7.  
Ald. Paine presented the following, which was referred to the special committee on Fire Alarm Telegraph:

MAYOR'S OFFICE, )  
ROCHESTER, Jan. 22, 1868. }

Gentlemen of the Common Council:  
I this day received from Messrs. Shawk & Frauz, of Cleveland, Ohio, "Shawk's Self-Repeating Fire Alarm Telegraph" circular, which was addressed to the Mayor and Common Council, and which I have the honor to herewith transmit to and for your consideration. Very respectfully,

HENRY L. FISH, Mayor.

By Ald. Paine—Whereas, William O. Wood, of Red Creek, Wayne county, New York, claims that certain bonds of the city of Rochester have been stolen from him, and the interest thereon is now over due; and he offers to give satisfactory security to indemnify the city against the payment of said bonds to any other person: therefore

Resolved, That the whole subject be and the same is hereby referred to the Finance committee, with power to act, and report to this Board. Adopted.

By Ald. Woodruff—Resolved, That the City Treasurer is hereby directed to pay each proprietor or tenant of the places for holding the polls the sum of \$20, excepting the 1st and 2d wards, and charge Contingent Fund.

Ald. Kelly moved as an amendment to strike out \$20 and insert \$30. Lost, as follows:

Ayes—Ald. Qualtrough, Groot, Guggenheim, Kelly, Charters, Mauder, Miller, Quin, Parsons—9.

Nays—Ald. Spencer, Cram, Lutes, Andrews, Remington, Carroll, Mutschler, Relyea, Cope-

land, Ratt, Taylor, Paine, Woodruff, Adelman, Horcheler, Bingemer—16.

Resolution adopted as follows:  
Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Andrews, Remington, Carroll, Mutschler, Relyea, Ratt, Taylor, Kelly, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Parsons—21.

Nays—Ald. Quin—1.  
By Ald. Adelman—Resolved, That the Committee on Opening and Alteration of Streets be directed to present to the jury empanelled to try the question of closing a portion of Clark alley, the proposition to change the lines of the alley, thereby closing a portion of said alley as it now exists, as shown by the map herewith presented. Adopted.

By Ald. Adelman—Resolved, That the Treasurer is hereby directed to pay Tobias Hausman \$6.35, on the ground of military exemption, and charge the same to erroneous assessment. Referred to the Assessors.

By Ald. Adelman—Resolved, That the Treasurer is hereby directed to pay as follows:

John Rouber, \$84; P. J. McNamoy, \$115.25; Robert McIntyre, \$21; McConnell & Jones, \$41.50; Joseph Flint, \$38.08; C. R. Parsons, \$25; John Brady, \$16, and charge Sewer Repair Fund. Adopted as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Andrews, Guggenheim, Carroll, Mutschler, Relyea, Copeland, Taylor, Kelly, Paine, Woodruff, Adelman, Charters, Bingemer, Mauder, Miller, Parsons—19.

Nays—Ald. Groot, Remington, Horcheler, Quin—4.

By Ald. Bingemer—Resolved, That the city Treasurer be and is hereby directed to cancel the tax of fifty, three dollars and twenty-seven cents, on lot east part five, in Mortimer street, said lot belonging to the German "Real" School, an incorporated institution, and therefore legally exempt from taxation, and charge erroneous assessments. Adopted.

By Ald. Bingemer—Resolved, That Lawrence Waldert have permission to sink a well on South avenue, according to the prayer of his petition.

Ald. Carroll moved as an amendment, that the necessary bond be filed with the Mayor. Carried.

Resolution adopted as amended.

By Ald. Horcheler—Resolved, That in case the plaintiffs in the action restraining the city from the collection of the assessment for a sewer in West Alexander street shall pay such assessment without further litigation together with their own costs in said action, that they be relieved from the costs of the defence against such action, and that the city pay the City Attorney his costs therein. Lost as follows:

Ayes—Ald. Horcheler, Bingemer, Quin—3.

Nays—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Guggenheim, Mutschler, Relyea, Copeland, Ratt, Taylor, Kelly, Paine, Woodruff, Adelman, Mauder, Miller, Parsons—20.

By Ald. Parsons—Inasmuch as the English Government still continues to cause the arrest and imprisonment of American subjects, which in our minds is wholly unwarranted and uncalled for, and as we deem it the sacred

duty of the United States to protect and defend its citizens, both native and naturalized, as long as they live up to the requirements and teachings of the true American; therefore be it

Resolved, That our Government should at once demand a speedy and satisfactory explanation why such proceedings have been allowed, and why our nation and institutions have been thus insulted.

Resolved, That our Clerk be directed to furnish our member in Congress, the Hon. Lewis Selye, together with the honorable members of the United States Senate from New York, Messrs. Morgan and Conkling, with a copy of the foregoing preamble and resolutions. Adopted.

By Ald. Quin—Resolved, That the City Treasurer be directed to pay David Wagner one hundred and fifty-two dollars and eighty cents (\$152.80), being the balance due him on his contract for building the lateral sewers in Buffalo street, and charge Contingent Fund. Adopted, as follows:

Ayes—Ald. Spencer, Cram, Lutes, Groot, Andrews, Remington, Mutschler, Relyea, Copeland, Ratt, Taylor, Kelly, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Miller, Quin, Parsons—21.

Nays—Ald. Quatrough, Guggenheim, Mauder—3.

By Ald. Quin—Resolved, That the Committee on Charter Amendments be directed to prepare an act amendatory to the city charter abolishing all therein contained relating to the raising of money for the support of the different funds in the months of June and January, and providing for the estimating at the commencement of the year by the different committees of the amounts necessary for the then ensuing year, and for the raising of the amount by the Board at that time or the year, and report to the Board at the next meeting. Adopted.

By Ald. Quin—Resolved, That the City Superintendent be, and he is hereby authorized to remove all the sign boards and other obstructions that are hung out by the different merchants in violation of the penal ordinance of this city, chapter seven, section seven, page fifty-three. Adopted.

Ald. Paine moved to suspend the rule to adjourn at 11 o'clock. Carried.

Ald. Cram, from the Street Committee, reported in favor of sundry bills. Finance Committee.

Ald. Andrews moved to reconsider the resolution passed last evening to pay W. D. Oviatt \$25. Lost as follows:

Ayes—Ald. Spencer, Cram, Quatrough, Lutes, Groot, Andrews, Remington—7.

Nays—Ald. Guggenheim, Carroll, Relyea, Ratt, Taylor, Kelly, Paine, Woodruff, Adelman, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons—15.

By Ald. Quin—In Common Council, January, 1868.

*To the Honorable the Legislature of the State of New York:*

The Mayor and Common Council of the city of Rochester would respectfully represent that by virtue of repeated enactments of the Honorable the Legislature the bridges and their approaches across the Erie Canal in this city have been raised some six feet above their original height, thereby causing great

inconvenience and damage to the owners of adjoining property who have received no remuneration therefor. Also to all persons connected with the commercial and manufacturing interest of the city, besides rendering the sidewalks difficult to pass over and during the season of frost hazardous to life and limb to that large portion of the citizens who are under the necessity daily of crossing said bridges.

Furthermore, individual property, by reason of said high bridges, especially south of the canal, is depreciated hundreds of thousands of dollars, for which no compensation has been made by the State, and the taxable property of the city is consequently greatly diminished. And

Whereas, It is known that swing or turntable bridges are used in other localities—as on the Barton canal connecting and accommodating the extensive inland commerce of New York and Philadelphia, the "West Branch" canal at Williamsport, Pa., the Chemung canal at Elmira, also at Toledo, Chicago, Milwaukee, and on bridges across the Mississippi river, and everywhere it is believed to give general satisfaction, and are much preferred to bridges such as those crossing the Erie canal.

Believing, therefore, that whilst swing bridges would be hailed with general delight, and that they would not in any appreciable degree hinder or retard the full and free navigation of boats upon the canal, we cordially unite with our fellow citizens in petitioning your honorable body to enact a law to construct a swing or turn table bridge across the canal on Exchange street in this city agreeable to a petition now in the hands of the chairman of the Committee on Canals. Therefore,

Resolved, That the Senator from this District and the members of Assembly from this city and county are respectfully and earnestly requested to use their united influence in the furtherance of the above object.

Resolved, That the Mayor be and is hereby requested to transmit a copy of the foregoing memorial and resolution duly attested to said representatives to be presented to the honorable the Legislature as the sentiments of this board officially expressed. Adopted.

#### SMITH STREET EXTENSION.

On motion of Ald. Quin the Board proceeded to hear allegations in relation to the improvement described in the ordinance below:

After hearing such allegations from all persons appearing, Ald. Quin submitted the following:

An ordinance to extend Smith street from Whitney street to Child street.

The Common Council of the city of Rochester do ordain and determine as follows:

Smith street from Whitney street to Child street, shall be extended, and the following described territory is deemed necessary to be taxed for said improvement, namely:

Beginning on the west line of Whitney street, at its intersection with the north line of Smith street produced; thence westerly along said north line produced to Child street; thence southerly on the west line of Child street sixty feet; thence easterly on a line parallel with and sixty feet distant from the north line of Smith street produced to Whitney street; thence northerly along the west line of Whitney street to the place of beginning.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at one thousand dollars, which estimate was and is hereby approved; the sum of one thousand dollars, being the whole amount of the estimate

aforsaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots on each side of Smith street, from Whitney street to Childs street.

And the City Attorney is hereby directed to publish the notice required by law, that application will be made to the County Court of the County of Monroe, for the appointment of Commissioners to inquire into and determine what damages and compensation the owner or owners of such land to be taken will be entitled to for the same, and that he serve such notice as required by law.

Passed by the following vote:

Ayes—Ald. Spencer, Cram, Quattrough, Lutes, Groot, Andrews, Remington, Guggenheim, Carroll, Mutchler, Relyea, Copeland, Rah, Taylor, Kelly, Paine, Woodruff, Adelman, Horchler, Bingenier, Mander, Miller, Quin, Parsons—24.

Nays—Ald. Charters.

Ald. Quin moved that the proposition submitted to this Board by Kondolf & Co., relative to the extension of Smith street, be accepted. Carried.

FINANCE BUDGET.

JANUARY 22d, 1863.

By Ald. Paine—Resolved, That the Treasurer pay as follows:

CONTINGENT FUND.

E. T. Oatley, salary.....	\$360 00
C. M. St. John, salary.....	2 00
D. McKay, salary.....	300 00
William Zann, repairing Assessors' office.....	75 00
L. C. Braudt, printing.....	600 00
L. Lochhart, watching City Hall.....	105 00
G. A. Waleson, repairs Council Chamber.....	122 15

\$1,762 15

Above payable to D. W. Powers.

Henry L. Fish, Mayor, 6 months salary.....	\$750 00
H. F. Langworthy, Treasurer, 6 months salary.....	1750 00
B. Frank Enos, Clerk, 5 months salary.....	500 00
Daniel Richmond, Surveyor, 4 months salary.....	1000 00
J. H. Raymond, Attorney, 3 months salary.....	275 00
D. McKay, assessor, 1 month's salary.....	150 00
E. T. Oatley, .....	100 00
C. M. St. John, .....	100 00
Wm. Tracy, Messenger, 3 months salary.....	193 98
Francis Lochhart, watching City Hall, 2 mos.....	70 40
Barrow & Kempshall bill stationery.....	23 70
Smith Perkins & Co., bill on ink.....	12 00
Howe & Rogers, oil, cloth, &c.....	23 00
Wm. H. Tracy, disbursements.....	6 87
Adams & Ellis, stationery.....	99 70
L. Van Vleet, bill of ink.....	3 00
Shercock & Sloan, repair at City Hall.....	24 58
John Orchard, bill of hack hire.....	1 00
Chas. J. Haydon, repairing furniture.....	7 50
John Van Anken, bill on hire.....	3 00
A. Nolte, printing.....	61 00
Rochester Gas Light Co., gas in City Hall.....	68 60
Ernst & Seifried, bill of nails, &c.....	70 00
J. C. Miller, insurance.....	37 50
D. D. S. Brown, publishing proceedings &c.....	434 75
Wilder, Tracy & Co., bill for printing.....	2 50
M. Raan, bill for hack hire.....	3 00
Wm. Whitehair, .....	2 00
Curtis, Morey & Co., bill for printing.....	174 15
Brown & Williams, bill.....	9 75

And charge Contingent Fund. \$5,779 3

POOR FUND.

Joseph Hoffman, one month's salary.....	\$100 00
S. E. Scrantom, .....	75 00
Henry Hilton, 4 weeks salary.....	20 00
Joseph Hoffman, disbursements in office.....	76 18
J. D. McIntosh, candles for poor store.....	40 25
H. B. Hathaway & Co., molasses, &c., for poor store.....	66 75
W. W. Carr, flour for poor store.....	150 60
John B. Ahn, corn meal for poor store.....	15 67
Quattrough & Hunter, payable to Joseph Hoffman, buckwheat flour.....	12 75
D. Palmer, orders for fish.....	42 95
Henry East, orders for meat.....	300 00
John Groh, orders for shoes.....	21 25
A. M. Semple, sugar, &c., for poor store.....	78 98

And charge Poor Fund. \$1,063 73

HIGHWAY FUND.

Bennett & McGraw, bill of lumber.....	\$118 92
John Purcell, bill for street repairs.....	31 56
Thomas Purcell, laborers' pay-roll.....	587 80
John Volmer, in full for his contract for replanking Clarissa street bridge.....	250 00
O. M. Rice, inspecting Clarissa street bridge.....	73 75
M. J. Walsh, breaking stone or streets.....	120 94

Thomas Purcell, salary for quarter ending Oct. 1st, 1867..... 400 00

\$1,582 30

Above payable to D. W. Powers.....	
Thomas Purcell, laborers' pay-roll.....	\$2 01
N. T. Hackstaff, bill for printing.....	19 00
J. Tracy, bill for ice for Street Superintendent's office for 1867.....	8 00
Strong & Redie u, broken stone.....	4 88
Geo. Moshier, labor on streets.....	6 00
W. J. Hanford, making crosswalk on the corner of Herman, Thomas and Henry streets.....	22 40
Szra Jones, labor and material for Clarissa-street bridge.....	38 71
Perrin & Stewart, repairs to wagons.....	48 44
Henry Belding, plow points, &c.....	38 50
Ernst & Seifried, hardware.....	84 28

\$332 22

And Charge Highway Fund.

LAMP FUND.

Boyd, Gommenginger & Co., repair of lamps and new lamps.....	\$ 285 45
And charge Lamp Fund.....	

FIRE DEPARTMENT FUND.

Monthly Pay Roll, payable Dec. 31st, to George B. Harris, Chief Engineer:	
Steamer No. 1, engineer and drivers.....	\$125 60
.. 2 .. .. .	135 00
.. 3 .. .. .	135 00
.. 4 .. .. .	135 00
Hook and Ladder Co. No. 1, driver.....	40 00
R. B. Paine, services at hose depot.....	60 00
Geo. B. Harris, Chief Engineer, salary 1 month.....	100 00

\$740 00

QUARTERLY PAY ROLL.

Steam Engine Co. No. 1, pay of hosemen.....	\$115 00
.. 2 .. .. .	115 00
.. 3 .. .. .	115 00
.. 4 .. .. .	115 00
Hook & Ladder Co. No. 1, pay of Company.....	250 00

Total \$710 00

Payable when there are funds applicable to Geo. B. Harris, Chief Engineer.....	\$50 00
Jos. Malcom, Ass't Engineer, 3/4th salary.....	50 00
Thos. O'Brien, .....	50 00
Law & Gibson, .....	50 00
Charles Frank, .....	50 00
O. L. Angevine, Fire Marshal, .....	175 00
Alert Ho-e Co. No. 1, quarterly appropriation.....	250 00
Sack and Bucket Co. No. 1 .. .. .	250 00

Total \$875 00

RENTS, &c.

J. B. Bennett, 1 quarter's rent Engine House No. 1.....	\$31 2
Edward Harris, Attorney, 1 quarter's rent Engine House No. 1.....	31 25
Browning & Cutting, doctoring horses by contract.....	9 00
W. H. Carrier, doctoring horses by contract.....	10 50
Cating & Cooney, shoeing horses by contract.....	42 25
Millington & Starks, repairs.....	\$124 25
Merrick, Hayes & Co, baskets and shovels.....	3 75
J. Beaud, ringing fire alarms.....	17 88
J. J. Korb, .....	23 5
Jacob Byrne, .....	13 75
Woodbury, Booth & Co., repairs to engines.....	97 72
C. P. Parsons, lumber.....	5 16
P. B. Whitebeck, wood.....	1 50
James Hart, repairs to harness.....	7 65
Smith & Roberts, steam coal.....	21 06
E. Wray, keys and lock.....	8 40
H. Barnard, oil and glass.....	14 25
" Pulley, stove furniture and repairs.....	46 90
D. R. Barton & Co., repairs to axes.....	4 20
W. Brayer & Co. horse bedding.....	4 00
Merrine & Stewart, repairs to apparatus.....	98 40
W. Burke & Co., hardware.....	17 56
Rochester Gas Light Company, gas bills.....	71 65
E. H. Hollister, kindling wood.....	8 00
Geo. B. Harris, disbursements.....	29 86
Kelly & Co., lamps and repairs.....	74 50
J. D. McIntosh, tallow.....	4 79
S. N. Spencer, charcoal.....	4 00
Brown & Williams felt cloth.....	6 25
W. E. Lathrop, harness fittings.....	1 25
Ian & Paine, oil and sponge.....	3 40
Shercock & Sloan, steam and gas fittings.....	15 49
Steele & Avery, stationery.....	10 40
John Lyness, bell ringing.....	45 00
William Kewin, bell ringing.....	16 25
James Melvin, Jr., blacksmithing.....	5 50

And charge Fire Department fund. \$695 62



## POLICE FUND.

Police pay-roll for months of October, November and December, 1867, as per lists herewith.....	\$8,919 75
Samuel M. Sherman, salary for September, 1867.....	125 00
Alexander McLean, .. .. .	75 00
Monroe A. Green, .. .. .	75 00
S. M. Sherman, disbursements .....	14 13
	\$9,348 88

Above payable to D. W. Powers,  
And charge Police Fund.

Adopted as follows:

Ayes—Ald. Spencer, Cram, Lutes, Andrews, Remington, Guggenheim, Carroll, Relyea, Ratt, Taylor, Kelly, Paine, Woodruff, Adelman; Bingemer, Mauder, Miller, Parsons—18.  
Nays—Ald. Qualtrough, Groot, Horcheler, Quin—4.  
Adjourned.

B. FRANK ENOS, City Clerk.

## In Common Council—Feb. 4th, 1868.

### REGULAR MEETING.

The President of the Board, Wm. Guggenheim, presiding.

Present—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Mutchier, Relyea, Copeland, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons.

Minutes of previous meeting approved as published.

#### PETITIONS AND CLAIMS.

By Ald. Spencer—Sundry bills. Fire Department Committee.

By Ald. Lutes—Sundry bills. Poor Committee.

By Ald. Carroll—Sundry bills. Street Committee. Petition of James G. McKee. Referred to the Assessors.

By Ald. Copeland—Petition of B. Hughes & Co. Table.

By Ald. Ratt—Sundry bills. Lamp Committee.

By Ald. Kelly—Petition of John Ball. Wooden Building Committee. Remonstrance of Mr. Wall and others. Table.

By Ald. Woodruff—Sundry bills. Contingent Committee. Also bill of Edward Emerick. Referred back to City Property Committee. Resignation of W. D. Stuart, as a Commissioner of Deeds. Accepted.

By Ald. Bingemer—Sundry bills. Police Committee.

By Ald. Cram—Sundry bills. Street Committee.

By Ald. Remington—Resignation of John E. Morey as an Inspector of Elections Fourth Ward. Accepted.

By Ald. Groot—Communication from the managers of House for Truants, relative to the amount of moneys necessary to be raised for the coming year. Received.

#### REPORTS.

Ald. Groot presented the following report relative to the

#### HOUSE FOR TRUANT CHILDREN.

To the Common Council of the City of Rochester: GENTLEMEN—In submitting to you this their 13th annual report, the managers of the House for Idle and Truant children have little to add to the ample details contained in the

report of the Superintendent, an abstract of which is hereunto annexed—from which it appears that the whole number of children connected with the institution during the year ending the 31st of December, 1867, was 143—of whom seventy-two remained in the House at the close of the preceding year.—During the year seventy-one have been committed, fifty boys and twenty-one girls. The average attendance has been eighty-three, and at the close of the year there remained in the House eighty-two. One death occurred during the year, that of a girl three weeks after being received in a sickly condition.

It will be seen that of the whole number connected with the institution nearly one-half were furnished by our Irish population, and a little over one-fifth by the German—the remainder being furnished in nearly equal proportions by the English, American and Canadian, besides six of African extraction, three Norwegian, and two unknown. It will be seen also that 270 articles of apparel of various descriptions and 182 articles pertaining to the sleeping apartments have been made up within the House during the year, besides repairs of various kinds almost *ad infinitum*.

The number of loaves of bread baked during each week is 200, which, allowing the whole number of inmates including the Superintendent and employees to be ninety—allows nearly two and a quarter loaves to each individual—a pretty conclusive evidence that the digestive organs are in good repair, and perform their functions promptly. The great amount of vegetable productions raised on the small plat of ground, while it contributes in no small degree to lessen the expense of the institution and to promote the health and comfort of the inmates—affords the best evidence of industry and good management on the part of the Superintendent.

Another evidence to the same effect, and which also diminishes the expense, is that during the year the earnings of the boys amounts to \$991.14, and the returns for board of children of parents who pay to \$573.62, amounting in the aggregate to \$1,364.76.

As the number of admissions increased greatly beyond the means provided for their accommodation, the managers were compelled during the summer to provide for this contingency by finishing off in a cheap way the attic in the main building as a dormitory, in which are now placed a little over twenty beds. In case of a further increase it would be difficult, if not impossible, to find sleeping apartments without greatly over-crowding—which would prove ruinous to health as well as to comfort. It will therefore be the part of wisdom, as well as an enlightened philanthropy, at no remote period to make provision for a greater number of children. The managers will exhaust every available means compatible with health and comfort before soliciting funds for the erection of a front building on the site of the old wooden structure, now and for a long time in a dilapidated condition. But that such an outlay is every day becoming more and more a necessity is apparent to the least observant eye, and we trust that no one of your honorable board will feel alarmed or disturbed by the announcement.

In this day of public demoralization—permeating all classes, from the highest to the lowest—affecting those of native as well as of foreign birth—every means should be employed which affords a reasonable prospect of arresting the tide which threatens to sweep away the foundations of society and sever the ties of social life.

“To train up a child in the way he should go” should be the name of every good citizen and patriotic lover of his country. When this obvious duty is ignored or neglected by the parent or guardian, it then becomes the state, as far as possible, to supply the defect. We believe this defect is supplied in a good degree, within its limited range of influence, by the noble institution entrusted to our management. We have seen industry take the place of idleness, fidelity and constancy that of trancy, decency and self respect, that of vulgarity, virtue assumes its rightful authority over vice, and ignorance yield to the patient teaching and culture of the youthful mind. To all this we have been eye-witnesses, and we cannot but bear our humble testimony to the potency of the institution in reclaiming the vicious, the idle and the truant to habits of industry, and virtue, and in fitting them for future usefulness as members of society. Let it be remembered that this work if done at all, must be done in early childhood and youth—otherwise it may as well not be attempted. Viewed in a moral and social aspect—no one capable of forming a correct opinion can doubt the utility, and even the necessity of such an institution in order to maintain the preponderance of virtue over vice in a well regulated community—and it would not be difficult to show that even in a pecuniary point of view, it is more economical than any plan hitherto devised or than its entire neglect. But we deem it unnecessary. We appeal to facts—and leave the problem to be solved by those who have more leisure for the task.

After what has been said above and in their report of last year, it is scarcely necessary to advert to the school—but we are unwilling to omit a passing notice of it. It will be remembered that owing to the increased numbers, it became necessary to divide the children into two separate schools—the older being placed under the instruction of Miss Mary Streefer and the younger under that of Miss Clum. Those young ladies have not disappointed the expectations of the managers. They have fulfilled the difficult parts assigned to them, and have earned for themselves the reputation of faithful, efficient and successful teachers. It has been truly gratifying to witness what can be and has been accomplished by skill and assiduous labor in leading the youthful mind to the acquisition of the elementary branches of education, and by inspiring it with a wholesome ambition to excel. This has in a good degree been accomplished in each of the schools, and affords a well grounded hope that the instruction there received will have its influence in after life—to mold the character, to qualify the recipients for usefulness, and to inspire them with a commendable ambition to excel in any occupation in which they may hereafter be engaged.

We cannot bring this report to a close without alluding to the death of Mrs. Adams,

the late lady matron of the institution, who had rendered herself so useful, and had endeared herself so strongly to the children and employes, and had established an authority which none could resist, on the priceless basis of kindness and love, always regulated by good sense and a sound judgment. After having been rendered by the progress of disease incapable of active duties, her medical attendant casually remarked to some of the attendants that her work was nearly done, and that she ought to be relieved from further care and responsibility. The elder Mrs. Adams, the venerable old lady who has rendered herself so useful for no other reward than the consciousness of doing good, quickly replied “Yes, but her shadow is worth a great deal in the House”—meaning that her influence was strongly felt—and so we trust it will continue to be felt and her memory held in grateful remembrance for many years to come! Mrs. Adams, after suffering for many months, departed this life on the 20th of November, leaving behind her a rare example of patient endurance, of submission to the Divine will, and the invaluable legacy of a consistent life.

All which is respectfully submitted.

By order and in behalf of the Board of Managers. E. W. ARMSTRONG, President.

C. H. CLARK, Secretary.  
Rocchester, Feb. 4, 1868.

To the Hon. Board of Managers of the House for Idle and Truant Children:

GENTLEMEN:—I beg leave to present to you in brief some details of what has been done during the year 1867 at the Institution under your charge.

At the beginning of the present year there were in the Institution

Boys.....57 Girls.....15

During the year there has been committed

Boys.....50 Girls.....31

Boys discharged.....33 Girls discharged.....19

The whole number of inmates.....143

Average.....83

One death has occurred—that of a girl who was brought to the Institution ill and died in about three weeks of dropsy on the brain.—This is the second death which has occurred since the organization of the Institution in the year 1854. The children have always been noted for healthiness while in the Institution, and to prove more conclusively the healthiness of the location our doctor's bill has been but \$21.75 for the last two years, with the exception of the physician's bill to the young girl who died.

Fifteen of the children discharged have been placed in good families in the country; from them we hear very good reports.

The remainder—thirty-six—have been discharged to their parents.

Boys run away.....5

Girls.....2

Of the five boys who ran away three are in the House of Refuge, one at the Penitentiary, and one at home. The two girls have been re-taken and are now in the Institution.

#### PARENAGE OF THE CHILDREN.

One or both of the following nationality.

Irish.....57 American.....11

German.....30 Norwegian.....3

Canadian.....12 Colored.....6

English.....13 Unknown.....2

Total.....143

## ARTICLES OF CLOTHING MADE.

Shirts.....	27	Coats.....	30
Drawers.....	6	Pants.....	28
Skirts.....	4	Vests.....	1
Dresses.....	9	Handkerchiefs.....	24
Aprons.....	30	Mittens.....	7 pairs.
Suspenders.....	24 pairs.	Neck-ties.....	36
Socks.....	36	Collars.....	6
Comfortables.....	9	Double sheets.....	16
Single bed ticks.....	16	Small pillow cases.....	16
Double bed-ticks.....	3	Large pillow cases.....	4
Husk pillows.....	52	Brown towels.....	12
Feather pillows.....	4	White towels.....	14
Single sheets.....	24	Table napkins.....	12

## BEDS, BEDDING, &amp;c.

Comfortables.....	9	Double sheets.....	16
Single bed ticks.....	16	Small pillow cases.....	16
Double bed-ticks.....	3	Large pillow cases.....	4
Husk pillows.....	52	Brown towels.....	12
Feather pillows.....	4	White towels.....	14
Single sheets.....	24	Table napkins.....	12

## CLOTHES, &amp;c., REPAIRED.

Shirts.....	2,690	Comfortables.....	52
Pants.....	1,300	Bed-ticks.....	208
Coats.....	1,040	Mending and cover-	
Socks.....	2,680	ing of books.....	114
Girls' undergarments.....	1,050	Pen-wipers and pin-	
Girls' dresses.....	520	balls.....	79
Girls' aprons.....	624	Balls covered.....	30
Sneets.....	194		
Pillow cases.....	78		

Of the six acres of land only a part has been cultivated, and has produced as follows:

Potatoes.....	260 bushels	Beets.....	6 bushels
Apples and pears.....	20 barrels	Carslips.....	10
Carrots.....	16 bushels	Cabbage.....	150 heads.
Ontons.....	8	Green corn.....	30 bush. ears
		Squashes.....	500 pounds

Pumpkins, melons, citrons, tomatoes, beans, and peas in abundance.

There has been about ten rods of tile put down, to drain the water from a piece of land which could not be cultivated.

All the labor has been performed both in-door and out without extra expense, except in ploughing the land the first time and making two woollen coats for boys. Two hundred loaves of bread are baked weekly. The amount deposited in the City Treasurer's Office, \$1,364 76.

The Institution was in debt at the beginning of the present year as follows:

Finishing two school rooms, new board fence for the boys' and girls' yard, shingling a portion of the old house building, one stone

J. W. ADAMS,  
Superintendent.

Received and ordered published.

Ald. Spencer, from the Fire Department Committee, reported in favor of sundry bills. Finance Committee.

Ald. Lutes, from the Poor Committee, reported in favor of sundry bills. Finance Committee.

Ald. Ratt, from the Lamp Committee, reported in favor of sundry bills. Finance Committee.

Ald. Woodruff, from the Contingent Committee, reported in favor of sundry bills. Finance Committee.

Ald. Cram, from the Street Committee, reported in favor of sundry bills. Finance Committee.

Ald. Bingemer, from the Police Committee, reported in favor of sundry bills. Finance Committee.

Ald. Taylor, from the Law Committee, presented a report relative to the suit of the city against Mary J. Whitcher, which was received and placed on file.

Ald. Ratt, from the Improvement Committee, presented the following report relative to

## SOUTH AVENUE WALKS:

To the Honorable the Common Council of the City of Rochester:

Your committee to whom was referred the opinion of the City Attorney in relation to

the matter of South avenue sidewalk improvement, would respectfully report as follows:

The City Attorney (quoting from section 209 of the charter), recites two ways in which the Common Council may cause sidewalks and crosswalks to be constructed.

First—By compelling owners of lots to construct the same in front of their lots to the center of the street; and

Second—By general ordinance as other improvements.

It will be observed that the Council selected the latter method for South Avenue, namely, by general ordinance, and a general assessment upon property owners included in the territory designated by the Council as considered benefitted.

The following proposition in regard to the powers and duties of the Assessors is then enunciated by the Attorney in the following language, viz:

By sections 194 to 197 inclusive, of the amended charter, the whole subject of making assessments, hearing appeals therefrom, and correcting the same, is placed under the control of the Assessors. They are required by section 191 to assess the amount of the expense of any improvement upon the owner and occupants of lands and houses within the designated territory, "in proportion as nearly as may be, to the advantage which each shall be deemed to acquire by the making of such improvement." They are not required to be governed in making such assessments by the linear feet front of any lot. But it is left to their discretion to apportion the assessment among the taxpayers according to the advantage which they deem the proposed improvement will be to such persons.

It will appear from the above, that the Assessors have full power, and in fact under the charter are the only authority which can determine the relative advantages which are to accrue to the lot owners by the improvement, and that they are not necessarily to be governed by linear feet front of the several lots, but are to assess upon the different owners in proportion to the advantage which they deem may accrue.

Again the Attorney says: Where the proceedings on an assessment are regular, errors by the Assessors in estimating the amount of benefit which each tax-payer may receive from an improvement, cannot be corrected, after the roll has been confirmed, unless they are so great as to indicate gross dereliction from duty or fraud and corruption.

There is no claim in this case that the Assessors have been guilty of either dereliction from duty or fraud and corruption, and even if in making up the assessment roll in this case, or in others of like character, they should deem that the owner of a corner lot is no more benefitted by the improvement beyond his actual lines, than his neighbor, set on the corner, is benefitted by that part done in the street, whether the opinion be correct or erroneous, the opinion of the Attorney would cut off any action in such case to correct or change the assessment on account of such action by the Assessors.

From the above statement of facts, your Committee would state the following proposition as bearing upon this case:

First—The Assessment roll, having been made by the Assessors according to law, and

the same having been confirmed by the Common Council, the Council have now, no authority to order a correction or change in said assessment; and even if they had the power it may be questionable whether they could compel the the Assessors to increase the assessment on owners, whom they deem are already assessed to their full proportion of the benefits to be derived from the improvement.

Second—That in the collection of the assessment, no different percentage can be collected of one owner than from another, since the assessment roll fixes the proportion in which the different owners shall pay.

The resolution for the collection of the assessment on South avenue, provides for the collection of 80.8 per cent. of the amount assessed upon each owner, in full of the account for the improvement, and in accordance with the assessment roll.

The resolution also provides that there be credited to owners of lots who have constructed their own sidewalks to the acceptance of the Committee, such sums as the work thus done would amount to at contract prices.

It is suggested by the attorney that such credits should be made to at least the cost of their walks. That the owner should receive a credit for all the walks thus built by him, at some price, is evident; and it appears equally evident to your committee that no other price than the contract price for said work could be fixed upon; for had the standard been fixed at the actual cost to the owners who did the work, it would have been impossible to determine that actual cost; and even if it could have been determined, it might have been found that the cost to one owner was much greater for a no better walk than to his neighbor, or it may have been found that one owner had really built a much more expensive walk than even the contract and specifications required. Taking this view of the matter, it seems to your Committee just to look upon each owner who constructed his walk in the light of a contractor in his relation to the city, and that he should be allowed the contract price therefor; for it would have made no difference as far as the cost of the improvement is concerned as to who constructed it so long as it was done at contract price.

In the case of Miss Flora Reche, it appears, as stated by the city Attorney, that the assessors adopted the same measurement of her lot as in the assessment for city taxes, although she had already paid an assessment for a portion of it under an ordinance for Mt. Hope Avenue sidewalk improvement.

Under the resolution for the collection of the assessment for South Avenue sidewalk improvement, she will be obliged to pay her proportion of her whole assessment as other owners, while by the subsequent resolution allowed to by the Attorney, this over assessment is paid back to her, and the same charged to erroneous assessments.

Your Committee therefore respectfully recommend the passage of the resolutions herein referred to, believing the same to be in compliance with the requirements of the city charter.

All of which is respectfully submitted.

WM. RATT,  
D. COPELAND, JR.,  
P. BURKE,  
Committee.

Received and ordered published.

ALLEY BETWEEN MAPLE AND LITCHFIELD STREETS.

Ald. Quin, from the Committee on Opening and Alteration of streets, presented a report adversely to the prayer of petitioners for the closing or alteration of the alley between Maple and Litchfield streets. Received.

#### STOLEN BONDS.

Ald. Paine, from the Finance Committee, presented the following report, relative to city bonds claimed to have been stolen from Wm O. Wood, of Red Creek, Wayne county, which was adopted:

*To the Honorable the Common Council of the City of Rochester:*

GENTLEMEN:—Your committee to whom was referred the claim of Wm. O. Wood, of Red Creek, Wayne county, N. Y., against the city of Rochester, beg leave to make the following report:

Mr. Wood claims that he is the sole and rightful owner of the following bonds issued by the city of Rochester in the year 1864, to wit:

1	bond, No. 3, for \$500, due Oct. 1, 1877, with interest.
1	" No. 4, for \$300, " " " "
1	" No. 16, of \$500, " " " "
1	" No. 17, for \$500, " " " "
1	" No 35, for \$500, " " " "
1	" No 27, for \$400, " " 1868, "
1	" No. 20, for \$400, " " " "
1	" No. 61, for \$4 0, " " " "
1	" No 32, for \$500, " " " "

and amounting in all to the sum of \$4,300, with interest on the same for one year.

Said bonds, as described above, Mr. Wood claims were stolen from him in November, 1866—that he has not since that time seen said bonds and does not know where they may be found.

Mr. Wood has executed a bond of indemnity with sureties, which your committee, after a careful examination, have approved and present herewith for your acceptance.

All of which is respectfully submitted.

CYRUS E. PAINE,  
JAMES H. KELLY,  
L. C. SPENCER,  
Finance Committee.

#### COMMUNICATIONS.

The Clerk presented a communication from the Assessors, relative to the taxes against Francis Chaffee, Tobias Hamman and James McGahan. Received.

The Clerk presented the resignation of Henry B Kimble and Geo. Frauenberger, as Inspectors of Elections in the Fourteenth Ward. Accepted.

#### MONROE COUNTY SAVINGS BANK.

The Clerk presented the following:

*To the Hon. the Common Council of the City of Rochester:*

The Monroe County Savings Bank, pursuant to the statutes, make report that their funds and investments on the first day of February, 1868, were as follows:

Temporary deposits (available).....	\$413,569 63
Loans on bonds secured by mortgages on real estate.....	761,475 00
Invested in United States, New York State, Monroe county and Rochester city bonds.....	1,143,300 00
Real estate.....	49,063 61
Aggregate amount of deposits.....	2,230,388 83
Amount of interest which has accrued on deposits from February 1, 1867, to February 1, 1868.....	103,285 57
Amount due depositors who have not, within the two years next preceding the date of this report, made a deposit or received a payment or dividend, about....	75,000 00

JONATHAN E. PIERPONT, Secretary.

State of New York, County of Monroe.

Jonathan E. Pierpont, of the city of Rochester, being duly sworn, says that he is the Secretary of the Monroe County Savings Bank, that the preceding report has been carefully prepared under the direction of the Board of Trustees, and that he believes the statement therein made to be true.

JONATHAN E. PIERPONT.

Sworn to and subscribed before me this 4th day of February, 1868. F. D. W. CLARK,

Notary Public.

Received and ordered published.

NEW YORK CENTRAL RAILROAD.

The Clerk presented the following:

ASSISTANT SUPERINTENDENT'S OFFICE. )  
ROCHESTER, Feb. 4, 1868. )

To the Honorable the Common Council of the City of Rochester :

GENTLEMEN: Notice having been brought to the authorities of the New York Central Railroad Company that complaints had been made to your honorable Board and other city officers by citizens of Rochester owning property adjacent to the Road (and others) who were obliged to cross the tracks that the number and frequency of trains passing endangered the lives of the citizens and others whose business or pleasure might call them in that direction. Hearing of the above complaints our Vice President, Daniel Torrance, Esq., accompanied by Mr. Clark, of the Executive Committee, and Mr. Fairchild, the Company's Attorney, came here to learn the cause and enquire as to the complaints, and have signified their entire willingness and determination to meet the requirements of your honorable Board and comply with all the ordinances relating to the said Railroad in a spirit of fairness to the fullest extent possible and in a business-like manner. They have authorized me to correct any abuse complained of, and to confer with and meet you in a spirit of kindness, and so far as your wishes may be known, to correct any and all irregularities that may be injurious to Rochester and its citizens; and to prevent, so far as possible and practicable, consistent with the welfare of all interested and the immense traffic of this great through route, the cause of all complaints; and at any time convenient the undersigned will be happy to confer with the city authorities and officers thereof for the purpose of mutual understanding and reciprocity of feeling. I may add here that I have already issued a special order to the employes relative to movement of our traffic within the city limits embodying the spirit of the municipal laws of the city of Rochester.

With respects to your Honorable Board, I remain yours, respectfully,

J. TILLINGHAST,  
Assistant Superintendent.

Ald. Relyea moved to receive, file and publish.

Ald. Groot moved to strike out the word publish. Lost.

Ald. Quiltrough moved that the communication be referred to the special committee on railroads. Lost as follows:

Ayes—Ald. Quiltrough, Groot, Graham, Guggenheim, Mutchler, Brown, Adelman, Horchler, Bingemer, Quib—10.

Nays—Ald. Spencer, Cram, Lutes, Andrews, Remington, Carroll, Relyea, Copeland, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Charters, Mauder, Miller, Parsons—18.

Ald. Relyea's motion to receive, file and publish was adopted.

#### ORDINANCES—FLOOD DAMAGES.

Ald. Groot presented the final ordinances for Court street wooden bridge, Repairs on State street road leading from Court street to Monroe County Jail, Repairs on Troup street, Alley running from Exchange Place, Repairs on School alley, Repairs on Mumford and Andrews streets, Repairs on Mumford street, Repairs on Lake avenue and White street, Repairs on Buffalo street and Main street Bridge, Repairs on Spring street, Repairs on Frank street, Repairs on Front street, Repairs on Hill and Platt streets, Repairs on Oak street, Repairs on Mill and Center streets, Repairs on Mill street, Repairs on Furnace street, Repairs on Montgomery alley, Repairs on West street, Repairs on Dean street, Repairs on Platt street, Repairs on Varnum street, Repairs on Platt street, Repairs on Lyell street, and moved their postponement for four weeks. Carried.

#### LAKE AVENUE WALK.

On motion of Ald. Cram, the Board proceeded to hear allegations in relation to the improvement described in the ordinance below.

After hearing such allegations from all persons appearing, Ald. Cram submitted the following:

An ordinance to construct a walk in front of lot No. 1 on the northwest corner of Lake avenue and McCracken street.

The Common Council of the city of Rochester do ordain and determine as follows:

A paak sidewalk, six feet wide, in front of lot No. 1 on the northwest corner of Lake avenue and McCracken street, shall be constructed.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefited thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at thirty dollars, which estimate was and is hereby approved; the sum of thirty dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

Lot No. 1 on the northwest corner of Lake avenue and McCracken street.

On which above described portion of the city, the said sum of thirty dollars is hereby ordered to be assessed.

And David McKay, E. T. Oatley and C. M. St. John, the Assessors of said city not interested in any of the property so benefited, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all the owners and occupants of lands and houses within the portion or part of said city so designated, of the said amount of expense, in proportion, as nearly as may be, to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors are hereby notified to meet for this purpose, on Saturday, the 8th day of February, 1868, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote: All ayes—27.

#### ASSESSMENTS.

Ald. Burke presented the assessment roll for Varnum Street Opening, and moved its postponement for two weeks. Carried.

Ald. Burke moved that Ald. Taylor and Andrews be added to the Special Committee on Varnum Street Opening. Carried.

## EXECUTIVE.

On motion of Ald. Woodruff, the Board proceeded to ballot for a Commissioner of Deeds, when E. M. Redmond received 15 votes, and was declared appointed.

On motion of A. d. Remington, the Board proceeded to ballot for an Inspector of Elections in the Fourth Ward, when William M. Colvin received 19 votes, and was declared appointed.

On motion of Ald. Mander, the Board proceeded to ballot for two Inspectors of Elections in the Thirteenth Ward, when Albert Moshier received 20 votes and Jesse Shepard received 15 votes, and were declared appointed.

On motion of Ald. Quin, the Board proceeded to ballot for two Inspectors of Elections in the Fourteenth ward, when William G. Stewart received 21 votes and William Aikenhead received 19 votes and were declared appointed.

On motion of Ald. Carroll the Board proceeded to ballot for an Inspector of Elections in the Fifth ward, when John McDonald received 16 votes, and was declared appointed.

## MISCELLANEOUS.

By Ald. Quin—Resolved, That the Street Superintendent is hereby directed to enforce section nineteen of the Penal Ordinances relating to streets, relative to constructing lateral sewers, and all persons refusing to comply with said ordinance, the Superintendent is hereby directed to close said lateral sewer. Adopted.

Ald. Mander gave notice that he would, at the next regular meeti g, introduce a Penal ordinance relating to lamps.

By Ald. Adelman—Resolved, That the City Treasurer be and he is hereby instructed to refund to Tobias Hamman, of the 11th ward, six dollars and thirty cents, in accordance with the report of the Assessors, and charge to erroneous assessments. Adopted, as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Copeland, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mander, Miller, Parsons—27.  
Nay—Ald. Quin—1.

By Ald. Adelman—Resolved, That the City Property Committee are hereby directed to engage Edward Emerig to take care of the clocks of St. Peter and Paul's and St. Joseph's Churches, at the same rate as he is now taking care of the other clocks in the city. Lost, as follows:

Ayes—Ald. Adelman, Charters, Horcheler, Bingemer, Mander, Miller—6.

Nays—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Copeland, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Quin, Parsons—22.

Ald. Taylor moved a reconsideration. Carried.

Ald. Taylor moved as an amendment that they pay \$37.50 for each church, which was accepted by Ald. Adelman, and the resolution was then adopted.

By Ald. Adelman—Resolved, That the Trustees of St. Peter and Paul's church congregation, be and they are hereby authorized

to change the location of the alley along the west line of lot No. 44, in the Bush and King tract, between Litchfield and King streets, by establishing the lines as hereinafter described.

The east line of said alley shall be as follows: Commencing at a point in the southerly line of Maple street, ten feet west from the north-west corner of lot No. 44 in the Bush and King tract; thence southerly on a line ten feet distant from and parallel with the west line of said lot No. 44 to its intersection with the north line produced, or the alley running west from Litchfield street along the south bounds of lots No. 31, 30 and 44, in said tract.

The west line of said alley shall commence at a point in the southerly line of Maple street, ten feet west from the north-east corner of lot No. 27 in said tract; thence southerly on a line ten feet distant from, and parallel to the east bounds of lots No. 27, 26 and 25 of said tract to a point six feet north of the south bounds of lot No. 25; thence south-easterly to a point in the west line of the present alley, five feet south from the south-east corner of said lot No. 25. Postponed for two weeks.

By Ald. Paine—Resolved, That the City Treasurer is hereby authorized and empowered to make the city's note payable at Powers' Banking House, and to get the same discounted for an amount not exceeding in the aggregate the sum of one thousand dollars (\$9,000), said notes to be made and to become due at such times as the said Treasurer may deem for the best interests of the city; and the avails of said notes to be applied to the credit of the "House for Idle and Truant Children," and the sum so borrowed be assessed and collected as part of the city taxes for the ensuing year. Adopted.

By Ald. Paine—Whereas, Mr. William O. Wood, of Red Creek, Wayne county, N. Y., has executed a bond of indemnity with sureties for the sum of \$10,000, to secure the city of Rochester against any loss which may result from the payment of certain bonds issued by the city and claimed by said Wood to have been stolen from him; therefore

Resolved, That the City Treasurer be and he is hereby directed to pay said William O. Wood bonds of the city of the following numbers:

No. 3,	\$500 with interest due Oct. 1, 1867,	\$53.00
No. 4,	" " " " " "	35.00
No. 16,	" " " " " "	35.00
No. 17,	" " " " " "	35.00
No. 35,	" " " " " "	35.00

amounting to twenty-six hundred and seventy-five dollars. Also the interest due on the following bonds October 1, 1867:

No. 27,	\$400 interest,	\$28.00
No. 23,	" " " " " "	28.00
No. 61,	" " " " " "	28.00
No. 82,	\$500 interest,	35.00

amounting to one hundred and nineteen dollars. Also that the Treasurer pay said Wood the bonds last mentioned, principal and interest due on the 1st of October, 1868, when the same shall fall due. Adopted as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Andrews, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Copeland, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Hor-

cheler, Bingemer, Mauder, Miller, Parsons—26

Nays—Ald. Groot, Quin—2.

By Ald. Copeland—Petition of R. W. Sanburn. Wooden Building committee, with power to act.

By Ald. Copeland—Resolved, That the City Treasurer be, and he is hereby directed to cancel the tax on five hundred dollar-, as assessed on the property of Francis Chaffee in the Seventh ward, he being entitled to military exemption, and charged the same to erroneous assessments. Adopted

Ald. Quatrough moved to suspend the rule to adjourn at 11 o'clock. Lost.

TREASURER'S MONTHLY REPORT.

CITY TREASURER'S OFFICE, }  
Feb. 2d, 1868.

To the Honorable the Common Council:

GENTLEMEN—The Treasurer herewith submits the Monthly Statement of the balances of the principal funds, on the 1st day of February, 1868, as required by section 59 of the City Charter:

	Credit Balance.
Contingent Fund.....	\$5,718 87
Fire Department Fund.....	4,444 06
Highway Fund.....	5,124 71
Lamp Fund.....	6,579 90
Poor Fund.....	4,600 54
Police Fund.....	8,685 42
Park Fund.....	15 65
Board of Health Fund.....	43 74
Sewer Repair Fund.....	38 35
South Avenue Repair Fund.....	10 75
Lyell Street.....	5 00
North Street.....	9 57
St. Paul-st. Repair Fund (N. Y. C. R. R. to Scrantom street).....	113 25
St. Paul-st. Repair Fund (Scrantom street to Clay Line).....	100 00
Monroe Avenue Repair Fund.....	73 73
Mt. Hope Avenue.....	9 86
Plymouth Avenue.....	65 95
West Avenue.....	52 77
East Avenue.....	58 52
Lake Avenue.....	198 91

H. P. LANGWORTHY, Treasurer.  
Subscribed and sworn to before me, this 3d day of February, 1868.  
B. FRANK ENOS,  
Notary Public.

FINANCE BUDGET.

FEBRUARY 4, 1868.

By Ald. Paine—Resolved, That the Treasurer pay as follows:

CONTINGENT FUND.

€. M. St John, Assessor, one month's salary.....	\$ 100 00
Sanderson & Thorne framing new Capitol.....	3 25
H. P. Langworthy, disbursements.....	169 11
L. G. Wilder, United States map.....	8 00
Wm. Tracy, disbursements.....	11 05
F. M. Bromley & Co., wash-stand.....	7 00
Wm. Billingshurst, steel tape for Surveyor's office.....	6 00
Brown & Williams, oil cloth, &c.....	30 00
F. Tully, repairs at City Hall.....	20 00
H. Brewster & Co., brooms, &c.....	4 00
F. Lockhart, one month's salary to Feb. 1, 1868, for watching City Hall.....	35 00

And charge Contingent Fund.....\$367 80

POOR FUND.

Joseph Hoffman, disbursements at office.....	\$ 45 31
J. Yarrman, bread for poor store.....	248 31
G. Bastian, .....	238 46
F. Weigel, .....	232 57
W. W. Carr, flour for poor store.....	310 00
Quatrough & Hunter, flour for poor store, payable to City treasurer.....	157 50
J. H. Poole & Son, flour for poor store.....	155 50
G. F. Merz, barley for poor store, payable to Joseph Hoffman.....	6 00
J. D. McIntosh, soap for poor store.....	19 88
Moore & Coles, sugar, &c.....	88 25
B. Donner, paid orders.....	50 75

And charge Poor Fund.....\$1,527 53

HIGHWAY FUND.

C. R. Parsons, lumber for Clarissa-st. bridge.....	\$1000 00
R. Gorsline, stone for McAdam.....	61 50
Thomas Purcell, laborers' pay-roll.....	130 13
M. Strong, stone for McAdam.....	98 75
Darrow & Coles, stationery.....	12 94
G. W. Cronen & Co., lumber.....	441 56
G. A. Watson, painting signs for streets.....	9 75

Perrine & Stewart, repairs.....	35 32
Geo. McKay, making signs.....	3 00
E. S. Boughton, hardware, payable to H. L. Fish.....	9 00
Henry Hebing, snow shovels.....	1 75
Curtis, Morey & Co., printing.....	48 00
Amon Bronson, lumber.....	506 87
F. C. Laurer & Son, box sewer.....	6 10
E. H. Hollister, lumber.....	585 75
Holloway & Normington, making and repairing crosswalks.....	33 78
D. Wagner, bill for crosswalk, &c.....	36 50
Hyde & Backus, brooms.....	2 45
D. McCormick, repairing crosswalks.....	5 00
Bennet, McGray & Co., lumber.....	14 57
E. Wray, keys and repal s.....	3 60
Cutting & Cooney, repairs.....	2 93
John Purcell, labor.....	2 65
Christian Vogel, brooms.....	3 45
John Purcell, repairing walks, \$18.65 payable to Thomas Phalen.....	141 22

And charge Highway fund.....\$3,166 99

LAMP FUND.

Fred. Stickle, care kerosene lamps one month to Feb. 1, 1868.....\$562 50  
Fred. Stickle, bill casting new lamps, &c..... 19 42

And charge Lamp fund.....\$581 92

FIRE DEPARTMENT FUND.

Monthly Pay Roll, payable to Geo. B. Harris, Chief Engineer:	
Steamer No. 1, engineer and drivers.....	\$135 00
..... 2, .....	85 00
..... 3, .....	135 00
..... 4, .....	135 00
Hook & Ladder Co. No. 1, driver, one month.....	40 00
R. B. Paine, services at hose depot.....	60 00
George B. Harris, Chief Engineer, salary one month.....	100 00

And charge Fire Department Fund.....\$740 00

POLICE FUND.

E. W. Bryan, Police Justice, six months, payable to D. W. Powers.....	\$ 900 00
Pay of policemen to Feb. 1st.....	3020 00
S. M. Sherman, disbursements.....	31 60
Brown & Williams, maiting, oil cloth, &c.....	33 62
Wilder, Tracy & Co., printing.....	73 00
J. Tracy, fee for year 1867.....	35 00
Adams & Ellis, stationery.....	29 38
Rochester Gas Light Co. gas for station-house.....	106 40

And charge Police Fund.....\$4,229 00

ST. PAUL STREET AVENUE—FROM N. Y. C. R. R. TO SCRANTOM STREET.

Wm. Carroll, Commissioner, repairs..... \$105 00  
And charge that fund.

Adopted as follows:

Ayes—Ald. Spencer, Cram, Quatrough, Lutes, Andrews, Remington, Graham, Guggenheim, Carroll, Mutscher, Rejve, Copeland, Ratt, Taylor, Brown, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Parsons—26.  
Nays—Ald. Groot, Quin—2.  
Adjourned. B. FRANK ENOS, Clerk.

In Common Council—Feb. 5th, 1868.

ADJOURNED MEETING.

The President of the Board, Ald. Wm. Guggenheim, presiding.

Present—Ald. Spencer, Cram, Quatrough, Lutes, Groot, Andrews, Graham, Guggenheim, Carroll, Mutscher, Rejve, Copeland, Ratt, Taylor, Brown, Kelly, Burke, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons.

Absent—Ald. Remington, Copeland, Paine, Woodruff.

MISCELLANEOUS.

The following resolution was pending when the Board adjourned on Tuesday night: By Ald. Copeland—Resolved, That B. Hughes & Co., have permission to construct a shed or covering over their brick stills, in

the Ninth Ward, lately destroyed by fire, and the same to be constructed under the direction of the Fire Marshal

Ald. Groot moved as an amendment to insert the word temporary before the word shed. Carried as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Graham, Guggenheim, Carroll, Mutschler, Relyea, Ratt, Taylor, Brown, Bingemer, Mauder, Parsons—17.

Nays—Ald. Kelly, Burke, Adelman, Charters, Horcheler, Miller, Quin—7

Resolution, as amended, adopted as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Graham, Guggenheim, Carroll, Mutschler, Relyea, Ratt, Taylor, Brown, Bingemer, Mauder, Miller, Parsons—18

Nays—Ald. Kelly, Burke, Adelman, Charters, Horcheler, Quin—6.

By Ald. Ratt—Whereas, The Canal Commissioners of the State of New York, under authority of an act of the Legislature, did cause to be erected an iron bridge and approaches over the Genesee Valley Canal, on Tremont street, in the city of Rochester; and

Whereas, The appropriation for said work became exhausted before retaining walls were constructed to sustain the necessary embankment in the approaches to said bridge, and before said embankments were completed; and

Whereas, It became necessary for the city of Rochester to complete said work in connection with the general improvement of the street, and did complete the same at an expense of \$1,308 00; and

Whereas, Said sum of \$1,308.00 is the amount actually expended by the city in completing the work connected with the building of said bridge; therefore

Resolved, That the Hon. N. C. Bradstreet, Member of Assembly from this city, with his associate members from Monroe county, and the Hon. Lewis H. Morgan, Senator from this district, be requested to use all honorable means to procure the passage of an act for the refunding by the State to said city the sum of \$1,308.00 so expended, in order that said amount may be credited to the taxpayers upon Tremont street, who have been assessed for the whole cost of said improvement.

Resolved, further, That the Clerk cause a copy of the above preamble and resolution to be sent to the Honorable Members of Assembly from this county and the Senator from this district. Adopted.

Ald. Ratt called up the following:

Resolved, That the Treasurer be, and he is hereby authorized to pay David S. Montgomery \$14 72, E. A. Hastings \$6 34, John Barry \$8 72, John Hannan \$9 37, Timothy Wallace \$2 97, Timothy Goetzman \$11 29, and credit each the full amount of their assessment for South avenue sidewalk improvement, and charge that fund.

Also that he receives from

Fred'k Roth.....	\$58 48	John Fisher.....	\$10 69
Wm. Zimmer.....	50 32	Philip Bender.....	20 21
John Ireland.....	12 81	Edward Gray.....	21 23
John Kratz.....	13 61	John Lynch.....	25 20
Mary S. Wood.....	13 66	George Chapman.....	43 86
Jane Montgomery..	13 66	John Ireland.....	31 72
Jno. F. Montgomery	12 73	George T. Frost.....	24 20
John Donovan.....	16 13	Ambrose Ames.....	27 17
Mary L. Knapp.....	16 13	Samuel M. Purdy.....	19 95

Mrs. H. Sargent.....	16 13	James G. Badger.....	16 13
Wm. J. Luther.....	16 13	Benjamin F. Thomas	16 13
Elizabeth Franklin..	16 13	James T. James.....	16 13
Geo. W. Allen.....	23 16	Wilson D. Oviatt.....	23 35
Cornelius Duffy.....	12 66	Mary Griffith.....	31 04
John Nagle.....	38 04	Margaret Farrell....	3 54
Joseph Wheaton.....	22 32	John Oetzel.....	7 64
P. Cunningham.....	23 35	Charles Rodenbach..	7 64
Elizabeth K. Gerry..	19 30	Flora Reche.....	118 96
J. Doell, Sr. and Jr.	16 98		

And that he receive from all others not above mentioned 80 8-10 per cent. in full of their assessment for said improvement.

Resolved, That the Treasurer be, and he is hereby directed to credit Flora Reche \$116 33 on her assessment for South avenue sidewalk, and charge erroneous assessments. Adopted as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Guggenheim, Carroll, Mutschler, Relyea, Ratt, Taylor, Brown, Kelly, Burke, Adelman, Charters, Horcheler, Mauder, Miller, Quin, Parsons—22.

Nays—Ald. Bingemer—1.

By Ald. Mutschler—Resolved, That John Ball have leave to erect a wooden building on his lot on Grape street according to his petition under the direction of the Fire Marshal. Adopted.

Ald. Ratt moved that the prayer of the petition of R. W. Sandburn, to erect a wooden building on his premises on Exchange street be granted provided he incloses the same with brick walls next spring. Carried as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Guggenheim, Mutschler, Relyea, Ratt, Taylor, Brown, Burke, Mauder, Miller, Parsons—14.

Nays—Ald. Groot, Andrews, Carroll, Kelly, Adelman, Charters, Horcheler, Bingemer, Quin—9.

PROPOSED AMENDMENTS TO THE CITY CHARTER

Ald. Groot presented the following, which was received and ordered published:

AN ACT to amend an Act entitled "An Act to amend and consolidate the several Acts in relation to the Charter of the city of Rochester, passed April 8, 1861," as subsequently amended.

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

Section 1. Section 85 of the Act hereby amended, is amended by striking out all down to and including the words "for the repair of sewers" in the twenty-third line, and substituting therefor the following:

For the purpose of paying such expenses, the Common Council must raise annually, such sums as shall be estimated and reported by the City Treasurer to it, as necessary, in the manner hereinafter provided. The said Treasurer may at any time require from the chairmen of the various committees of the Common Council, and it shall be their duty to furnish him, in such form as he shall require, full and particular estimates of the amount needed by the various funds and departments in their charge, and especially for lighting the city, for the support of the Police Department, for the general contingent expenses of the city, for the Fire Department, for the construction and repair of streets, alleys, lanes and bridges, for the support and relief of the poor, for procuring a supply of water for extinguishing fires and for use in the public buildings, fountains and reservoirs of said city, and for the cleaning the sewers thereof:



for the maintenance and improvement of public parks and squares; to defray the expenses of the Board of Health, and for the repair of sewers; and for all other necessary expenses of said city during the next fiscal year. He shall prepare, and on or before the first regular meeting of said Common Council in May of each year be shall present to said Council, a statement in detail of the several sums which will be needed for said funds and to meet the expenses of the year for all proper municipal purposes, and showing what sums will be, in his opinion, necessary to be raised for other specific purposes. The Common Council may alter or amend such statement in their discretion, but not so that the aggregate amount to be raised shall exceed that so reported to them by the Treasurer, unless such increase be made by a vote of two-thirds of all the members elect, subject to the approval of the Mayor. They shall cause such estimates as amended, to be published for six successive days in the official newspapers of said city, before finally determining the amount of the general tax, which **must be determined** by the first regular meeting in June in each year. A vote of a majority of all the members of the Council shall be necessary to fix such amount, and the statement as finally adopted shall be entered at large on the minutes.

Section 2. Section 87 of the act hereby amended, is amended, by striking out from the second and third lines the words "first Tuesday of May" and substituting therefor the words "second Tuesday of April." Also by striking out the word "clerk" in the last two paragraphs, and substituting therefor the word "assessors."

Section 3. Section 89 of said act is amended so as to read as follows:

The Common Council shall, during the month of June in each year, assess the city taxes in the same manner in which the County taxes are by law to be assessed by the Boards of Supervisors, which taxes shall be inserted in the Assessment rolls reported by the Assessors as before provided, by said Assessors; and such rolls, with the taxes inserted therein, shall be delivered by said Assessors to the Treasurer of said city. After said assessment rolls have been confirmed by the Common Council it shall not be lawful for said Council to hear complaints or allegations from persons assessed thereon who may claim any exemption from taxation in any way, under any law of the State of New York relating to the national guard or military of said State, but as to all such persons such confirmation shall be final and conclusive.

Section 4. Section ninety-two of said act is hereby amended by striking out the word "November" and substituting therefor the word October.

Section 5. Section ninety-three of said act is hereby amended so as to read as follows: "The City Treasurer shall receive the amount of any tax levied in said assessment rolls during the month of July, and on all amounts not paid on or before the 31st day of July succeeding the levying of such tax he shall receive for the contingent fund of said city the following additions, as charges for collections, viz: If the same be paid after the 31st day of July, and on or before the

15th day of August, then next, he shall charge and receive an addition of one per cent.; if paid after the 15th day of August, and on or before the 1st day of September then next, an addition of two per cent.; if paid after the 1st of September and on or before the 15th day of September an addition of three per cent.; if paid after the 15th day of September and on or before the 1st day of October an addition of four per cent.; if paid after the 1st day of October and on or before the 15th day of October an addition of five per cent.; and if paid at any time after the 15th day of October, such addition of five per cent., and also interest therefrom at the rate of twelve per cent. per annum.

Section 6. Sections 94, 95, 96 of said act are hereby amended by striking out the words "November" and "December," wherever they occur, and substituting the word October therefor.

Section 96 is hereby further amended by adding thereto the following: "The said Treasurer may from time to time renew such warrants upon the failure of the collector to collect the amount required thereby in the first instance."

Section 7. Section 99 is hereby amended by striking out the word "March," wherever it occurs, and substituting therefor the word February.

Section 8. Section 106 of said Act is hereby amended by striking out the words, "And this provision shall be applicable to all certificates of the sale of lands for taxes or assessments held by the city of Rochester."

Section 9. Section 116 of said Act is hereby amended by adding thereto as follows: "But no lease or conveyance of such lands or any part thereof, shall be executed by the Mayor or any person discharging the duties of the office of Mayor, until all city taxes and assessments upon such lands shall have been paid."

Section 10. This Act shall take effect immediately.

By Ald. Andrews—Resolved, That the Treasurer credit Wm. Simpson \$51 87, B. R. McAlpine \$5 57, E. H. Holister \$2 79, Alfred Ely \$2 79, Jacob Muggs \$5 57, J. I. Robins \$2 79 and Heirs of Carroll Estate \$7 83 on their assessment for Front street improvement of 1866, and charge that fund; the same being for pavement, &c., remaining uninjured by the flood of 1865, and not disturbed by the contractor when said street was improved. Said amounts to be credited when the several parties assessed pay the balance of their assessment. Adopted.

Ald. Andrews presented the following, which was accepted:

*To His Honor the Mayor and Common Council of Rochester:*

GENTLEMEN—In addition to the enclosed notice, the ladies would extend to you a most cordial invitation to be present if possible at their donation on Thursday next, that you may thus have an opportunity to see and interest yourselves personally in this institution.

In this endeavor to bring before the public the needs of the Asylum they specially desire your encouragement and cooperation.

By order of the Board.

MARY J. BLISS, Secretary.

Feb. 4th, 1868.

Ald. Andrews presented the following :

MAYOR'S OFFICE,  
ROCHESTER, Feb. 5th, 1868. }

*Gentlemen of the Common Council of the City of Rochester :*

In the matter of the Rochester Savings Bank and the Monroe County Savings Bank against the city of Rochester,—the result of which you will have noticed; were published in the daily papers of this city some days since. These cases were made by a mutual agreement, between the City Attorney on behalf of the city and Messrs. Angle and Isaac Hill for the said banks; and submitted to the general term of the Supreme Court, March, 1867, which court decided in favor of the city, June, 1867—from which decision the banks appealed to the Court of Appeals. The cases were argued in that court in September, 1867, and it affirmed the judgment of the Supreme Court in December, 1867, and which judgment, tax, interest and costs—amounting to something over seven thousand five hundred dollars—has been perfected. It is understood that said banks have each appointed a committee to confer with a committee of your Board, to the end that the matter may be fully adjusted and settled. Therefore I most respectfully recommend that the subject be referred to the Law Committee and the City Attorney for a conference with the committees thus appointed by the bank, with discretionary power to adjust the matter of difference as they may deem for the best interests of the city.

Respectfully,

HENRY L. FISH, Mayor.

Ald. Groot moved its reference to the Law Committee and City Attorney. Carried.

By Ald. Qualtrough—Resolved, That the costs of the respective parties in the action in the Supreme Court, in which John Williams and others were plaintiffs against the city of Rochester and David Wagner defendants, be paid out of the Jay street Improvement Fund when there is money in the Treasury, upon the order of the City Attorney. But the adoption of this resolution shall not affect or postpone the collection of the judgment already docketed in said action in favor of the defendants beyond the 1st day of June next.

The resolution, together with a petition from the tax-payers on the street, was referred to the Law committee and City attorney.

By Ald. Qualtrough—Resolved, That the City Treasurer be and he is hereby directed to cancel the tax against James McGaban on \$1,000 personal property assessed to him in the Second Ward, and charge erroneous assessments. Adopted.

Ald. Qualtrough moved to reconsider the resolution passed Jan. 21st, 1868, relative to the tax against Richard Bradford, for repairing walks in Ambrose street. Lost.

By Ald. Cram—Resolved, That the Sewer committee be and are hereby directed to have all future contracts for sewers drawn in such manner as shall direct the City Treasurer to retain in his hands twenty per cent of the amount of the contract price for one year, for the purpose of repairing the said sewers.

Ald. Ratt moved as an amendment to strike out all after the word "resolved." Carried as follows :

Ayes—Ald. Qualtrough, Lutes, Carroll, Relyea, Ratt, Taylor, Brown, Kelly, Burke, Adelman, Charters, Bingemer, Quin—13.

Nays—Ald. Spencer, Cram, Groot, Andrews, Mutschler, Horcheler, Mauder, Miller, Parsons—9.

By Ald. Quin—Resolved, That the Senator from Monroe county, and our representative in the Assembly, are hereby requested to send copies to the City Clerk of any and all bills that have been or shall be introduced into either house of the Legislature, in any way relating to the city of Rochester or affecting any of its interests.

Resolved, That the City Clerk at once transmit to Hon. L. H. Morgan and Hon. N. C. Bradstreet, a certified copy of these resolutions. Adopted.

Adjourned.

B. FRANK ENOS, Clerk.

## In Common Council—Feb. 18th, 1868.

### REGULAR MEETING.

The President of the Board, Ald. William Guggenheim, presiding.

Present—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Mutschler, Relyea, Ratt, Taylor, Kelly, Burke, Faine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons.

Absent—Ald. Copeland, Brown.

Minutes of the previous meeting approved as published.

### PETITIONS AND CLAIMS.

By Ald. Quin—Communication from Isaac Butts, relative to straightening the lines of Mill street. Referred to the committee on Opening Streets, to ascertain the lowest terms the several parties will take for their land, and report to the Board. Communication from E. S. Treat. Street committee.

By Ald. Horcheler—Petition of John Nagle. Table.

By Ald. Woodruff—Sundry bills. Contingent committee.

By Ald. Taylor—Petition of Wm. F. Parry. Street committee. Bill of Newton & Ripson. Law committee.

By Ald. Carroll—Bill of E. Taylor. Finance committee.

By Ald. Groot—Petition of Mary M. Marshall. Referred to City Attorney.

By Ald. Lutes—Sundry bills. Poor committee.

By Ald. Cram—Pay roll of street laborers. Street committee.

By Ald. Ratt—Sundry bills. Lamp committee.

By Ald. Mauder—Petition. Wooden Building committee.

### REPORTS.

Ald. Woodruff, from the Contingent committee, reported in favor of sundry bills.—Finance committee.

Ald. Cram, from the Street committee, reported in favor of laborer's pay roll. Finance committee.

Ald. Lutes, from the Poor committee, reported in favor of sundry bills. Finance committee.

Ald. Ratt, from the Lamp committee, reported in favor of sundry bills. Finance committee.

Ald. Taylor, from the Law committee, reported in favor of the bill of Newton & Ripson. Table.

Ald. Taylor, from the Law committee, presented a favorable report on the claim of Jonas H. Kocher, and introduced the following resolution:

By Ald. Taylor—Resolved, That the City Treasurer be directed to pay Jonas H. Kocher four hundred and thirty dollars and thirty cents (430.30) upon his giving a receipt in full for all damages which he sustained in April, 1866, in consequence of the breaking through of South Water street bridge; also upon his procuring a receipt in full from the owner of the wheat, (lost upon said occasion,) of all claims which he or they may have upon the city in consequence of said loss, and charge Contingent fund. Postponed for two weeks.

Ald. Adelman was called to the chair.

**VARNUM STREET OPENING.**

Ald. Burke presented a report setting forth what arrangements can be made with Ryan & Dempsey, relative to the opening of Varnum street, and moved its adoption.

Ald. Guggenheim moved as a substitute, to receive and file the report, and postpone further action until the second regular meeting in April, 1868.

Ald. Taylor moved to table the whole matter for the present. Carried.

Ald. Taylor, from the Law Committee, presented a report adversely to the claim of M. Frison, relative to the south wall of Engine House No. 1, and offered the following resolution:

By Ald. Taylor—Resolved, That this Board has no objection to the rebuilding of the chimney upon the wall bounding the property of M. Frison on the north and Engine House No. 1 upon the south, upon North Water street, under direction of the Fire Marshal. Adopted.

The Clerk presented the report of the Police Justice for the month of January. Total amount received \$217 70. Filed.

Ald. Lutes presented the report of the Overseer of the Poor for the month of January:

Whole amount expended ..... \$4,193.83  
Less county and towns..... 888 23

Total for city ..... \$3,305 60  
Number of families assisted, 774. Filed.

**COMMUNICATIONS.**

The Clerk presented the following:

MAYOR'S OFFICE, }  
Rochester, Feb. 18, 1868. }

*Gentlemen of the Common Council of the City of Rochester:*

The undersigned, custodian of the funds collected for the families of the firemen who were killed at the burning of Washington Hall last spring, begs leave, for the information of your Board and citizens generally, to report the amount of money collected for the benefit of said families and the disposition made with the same:

Amount contributed by our citizens was \$3,563.13; amount realized from the "Bayless Benefit," \$407.75; amount realized from the

German Turnverein Society, \$122.50; amount of interest while on deposit, \$111.15; making total amount received, \$4,204.53.

Disbursements — Paid Mrs. Catherine Froschler, \$2,937.75; paid Mrs. Anna Wernett, \$1,022.20; paid Mrs. Mary E. Pike, \$244.58. Total, \$4,204.53.

Mrs. Froschler is the mother of six boys, the youngest two and the oldest fourteen years of age; Mrs. Wernett is the mother of one child; Mrs Pike none. The division of these funds were made at a conference had with the Committee, composed of the following gentlemen, viz: Aids. Spencer and Relyea, Chief Engineer Harris, the undersigned and Messrs. A. Karnes, J. Cowles, S. M. Stewart. The last three named gentlemen are, I believe, Trustees of the Firemen's Benevolent Association. The people of Rochester who contributed so generously to these afflicted families in the hour of their distress are entitled to many thanks—it is particularly gratifying to know that the recipients of these noble gifts are duly and fully appreciated by them and they desire to express their thanks to you and through you to all the friends who sympathized with and so bountifully contributed to the funds they have just received. The mortgages upon the houses and lots of Mrs. Froschler and Mrs. Wernett were discharged—one in June and the other in August. The money remaining was deposited in bank, on interest, until recently when the interest was added, the money divided as before stated and deposited to their credit respectively and books made directly to them and therefore they now take the control of the same as per resolution of the above named committee.

It seems to me to be desirable to have a fund from which appropriations could be made in cases of a similar character, and which would be always ready and the burthen born equally by all those who receive the benefit or the labor of these men, therefore I cheerfully recommend to your Board that you apply to the Legislature now in session for authority to raise a sufficient amount to be kept as a permanent fund to meet the like emergency. Most respectfully,

HENRY L. FISH, Mayor.

Received and ordered published.

MAYOR'S OFFICE, }  
ROCHESTER, Feb. 18, 1868. }

*Gentlemen of the Common Council of the City of Rochester:*

I have received and have the pleasure herewith to transmit to your Board a most beautiful bound and valuable book of "Municipal reports," addressed on the cover in nice gilt letters "San Francisco to Rochester."

This is a most valuable work and its presentation to our beautiful city by the flourishing and growing city of San Francisco, is quite gratifying and indicative of the feelings of kindness towards our city and its municipal authorities.

I cheerfully suggest and heartily recommend that a suitable acknowledgment and return be made to the authorities of that prosperous city.

Most respectfully yours,

HENRY L. FISH, Mayor.

Received and ordered published.

CITY ASSESSOR'S OFFICE,  
ROCHESTER, N. Y., Feb. 17, 1868.

To the Honorable the Common Council of the  
City of Rochester:

GENTLEMEN—The undersigned to whom was referred the petition of James G. McKoe, asking the Common Council to remit the tax on two thousand dollars personal property assessed to him, beg leave to report, that at the time said assessment was made, the undersigned were advised that the said McKoe owned, or was carrying on two drug stores in this city, but it now appears from his affidavit, that "he is not worth the sum of \$2,000 in personal property, or in any kind of property; that he is not worth any sum whatever liable to assessment; that the only property he has consists wholly of his clothes and necessary household furniture, worth not to exceed one hundred and fifty dollars; that petitioner had not sufficient money or property over and above his just debts at the time said tax was assessed to pay the same; that petitioner at all of said times owned, and now owns, just debts amounting at least to \$1,200 over and above all money, property or assets held or owned by him."

After such an exhibit of his affairs, your honorable Body will, no doubt, direct the City Treasurer to cancel the assessment of the said McKoe.

Respectfully submitted,

C. M. ST. JOHN,  
E. T. OATLEY,  
D. MCKAY,  
Assessors.

Received and ordered published.

#### PENAL ORDINANCE RELATING TO LAMPS.

By Ald. Mauder—An ordinance relating to Public Lamps and Lamp Posts.

The Common Council of the city of Rochester do ordain as follows:

Section 1. Any person who shall carelessly or maliciously break or deface or in any way injure any of the public lamp or lamp posts in this city shall forfeit the penalty of ten dollars for each and every offence.

Section 2. Any person who shall light, or cause to be lighted, or put out, or cause to be put out, or who shall in any way intermeddle with any of the gas or kerosene lamps of this city, without authority from the Common Council, shall forfeit the penalty of ten dollars for each and every offence.

Section 3. Any person who shall, without authority, climb upon, or tie or fasten any horse or other animal to any of the public lamp posts in this city, shall forfeit the penalty of ten dollars for each and every offence.

Section 18. Every execution issued upon a judgment recovered for a violation of this ordinance shall command the amount to be made of the property of the defendant, if any such can be found, and if not, then to commit the defendant to the Monroe County Penitentiary for the period of ten days.

Ald. Groot moved its reference back to the committee for correction. Lost as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Kelly, Quin, Parsons—11.

Nays—Ald. Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Paine, Adelman, Charters, Horcheler, Mauder, Miller—12.

Ald. Remington moved as an amendment to strike out of the 3d section the words, "light or cause to be lighted, or." Lost as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Kelly, Quin—10.

Nays—Ald. Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Paine, Adelman, Charters, Horcheler, Mauder, Miller, Parsons—13.

Ald. Groot moved to postpone further action two weeks. Lost as follows:

Ayes—Ald. Spencer, Cram, Graham, Burke, Quin—5.

Nays—Ald. Qualtrough, Lutes, Groot, Andrews, Remington, Guggenheim, Carroll, Relyea, Ratt, Taylor, Kelly, Paine, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Parsons—19.

Ordinance adopted as follows:

Ayes—Ald. Lutes, Remington, Graham, Guggenheim, Carroll, Relyea, Ratt, Taylor, Burke, Paine, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Parsons—17.  
Nays—Ald. Spencer, Cram, Qualtrough, Groot, Andrews, Kelly, Quin—7.

#### ASSESSMENTS.

Ald. Burke presented the assessment roll for Varnum street opening.

Ald. Kelly moved its postponement until the second regular meeting in April, 1868. Lost as follows:

Ayes—Ald. Qualtrough, Lutes, Groot, Andrews, Remington, Guggenheim, Relyea, Taylor, Kelly, Paine, Charters, Parsons—12.

Nays—Ald. Spencer, Cram, Graham, Carroll, Ratt, Burke, Adelman, Horcheler, Bingemer, Mauder, Miller, Quin—12.

Ald. Groot moved its postponement for two weeks. Carried as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Relyea, Taylor, Kelly, Paine, Charters, Parsons—15.

Nays—Ald. Carroll, Ratt, Burke, Adelman, Horcheler, Bingemer, Mauder, Miller, Quin—9.

#### UNFINISHED BUSINESS.

By Ald. Adelman—Resolved, That the Trustees of St. Peter and Paul's church congregation, be and they are hereby authorized to change the location of the alley along the west line of lot No. 44, in the Bush and King tract, between Litchfield and King streets, by establishing the lines as hereinafter described.

The east line of said alley shall be as follows: Commencing at a point in the southerly line of Maple street, ten feet west from the north-west corner of lot No. 44 in the Bush and King tract; thence southerly on a line ten feet distant from and parallel with the west line of said lot No. 44 to its intersection with the north line produced, of the alley running west from Litchfield street along the south bounds of lots No. 31, 30 and 44, in said tract.

The west line of said alley shall commence at a point in the southerly line of Maple street, ten feet west from the north-east corner of lot No. 27 in said tract; thence southerly on a line ten feet distant from, and parallel to the east bounds of lots No. 27, 26 and 25 of said tract, to a point six feet north of the south bounds of lot No. 25; thence southerly to a point in the west line of the present alley, five feet south from the south east corner of said lot No. 25.

Ald. Cram moved its postponement for two weeks. Lost as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Groot, Remington, Relyea, Kelly, Quin, Parsons—9.

Nays—Ald. Lutes, Andrews, Graham, Guggenheim, Carroll, Ratt, Taylor, Burke, Paine, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller—15.

Resolution lost as follows:

Ayes—Ald. Guggenheim, Carroll, Burke, Adelman, Charters, Horcheler, Mauder, Miller, Parsons—9.

Nays—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Relyea, Ratt, Taylor, Kelly, Paine, Bingemer, Quin—15.

Ald. Kelly moved a reconsideration. Lost.

Ald. Groot called up the proposed charter

amendments, and while the same were under discussion, the hour of eleven having arrived, the Board adjourned.

B. FRANK ENOS, Clerk.

**In Common Council—Feb. 19th,  
1868.**

ADJOURNED MEETING.

The President of the Board, Ald. William Guggenheim, presiding.

Present—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Relyea, Taylor, Kelly, Burke, Paine, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons.

Absent—Ald. Mutschler, Copeland, Ratt, Brown, Woodruff, Adelman.

CHARTER AMENDMENTS.

The charter amendments were taken up section by section, and the following action taken thereon:

FIRST SECTION.

Ald. Paine moved as an amendment to the first section to strike out the words "City Treasurer" and insert "Finance committee." Carried.

Ald. Taylor moved as an amendment to strike out of section eighty-six all after the words commencing "In case, &c." Carried.

Ald. Qualtrough moved to postpone further action on the proposed amendments until the second regular meeting in April, 1868. Lost, as follows:

Ayes—Ald. Qualtrough, Remington, Kelly, Charters, Horcheler, Quin, Parsons—7.

Nays—Ald. Spencer, Cram, Lutes, Groot, Andrews, Graham, Guggenheim, Carroll, Relyea, Taylor, Burke, Paine, Bingemer, Mauder, Miller—15.

Ald. Taylor moved that the blank in section 1 be filled with one thousand dollars.—Carried.

Ald. Remington moved as an amendment to strike out the word "majority," and insert the words "two-thirds." Lost as follows:

Ayes—Ald. Qualtrough, Groot, Andrews, Remington, Kelly, Burke, Paine, Charters, Horcheler, Quin, Parsons—11.

Nays—Ald. Spencer, Cram, Lutes, Graham, Guggenheim, Carroll, Relyea, Taylor, Bingemer, Mauder, Miller—11.

The 1st section as amended, was then adopted as follows:

AN ACT to amend an Act entitled "An Act to amend and consolidate the several Acts in relation to the Charter of the city of Rochester, passed April 8, 1861," as subsequently amended.

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

Section 1. Section 85 of the Act hereby amended, is amended by striking out all down to and including the words "for the repair of sewers" in the twenty-third line, and substituting therefor the following:

For the purpose of paying such expenses, the Common Council must raise annually, such sums as shall be estimated and reported by the Finance Committee to it, as necessary, in the manner hereinafter provided. The said

Finance Committee may at any time require from the chairmen of the various committees of the Common Council, and it shall be their duty to furnish him, in such form as he shall require, full and particular estimates of the amount needed by the various funds and departments in their charge, and especially for lighting the city, for the support of the Police Department, for the general contingent expenses of the city, for the Fire Department for the construction and repair of streets, alleys, lanes and bridges, for the support and relief of the poor, for procuring a supply of water for extinguishing fires and for use in the public buildings, fountains and reservoirs of said city, and for the cleaning the sewers thereof; for the maintenance and improvement of public parks and squares; to defray the expenses of the Board of Health, and for the repair of sewers; and for all other necessary expenses of said city during the next fiscal year. They shall prepare, and on or before the first regular meeting of said Common Council in May of each year they shall present to said Council, a statement in detail of the several sums which will be needed for said funds and to meet the expenses of the year for all proper municipal purposes, and showing what sums will be, in their opinion, necessary to be raised for other specific purposes. The Common Council may alter or amend such statement in their discretion, but not so that the aggregate amount to be raised shall exceed that so reported to them by the Finance Committee unless such increase be made by a vote of two-thirds of all the members elect, subject to the approval of the Mayor. They shall cause such estimates as amended, to be published for six successive days in the official newspapers of said city, before finally determining the amount of the general tax, which must be determined by the first regular meeting in June in each year. A vote of a majority of all the members of the Council shall be necessary to fix such amount, and the statement as finally adopted shall be entered at large on the minutes.

And in such statement of the expenses they are authorized to estimate a sum, not exceeding one thousand dollars, and which sum shall not in any manner be increased, to be appropriated by the Common Council in its discretion, in aid of the expenses of celebrating the Fourth of July and Washington's Birthday and the reception of public functionaries.

Ayes—Ald. Spencer, Cram, Lutes, Groot, Andrews, Graham, Guggenheim, Carroll, Relyea, Taylor, Burke, Paine, Bingemer, Mauder, Miller—15.

Nays—Ald. Qualtrough, Remington, Kelly, Charters, Horcheler, Quin, Parsons—7.

SECOND SECTION.

Section 2. Section 87 of the act hereby amended, is amended, by striking out from the second and third lines the words "first Tuesday of May" and substituting therefor the words "second Tuesday of April." Also by striking out the word "clerk" in the last two paragraphs, and substituting therefor the word "assessors."

"The said Assessors are hereby directed to make such additional amendments and corrections in said assessment rolls as to the names of the actual owners or occupants of

real estate therein assessed, as they shall deem proper, at any time before the first day of October in each year," for the use of the said Board of Supervisors.

Ald. Quailtrough moved its indefinite postponement. Lost as follows:

Ayes—Ald. Quailtrough, Lutes, Remington, Graham, Kelly, Charters, Horcheler, Mauder, Quin, Parsons—10.

Nays—Ald. Spencer, Cram, Groot, Andrews, Guggenheim, Carroll, Relyea, Taylor, Burke, Paine, Bingemer, Miller—12.

The second section was lost as follows:

Ayes—Ald. Spencer, Cram, Groot, Andrews, Carroll, Relyea, Taylor, Burke, Paine, —9.

Nays—Ald. Quailtrough, Lutes, Remington, Graham, Guggenheim, Kelly, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons—13.

### THIRD SECTION.

Section 3 Section 89 of said act is amended so as to read as follows:

The Common Council shall, during the month of June in each year, assess the city taxes in the same manner in which the county taxes are by law to be assessed by the Boards of Supervisors, which taxes shall be inserted in the Assessment rolls reported by the Assessors as before provided, by said Assessors; and such rolls, with the taxes inserted therein, shall be delivered by said Assessors to the Treasurer of said city. After said Assessment rolls have been confirmed by the Common Council it shall not be lawful for said Council to hear complaints or allegations from persons assessed thereon who may claim any exemption from taxation in any way, under any law of the State of New York relating to the national guard or military of said State, but as to all such persons such confirmation shall be final and conclusive.

Ald. Taylor moved as an amendment to strike out all relative to the assessors extending the rolls. Carried.

The third section, as amended, was then adopted.

### SECTIONS FOUR TO NINE INCLUSIVE.

Section 4 Section ninety-two of said act is hereby amended by striking out the word "November" and substituting therefor the word October.

Section 5 Section ninety-three of said act is hereby amended so as to read as follows:

"The City Treasurer shall receive the amount of any tax levied in said assessment rolls during the month of July, and no all amounts not paid on or before the 31st day of July succeeding the levying of such tax he shall receive for the contingent fund of said city the following additions, as charges for collections, viz: If the same be paid after the 31st day of July, and on or before the 15th day of August, then next, he shall charge and receive an addition of one per cent.; if paid after the 15th day of August, and on or before the 1st day of September then next, an addition of two per cent.; if paid after the 1st day of September and on or before the 15th day of September an addition of three per cent.; if paid after the 15th day of September and on or before the 1st day of October an addition of four per cent.; if paid after the first day of October and on or before

the 15th day of October an addition of five per cent.; and if paid at any time after the 15th day of October, such addition of five per cent. and also interest therefrom at the rate of twelve per cent. per annum.

Section 6 Sections 94, 95, 96 of said act are hereby amended by striking out the words "November" and "December," wherever they occur, and substituting the word October therefor.

Section 96 is hereby further amended by adding thereto the following: "The said Treasurer may from time to time renew such warrants upon the failure of the Collector to collect the amount required thereby in the first instance."

Section 7 Section 99 is hereby amended by striking out the word "March" wherever it occurs, and substituting therefor the word February.

Section 8 Section 106 of said Act is hereby amended by striking out the words, "And this provision shall be applicable to all certificates of the sale of lands for taxes or assessments held by the city of Rochester."

Section 9 Section 116 of said Act is hereby amended by adding thereto as follows: "But no lease or conveyance of such lands or any part thereof, shall be executed by the Mayor or any person discharging the duties of the office of Mayor, until all city taxes and assessments upon such lands shall have been paid."

Ald. Kelly moved an indefinite postponement. Carried as follows:

Ayes—Ald. Quailtrough, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Kelly, Burke, Paine, Charters, Horcheler, Bingemer, Mauder, Miller, Quin—17.

Nays—Ald. Spencer, Cram, Lutes, Taylor—4.

Ald. Groot moved to reconsider all sections which had been adopted. Lost as follows:

Ayes—Ald. Quailtrough, Groot, Remington, Kelly, Horcheler, Bingemer, Quin, Parsons—8.

Nays—Ald. Spencer, Cram, Lutes, Andrews, Graham, Guggenheim, Carroll, Relyea, Taylor, Burke, Paine, Charters, Mauder, Miller—14.

Ald. Andrews presented the following as an amendment to the Charter:

Section 59. To strike out in first and second line "for at least one week in one of the newspapers printed in said city," and insert in lieu thereof as follows: "In such manner as the Common Council shall deem for the best interests of the city." Also, to strike out in next to the last line the words "at least once." Lost.

Ald. Andrews offered the following as a new section:

No alteration or amendment to this charter shall take effect until it shall have been adopted by a vote of the electors of the city of Rochester. Lost.

Section 10. This Act shall take effect immediately. Adopted.

Ald. Quailtrough moved as an amendment to the charter, that the city limits be extended to the same lines as presented to the Legislature last winter. Carried.

Section 87. Ald. Remington moved as an amendment to strike out all after the words "local improvements." Lost.

The amendments passed section by section, and as amended, were then adopted as follows:

**Ayes**—Ald. Spencer, Cram, Qualtrough, Lutes, Andrews, Guggenheim, Carroll, Relyea, Taylor, Burke, Faine, Bingemer—12.

**Nays**—Ald. Groot, Remington, Graham, Kelly, Horcheler, Mauder, Quin—7.

MISCELLANEOUS.

By Ald. Andrews—Resolved, That the Treasurer is hereby directed to pay the proprietor of the house where the polls of elections are held in the Third Ward, five dollars, and charge Contingent fund.

Ald. Carroll moved to postpone indefinitely. Carried.

By Ald. Groot—Resolved, That the Treasurer pay Frank Van Doorn two dollars, for painting sign, and charge Highway fund. Referred to Street committee.

Ald. Remington moved to reconsider the action taken on the following resolution, which was postponed last evening for two weeks. Carried.

By Ald. Taylor—Resolved, That the City Treasurer be directed to pay Jonas H. Kocher four hundred and thirty dollars and thirty cents (\$430.30) upon his giving a receipt in full for all damages which he sustained in April, 1866, in consequence of the breaking through of South Water street bridge; also upon his procuring a receipt in full from the owner of the wheat, (lost upon said occasion,) of all claims which he or they may have upon the city in consequence of said loss, and charge Contingent fund.

The resolution was then adopted as follows: All ayes—21.

By Ald. Carroll—Resolved, That the City Treasurer be and he is hereby directed to cancel the tax on two thousand dollars personal property, assessed to James G. McKee in the Sixth ward, in accordance with the report of the Assessors, and charge the same to erroneous assessments. Adopted.

The Clerk presented the following, which was accepted:

Ald. Guggenheim respectfully invites the members of the Board, city officers and members of the press to visit, to-night, the rooms of the Harmony Club, in Sibley's Block, Main street.

By Ald. Taylor—Resolved, That the City Treasurer be directed to pay to Newton & Ripson fourteen dollars, being the amount of the costs of the term in the suit of James Regua agt. City of Rochester, and charge Contingent Expense Fund. Adopted, as follows: All ayes—20.

By Ald. Taylor—Resolved, That the City Clerk be directed to make arrangements with Major Lewis to fire a national salute on the 22d inst., at an expense not to exceed seventy-five dollars; also, with the sextons of the different churches to ring the bells of their respective churches, at an expense not to exceed twenty-five dollars, and charge the same to Contingent Expense Fund. Adopted, as follows:

**Ayes**—Ald. Spencer, Cram, Qualtrough, Lutes, Remington, Graham, Relyea, Taylor, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons—14.

**Nays**—Ald. Groot, Andrews, Carroll, Kelly, Burke, Charters—6.

By Ald. Taylor—Resolved, That the City Attorney be and is hereby directed to commence a suit against the property owners on South Water street, opposite to where the accident occurred to the team, wagon, &c., of Jonas H. Kocker, in 1866. Adopted.

By Ald. Kelly—Resolved, That the following named persons having served as firemen of the city of Rochester for the full term of five years as required by law, are hereby honorably discharged from such service, and declared to be exempt firemen; and that his Honor, the Mayor and the City Clerk are authorized to issue necessary certificates of such discharge and exemption under the corporate seal of the city: James Diamond, Engine Company No. 8; William T. Tully, Engine Company No. 7; A. G. Cooper, Engine Company No. 4; Jacob Holden, Engine Company No. 4; J. W. Graves, Protectives; Aaron Brownell, Protectives; L. A. Pratt, Protectives; Henry Harder, Protectives; Gordon McCracken, Engine Company No. 1; William W. Bruff, Engine Company No. 6. Adopted.

By Ald. Kelly—Resolved, That his Honor the Mayor and the City Clerk be, and are hereby authorized to issue to exempt firemen, members of the former (volunteer) department, the necessary certificates of discharge and exemption upon the certificate of the Chief Engineer of the Fire Department; that the parties applying are of record entitled thereto. Adopted.

By Ald. Kelly—Resolved, That the Treasurer pay the following bills, as per report of the committee this evening, and charge Truant fund:

W. H. Cobb, sundries.....	\$ 20 35
J. D. Cobb, beans and pork.....	31 55
John Schuin & Bro.....	59 99
H. Brewster & Co., groceries.....	71 39
Brownell & Blackford.....	35 34
H. Mutschler, crockery.....	27 21
J. M. Whitney & Co., flour, &c.....	317 45
J. M. Whitney & Co., to January 1st.....	107 03
Adams & Ellis, book and stationery.....	48 96
J. W. Adams, salary to Jan. 1st.....	250 00
John Sinclair .. .. .	60 00
Mary Streetor .. .. .	65 00
Fanny Elton .. .. .	32 00
Rachel Crawley .. .. .	32 00
Agnes Brodie .. .. .	30 00
J. W. Adams, disbursements.....	74 20

Adopted as follows:

**Ayes**—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Relyea, Taylor, Kelly, Burke, Charters, Horcheler, Bingemer, Mauder, Miller, Parsons—20.

**Nays**—Ald. Quin—1.

By Ald. Kelly—Resolved, That our Senator and Assemblyman at Albany are hereby requested to procure the repeal of all laws and portion of laws that give to the Common Council the power to subscribe for stock in any company without first submitting the same to a vote of the tax-payers of the city, and the City Clerk is hereby directed to forward to our representatives a copy of this resolution.

Ald. Groot, temporary President, he having been previously called to the Chair, declared the resolution out of order.

Ald. Kelly appealed from the decision, which appeal was sustained as follows:

**Ayes**—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Graham, Carroll, Mauder—8.

**Nays**—Ald. Andrews, Remington, Guggenheim, Relyea, Taylor, Kelly, Burke, Char-

ters, Horschler, Bingemer, Miller, Quin, Parsons—13.

The resolution was adopted.

By Ald. Burke—Whereas, Three piers of the hotel on the north west corner of Lyell street and Lake avenue are placed in said Lyell street, and all of those on the east side of said hotel and a portion of the shed on the same premises are placed in Lake avenue, the piers being in Lyell street from four feet at the west line of said building to about nine inches at a point thirty feet east of said west line, and those on the east side of said hotel twelve inches, and the shed eighteen inches in Lake avenue, according to the lines established by the City Surveyor, therefore,

Resolved, That the owner of said premises is hereby requested to remove said piers and shed from Lyell street and Lake avenue within ten days after the service on said owner of a copy of this resolution by the Street Superintendent, under section 156 of the City Charter.

Ald. Parsons moved its indefinite postponement. Lost as follows:

Nays—Ald. Spencer, Cram, Qualtrough, Groot, Andrews, Remington, Guggenheim, Relyea, Taylor, Kelly, Burke, Charters, Miller, Quin.—14.

Ayes—Graham, Carroll, Horschler, Bingemer, Mauder, Parsons.—6.

Ald. Spencer moved its reference to a special committee of three, with the city attorney, to examine into the matter and report. Carried.

The President appointed as such committee, Ald. Spencer, Andrews, Taylor.

Ald. Groot moved to add Ald. Burke and the Surveyor. Carried.

By Ald. Charters—Resolved, That Henry E. Ball, John Kottish, J. L. Emerson, have leave to erect wooden buildings according to their several petitions, under the direction of the fire marshal; also that Sidly Aspin have leave to remove his wooden building according to his petition, when he shall deliver to the Mayor a satisfactory bond indemnifying the city against any damage that shall occur in consequence of moving such building. Adopted.

By Ald. Horschler—Resolved, That John Nagle be and he is hereby granted permission to dig and sink a well in front of his premises, at No. fifty-two South Avenue, by his filing the requisite bond with the Mayor, the same to be done under the direction of the Street Superintendent. Referred to the Street committee, with power to act.

By Ald. Miller—Resolved, That the City Treasurer is hereby directed to pay John Stoller \$30.50 for repairing walks in front of the Police, Poor and Fire Marshal's offices and charge Police, Fire and Poor funds each \$10.17. Adopted as follows:

Ayes—Ald. Cram, Andrews, Remington, Graham, Guggenheim, Carroll, Relyea, Taylor, Burke, Charters, Bingemer, Mauder, Miller, Parsons.—14.

Nays—Ald. Spencer, Qualtrough, Lutes, Groot, Kelly, Horschler, Quin.—7.

By Ald. Miller—Resolved, That the City Property Committee be and is hereby instructed to furnish one of the largest ne plus ultra portable hot air furnaces for City Hall complete not to cost over the sum of \$150.— Postponed indefinitely.

By Ald. Parsons—Resolved, That the city property committee be authorized to furnish a burglar proof money box for the safe now in the City Treasurer's office, the expense for the same not to exceed one hundred dollars.

Ald. Kelly moved to postpone indefinitely. Lost.

Resolution adopted.

FINANCE BUDGET.

FEBRUARY 13, 1868.

By Ald. Paine—Resolved, That the Treasurer pay as follows:

CONTINGENT FUND.

Daniel Richmond, Surveyor, 1 month's salary.....	\$250 00
E. A. Raymond, Attorney, .. .. .	91 67
David McKay, Assessor, .. .. .	100 00
E. T. Oailey, .. .. .	100 00
C. M. St. John, .. .. .	100 00
William Tracy, Messenger, .. .. .	66 66
Moore & Cole, brooms, &c.....	2 50
Geo. H. Barry, searches.....	7 60
Reynolds Bros., marking pens for Surveyor's office.....	4 25
H. Mutchler, dusters, &c.....	6 50
E. Enrich, repair and care of city clocks.....	241 50
And charge Contingent Fund.....	\$970 68

POOR FUND.

Joseph Hoffman, one month's salary.....	\$100 00
T. E. Scrantom, .. .. .	75 00
Henry Wilson, 4 week's salary.....	30 00
Joseph Hoffman, disbursements at office.....	85 25
Valentine Debus, delivering wood.....	164 33
Wehn & Getzman, soap for poor store.....	23 50
J. D. McIntosh, candles .. .. .	40 25
N. T. Backstaff, order book.....	16 00
Henry East, orders for meat.....	312 00
M. Heavey, hacking at office.....	48 60
And charge Poor Fund.....	\$867 33

LAMP FUND.

Henry Hebing, glass for gas and kerosene lamps \$	63 68
N. H. Galusha, bill lamp posts.....	11 85
Boyd, Gommenginger & Co., repair of lamps.....	143 42
H. Mutchler, bill for lamp burners.....	60 00
And charge Lamp Fund.....	\$383 96

HIGHWAY FUND.

Thomas Purcell, laborer's pay roll.....	\$ 79 90
And charge Highway Fund.....	

NORTH ST. PAUL STREET, FROM SCRANTON STREET TO CITY LINE.

Edwin Taylor, repairs on North St. Paul street \$100 00  
And charge that fund.

Adopted as follows:  
Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Relyea, Taylor, Kelly, Burke, Charters, Horschler, Bingemer, Mauder, Miller, Parsons.—26.

Nays—Ald. Quin—1.  
Adjourned. B. FRANK ENOS, Clerk.

In Common Council—March 3d, 1868.

REGULAR MEETING.

Ald L. C. Spencer, President pro. tem., presiding.

There being no quorum, the Board adjourned until to-morrow evening at 7½ o'clock. B. FRANK ENOS, Clerk.

In Common Council—March 4th, 1868.

ADJOURNED MEETING.

Ald. George Taylor, President pro. tem., presiding.

Present—Ald. Spencer, Cram, Qualtrough, Groot, Andrews, Graham, Carroll, Relyea,



Ratt, Taylor, Barke, Paine, Charters, Horcheler, Binzemer, Mauder, Miller, Quib, Parsons.

Absent—Ald. Lutes, Remington, Guggenheim, Mutschler, Copeland, Brown, Kelly, Woodruff, Adelman.  
Minutes of previous meeting approved as published.

**PETITIONS AND CLAIMS.**

By Ald. Spencer—Pay roll Fire Department. Fire Department Committee.

By Ald. Cram—Pay roll street laborers. Street Committee.

By Ald. Groot—Sundry bills. Poor Committee.

By Ald. Andrews—Petition of Wm. Barke and others. Tania.

By Ald. Graham—Pay roll policemen and S. M. Sherman's disbursements. Police Committee.

By Ald. Ratt—Sundry bills. Lamp Committee.

**REPORTS.**

Ald. Cram, from the Street Committee, reported in favor of pay roll for street laborers. Finance Committee.

Ald. Spencer, from the Fire Department Committee, reported in favor of sundry bills. Finance Committee.

Ald. Groot, from the Poor Committee, reported in favor of sundry bills. Finance Committee.

Ald. Graham, from the Police Committee, reported in favor of the pay roll. Finance Committee. Also in favor of the disbursements of S. M. Sherman, and moved its referral to the Finance Committee.

Ald. Groot moved as an amendment to strike out the bill of C. W. Clark, for policemen caps. Carried.

Ald. Graham's motion to refer the bill of S. M. Sherman, as amended, was adopted.

Ald. Ratt, from the Lamp Committee, reported in favor of sundry bills. Finance Committee.

Ald. Spencer, from the Special Committee on Encroachments in Lyell street, asked for further time. Granted.

**COMMUNICATIONS.**

The Clerk presented the following:  
**TREASURER'S MONTHLY REPORT.**

CITY TREASURER'S OFFICE, }  
March 2d, 1868. }

To the Honorable the Common Council:

GENTLEMEN—The Treasurer herewith submits the Monthly Statement of the balances of the principal funds, on the 28th day of February, 1868, as required by section 59 of the City Charter:

	Credit Balance.
Confingent Fund.....	\$3,955 72
Fire Department Fund.....	3,516 82
Highway Fund.....	2,065 29
Lamp Fund.....	5,205 83
Poor Fund.....	1,829 06
Police Fund.....	\$,472 67
Park Fund.....	15 65
Board of Health Fund.....	48 74
Sewer Repair Fund.....	38 25
South Avenue Repair Fund.....	10 75
Lyell Street ..	5 00
North Street ..	9 37
St. Paul-st. Repair Fund (N. Y. C. R. E. to Scranton street).....	9 25
St. Paul-st. Repair Fund (Scranton street to City Line).....	100 00
Moore Avenue Repair Fund.....	73 73
Mt. Hope Avenue ..	0 86
Plymouth Avenue ..	65 95
West Avenue ..	53 77
Lake Avenue ..	58 82
East Avenue ..	198 91

H. P. LANGWORTHY, Treasurer.  
Subscribed and sworn to before me, this 2d day of March, 1868.  
B. FRANK ENOS,  
Notary Public.

CITY TREASURER'S OFFICE, }  
ROCHESTER, N. Y., Feb. 28, 1868. }

To the Hon. the Common Council:

GENTLEMEN—Herewith please find a list of the personal property returned unpaid for the General City Tax, 1867.  
B. P. LANGWORTHY, Treasurer.

	Am't.	Tax.
M. L. Hamlin & Co.—1st Ward.....	\$1,000	\$88 05
Roy & McCarlin, 1st " .....	1,000	88 05
Charles C. Brown, 2d " .....	500	19 03
Harvey Williams, 3d " .....	5,000	190 25
Moses Hays, 5th " .....	1,000	88 05
F. S. Mines, 6th " .....	1,000	88 05
Ferdinand Hays, 6th " .....	1,000	88 05
Simon Hays, 6th " .....	1,000	88 05
H. L. Fairchild, 9th " .....	1,000	88 05
Jas. E. Schantz, 10th " .....	1,000	88 05
Henry R. Gordon, 14th " .....	1,000	88 05
Mrs. J. B. Brown, 14th " .....	1,000	88 05

Received and filed. \$15,500 \$339 78

The Clerk presented the resignations of Joseph Schutte and W. V. K. Lausing, as Commissioners of Deeds. Accepted.

The Clerk presented to the Board the laws and ordinances of the city of Worcester, Mass. Accepted with thanks.

**ORDINANCES—FLOOD DAMAGES.**

Ald. Groot presented the final ordinances for Court street, wooden bridge, Repairs on State street, road leading from Court street to Monroe County Jail, Repairs on Troup street, Alley running from Exchange Place, Repairs on School alley, Repairs on Mumford and Andrews streets, Repairs on Mumford street, Repairs on Lake avenue and White street, Repairs on Buffalo street and Main street Bridge, Repairs on Spring street, Repairs on Frank street, Repairs on Front street, Repairs on Hill and Platt streets, Repairs on Oak street, Repairs on Mill and Center streets, Repairs on Mill street, Repairs on Furnace street, Repairs on Montgomery alley, Repairs on West street, Repairs on Dean street, Repairs on Platt street, Repairs on Varnum street, Repairs on Platt street, Repairs on Lyell street, and moved their postponement until the second regular meeting in April, 1868. Carried.

**ASSESSMENTS.**

Ald. Burke called up the proposition of Messrs. Ryan & Dempsey, relative to Varnum street opening. Tabled.

Ald. Burke presented the assessment roll for Varnum street opening, and moved its postponement until the next regular meeting. Carried.

**EXECUTIVE.**

On motion of Ald. Andrews, the Board proceeded to ballot for two Commissioners of Deeds, when Jas. E. Cheeney, Jr. received 14 votes; M. D. Rowley received 13 votes; scattering, 4 votes. No choice.

**SECOND BALLOT**—Jas. E. Cheeney, Jr., 16; M. D. Rowley, 16; scattering, 4.  
Jas. E. Cheeney, Jr., and M. D. Rowley were declared appointed.

**MISCELLANEOUS.**

By Ald. Parsons—Resolved, That the City Treasurer be and is hereby authorized and directed to pay as follows: John Topham, \$14; Michael Lumbert, \$35; John Schneider, \$27. The above amounts being in full for balances due to the parties named for services as drivers on the street under a resolution of the Common Council, the men being at the time drivers of fire engine teams and horses, and having been paid regularly in full up to the time or times when the above specified balances commenced to accrue, and charge Highway Fund. Referred to Street committee.

Ald. Andrews called up the following:

To the Common Council of the City of Rochester:

**GENTLEMEN:**—The Law Committee beg leave most respectfully to make the following report, viz.:

The city, in the year 1854, conveyed, by deed, to Aaron Erickson, the premises situated on the corner of Buffalo and Front streets, and to secure the payment of ten thousand dollars of the purchase money, Mr. Erickson gave the city a bond and mortgage covering the said premises, and payable in ten years from July 1st, 1854, with annual interest. That he has paid to the city three thousand dollars and all the interest accruing to July 1st, 1860, on the said mortgage. There then remaining due the sum of seven thousand dollars (\$7,000). That since that time he has refused to make any further payments, alleging that the city authorities had refused to allow him to erect a stairway on the Front street side, as agreed upon, and also that the grade of the bridge had since been changed to his injury, and that he had never received the full amount of land granted and conveyed by said deed.

This matter has once before been brought to the attention of the Common Council, and a former Law Committee investigated and reported the facts relative to the same.

Mr. Erickson then claimed a deduction of five thousand from the amount of principal then due, offering to pay \$2,000 with interest from July 1st, 1860. The Committee reported against accepting the same, and directed the City Attorney to commence proceedings of foreclosure. Said proceedings were commenced, a defence made, and the matter is yet in litigation.

Mr. Erickson now proposes to pay to the city the sum of \$5,000, with interest thereon from July 1st, 1860, together with the costs which the city has incurred, the city to accept the same in full payment thereof, and to discharge the said mortgage.

Your Committee, in view of all the facts in the case, have determined to report the same to the Board and recommend that his offer be accepted, that the proceeding for foreclosure be stopped, and the Mayor be directed to cancel and discharge the mortgage.

All of which is respectfully submitted,

GEO. TAYLOR,  
E. R. ANDREWS,  
C. F. PAINE,  
Law Committee.

Adopted as follows:

**Ayes**—Ald. Spencer, Groot, Andrews, Graham, Carroll, Relyea, Taylor, Burke, Paine, Parsons—10.

**Nays**—Ald. Cram, Quatlrough, Ratt, Charters, Horcheler, Bingemer, Mauder, Miller, Quin—9.

By Ald. Andrews—Resolved, That the City Treasurer pay the City Attorney, or on his order, \$282.50, and interest from December 19th, 1867, the costs of the respective parties in the suit of John Williams and others against the city of Rochester, out of the Jay street improvement fund when collected, provided the consent hereto of all the persons assessed for said improvement shall be obtained, or the proportional part of such costs shall be paid to said Treasurer on behalf of those not consenting hereto. But the adop-

tion of this resolution shall not affect or postpone the collection of the judgment already docketed in said action in favor of the said defendants beyond the 1st day of June next. Adopted as follows:

**Ayes**—Ald. Quatlrough, Andrews, Relyea, Ratt, Taylor, Burke, Paine, Charters, Horcheler, Bingemer, Miller, Parsons—12.  
**Nays**—Ald. Spencer, Cram, Groot, Graham, Carroll, Mauder, Quin—7.

#### FINANCE BUDGET.

MARCH 2d, 1868.

By Ald. Paine—Resolved, That the Treasurer pay as follows:

FIRE DEPARTMENT FUND.	
Monthly Pay Roll, payable to George B. Harris, Chief Engineer:	
Steamer No. 1, engineer and drivers.....	\$135 00
.. 2 .. .. .. ..	135 00
.. 3 .. .. .. ..	135 00
.. 4 .. .. .. ..	135 00
Hook and Ladder Co. No. 1, driver .. .. ..	40 00
R. B. Paine, services at hose depot.....	60 00
Geo. B. Harris, Chief Engineer, salary 1 month	100 00
<b>And charge Fire Department Fund</b>	<b>\$740 00</b>
POOR FUND.	
N. M. Semple, groceries for poor store.....	\$205 44
Moore & Cole .. .. .. ..	222 94
Jos. Hoffman, disbursements at office.....	53 24
Geo. Schofield, transportation.....	12 39
H. B. Hathaway, coffee for poor store.....	20 60
Henry East, orders for meat.....	216 00
E. Weigel, bread for poor store.....	405 70
	\$634 71
G. Bastian, bread for poor store.....	\$200 34
J. Yawman, .. .. .. ..	203 94
	\$1,538 99
Taylor & Brownell, orders for shoes.....	\$ 69 75
<b>And charge Poor Fund</b>	<b>\$1,468 74</b>
LAMP FUND.	
Fred. Stickle, care kerosene lamps one month	\$562 50
Boyd, Gommenginger & Co., repair of lamps..	95 14
<b>And charge Lamp Fund.</b>	<b>\$657 64</b>
HIGHWAY FUND.	
Thomas Purcell, street laborers' pay-roll.....	\$ 94 49
<b>And charge Highway Fund.</b>	
POLICE FUND.	
S. M. Sherman, 1 mo. salary to March 1, 1868....	\$125 00
Alexander McLean, .. .. .. ..	75 00
Peter Hughes, .. .. .. ..	75 00
Wm. J. Rogers, .. .. .. ..	75 00
Jonathan Dresser, .. .. .. ..	75 00
Thos. Lynch, .. .. .. ..	75 00
Monroe A. Areen, .. .. .. ..	75 00
John H. Dana, .. .. .. ..	75 00
P. H. Sullivan, .. .. .. ..	75 00
Chas. McCormick, .. .. .. ..	75 00
James McKelvey, .. .. .. ..	75 00
Perry Marzluff, .. .. .. ..	75 00
J. W. Lord, .. .. .. ..	75 00
Joseph S. Roworth, .. .. .. ..	75 00
John Barry, .. .. .. ..	75 00
Frank Plass, .. .. .. ..	75 00
Wm. White, .. .. .. ..	75 00
Warren H. Noyce, .. .. .. ..	75 00
Michael, Hyland, .. .. .. ..	75 00
Michael Flynn, .. .. .. ..	75 00
John J. Garrett, .. .. .. ..	75 00
Edward Vanvorst, .. .. .. ..	75 00
E. W. McBarney, .. .. .. ..	75 00
James K. Foster, .. .. .. ..	75 00
A. H. Franklin, .. .. .. ..	75 00
Wm. Rogers, .. .. .. ..	75 00
Albert H. Bruman, .. .. .. ..	75 00
Bartholomew Crowley, .. .. .. ..	75 00
Thos. T. Burchell, .. .. .. ..	75 00
Lyman Johnson, .. .. .. ..	75 00
Peter Yost, .. .. .. ..	75 00
Frank B. Allen, .. .. .. ..	75 00
James Sullivan, .. .. .. ..	75 00
John Ragan, 29 days' salary .. .. ..	72 50
Philip Schaad, 29 .. .. .. ..	72 50
Thos. F. Hurley, 29 .. .. .. ..	72 50
Wm. F. Lusk, 29 .. .. .. ..	72 50
Joseph T. Clary, 29 .. .. .. ..	72 50
W. H. McArthur, 29 .. .. .. ..	72 50
Michael Tierney, 26½ .. .. .. ..	66 25
	\$3,026 25
S. M. Sherman, disbursements at Police Office..	\$46 72
<b>And charge Police fund.</b>	<b>\$3,072 97</b>

Adopted as follows:  
 Ayes—Ald. Spencer, Cram, Qualtrough, Groot, Andrews, Graham, Carroll, Relyea, Ratt, Taylor, Burke, Paine, Charters, Horcheler, Bingemer, Mauder, Miller, Parsons—18.  
 Nays—Ald. Quin—1.  
 Adjourned. B. FRANK ENOS, City Clerk.

### In Common Council—March 6th, 1868.

ORGANIZED AS A BOARD OF CANVASSERS.

Ald. William Guggenheim was called to the Chair.

Present—Ald. Spencer, Cram, Qualtrough, Andrews, Remington, Guggenheim, Carroll, Ratt, Taylor, Paine, Woodruff, Horcheler, Bingemer, Mauder, Quin, Parsons.

Absent—Ald. Lutes, Groot, Graham, Mutschler, Relyea, Copeland, Brown, Kelly, Burke, Adelman, Charters, Miller.

The Clerk submitted the certified statements of the Inspectors of Election for the several wards, of the votes received at the Charter election, held in this city on the third day of March, one thousand eight hundred and sixty-eight.

The Board proceeded to canvass and estimate the votes polled at such election, and thereupon determined that the following persons, by the greatest number of votes, had been duly elected to the several offices hereafter named.

#### CITY OFFICES.

Mayor—Henry L. Fish.  
 Justice of the Peace—Patrick McIntyre.

#### WARD OFFICES.

##### SUPERVISORS.

First Ward—Charles H. Stillwell.  
 Second Ward—John Barker.  
 Third Ward—Thomas C. Montgomery.  
 Fourth Ward—James C. Campbell.  
 Fifth Ward—Patrick Connolly.  
 Sixth Ward—Joseph Schutte.  
 Seventh Ward—Porter W. Taylor.  
 Eighth Ward—Daniel Warner.  
 Ninth Ward—Myron S. Fairchild.  
 Tenth Ward—Isaiah F. Force.  
 Eleventh Ward—Louis Bauer.  
 Twelfth Ward—George Elwanger.  
 Thirteenth Ward—George P. Davis.  
 Fourteenth Ward—John Stewart.

##### ALDERMEN.

First Ward—Alonzo G. Whitcomb.  
 Second Ward—Joseph Qualtrough.  
 Third Ward—Henry E. Rochester.  
 Fourth Ward—George W. Crouch.  
 Fifth Ward—James Cochrane.  
 Sixth Ward—William Sidey.  
 Seventh Ward—Charles A. Jeffords.  
 Eighth Ward—Patrick Caulfield.  
 Ninth Ward—William S. Thompson.  
 Tenth Ward—Elijah Withall.  
 Eleventh Ward—John P. Roach.  
 Twelfth Ward—Franklin S. Stebbins.  
 Thirteenth Ward—John Mauder.  
 Fourteenth Ward—Cornelius R. Parsons.

##### COMMISSIONERS OF COMMON SCHOOLS.

First Ward—Kneeland J. Helmes.  
 Third Ward—Philip H. Curtis.  
 Fifth Ward—Alphonzo A. Francis.  
 Seventh Ward—Reuben D. Jones.

Ninth Ward—Thomas Dransfield.  
 Twelfth Ward—John O'Connor.  
 Thirteenth Ward—J. Philip Farber.

##### CONSTABLES.

First Ward—Addy W. Van Slyck.  
 Second Ward—Richard L. Swift.  
 Third Ward—George W. Streeter.  
 Fourth Ward—John Regan.  
 Fifth Ward—Isaac V. Mosnier.  
 Sixth Ward—Thomas W. Morrison.  
 Seventh Ward—Joseph E. Robb.  
 Eighth Ward—Philip McConnell.  
 Ninth Ward—Asa W. Chappell.  
 Tenth Ward—John S. Stott.  
 Eleventh Ward—Peter Miller.  
 Twelfth Ward—Romer Gorion.  
 Thirteenth Ward—August Hufenschmidt.  
 Fourteenth Ward—Joseph B. Markley.

##### INSPECTORS OF ELECTION.

First Ward—Luther A. Pratt and Richard Dransfield.  
 Second Ward—William E. Lathrop and D. Hudson Davis.  
 Third Ward—J. Horace McGuire and Edwin P. Gould.  
 Fourth Ward—John B. Hahn and William Whitlock.  
 Fifth Ward—Frederick D. Rogers and De los Polley.  
 Sixth Ward—John Relyea and Miles Decker.  
 Seventh Ward—William I. Hartford and Lewis F. Hyne.  
 Eighth Ward—Daniel D. Lynch and James Lennon.  
 Ninth Ward—J. Marsden Fox and Patrick Moran.  
 Tenth Ward—Ira Haskins and J. George Cramer.  
 Eleventh Ward—David Monaghan and Benedict Barker.  
 Twelfth Ward—Benjamin F. Thomas and John Donovan.  
 Thirteenth Ward—Jacob Volk and John M. Lockey.  
 Fourteenth Ward—Theodore J. Southworth and James E. Lee.

##### INSPECTORS OF ELECTION APPOINTED.

First Ward—Charles W. Briggs.  
 Second Ward—John H. Thompson.  
 Third Ward—William G. Bell.  
 Fourth Ward—Jacob Meyer.  
 Fifth Ward—Barzillai R. Cox.  
 Sixth Ward—Wakeman Y. Andrews.  
 Seventh Ward—Patrick H. McMahon.  
 Eighth Ward—James M. Niven.  
 Ninth Ward—Edward Webster.  
 Tenth Ward—John Stape.  
 Eleventh Ward—Joseph Felix.  
 Twelfth Ward—George Raibes.  
 Thirteenth Ward—George W. Blackmore.  
 Fourteenth Ward—Charles W. Gray.  
 The members of the Common Council then signed the certificate of the canvass made by them in duplicate, and having finished all business before them as a Board of Canvassers, adjourned. B. FRANK ENOS, Clerk.

**In Common Council—March 6th, 1868.**

**SPECIAL MEETING.**

The President of the Board, Ald. William Guggenheim, presiding.

Present—Ald. Spencer, Cram, Qualtrough, Andrews, Remington, Guggenheim, Carroll, Ratt, Taylor, Paine, Woodruff, Horcheler, Bingemer, Mauder, Quin, Parsons.

Absent—Ald. Lutes, Groot, Graham, Mutchler, Relyea, Copeland, Brown, Kelly, Burke, Adelman, Charters, Miller.

The Clerk presented the following:

MAYOR'S OFFICE, ROCHESTER, }  
March 6th, 1868. }

*Gentlemen of the Common Council:*

Again our city is threatened with a flood. South of us the snow is deep, and we have reports that it is raining and thawing. All should be done that is possible to avert the danger. Learning that the Water Works Company had not yet closed the cut they made in the feeder above Clarissa street bridge, I called at the said Company's office this A. M. to see Mr. Easton, and learned that he had gone to have it closed. I then visited the cut myself and found that they were blasting out the rock preparatory to laying their pipe before closing the gap. This, I think, will take too long. The gap should be closed to-day. On the west side there is a tunnel under the railroad made by said Water Works Company. This also should be properly closed, and at once. The ice below Clarissa street bridge is very thick and firm, and should a flood come down upon us without its being broken up, the consequences would be very disastrous, and my impression is that the ice should be broken more or less from said bridge to the falls below. This could be done by the aid of nitro-glycerine in some places and saws in others.

I therefore most earnestly recommend the appointment of a committee with power to act; with instructions to give this matter immediate attention, to the end that all and every precaution and preparation may be made to meet and avert the danger that threatens our city. You may rely upon the most energetic cooperation of

Your most respectfully,

HENRY L. FISH, Mayor.

Ald. Ratt moved that a committee of five be appointed, with power to act. Carried.

The President appointed as such committee, Ald. Ratt, Qualtrough, Bingemer, Parsons, Mauder.

Ald. Ratt moved that the Mayor be added. Carried.

Ald. Cram moved that the President be added. Carried.

Adjourned. B. FRANK ENOS, Clerk.

**In Common Council—March 17, 1868.**

**REGULAR MEETING.**

Ald. James H. Kelly, President pro tem, presiding.

Present—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Carroll, Mutschler, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons.

Absent—Ald. Guggenheim, Copeland, Brown.

Ald. Groot moved that the previous regular meeting and Board of Canvassers be approved as published.

Ald. Carroll moved as an amendment, to include the special meeting.

Ald. Groot moved as an amendment to the amendment, that the proceedings of the special meeting be stricken out entirely. Lost as follows:

Ayes—Ald. Groot, Graham, Adelman, Charters, Horcheler, Quin—6.

Nays—Ald. Spencer, Cram, Qualtrough, Lutes, Andrews, Remington, Carroll, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Bingemer, Mauder, Miller, Parsons—18.

Ald. Carroll's motion to include the special meeting, was carried as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Andrews, Remington, Graham, Carroll, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Horcheler, Bingemer, Mauder, Miller, Parsons—20.

Nays—Ald. Groot, Adelman, Charters, Quin—4.

Ald. Groot's motion to approve of proceedings as published, as amended, was carried.

**PETITIONS AND CLAIMS.**

By Ald. Quin—Bill of R. Y. McConnell. Street committee.

By Ald. Mauder—Sundry bills. Lamp committee.

By Ald. Woodruff—Sundry bills. Contingent committee. Communication from Col. Chas. H. Clark. Table.

By Ald. Taylor—Bill of John McConville. Law committee.

By Ald. Relyea—Sundry bills. Fire Department committee.

By Ald. Graham—Sundry bills. Police committee.

By Ald. Andrews—Communication from Mrs. A. L. Wetmore. Grievance committee.

By Ald. Lutes—Sundry bills. Poor committee.

By Ald. Cram—Sundry bills. Street committee.

By Ald. Spencer—Communication from Jacob Howe. Table.

**REPORTS.**

Ald. Quin, from the street committee, reported in favor of the bill of R. Y. McConnell. Finance committee.

Ald. Horcheler reported in favor of the bill of W. D. Oviatt. Finance committee.

Ald. Ratt, from the Lamp committee, reported in favor of sundry bills. Finance committee.

Ald. Lutes, from the poor committee, reported in favor of sundry bills. Finance committee.

Ald. Woodruff, from the Contingent committee, reported in favor of sundry bills, and moved their reference to the Finance committee.

Ald. Adelman moved as an amendment, that the bill of Alex. Allen, for care of city clocks, be referred back. Carried.

The remainder of the bills were referred to the Finance committee.

Ald. Cram, from the Street committee, reported in favor of sundry bills. Finance committee.

Ald. Relyea, from the Fire Department committee, reported in favor of sundry bills. Finance committee.

Ald. Graham, from the Police committee, reported in favor of sundry bills. Finance committee.

Ald. Taylor, from the Law committee, reported in favor of the bill of John McConville. Table.

Ald. Cram, from the Street committee, reported *adversely* on the claims of the drivers of the Fire Engine teams, under the direction of Supt. Butler, in 1866, and moved its adoption.

Ald. Qualtrough moved as an amendment, that the bills as approved by Supt. Butler and Engineer Harris, be paid. Lost as follows:

Ayes—Ald. Spencer, Qualtrough, Lutes, Graham, Ratt, Burke, Charters, Horcheler, Binghamer, Miller, Parsons, 11.

Nays—Ald. Cram, Groot, Andrews, Remington, Carroll, Mutschler, Relyea, Taylor, Kelly, Woodruff, Adelman, Mauder, Quin, 13.

The report of the Street committee was adopted.

Ald. Parsons presented the following:

#### REPORT ON RAISING THE ERIE CANAL BANKS.

ROCHESTER, March 17, 1868.

To the Honorable the Common Council:

Your Committee appointed the 9th day of July, 1867, to whom was referred the subject matter of raising the banks of the Erie Canal through the city of Rochester would make the following report:

That they have received from property owners, liable to be damaged, a release to the State of New York of all claim for damages which may arise in consequence of raising the berme bank of the Erie Canal through the city of Rochester to a point ten chains west of Lyell street in said city, except from the following named parties: Fitzhugh estate, Tallman estate, New York Central Railroad, Schermerhorn, Schermerhorn & Chapin, Sidney Robey, and Elbridge Heath.

Your committee would state with regard to the last named persons that none have refused to grant a release except Elbridge Heath, and it is believed that all others will execute the same as soon as the matter can be properly brought to their consideration.

Your committee would further state that they are reliably informed that the original plan of enlargement contemplated the raising of the said banks to the full height now proposed by the canal authorities, and that settlement for damages was made upon that basis, and under this state of facts, your committee fail to perceive how the State can become liable for further damages, even without a release.

Your committee would further report that they are informed by the Division Engineer in charge of this division of the canal, that he has already given the contractor written directions to commence the work of repairing said banks immediately, and to prosecute the same to completion with diligence and dispatch.

Your committee, therefore ask to be relieved from the further consideration of this matter. Respectfully submitted.

C. R. PARSONS,  
CYRUS F. PAINE,  
A. CRAM,  
JOHN LUTES,  
W. CARROLL,

Adopted. Committee.

Ald. Andrews presented the following report, relative to building

#### APPROACHES TO CLARISSA STREET BRIDGE.

To the Common Council of the City of Rochester:

GENTLEMEN—Your Committee, appointed on the second day of July, 1867, to confer with the Board of Supervisors of the county of Monroe to enable us to secure the co-operation of the county in the construction of approaches to Clarissa street bridge at the west end; which committee, with the addition of Ald. Groot and Ald. Remington, was instructed to press upon the Board of Supervisors the claims of the city upon the county for reimbursement to the city of moneys expended in the purchase of the arsenal site; also for moneys expended in repairs of damages caused to Main street bridge by high water in the Genesee river in the year 1865; would respectfully report:

That they sent to said Board of Supervisors a communication setting forth the appointment of said committee, and the subjects referred to them, and presenting the claims of the city for such objects. The Board of Supervisors referred said communication, so far as the claims for moneys expended in making repairs to Main street bridge were concerned, was referred to a special committee appointed for that purpose; also another special committee was appointed for the consideration of claims for Clarissa bridge approaches and for the arsenal site.

Your committee had a consultation with the former committee, and pressed upon them, and also upon the Board of Supervisors, the claim of the city for reimbursement of the entire sum expended in making the repairs afore mentioned, upon the ground that Main street bridge is a county bridge, and that as such the county is under obligation to make all necessary repairs to it.

The committee of the Board of Supervisors reported that the amount claimed by the city had been expended in repairs to said bridge, but made no report as to the liability of the county on such claim. The Board of Supervisors passed a resolution directing the County Treasurer to pay to the Treasurer of the City of Rochester the sum of \$ (being one half of the amount claimed by the city) which sum has been paid into the city treasury.

With the committee appointed upon the Clarissa street bridge approaches, and the claim for the arsenal site, your committee never succeeded in procuring a meeting but said committee, near the close of the session of the Board of Supervisor reported adversely to the claims of the city in said matters, without the knowledge of your Committee which report was adopted.

In consideration of the foregoing facts, your committee would recommend the adoption of the accompanying resolution.

Respectfully submitted,

E. R. ANDREWS,  
A. CRAM,  
S. REMINGTON,  
W. H. GROOT,

Committee.

Resolved, That the city of Rochester accept the appropriation made by the Board of Supervisors of the county of Monroe towards the repair of the damage to Main street bridge carried by high water in the Genesee river in the year 1865, as part payment only of its claim for the money expended by said city in making such repairs; and that the said city holds the balance of said claim for moneys so expended as a valid claim against the county of Monroe. Adopted.

Ald. Lutes presented the report of the Overseer of the Poor for the month of February:

Whole amount expended.....\$4,468 14  
Less county and towns..... 937 75

Total for city.....\$3,530 39  
Number of families assisted 820. Filed.

Ald. Ratt presented the following:

REPORT RELATIVE TO THE ANTICIPATED FLOOD  
*Gentlemen of the Common Council:*

Your Committee on flood, who were appointed at your last meeting, with power to act, beg leave to submit the following report:

That on Saturday, the seventh, they examined the ice above the dam opposite the Weigh Lock and found it from twenty to twenty-four inches in thickness and firmly attached to each bank of the river and to the dam itself, and thereby creating a tremendous resistance—the Committee after conferring with many of the oldest citizens as to the most expedient measures to pursue to open a channel—tried the experiment of blasting.—Thereupon two four pound tin cans were procured, charged, put under and next to the ice and exploded with but little effect. Then a fourteen pound blast was applied with but slight effect. On the eighth—Sunday morning—the Committee requested the Street Superintendent to set some men at work cutting the ice and freeing it from the dam, which he did, and a channel was formed and opened in this way some fifteen or twenty feet wide across the river. They then procured two twenty-five pound kegs of powder, made them water tight, attached fuse, sunk each to the bottom of the river, and then exploded them with good results, clearing about a quarter of an acre of ice from the east side, near said dam, which gave room for the water to flow freely over said dam.

D. Richmond, under the direction of the Hon. John D. Fay, Canal Commissioner, had a dam constructed in the Erie canal at the east end of the aqueduct and ordered the waste gate opened at the end of the old canal aqueduct leading into the river north of the Ely mill, also the paddles to the locks eastward. Mr. Easton, the water works contractor, being short of men, arranged with Mr. Fay to close the cut from the river to the feeder, he built two heavy walls across said cut sixteen feet apart, and puddled the earth between them. The tunnel on the west side, under the railroad track, Mr. Easton

succeeded in closing. Mr. Fay also ordered a dam built across the Genesee Valley canal and the waste weirs westward thrown open, all of which work was completed Sunday night, and every preparation and precaution was taken by your Committee and the State authorities that could be. Early Monday morning the ice at the upper or rapids dam gave way, rushing down, clearing the river completely of ice to some hundreds of feet below the railroad bridge, where it gorged, creating a dam of ice from ten to fifteen feet high, setting the water back and filling that triangle lot between the railroad track and the Valley canal full and then flowing into and filling the Valley canal full, carrying away the dam and running to Mud Lock, which gates were closed, but when the canal became full to said lock the lower gates were knocked out and the water allowed to run into the Erie canal, thereby preventing the overflowing of portions of the third and eighth wards. Mr. Fay immediately ordered another dam thrown across the Valley canal just below the first one built, and which was completed in time to check much of the water. At the same time the water broke into the Valley canal it also broke into the feeder and carried away the two walls in the cut on the east side and filled it full to overflowing, but the opening of the water gate at the end of the old aqueduct and the lock-paddles eastward the water was by this means kept from overflowing that section of the city. The committee at this time, Monday morning, the 9th inst., set Messrs. McConnell & Jones to blasting the ice with about nine pound cans settled to the bottom of the river, which was found to be about the right charge, and the bottom of the river the right place to explode them to make them the most effective. They continued this through the entire day with varied success, sometimes only cracking the ice and again throwing off great quantities. In this way the ice was entirely cleared from the dam southward nearly opposite to Mr. Bronson's planing mill, and on the west side southward nearly to Lafayette street, a space of from ten to fifteen feet was opened by means of blasting between the river and the bank, which had a great tendency to free the water which rushed northward with great velocity. At night work ceased, when the committee arranged with parties having saws to commence at daylight on Tuesday morning to saw a channel southward towards the ice dam. At this time both canals and the feeder were full to overflowing and the danger seemed most imminent. The least change in the ice dam, or had there been an accession of ice from above the rapids before the ice finally moved out, the city must certainly have been inundated; as it was the water seemed to be increasing and gaining, running into both canals and the feeder a little faster than it could run off and clear itself; and had not the ice moved as it did, it is the opinion of your Committee, as well as many others, that part of the Third, Eighth and Twelfth wards would have been submerged. But a little after midnight the ice gave way, and a more terrific, grand and magnificent sight was never witnessed, the ice passing Main street bridge in vast quan-

titles with the velocity of lightning and with a noise such as was never before heard in this city. This early movement and relief from the ice was owing, in the opinion of your Committee, as well as others, to the opening of the river above the dam and the west side thereof, as above stated, the cost of which is inconsiderable, taking into consideration the amount of work done. The bills for the same will be audited by the Committee and presented to your Board at a future meeting. The Hon. John D. Fay and D. Richmond, State officers, are entitled to the thanks of our people for their prompt and energetic response in this crisis to the wants and necessities of the city. All of which is most respectfully submitted.

WM. RATT. C. R. PARSONS.  
JOS. QUALTROUGH. JOHN MAUDER.  
A. BINGEMER. HENRY L. FISHER.

Committee.

ROCHESTER, March 16, 1868.

Ald. Qualtrough moved that the report be received, filed and published. Carried as follows:

**Ayes**—Ald. Spencer, Cram, Qualtrough, Lutes, Carroll, Mutschler, Ratt, Taylor, Kelly, Burke, Paine, Bingemer, Mauder, Miller, Parsons, 15.

**Nays**—Ald. Groot, Andrews, Remington, Graham, Relyea, Woodruff, Adelman, Charters, Horcheler, Quin, 10.

#### COMMUNICATIONS.

Ald. Taylor presented a communication from the Assessors, relative to the tax against Jacob Stetzenmeyer. Filed.

The Clerk presented the following, which was accepted:

*To the Honorable the Common Council:*

GENTLEMEN,—I respectfully offer my resignation as Commissioner of Mt. Hope Avenue.

GEORGE POPP.

Rochester, March 17th, 1868.

The Clerk presented the following copies of bills relating to the City of Rochester, now pending in the State Legislature, which were received and ordered published:

#### AN ACT AGAINST ILLEGAL TAXATION.

IN SENATE, Feb. 10, 1868.

Introduced by unanimous consent by Mr. Morgan—read twice, and referred to the Committee on the Judiciary—reported favorably from said committee, and committed to the Committee of the Whole.

**AN ACT**—Providing for relief against illegal taxation in the county of Monroe and city of Rochester, and confirming the acts of Board of Supervisors of Monroe county, and the Common Council of Rochester, in respect thereto.

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

Section 1. The Board of Supervisors of the county of Monroe, and the Common Council of the city of Rochester may, in their discretion, upon the application of any party or corporation aggrieved, hear and determine any claim of or in respect to any assessment for taxes, made in said county or city, upon United States bonds, stocks or securities, any or all of them, which by law are or have been exempt from taxation; and if it shall appear

that any such taxes have been so illegally or erroneously assessed, the said Board and Common Council, respectively, may, in their discretion, cause to be levied and assessed, upon the real or personal estate of the said county, or city, as the case may be, a sum sufficient to reimburse, with interest, any such party or corporation so illegally or erroneously assessed; said sum, when collected, shall be paid to the party or corporation entitled thereto.

Section 2. The action of the said Board of Supervisors, or of the said Common Council, either or both, in heretofore auditing, allowing, or repaying any such assessment or tax, or any part thereof, or in giving any consent or agreement in respect thereto, or in respect to the effect or manner of payment thereof, and the power of the said Board of Supervisors and Common Council, and each of them, to make and enter into such consent or agreement, be and such action and power are hereby ratified and confirmed; provided that the said Board of Supervisors, or the said Common Council, shall reaffirm said action.

Section 3. This act shall not affect any assessment made before the year eighteen hundred and sixty-one, nor shall the said Board of Supervisors, or the said Common Council, be compelled by mandamus, or other legal proceedings, to take action under the provisions of this act, but it is intended hereby to leave action under this act to the sole discretion of the said Board of Supervisors or the said Common Council.

Section 4. This act shall take effect immediately.

#### AN ACT TO LEGALIZE THE PROCEEDINGS OF THE ROCHESTER WATER WORKS COMPANY.

IN ASSEMBLY, Jan. 14th, 1868.

Introduced on notice by Mr. Bradstreet—read twice, and referred to the committee on affairs of cities—reported favorably from said committee, and committed to the Committee of the Whole.

**AN ACT**—To ratify, legalize, and confirm the proceedings of "The Rochester Water Works Company."

Whereas, The Rochester Water Works Company was duly incorporated by an act of the Legislature of the State of New York, passed April—, one thousand, eight hundred and fifty-two, and

Whereas, The said company has from time to time elected and appointed officers, directors, etc., as vacancies occurred, and has entered into contracts for the building and management of the said Rochester Water Works. Therefore,

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

Section 1. All the acts, elections, appointments to office, and contracts heretofore done, held or made by said company, with the view to carry out the object specified in said charter, to furnish pure water to the city of Rochester, are hereby ratified and confirmed.

Section 2. That the election and appointments of the present officers of said Rochester Water Works Company be and the same are hereby confirmed.

Section 3. The said company shall not at any time during the continuance of their charter take or divert the waters, or any part thereof, of the Honeoye creek, or any tributaries thereof, which may be required for the full and complete operation of any and all flouring mills, custom mills, woolen factories, tool shops, and other machinery now located on said creek or tributaries, provided, however, that the machinery in the mills, factories, shops, etc., aforesaid, may be changed to other manufacturing or milling purposes, but said manufacturing shall not by reason of any such change use more water than is at present required to drive the machinery in said mills, shops, factories or other manufacturing establishments.

Section 4. This act shall take effect immediately.

AN ACT TO REPEAL CERTAIN ACTS IN RELATION TO THE ROCHESTER WATER WORKS COMPANY.

IN ASSEMBLY, February 29, 1868.

Introduced by Mr. Bradstreet—read twice, and referred to the Committee on Affairs of Cities—reported favorably from said committee, and committed to the Committee of the Whole.

AN ACT—To repeal certain acts in relation to the Rochester Water Works Company.

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

Section 1. The act "To authorize the city of Rochester to sell the stock of the Rochester and Genesee Valley Railroad Company, and to assist in the construction of water works," passed April sixteenth, eighteen hundred and sixty, is hereby repealed.

Section 2. Section two of "An act to amend an act entitled 'An act to incorporate the Rochester Water Works Company,'" passed April sixteenth, eighteen hundred and fifty-two, to increase the capital stock, and authorizing the the city of Rochester to aid in the construction of said works, pursuant to section twenty-six of said act, passed March twenty-sixth, eighteen hundred and sixty-seven, is hereby repealed.

AN ACT RELATING TO THE HOUSE FOR TRUANT CHILDREN.

IN ASSEMBLY, February 26, 1868.

Introduced by Mr. Bradstreet—read twice and referred to the committee on the affairs of cities—reported favorably from said committee, and committed to the Committee of the Whole.

AN ACT, Relating to the house provided by the city of Rochester for the reception of idle and truant children.

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

Section 1. Every child committed to the house provided by the city of Rochester for the reception of idle and truant children, under the third section of the act entitled "An act to provide for the care and instruction of idle and truant children," passed April 12th, eighteen hundred and fifty-three, shall be kept in such place until such child shall arrive at the age of seventeen years; provided, nevertheless, that the managers of said house may and shall have the power to discharge

such child at any time, and may also bind such child out as a clerk, apprentice or servant, in the same manner, for the same periods, and subject to the same provisions, in all respects, as are contained in the first article and fourth title of the eighth chapter and second part of the Revised Statutes, with respect to children whose parents have become chargeable on any city or town.

Section 2. This act shall take effect immediately.

The Clerk presented the following

ANNUAL REPORT OF THE COMMISSIONERS OF MOUNT HOPE CEMETERY.

*To the Honorable the Common Council of the city of Rochester:*

The undersigned, Commissioners of Mt. Hope Cemetery, submit their Annual Report for the year commencing March 1st, 1867, and ending March 1st, 1868.

Cash on deposit for General Fund		
March 1st, 1867.....	\$358 46	
Cash on deposit for Special Fund March		
1st, 1867.....	1,353 72	
Cash omitted in last report for		
Interest received.....	13 03—1,366 75—	\$1,725 21
Received for interest on General		
Fund.....	20 72	
Received for interest on Special		
Fund.....	37 60	58 32
Received for burial lots.....		\$9,664 58
Received for burials.....		2,206 75
Received for labor, sodding and improving		
lots.....	3,413 94	
Received for removals.....	454 00	
Received for vault fees.....	134 25	
Received for materials sold.....	88 89	
Received for rent of houses and grounds.....	180 06	
Received for pasturing.....	116 25	
		\$18,089 18
Paid for interest on mortgages.....	\$1,560 32	
Paid for principal on mortgages.....	5,833 34	
Paid for labor.....	9,369 61	
Paid for materials.....	739 39	
Paid for tools and repairs.....	230 88	
Paid for insurance.....	39 20	
Paid for sundries.....	3 25	
Cash on deposit in Mechanics' Savings Bank		
(General Fund).....	238 19	
		\$8,089 18

There are now outstanding mortgages for purchase money of land—fifteen thousand dollars—the interest on which is paid up to the 3d of December, 1867, there having been paid during the past year the sum of five thousand eight hundred and thirty-three dollars and thirty-four cents (\$5,833.34) upon land purchases, and one thousand five hundred and sixty-two dollars and thirty-two cents for interest upon mortgages. The entrance to Mt. Hope, which was erected in 1859 upon an insecure foundation, at a cost of \$10,130.87, is in a very bad condition and must sooner or later be rebuilt. The receiving vault and Chapel, built in 1861-2 at a cost of \$10,487.93, needs material alteration and repairs, but the Commissioners having a large debt to pay, incurred several years since for land purchases, have had no means at their disposal for these almost imperative needs, the current receipts at Mt. Hope being only sufficient to meet expenses and debts incurred for purchase of land and interest thereon.

J. H. CHILD,  
GEO. G. COOPER,  
H. D. SCRANTOM,  
Commissioners of Mt. Hope Cemetery.



Subscribed and sworn to this 16th day of March, 1868. HENRY L. FISH, Mayor.

Received and ordered published.

#### ORDINANCES.

##### SEWER IN DELEVAN STREET.

Ald. Qualtrough presented the final ordinance for a sewer in Delevan street.

Ald. Quin moved its indefinite postponement. Carried.

##### ORDINANCE RELATING TO STREET RAILROADS.

By Ald. Quin—Resolved, That the ordinance in relation to street railroads, passed June 24th, 1862, is hereby amended by adding thereto the following:

Section 28. The said railroad corporation, and any other corporation or company, which has been, or may be hereafter organized, to construct, or operate a railroad in the streets of said city, shall as often as once a week remove all dirt, filth, snow and ice from the surface of the street inside the rails, and for two feet four inches outside thereof; and in case any such company or corporation shall refuse or fail to comply with this ordinance, shall pay to said city a penalty of twenty-five dollars for each and every day it shall so refuse or neglect.

Section 30. All the provisions of the foregoing ordinance shall be, and are hereby made applicable to any new company or corporation which has been, or may be hereafter organized to construct or operate a railroad in the streets of said city, upon the aid company or corporation giving its assent thereto. And in case it shall neglect or refuse to file with the City Clerk, such assent in writing, within five days from the service on its President or Secretary, of a copy of this resolution, then the consent of the city of Rochester to the construction, maintenance and operation of such street railroad within the limits of said city, is hereby withdrawn.

Adopted as follows: All ayes—25.

#### ASSESSMENTS.

Ald. Burke presented the Assessment roll for Varnum street Opening.

Ald. Qualtrough moved its postponement until the first regular meeting in May, 1868.

Ald. Groot moved as an amendment to postpone two weeks. Carried.

#### EXECUTIVE.

On motion of Ald. Horcheler, the Board proceeded to ballot for a Commissioner for Mt. Hope avenue, when Conrad Zimmer received 21 votes, and was declared appointed.

#### MISCELLANEOUS.

By Ald. Spencer—Resolved: That his Honor the Mayor be authorized and is hereby directed to execute a deed to Jacob How, conveying the property belonging to the City located on North Fitzhugh Street, and now occupied by Hook & Ladder Company No. 1, upon the payment into the city treasury to the credit of the Fire Department Fund of the sum of (\$2500) two thousand five hundred dollars cash, in accordance with the terms of the said Howe's proposition submitted at this meeting; provided that the city shall not be required to surrender the possession of the said premises until the committee upon the Fire Department shall have provided or procured a suitable house or location, for the accommodation of the Hook & Ladder Company, and the proper care and protection of the apparatus, horses, and other property belonging to the Hook & Ladder service.

Ald. Carroll moved as an amendment to strike out \$2,500 and insert \$3,500.

Ald. Paine moved as an amendment to the amendment to strike out the words "to the credit of the Fire Department Fund."

Ald. Remington moved that the whole matter be referred back to the committee, to report what is for the best interest of the

city, together with the probable cost of procuring a suitable place for the Hook & Ladder Company. Carried.

By Ald. Andrews—Resolved, That the Street committee are hereby instructed to have Spring street renumbered, in accordance with the petition of Wm. Burke and others. Adopted.

By Ald. Remington—Resolved, That property owners upon the west side of Stone street have until the first of May in which to build their walks. Adopted.

By Ald. Cram—Resolved, That His Honor the Mayor be and is hereby requested to charge thirty dollars license to all persons non-residents who come to the city for the purpose of attending the State Fair, with hacks, carryalls, or conveyances to carry passengers to and from the State Fair, (if said fair should be held in this city.)

Ald. Groot moved to table. Lost.

Ald. Andrews moved as an amendment to strike out thirty dollars and insert fifteen dollars.

Ald. Quin moved as an amendment to the amendment to strike out thirty dollars and insert twenty dollars. Carried.

Resolution adopted as amended.

By Ald. Mutschler—Resolved, That the Treasurer pay the following bills when there is money in the Treasury and charge House for Truants:

Henry Quinby .....	\$ 48.35
Hubbard & Northrop .....	17.00
J. T. Cobb .....	16.40
Moore & Cole .....	45.34
A. M. Boughton .....	7.80
Samuel Bennett .....	10.94
J. W. Adams .....	20.08
J. M. Whitney & Co. ....	230.86
C. T. Amsden & Son .....	22.50

Adopted as follows: All ayes—25.

By Ald. Ratt—Resolved, That the City Surveyor be, and he is hereby directed to establish the grade of Cypress street from Mt. Hope avenue to South avenue, so that parties upon the north side of said street may be enabled to construct sidewalks in accordance therewith, and that a profile of the same be made and filed in the Clerk's office. Adopted.

By Ald. Taylor—Resolved, That the City Treasurer be and is hereby directed to pay John McConvill fifty three dollars in full for costs in suit on demurrer on James Brackett and others against the city of Rochester, and charge Contingent Fund. Adopted as follows: All ayes—25.

By Ald. Taylor—Resolved, That the City Treasurer be and is hereby directed to refund to Jacob Stetzimyer ten dollars and forty-six cents erroneously assessed on his property on Olean street in the Eighth ward, and charge the same to Erroneous Assessments. Adopted as follows: All ayes—25.

By Ald. Woodruff—Resolved, That the Treasurer is hereby directed to pay to each Board of Inspectors of Election of the several wards the sum of \$40, also the places of holding the polls the sum of \$20, excepting the First and Second wards. Adopted as follows: All ayes—24.

By Ald. Woodruff—Resolved, That the Treasurer is hereby directed to pay the bills of Newman's band for services at the reception of Gen. Sheridan thirty dollars, and also

the bill of D. D. S. Brown for printing \$6.40, and charge Contingent Fund. Adopted as follows: All ayes—23.

By Ald. Charters—Resolved, That Leonard E. Bronson, Michael Weigel, A. Klunger, J. B. Southworth, have leave to erect wooden buildings according to their several petitions, under the directions of the Fire Marshal. Adopted.

By Ald. Mauder—Resolved, That a license be granted Jacob Schroat to sell fresh meat at his store, corner of St. Joseph and Baden streets. Adopted.

FINANCE BUDGET.

MARCH 17, 1868.

By Ald. Paine—Resolved, That the Treasurer pay as follows:

CONTINGENT FUND.

C. T. Amsden & Co., insurance on City Hall.....	\$ 25 00
Chell & Breaster .. .. .	50 00
W. F. Holmes .. .. .	181 25
S. B. Raymond .. .. .	50 00
W. Smith, cutting ice.....	1 13
Hugh Gragan .. .. .	1 13
M. Cunningham .. .. .	1 13
Peter Carr .. .. .	1 13
J. D. Johnson .. .. .	1 13
James Thompson .. .. .	1 13
Peter Carroll .. .. .	1 13
John Mann .. .. .	2 25
Jerome Brown .. .. .	3 00
John Fahy .. .. .	3 00
Henry Smith .. .. .	3 00
Curtis, Morey & Co., printing.....	92 54
Charles Marks, repairing chairs.....	5 50
J. N. Harder .. .. .	3 00
Wm. H. Tracy, disbursements.....	25 40
Thos. Knowles, hack hire.....	2 00
Chas. King .. .. .	5 00
John King .. .. .	3 00
Geo. W. Fisher, stationery.....	3 30
Rochester Gas Light Co., gas for City Hall.....	77 70
<b>And charge Contingent Fund.</b>	<b>\$541 31</b>

POOR FUND.

Joseph Hoffman, one month's salary.....	\$100 00
T. E. Scrantom, .. .. .	75 00
Chas. Vail, Physician, quarter's salary.....	125 00
W. S. Ely, .. .. .	125 00
C. E. Elder, .. .. .	125 00
J. W. Casey, .. .. .	125 00
W. M. Fleming, .. .. .	125 00
L. Knuchling, .. .. .	125 00
H. Hiton, six month's services.....	30 00
Joseph Hoffman, disbursements at office.....	69 00
Wehn & Goetzman, soap for poor store.....	49 52
F. Moser & Co., delivering coal.....	240 00
Smith & Roberts .. .. .	240 00
Industrial School, board of Mary Donnelly.....	52 00
J. D. McIntosh, candles for poor store.....	40 25
Qualtrough & Hunter, buckwheat for poor store.....	11 00
J. B. Hahn, corn meal for poor store.....	32 50
Moore & Cole, groceries for poor store.....	147 15
C. Friederich & Co., liquor per physicians orders.....	16 25
H. B. Hathaway & Co., paid orders.....	53 00
H. F. Smith, .. .. .	74 25
L. A. Pratt, .. .. .	29 75
A. Hebbard, flour for poor store.....	314 26
<b>And charge Poor Fund.</b>	<b>\$2,323 93</b>

HIGHWAY FUND.

McCConnell & Co., removing dirt from streets.....	\$100 00
H. Loway & Northington, material and labor.....	18 50
Thos. Purcell, pay roll from March 2d to March 14, 1868, inclusive.....	179 20
T. Lynch, repairing sidewalks.....	4 00
A. Corbin, repairing crosswalks.....	3 00
<b>And charge Highway Fund</b>	<b>\$348 70</b>

FIRE DEPARTMENT FUND.

Rochester Gas Light Co., gas and coal.....	\$ 74 89
Coleman, Haghson & Co., lumber.....	6 51
H. P. Wheeler, wood and damages.....	15 00
T. Williamson, repairs engine house No. 1.....	21 20
Alex. Allen, repairs to engines.....	3 50
<b>And charge Fire Department Fund.</b>	<b>\$121 01</b>

POLICE FUND.

Rochester Gas Co., gas at Station House, September, 1867.....	\$ 68 60
Rochester Gas Co., gas at Station House to March 1st, 1868.....	154 35
James Lee, services as special policeman in 5th Ward, March 3d, 1868.....	1 50
<b>And charge that fund.</b>	<b>\$224 45</b>

HEALTH FUND.

Allings & Cory, pass books.....	\$ 2 25
And charge that fund.	

SOUTH AVENUE FUND.

W. D. Oviatt, Com'r. bill repairs.....	\$ 3 00
And charge that fund.	

LAMP FUND.

Rochester Gas Co., bill for gas for street lamps to March 1st, 1868.....	\$3,843 88
Curtis, Morey & Co., bill printing.....	6 00

And charge that fund. \$3,849 88  
Ald. Groot moved as an amendment to the Budget, to strike out the claim of McConnell & Co. Lost as follows:

Ayes—Ald. Spencer, Cram, Groot, Andrews, Remington, Graham—6.  
Nays—Ald. Qualtrough, Carroll, Relyea, Ratt, Kelly, Burke, Paine, Woodruff, Aeliman, Charters, Horcheler, Binghamer, Mauder, Miller, Quin, Parsons—16.

The Budget was adopted as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Andrews, Remington, Graham, Carroll, Relyea, Ratt, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Binghamer, Mauder, Miller, Parsons—30.  
Nays—Ald. Groot, Quin—3.  
Adjourned.  
B. FRANK ENOS, Clerk.

For Common Council—March 31,

1868.

REGULAR MEETING.

The President of the Board, Ald. Wm. Guggeheim, presiding.

Present—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Guggeheim, Carroll, Mutchler, Relyea, Copeland, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Binghamer, Mauder, Miller, Quin, Parsons.

Absent—Ald. Graham, Brown.

Minutes of the previous meeting approved as published.

PETITIONS AND CLAIMS.

By Ald. Spencer—Sundry bills. Fire Department committee.

By Ald. Cram—Sundry bills. Street committee.

By Ald. Lutes—Sundry bills. Poor committee. Bill of Chas. Vail. Police committee.

By Ald. Carroll—Petition. Wooden Building committee.

By Ald. Copeland—Sundry petitions.—Wooden Building committee. Petitions of A. B. McConnell and William E. Copeland and others. Improvement committee.

By Ald. Ratt—Sundry bills. Lamp committee.

By Ald. Taylor—Bill of E. A. Raymond. Law committee.

By Ald. Kelly—Petition of W. Donaldson and others. Street committee.

By Ald. Woodruff—Sundry bills. Contingent committee. Communication from Alex. Allen. Table.

By Ald. Paine—Bill of R. Millman. Finance committee.

By Ald. Adelman—Petitions of Geo. A. Wilkin and others. Committee on Opening streets, and Table.

By Ald. Horcheler—Bill of W. D. Oviatt. Finance committee.

By Ald. Miller—Sundry bills. Police committee. Bill of Boyd, Gomminger & Co. City Property committee.

REPORTS.

Ald. Ratt, from the Lamp committee, reported in favor of sundry bills. Finance committee.

Ald. Taylor, from the Law committee, reported in favor of the bill of E. A. Raymond. Finance committee.

Ald. Woodruff, from the Contingent committee, reported in favor of sundry bills.—Finance committee.

Ald. Cram, from the Street committee, reported in favor of sundry bills. Finance committee.

Ald. Kelly, from the Fire Department committee, reported in favor of sundry bills.—Finance committee.

Ald. Miller, from the Police committee, reported in favor of sundry bills. Finance committee.

Ald. Adelman, from the Sewer committee, presented the following :

ANNUAL REPORT OF THE SEWER COMMITTEE.  
To the Honorable the Common Council :

The Sewer Committee beg leave to submit the following as their annual report :

SEWERS CONSTRUCTED SINCE APRIL 1ST, 1867.

Location.	Length in feet.	Cost.
Hudson-st., from Nassau-st. to North-st., stone, 1½x2 ft.....	1,136	\$2,209 00
Gregory-st., from Mt. Hope-av. to Ashland-st., stone, 2x2 ft.....	1,108	2,135 40
Gregory-st., from Ashland-st. to South-av., pipe, 12 in. diam.....	1,158	1,430 00
Hickory-st., from Mt. Hope-av. to South-av., pipe, 12 in. diam.....	1,850	2,020 00
Alexander-st., from South-av. to Cayuga-st., pipe, 12 in. diam.....	833	1,050 00
Union-st., from Monroe-av. to a point 30 ft. north of Wm. Summer-nay's lot, stone, 1½x2 ft.....	663	1,231 00
Smith-st., from Frank-st. to Bolivar-st., pipe, 12 in. diam.....	400	448 90
Jersey-st., from George-st. to Cross-allej., pipe, 9 in. diam.....	519	386 40
Kelly-st., from Joiner-st. to St. Joseph-st., stone, 1½x2 ft.....	483	671 50
Cayuga-st., from Jefferson-st. to Grand-st., pipe, 12 in. diam.....	325	954 00
Sellinger-st., from Clinton-st. to St. Joseph-st., stone, 18x20 in.....	1,250	1,779 94
St. Joseph-st., from Hoelzer-st. to Vienna-st., stone, 18x20 in.....	1,474	2,031 65
Herman-st., from St. Joseph-st. to a point 230 ft. west of Hudson-st., pipe, 15 in. diam.....	1,627	2,147 41
Kelly-st., from Hanover-st. to Hud-son-st., pipe, 12 in. diam.....	761	850 65
Rome-st., from Bowery-st. to a point 75 ft. south of Atwater-st., stone, 1½x2 ft.....	356	630 00
St. Joseph-st., from Atwater-st. to a point 140 ft. north of Bowery-st., pipe, 12 in. diam.....	303	308 20
Jay-st., from Saxton-st. to a point 50 ft. east of Charles-st., stone, 1½x2 ft	1,669	3,450 00
Grape-st., from Orange-st. to Jay-st., pipe, 12 in. diam.....	356	367 50
Prospect-st., from Adams-st. to West av., stone, 2x2 ft.....	1,425	2,160 00
Ambrose-st., from Graham st. to Frank-st., stone, 1½x2 ft.....	685	1,034 55
Total length of stone sewer.....	10,322	
Total cost of same.....		\$17,424 04
Average cost per lineal foot.....		1 69
Total length of pipe sewer.....	8,657	
Total cost of same.....		10,023 06
Average cost per lineal foot.....		1 16

F. A. ADELMAN,  
JOHN MAUDER,  
JOHN LUTES,  
JOSEPH QUALTROUGH,  
GEO. TAYLOR, } Committee.

Ald. Groot moved to receive and publish without reading.

Ald. Quin moved, as an amendment, to read. Carried.

After reading, the report was received and ordered published.

SEWER REPAIR FUND.

Ald. Lutes presented the following :  
To the Honorable the Common Council :

GENTLEMEN:—The Sewer Committee respectfully submit the following report, showing the expenditures for repairing sew-ers :

RECEIPTS.

Annual appropriation.....	\$ 300 00
Special appropriation.....	351 00

Total receipts.....\$1,151 00

DISBURSEMENTS.

Labor.....	\$1,112 65
Balance in Treasury.....	\$ 38 25

F. A. ADELMAN, JOHN MAUDER,  
JOHN LUTES, JOSEPH QUALTROUGH,  
GEO. TAYLOR, Committee.  
Received and ordered published.

TREASURER'S ANNUAL REPORT.

Ald. Paine, from the Finance Committee, presented the Treasurer's annual report.

Ald. Burke moved to receive and publish without reading. Carried as follows :

Ayes—Ald. Spencer, Cram, Andrews, Remington, Guggenheim, Carroll, Mutchler, Relyea, Copeland, Ratt, Taylor, Kelly, Burke, Paibe, Woodruff, Adelman, Charters, Horcheier, Bingemer, Mauder, Miller, Parsons.—32.

Nays—Ald. Qualtrough, Lutes, Groot, Quin—4.

[The report will be published hereafter.]

ANNUAL REPORT OF THE IMPROVEMENT COM-MITTEE.

Ald. Ratt presented the following :

To the Honorable the Common Council :

The Improvement Committee respectfully submit the following as their Annual Re-port :

IMPROVEMENTS COMPLETED SINCE APRIL 1, 1837.

Location and Character.	Length in feet.	Cost.
Jefferson-st. plank walk, both sides, from South avenue to Corlies-st.	1,350	\$ 675 00
Graciam-st. grading from Lorimer-st. to Bloss-st.....	1,692	710 00
Thompson-st. grading from Lyell-st. to Costar st.....	1,518	840 00
Mt. Hope avenue grading from Cla-rissa-st. to Mt. Hope.....	2,000	870 63
Rowe-st. grading from Lake avenue to the city line.....	1,856	1,462 00
Anson Park grading.....	522	364 00
Wilson-st. plank walk, both sides, from Hudson st. to North-st.....	1,440	590 00
Fulton st. plank walk, south side.....	1,977	408 00
Monroe avenue flag and plank walk both sides, from Alexander-st. to city line.....	3,436	3,335 00
Hanover-st. plank walk, east side, from Kelly-st. to Heenan-st.....	1,450	470 00
Sidewalk on St. Paul-st. canal bridge Tremont-st. grading and plank walk on both sides, from Caledonia ave-nue to Francis-st.....	2,650	4,416 00
Galusha-st. plank walk, both sides, from Lowell-st. to Hart avenue.....	2,050	77 00
Stone-st. flag and brick sidewalk, both sides, from Main-st. to Court-st.....	1,070	1,300 00
German-st. grading and sidewalk, both sides, from North avenue to Hubbard-st.....	1,237	520 00
Clifton-st. plank walk, south side, from Francis st. to Genesee-st.....	1,915	679 87
Litchfield-st. plank walk, both sides, north of Allen-st.....	760	300 00

Lewis-st. grading from Lewis-st. to		
Scio-st. ....	670	340 00
South avenue flag walks, both sides,		
from Mt. Hope avenue to Munzer-		
st. ....	3,556	7,676 00
Gardiner Park plank walk, south		
side, from Union-st. to Alexander-	620	260 00
st. ....		
Champion-st. plank walk, both sides,		
from the west line of lot 30 to		
Burns-st. ....	2,100	860 00
Total cost. ....		\$27,675 87

WM. RATT,  
P. BURKE,  
D. COPELAND, JR., } Committee.

Ald Copeland moved to receive and publish without reading.

Ald. Groot moved as an amendment to read. Lest as follows :

Ayes—Ald. Spencer, Qualtrough, Groot, Remington, Carroll, Taylor, Paine, Adelman, Horcheler, Quin—10.

Nays—Ald. Cram, Lutes, Andrews, Guggenheim, Mutchler, Kelyea, Copeland, Ratt, Kelly, Burke, Woodruff, Charters, Binghamer, Mauder, Miller, Parsons—16.

Ald. Copeland's motion was carried.

Ald. Ratt presented the following :

ANNUAL REPORT OF THE LAMP COMMITTEE.  
To the Honorable the Common Council :

GENTLEMEN:—The Lamp Committee herewith submit their annual report for your consideration.

RECEIPTS,

Annual appropriation .....	\$23,000
Special .....	5,000
Damages to lamp post.....	20 28,030.00

DISBURSEMENTS.

Gas lights in public lamps.....	\$14,851.59
Kerosene lights in public lamps.....	5,992.18
Lighting and extinguishing lamps.....	1,791.80
Lamps and repairing the same.....	2,191.24
Lamp posts and setting the same.....	1,271.25
Burners.....	197.53
Printing.....	6.00
	26,121.64

Balance .....

\$1,898.36

The number of public lamps in use April 1st, 1867, was 1,117. During the fiscal year there have been erected by your committee, under the direction of the Common Council, 192 new lamps, making the total number of public lamps now in use 1,219, of which 769 are gas and 450 Kerosene lamps.

WM. RATT,  
R. CHARTERS, } Committee.  
P. BURKE,  
C. R. PARSONS, }

Received and ordered published.

Ald. Taylor presented the following :

ANNUAL REPORT OF THE LAW COMMITTEE.

To the Honorable the Common Council :

The Law committee respectfully submit the following as their annual report :

The following actions are now pending in the Supreme Court and Monroe County Court, to which the city of Rochester is a party, with a statement of their present condition.

Supreme Court—Vincent M. Smith, as administrator, &c., of Ebenezer Griffin deceased, agt. the city of Rochester. This action was brought to recover from the city \$1,300 for services and disbursements by the law firm of Griffin & Smith for the city, in the suit of Freeman Clarke agt. the city in 1856, 1861. Referred but not tried.

The City of Rochester agt. Addison W. Durce. This action was commenced in August, 1865, to compel the defendant to sur-

render to the Mayor a certain city bond for \$600 issued to one Petersmith and received by said Durce as Overseer of the Poor, in trust for the support of the children of said Smith, in September, 1864. It was referred to Hon. John C. Chumasero, and has been partly tried.

The Commercial Bank agt. the City of Rochester. This action was brought by the Bank to recover back a large sum of money paid by the Bank to the city, for taxes, under protest. The city succeeded in all stages of the action to the Court of Appeals, where it is now pending. This case was left in the charge of Geo. W. Miller, Esq., when he ceased being City Attorney, by order of the Common Council.

Another action is pending in the Supreme Court, brought by the Bank on the 14th of December, 1866, to recover taxes paid in the same way subsequent to the former payment. It has been stipulated between the attorneys that it shall abide the result of the first action.

Terry McMannis agt. Benjamin Butler.—This action was commenced against Benjamin Butler for a trespass alleged to have been committed on the land of the plaintiff, in tearing down a fence built by him across Burns street. It was tried at the Circuit held January 27, 1867. The Court directed a verdict for defendant. The plaintiff appealed, and a new trial was granted. It was again tried at the Circuit held January 11, 1868, and a verdict was rendered for defendant. An appeal is now pending, which will be argued in June next.

Thomas Carman agt. the City of Rochester. This action was to recover a strip of land eleven inches wide on the east side of Union aley, upon which he alleged that the city had built a sidewalk. It was referred in 1865 to G. G. Munger, Esq. The referee decided for the city. The plaintiff appealed to the general term of the Supreme Court, and the judgment was affirmed. He has now appealed to the Court of Appeals.

The City of Rochester agt. Aaron Erickson. This action was to restrain, by injunction, the defendant from constructing the rear wall of his building on North Water street so as to obstruct the flow of the water through the east arch of Main street bridge. He moved to set aside the injunction, which the Court denied. The case is still pending.

The City of Rochester agt. Aaron Erickson and others. Action to foreclose a mortgage given by Mr. Erickson to secure the payment of the purchase money of the lot on the northeast corner of Buffalo and Front streets. Settled March 7, 1868, by the payment of \$7,691 to the city, under a resolution of the Common Council, together with all costs.

The City of Rochester agt. James Babcock. Action to restrain defendant by injunction from excavating rock in the bed of the river under Court street bridge. It was referred to Hon. Jerome Fuller, and has been tried before him, but has not been decided.

James Regua agt. The City of Rochester.—Action to recover for injuries to the Plaintiff in being thrown from his wagon on Clark street. It was tried in January last, and the jury disagreed. It will probably be tried in the April Circuit. The amount claimed is \$5,000.

Vincent M. Smith agt. the City of Rochester.—Action to recover the costs claimed by plaintiff on certain motions for an extra allowance of costs in the case of Freeman Clarke agt. the City of Rochester, made by Mr. Smith as attorney for the city. The case was referred to H. H. Woodward, Esq., who decided in the plaintiff's favor for the amount of his and Judge Strong's bill over \$275. The city has appealed to the general term of the Supreme Court.

The City of Rochester agt. Horace A. Palmer.—Action to recover for penalties in obstructing the sidewalk on Oak street. Discontinued by order of Common Council, November 12th, 1867.

The City of Rochester agt. George E. Curtis and Horatio N. Curtis.—Action to restrain defendants from continuing a sub-cellar under their building on Main street bridge, below the crown of the arch. They complied with the directions of the Street Committee without defending the action, but have not paid the costs and expenses of the city.

Benjamin F. Penny agt. the City of Rochester.—Action to recover \$205, as extra compensation for drawing wood from the city woodyard in 1864-5. Unless settled by the plaintiff it will be tried at the April Circuit.

William J. Crammond agt. the city of Rochester. This action was commenced to recover \$2,700 of the city upon its contract with the plaintiff for the improvement of Frank street, in 1865. The committee forfeited the contract and employed another person to complete the work. It will probably be tried at the next April Circuit.

John Williams and others agt. David Wagner and the City of Rochester. This action was brought to reform the contract for Jay street improvement, and to restrain the city from making further payments to the contractor, David Wagner. It was tried in December last, and the complaint dismissed. The plaintiffs propose to pay their assessments and the costs.

The Monroe County Savings Bank agt. the City of Rochester and Andrew Wegman, collector of taxes. The Rochester Savings Bank agt. the same. These actions were commenced to have the Court declare void their assessments in May 1866, amounting to over \$6,000. The Supreme Court and Court of Appeals declared the act under which the assessments were made, constitutional. The tax, amounting to nearly \$3,000, including interest and collector's fees, has been collected and paid to the City Treasurer.

The City of Rochester agt. James Conway. Action to recover \$417.75 damages and costs paid by the city to Celia Barras in a suit brought by her for injuries sustained in falling into Canal street sewer in May, 1865, then being constructed by Mr. Conway. It will be tried at the April circuit.

George E. Curtis, William McCarthy and others agt. The Common Council of the City of Rochester. Action brought to set aside the assessment for building the bridge in South Water street. Decided in favor of the Common Council.

John Ireland and others agt. the City of Rochester. Action brought to restrain the collection of the re-assessment of the deficiency of \$3100, for Mount Hope avenue improvement. Tried at the December circuit,

and complaint dismissed. The plaintiff appealed to the General Term of the Supreme Court, before which the case was argued on March 7th instant. No decision yet rendered.

Luther Studley and others agt. the City of Rochester. Action brought to set aside the assessment for sewer in West Alexander St. Tried at the December circuit, and complaint dismissed. The plaintiffs have settled the suit, and most of them have paid their assessments.

William E. Hassan and others agt. The City of Rochester, Harvey P. Langworthy and Isaac V. Moshier. Action to restrain the collection of the assessment for Oak street improvement. It is not yet tried.

Charles H. Maurer agt. The City of Rochester. Action to collect damages for injury to plaintiff's horse, &c., in falling into an opening in Andrews street bridge. Settled by resolution of the Common Council October 2d, 1867, on payment by the city of \$150 without costs.

Edward Wamsley and others agt. the City of Rochester. Action brought to set aside the assessment of \$7,219.80, on Lake Avenue, &c., for repairing flood damages.

Edward P. Fuller and others agt. the City of Rochester. Action to set aside the assessment of \$4,271.25 on the plaintiffs on front street, for repairing flood damages. Both these actions are designed to test the validity of the law of April 1867, requiring the Common Council to assess the damages by the flood of 1865, upon the localities alleged to be benefitted by such repairs. They will probably be tried in April.

David R. Barton agt. the City of Rochester.

George L. Cornwall and Jay M. Cornwall agt. the same.

Frederick Starr agt. the same. These actions are brought to recover damages, alleged to have been sustained by the plaintiffs by the flood of March 1865, through the misconstruction of Main street bridge, as claimed by them. Mr. Barton demands judgment for \$60,000. Messrs. Cornwall for \$23,000 and Mr. Starr for \$23,500 in all amounting to \$110,500. They will probably be referred and tried soon.

The City of Rochester agt. the Rochester and Brighton Railroad Company. Action to recover for a portion of the repairs to Clarissa street bridge in 1867, and for work done on the street by the Street Superintendent in 1865 for the Street Railroad. The whole amount claimed in the action is about \$1,400. The action will be tried as soon as reached on the calendar.

The City of Rochester agt. Mary A. Whit-cher.—Action brought to recover for damages paid by the city to N. H. Gardner in 1864, for injuries sustained by him in falling into a hole in the sidewalk in front of defendant's premises on West Avenue. Settled by the payment of \$245, without costs by direction of the Law committee.

James Brackett and others agt. the City of Rochester.—Action to restrain the Common Council from constructing the Allen street sewer. The defendant demurred to the complaint, and it was overruled. An answer has been served. It will probably be tried this spring.

Sarah Beadle, administratrix, &c., agt. the City of Rochester.—Action to recover for in-

juries to the plaintiff's husband which resulted in his death, by falling over the wall on the north side of Buffalo street, near the Genesee Valley canal bridge. Issue not yet joined.

In Monroe County Court—The City of Rochester, respondent, agt. Albert Schuyler, appellant.—The defendant was fined \$50 by the Police Justice for selling unwholesome meat within the city limits. He appealed to the County Court, where the action is pending.

The City of Rochester, respondent, agt. John O'Brien, appellant.—The defendant was fined by the Police Justice for maintaining a nuisance. He appealed to the County Court, where the case is now pending.

There have been many prosecutions during the last year for violations of penal ordinances, before the Police Justice, in which the City has been generally successful.

No counsel fees have been paid during the last three years in any suit to which the City was directly a party, except in the Callister case, tried two years since.

The committee take great pleasure, in conclusion, in testifying to the efficient, faithful and successful manner in which our City Attorney, E. A. Raymond, Esq., has ever discharged the duties of his office.

All of which is respectfully submitted.  
Rochester, March 31, 1868.

GEO. TAYLOR,  
E. R. ANDREWS, } Law Committee.  
CYRUS F. PAINE,

Received and ordered published.  
Ald. Lutes presented the following:

ANNUAL REPORT OF THE POOR COMMITTEE.

To the Honorable the Common Council:

GENTLEMEN:—Your Committee on Support and Relief of the poor, for the fiscal year ending April 5th, 1868, beg leave to present the following Annual Report:

RECEIPTS.

By balance from last year.....	\$1,187.94
Annual appropriation.....	30,000
Special.....	3,600
County of Monroe Excise moneys..	9,153
Support of county poor.....	4,052.92
Fuel furnished Board of Health, &c	294.75
Costs in sundry suits.....	288
Care of paupers.....	168
Thos. Lint's note and interest.....	27.07
Prof. Hamilton.....	50.13

\$38,216.81

DISBURSEMENTS.

Board of orphans and paupers.....	\$7,318.14
Salaries.....	5,965.96
Bread, flour, &c.....	8,007.67
Fuel and delivering the same.....	5,543.71
Groceries and provisions.....	3,424.42
Meat.....	1,303
Relief to soldiers' families.....	1,806.25
Burials.....	1,280.05
Boots and shoes.....	794.26
Disbursements by overseer.....	822.28
Soap and candles.....	569.99
Sundries, stationery, hack hire, medicine, &c.....	360.07
Dry goods.....	226.00
Rent.....	210
Transportation.....	157.80
Mrs. Geo. Lintz.....	50.22
Costs in sundry suits.....	91.90

\$38,193.16

Balance.....\$23.65

The amount of claims presented this evening, of \$6,725.43, is not included in the above. Besides the small balance remaining in the Treasury, the county are owing us \$2,172.79.

The amount of goods on hand is \$139.45, and that with forty tons of coal at contract prices, amounts to \$447.45.

Your committee have assisted during the past year 6,661 families, or an average in each month of 555. The Poor committee of this year have expended \$1,806.25 for the relief of soldiers' families, while heretofore it has been done by the Relief committee from a fund raised for that special purpose. According to the report of the Poor committee for the previous year, there was in the wood yard March 25th, 1867, 428 1/2 cords of hard wood, valued at \$3,149.47; 292 1/2 cords of soft wood valued at \$1,711.13, and \$531.60 in groceries. Total amount of money, wood and groceries on hand and delivered to us by the old committee, (according to their report) \$6,183.95.

JOHN LUTES,  
W. H. GROOT,  
A. CRAM,  
Committee.

Received and ordered published.  
Ald. Miller presented the following:

ANNUAL REPORT OF THE POLICE COMMITTEE.

To the Honorable the Common Council:

GENTLEMEN—The Police committee respectfully submit the following annual report:

RECEIPTS.

Appropriation.....	\$16,000 00
Special appropriation.....	21,267 00
E. W. Bryan, fines, &c.....	4,212 92
County Criminals County Monroe..	387 41

\$41,847 33

DISBURSEMENTS.

Salaries.....	\$39,954 50
E. W. Bryan, salary.....	1,350 00
Lights and fuel.....	737 00
Sundries—stationery, printing, &c.....	252 96
Disbursements by Chief of Police...	191 67
Interest.....	105 11
Repairs.....	65 44
Water.....	75 00

\$36,731 68

Balance.....\$ 5,115 65

After paying the budget presented this evening, there will be still remaining in the fund a balance of upwards of \$1,600.

HENRY MILLER,  
A. BINGEMER,  
Committee.

Received and ordered published.  
Ald. Woodruff presented the following:

ANNUAL REPORT OF THE CONTINGENT COMMITTEE.

To the Hon. the Common Council:

GENTLEMEN:—The Contingent Expense committee respectfully present their annual report, as follows:

RECEIPTS.

Annual appropriation.....	\$11,000 00
Special appropriation.....	13,000 00
Interest of general taxes.....	3,543 60
Licenses.....	2,304 00
Two per cent. on local assessments.....	1,318 28
Received of Savings Banks' interest on tax 1866.....	1,329 80
Interest on redemptions.....	461 32
Sundries.....	80 88
Hack hire, charged to sundry local improvements.....	248 36
Rent of powder-house.....	30 00
H. L. Fish, balance of Sheridan's reception.	6 00
Judgment against Mary A. Whitcher.....	245 00
By amount charged by error Nov. 2, 1867.....	103 50
Interest on A. Erickson bond and mortgage.....	691 00

Total receipts.....\$34,933 74

DISBURSEMENTS.

Salaries of city officers.....	\$18,617 28
Printing and publishing proceedings 1866.....	1,621 25
..... 1867.....	2,432 70
Discounts, interest, premium and commission.....	2,983 13
Special election.....	800 00
General Election.....	810 00
Repairs to city property.....	1,118 80
Disbursements by city officers.....	737 29
Damages, judgments, &c.....	694 30
stationary, blank books, Assessment rolls, binding, &c.....	640 15
Insurance.....	418 75
Fuel and lights.....	504 10
"Old Thirteenth".....	400 00
"Fourth of July and Washington's Birthday Sundrys.....	285 00
Hacks.....	189 15
Repairs and care of city clocks.....	269 50
Amount by error charged Nov. 2, 1867, and credited.....	241 50
W. F. Cogswell, services G. V. R. H. suit.....	103 50
Lateral sewer.....	177 96
C. A. Kellogg, bill.....	152 80
Ice for City Hall.....	54 50
Reporting proceedings.....	50 00
Credit Wm. Babcock, Tremont-st. imp't, per resolution.....	37 50
Flood-breaking ice, &c.....	23 06
.....	19 00

Total disbursements..... \$28,309 82  
 Leaving a balance in the Treasury of..... 6,643 92

After paying the claims presented this evening, and all the indebtedness against the fund for 1867, there is still remaining in the Treasury upwards of \$3,000.

S. R. WOODRUFF, }  
 GEO. TAYLOR, } Committee.  
 S. REMINGTON. }

Received and ordered published.

Ald. Remington presented the following

REPORT IN THE MATTER OF MRS. A. S. WETMORE:

To the Common Council:

GENTLEMEN—The Grievance committee, to whom was referred the petition of Mrs. A. S. Wetmore, asking that the city pay her for injuries sustained by falling into an opening in the walk, on the evening of the 12th inst., would respectfully report that they have investigated the case, and are of the opinion that the city is clearly liable, and would therefore recommend the adoption of the following resolution:

S. REMINGTON, }  
 S. R. WOODRUFF, } Committee.  
 JOHN LUTES, }

Resolved, That the city Treasurer is hereby directed to pay Mrs. A. S. Wetmore, upon her giving a receipt in full for all damages sustained by her from falling into an opening on South Fitzhugh street walk, on the evening of the 12th instant, one hundred and fifty dollars, and charge Contingent Fund.

Ald. Quin moved as an amendment to strike out the word "Contingent" and insert "Fire Department." Lost.

The resolution was adopted as follows:

Ayes—Ald. Spencer, Cram, Lutes, Remington, Carroll, Relyea, Copeland, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Mauder—17.

Nays—Ald. Groot, Andrews, Guggenheim, Miller, Quin, Parsons—6.

Ald. Carroll presented the following:

ANNUAL REPORT OF THE BOARD OF HEALTH.

To the Honorable the Common Council:

GENTLEMEN:—The Board of Health respectfully submit the following report:

RECEIPTS.

Annual appropriation..... \$3,000.00

DISBURSEMENTS.

Inspectors.....	\$2,121.44
Care of pest house.....	259.96
Burying animals.....	110.16
Health officer 6 month's salary.....	250.00
Clerk.....	150.00
Use of island for scavengers.....	60.00
Printing, &c.....	6.98

Total disbursements..... \$2,968.51  
 Leaving a balance in the Treasury of \$41.49.

As will be seen by the report, the Common Council raised only \$3,000 during the whole year. The sum being unusually small, there are necessarily some claims against the Board of Health yet unpaid, which will amount to about \$800.

WM. CARROLL,  
 A. CRAM,  
 JOHN MAUDER,  
 P. BURKE,  
 Board of Health.

On motion of Ald. Kelly, the Board adjourned until Thursday evening next, at 7½ o'clock.  
 B. FRANK ENOS, Clerk.

In Common Council—April 2d, 1868.

ADJOURNED MEETING.

The President of the Board, Ald. William Guggenheim, presiding.

Present—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Guggenheim, Carroll, Mutchler, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons.

Absent—Ald. Graham, Copeland, Brown.

REPORTS.

Ald. Ratt, from the Lamp committee, reported in favor of bill of Benton & Andrews, Finance committee.

Ald. Woodruff, from the Contingent committee, reported in favor of sundry bills, Finance committee.

Ald. Cram, from the Street committee, reported in favor of bill of Benton & Andrews, Finance committee.

Ald. Burke, from the committee on Opening Streets, reported in favor of sundry bills, Finance committee.

The Clerk presented the report of the Police Justice for the month of February. Total amount received, \$140. Filed.

Ald. Carroll presented the following:

ANNUAL REPORT OF THE PARK COMMITTEE.

To the Honorable the Common Council:

GENTLEMEN:—The Park Committee respectfully submits the following annual report:

RECEIPTS.

Annual appropriation.....	\$600.00
Grass sold.....	7.00
Total receipts.....	\$607.00

DISBURSEMENTS.

Labor.....	\$358.25
Tree guards.....	162.00
Trees.....	45.70
Painting.....	24.40

Total disbursements..... \$591.35

Leaving a balance in the Treasury of \$15.65.

WM. CARROLL,  
WM. RATT,  
JOSEPH QUALTROUGH, } Committee.  
A. BINGEMER,  
JAMES H. KELLY, }

During the past year Centre Square has been fenced with a good substantial iron fence, at an expense of \$2,005 80.

Received and ordered published.  
Ald. Cram presented the following:

REPORT ON SARATOGA AVENUE.

To the Honorable the Common Council:

The Street committee, to whom was referred the petition of the owners of property on Graham street, praying your honorable body to change the name of said street to Saratoga Avenue, would report in favor of granting the prayer of the petitioners.

A. CRAM,  
WM. CARROLL, } Committee.  
JOHN QUIN, }

By Ald. Cram—Resolved, That the name of Graham street be and is hereby changed to Saratoga avenue, in accordance with the prayer of the petitioners. Adopted.

Ald. Cram presented the following:

ANNUAL REPORT OF THE STREET COMMITTEE.

To the Honorable the Common Council:

GENTLEMEN—The Street committee beg leave to present the following Annual report:

RECEIPTS.

Appropriation.....	\$ 10,000
Special appropriation.....	7,409
Repairing walks.....	1,268 95
H. L. Fish, Poundage.....	130 84
T. Purcell.....	111 25
McCConnell & Jones, two wagons purchased.....	80

\$18,991 04

DISBURSEMENTS.

Laborers.....	\$ 8,741 90
Lumber.....	2,159 13
Clarissa street bridge.....	3,067 46
Repairing walks.....	877 64
T. Purcell, salary.....	1,200
Cattle Police.....	539 68
Stone.....	188 25
Hardware.....	113 76
Sundries.....	229 07
McCConnell & Co., removing dirt from streets.....	100
Wagons.....	70
Butler.....	125
Stationery.....	31 15
Interest.....	21 22
Backs.....	113 50
Fuel.....	17 50
Ice.....	8

Balance..... \$17,82 26  
1,508 78

Your committee feel justified in explaining the cause of the expenses of the Highway fund being more the past year than usual. It is well known that Clarissa street bridge has been newly replanked, and made the finest bridge in the city, at an expense of over \$3000. Besidesthis extraordinary expenditure, the Highway fund of this year paid between \$800 and \$900 which should have been paid out of the previous funds, and upwards of \$400 for services of Cattle Police more than was paid the year before. After paying all the indebtedness against the fund there will

be several hundred dollars still remaining in the treasury.

A. CRAM,  
WM. CARROLL, } Committee.  
JOHN QUIN, }

Received and ordered published.

Ald. Kelly, from the Special committee to whom was referred the resolution appropriating the Rochester Union Grays \$250, presented a favorable report, which was tabled.

Ald. Spencer presented the following report, in the matter of

LYELL STREET ENCROACHMENTS:

To the Hon. the Common Council of the City of Rochester:

The special committee to whom was referred the subject of the alleged encroachment of the piers, &c., of the hotel on the northwest corner of Lake avenue and Lyell street, in said Lyell street, and also of similar encroachments upon Lake avenue, respectfully report:

That they have examined the premises in question, with the City Surveyor, and have heard the statements of other persons in reference thereto, and find that Henry Bonsteel purchased the said premises of John Harford in the year 1830, as laid down on a map made by Elisha Johnson. No boundaries or length of the lines of the lots to Lyell street and Lake avenue are given in said deed or on said map. About the time of his purchase, Mr. Bonsteel constructed a stoop on the south side of said building, which projected south about as far as the present pillars are located. In or about 1835 the present pillars were erected, which have so continued both on the south and east sides.

The shed on the north end of the hotel projects about six inches more than the pillars into Lake avenue. The fences on the north side of Lyell street and west of the hotel lot were removed back some two feet to their present position, when the sidewalk was improved only a few years since. The lines of Lyell street and Lake avenue do not appear to have been clearly defined either by actual occupation or by any proceeding of the Common Council since the incorporation of the city in 1834. The alleged encroachments in question, together with those which preceded them, appear to have existed prior to the incorporation of the city, and have never been made the subject of any action whatever by the public authorities either of the village or city of Rochester.

Even conceding that they are encroachments upon the true line of these two streets which we have not found evidence to sustain, they are not nuisances within the meaning of the law, "amounting to an obstruction or a real and substantial annoyance to the public," for which the owner is liable to an indictment. Although no length of time will legalize a nuisance occupation of the soil by a building or its appurtenances under a claim of title by the owner for over thirty years as in this case, will prevent the Common Council from removing the alleged encroachments upon the street without compensation to the owner. We understand this to have been decided by the Supreme Court of this State in the case of Peckham vs. Henderson and others, 27 Barber's reports, page 207, and other cases which might be cited.



And if the public ever had a right to the streets to such a width as would include the pillars, &c., they have long since abandoned it by a failure to assert such right for over thirty years past.

Your Committee therefore report that in their opinion the said pillars and shed cannot be removed by the city authorities without compensating the owner for the damage he may justly sustain thereby,

All of which is respectfully submitted.

L. C. SPENCER,  
E. K. ANDREWS, } Committee.  
GEORGE TAYLOR, }

Adopted. E. A. RAYMOND,  
City Attorney.

Ald. Spencer presented the following report in the matter of selling the

ENGINE HOUSE ON NORTH FITZHUGH STREET:  
*Mr. President and Gentlemen of the Council:*

Your committee to whom you referred the proposition of Jacob Howe, Esq., to purchase the property belonging to the city, situate on the west side of Fitzhugh street, and now occupied by Hook and Ladder Company No. 1, and also to report whether they could procure a suitable place for the accommodation of said Hook and Ladder Company provided a sale of the above named property should be made, beg leave to submit the following:

That your committee, not wishing to assume the responsibility of fixing a price for the above named premises, and of advising your honorable Board as to such price.

That under all the circumstances, your committee have thought best to obtain the opinion of gentlemen who are fully posted as to the value of real estate in the city, and have done so, and herewith hand you their judgment as to the cash value of said premises in writing.

That your committee have as yet been unable to find or procure any place suitable for the accommodation of said Hook and Ladder Company. With these facts before you, your committee leave the matter in your hands for your honorable body to take such steps in regard to the sale of said property as in their good judgment will be for the best interests of the city.

And your committee would most respectfully ask to be discharged from further consideration of the subject.

L. C. SPENCER, } Committee  
JAMES H. KELLY, } on  
L. F. RELYEA. } Fire Dep't.  
MAYOR'S OFFICE, Rochester, N. Y., }  
March 20th, 1868. }

*Ald. L. C. Spencer, Chairman of Fire Department Committee:*

The undersigned having been called upon by your Committee to appraise the value of the premises now owned by the city, and occupied by Hook and Ladder Company No. 1, situate on the west side of Fitzhugh street, after carefully examining the property, give it as our opinion that the property as it now stands is worth thirty-five hundred dollars in cash (\$3,500.)

JOHN H. BREWSTER,  
HENRY CHURCHILL,  
M. FILON.

Adopted.

The Clerk presented the following:  
ANNUAL REPORTS OF THE CITY PHYSICIANS.  
*To the Hon. Mayor and Common Council of the City of Rochester:*

Number of visits and prescriptions at bedside.....	257
Number of prescriptions at office.....	1,210
<hr/>	
Total prescriptions and medicines.....	1,467
Average cost of prescriptions as estimated by druggists at 15 c.nts.....	\$220 05
Salary as voted last April.....	\$500 00
Balance for services.....	279 95

No deaths, notwithstanding the prevalence of typhoid and scarlet fevers. If your Honorable Board should, in the liberality for which you are so justly celebrated, vote me an extra \$100. I have the most explicit confidence in his Honor the Mayor, that he will not interpose his veto! "So mote it be!" all which is respectfully submitted.

CHARLES VAILL M. D.

ROCHESTER, March 31, 1868.

Received and ordered published.

ROCHESTER, N. Y., March 31, 1868.

*To the Honorable Common Council city of Rochester, N. Y.:*

GENTLEMEN—I have the honor to report the following summary of services rendered by me as city physician, upon the West side of the river, agreeably to appointment by your honorable body, for the period commencing April 9th, 1867, and ending March 31st, 1868.

Total number visits made on patients at their residences, 419.

Total number prescriptions furnished at visits stated, 232.

Total number of patients treated at office, 222.

Total number prescriptions furnished patients at office, 176.

Total number obstetric cases attended, 4.

Total number deaths of patients, 2, of which one was from pneumonia and one was still-born.

I have the honor to be, very respectfully,

Your obedient servant,

Ww. S. ELY, M. D., City Physician.

Received and ordered published.

ROCHESTER, March 31, 1868.

*To the Honorable Common Council of the City of Rochester, N. Y.:*

Gentlemen—As City Physician for the German poor on the east side of the city of Rochester, for the year ending March 31, 1868, I herewith respectfully submit the following report:

Whole number of visits made to patients at their dwellings .....357

Whole number of cases treated at office...249

Obstetrical case ..... 1

Deaths, one from dropsy, one from typhoid fever, and two from schirrus vntriculi...4

I have the honor to be, very respectfully,

your obedient servant, DR. S. KUICHLING.

Received and ordered published.

ROCHESTER, N. Y., March 31, 1868.

*To the Honorable the Common Council of the City of Rochester:*

As your German physician on the West side of the river, I have the honor to report that I have made the following number of visits on orders from the Overseer of the poor during the year ending at date, viz.: Total number of visits to residence, 230;

Total number of visits at office, 121. Total, 351. Very respectfully submitted,

CHARLES E. RIDER,  
German physician.

Received and ordered published.  
Ald. Spencer presented the following:

ANNUAL REPORT OF THE FIRE DEPARTMENT  
COMMITTEE.

To the Hon. Common Council of the City of Rochester.

The Committee upon Fire Department have the honor to respectfully report: That the amount of money placed at the disposal of your Committee in and for the fiscal year of 1867-8, has been as follows:

From general tax.....	\$18,000 00
Horses sold.....	355 00
Ropes sold.....	23 50
Payment on lot sold.....	100 00
Canal Contractor in full for damages sustained by the city in consequence of an Engine falling through a Canal bridge on the night of March 30, 1867.....	1,186 46
Leather sold.....	7 65
Special appropriations.....	6,500 00
Use of Engines.....	257 84
Teams.....	354 47

Total.....\$26,784 92

That the amount expended by your Committee has been:

For purchase of horses, 3 pairs.....	\$1,800 00
Com's expenses.....	32 33
Use of and damage to one horse.....	112 50
Horse hire.....	7 00

Repairs to apparatus.....	\$ 1,941 85
Repairs to buildings.....	2,812 32
Gas bills.....	536 88
Bell ringing.....	230 50
Doctoring horses.....	295 00
Shoeing horses.....	75 07
Fuel.....	159 13
	512 59

Monthly Pay Rolls.

Engineers' and Drivers, and Sup't of Hose Depot.....	7,587 99
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Quarterly Pay Rolls.

Hosemen and Hook and Ladder men....	2,373 83
Salaries.....	2,750 00
Company appropriations.....	1,750 00
Rents.....	370 00
Stable supplies, oats, hay, millfeed, bedding, &c.....	1,865 72

Bills not properly chargeable to this Year's Fund, but which have been paid, viz:

L. Selye's water bill.....	\$500 00
Geo. D. Lord's water bill.....	200 00
Relief to Patrick Kearney.....	200 00
Other Items, (Bell ringing, &c).....	143 50

Miscellaneous supplies, including oil, waste, salt, soap, matches, washing, making bed clothing, brooms, pails, harness, findings, stationary, &c.....	749 36
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Total.....\$26,638 75

Showing a balance at the credit of the Fund, March 31st, of \$145.17.

Your committee take this final opportunity to say that they have endeavored to administer the affairs of the important department entrusted to their hands with the closest economy possible consistent with its efficiency. The horses are good, the engines, except one now undergoing repairs to boiler, are in excellent condition. Two boilers have been rebuilt with copper tubes during the past year. The condition of the hose in use is not good. Your committee have purchased 500 feet of extra heavy leather steam engine hose in New York and will be placed in during the present week. Your committee have also contracted with a firm in New York for leather, for 500 feet additional of extra heavy hose, to be made up at the hose depot. The department needs still an additional supply of hose for steam use.

In case the water works are put in operation this season, according to the terms of

the Company's contract with the city, it will not be necessary to procure any additional new hose until fall; otherwise, a further supply should be provided at an early day.

The spring wagons belonging to the Fire Department, sold in 1866 by order of your Board, have not as yet been paid for, except one old wagon old for twenty dollars.

The engine houses are in good repair. The Hook and Ladder house in Fitzgough street requires extensive and thorough repairs.

Your committee estimate the increased value of the horses and apparatus, in consequence of purchases of horses and repairs to apparatus during the past year, as at least twenty-five hundred dollars.

Respectfully submitted.

L. C. SPENCER,  
L. F. RELYEA,  
J. HENRY KELLY.

Rochester, March 31, 1868.

Received and ordered published.

Ald. Relyea presented the following:

ANNUAL REPORT OF THE FIRE MARSHAL.

FIRE MARSHAL'S OFFICE,  
ROCHESTER, Dec. 31, 1868.

Mr. President and Gentlemen of the Council:

I herewith submit my annual report for the year ending December 31, 1867:

There have been but two fires of any magnitude in this city during the year. By one of these, "Palmer's Hall" and "Washington Hall" on Main street, were destroyed May 4th, and by the falling of a portion of the roof of the latter structure, three of our gallant firemen, who were battling manfully for the preservation of property from the ravages of the fire fiend, were killed. The fire had its origin in "Palmer's Hall," and was, in my opinion, the work of an incendiary; and I believe he yet lives, carrying with a smiling face the awful responsibility of having sent three human beings into the presence of their Maker, suddenly, terribly, and without the privilege of assistance and consolation of friends. The secret may now be concealed within the deep recesses of his heart, and if it does not now, it may be the tormentor of his peace and quietness in his lifetime, but in another world, in the presence of his Maker, confronted with his victims, there will be no concealment and technicalities cannot save him from merited punishment.

The other fire, October 21, resulted in the destruction of the "Novelty Works" on Hill street, owned by Messrs Wm. Corris & Co., and Badger & Wilkin, by which a large amount of property, the accumulation of years of industry and toil, was swept away. This fire undoubtedly originated accidentally from the steam boiler and furnace in the building, and not safely arranged.

Steam boilers of any magnitude set in brick arches should not be placed in buildings not made fire proof, and I am gratified in being able to state that this precaution has been taken in the erection of such rooms in many of our largest manufacturing establishments during the past year, where steam is used as a motive power.

Allow me to call your attention to the fact that some of the buildings erected in our city during the past year have been built in a manner which, in my opinion, makes them

entirely unsafe in case of fire, if not otherwise. The ordinance in relation to erection of buildings needs a careful revision by competent master builders. The materials to be used, the thickness of the outer and division walls should be specifically stated. The further erection of wooden cornices on stone or brick buildings in the central part of the city should, in my opinion, be strictly prohibited, and also the erection of wooden buildings in the most central portions of the city should be, as far as practicable, discontinued.

In the tables annexed you will find a detailed statement of the number of fires, value of property destroyed, amount of insurance paid, and causes of such fires as far as it was possible to ascertain from the testimony taken or circumstances connected therewith.

There has been quite a number of small fires which were caused by the improper manner in which gas jets are placed with jointed brackets, so as to allow them to come in contact with curtains, wood work, &c. Also by the careless use of and allowing children to have access to matches.

The improper manner in which hot-air furnaces are set up and used is the cause of many fires, and deserves the strict attention of owners of houses or buildings in which they are placed.

Filling lighted lamps with inflammable oils should be carefully avoided. The use and sale of the so-called Patent Non-explosive oils should not for a moment be countenanced by our citizens. Its use is more dangerous to human life than gunpowder, and its use is strictly prohibited by ordinance, and subjecting the vender to a heavy fine.

I am happy to say that only one accident has occurred in this city resulting in injury to person by the use of refined kerosene oil since the standard of such has been raised to its present fire test.

I have had occasion to prosecute but few persons for the violation of the ordinance in relation to fires, as most of our citizens have shown a decided willingness to comply with its requirements.

I trust you will allow me to call your attention to the subject of a fire alarm telegraph for the use of our fire department. Almost every city of any importance in this country has adopted it, and are loud in its praise; and I am of the opinion that the amount necessary to procure its erection in our city, would be well invested, and richly repay for its outlay. Many of your Board have seen the operations of several of these telegraphs, and you are entirely capable of judging which is the most perfect and desirable.

The City Hall bell has been sounded forty-four times for actual fires, and at times for false alarms, and there have been eleven fires for which alarm was given.

Our steam fire engines have worked at such fires nineteen times.

The loss of property by fire during the year was \$170,064, upon which there was insurance of \$590,600, and the loss of property during the same period on which there was no insurance, was \$25,044. Total loss, \$195,108. Insurance paid, \$170,064.

The losses by fire in this city for the years 1863, was \$68,448; 1864, \$119,476; 1865, \$167,081; 1866, \$28,500.

#### RECAPITULATION.

Total number of fires during the year, 55.

Causes of such fires were:—gas light 4, sparks from cupola 1, accidental 2, ashes 4, fire crackers 1, stove pipe 3, kerosene lamps 4, candle 2, clothing near stove 1, incendiary 5, defective chimney 6, heated journal 1, range 1, sparks from locomotive 1, pipe 1, unknown 9, furnace 4, stove 1 matches 2, explosion of naphtha 2. Total 55.

The total number of buildings erected in the city during the year, was 532, of which 396 were of wood, and 136 stone and brick. Total cost of such buildings, \$1,368,365.

I beg leave to tender my thanks to the Chief Engineer and his assistants, to Chief of Police and Police generally for their voluntary assistance rendered me in the discharge of my duty.

All of which I have the honor to submit.

Your obedient servant,

O. L. ANGEVINE, Fire Marshal.

Received and ordered published.

#### ORDINANCES.

##### SAXTON STREET EXTENSION.

By Ald. Burke—Resolved, That the City Surveyor ascertain and report to this Board the expense of extending Saxton street, from Maple street southerly to the lines of that portion of Railroad alley, which runs parallel with Brown street, produced, and widening and extending said portion of Railroad alley from said extension of Saxton street to York street, making the same 60 feet wide and running parallel with the rear line of lots now fronting on Brown street and West avenue. Adopted.

The Surveyor submitted as such estimate \$2,500.

By Ald. Burke—Resolved, That the following improvement is expedient, viz.: The extension of Saxton street from Maple street to the lines of that portion of Railroad alley which runs parallel with Brown street, produced, and the widening and extension of said portion of Railroad alley from said extension of Saxton street to York street, making the same 60 feet wide, and running parallel with the rear lines of lots now fronting on Brown street and West avenue. And the following described territory is deemed necessary to be taken for said improvement, viz.:

Beginning in the south line of Maple street, at its intersection with the east line of Saxton street, produced; thence southerly along said east line, produced, to a point 313 feet distant at right angles from the westerly line of Brown street; thence south-westerly on a line parallel with Brown street and 313 feet distant therefrom to a point in the north line of lots 70 and 71 in the Sibley and Field tract, produced, easterly; thence westerly along the north line of said lots, and said line produced, to York street; thence northerly along the east line of York street to a point 60 feet distant at right angles from the north line of said lots; then easterly on a line parallel with the north line of said lots to a point 33 feet distant north-westerly at right angles from the rear line of lots 74 and 75 in said tract; thence north-easterly on a line parallel with the rear line of said lots 74 and 75 in the north line of lot No. 41 in said tract; thence easterly on said north line to the east line of Railroad alley; thence north-easterly along the easterly line of said alley to the west line of lot No. 67 in said tract; thence northerly along the west line of said lot 67 to a point 33 feet distant at right angles from the rear lines of lots 95 and 96 in said tract; thence north-easterly on a line parallel with said rear lines to a point in the west line of Saxton street, produced; thence northerly on said west line produced, to Maple street; thence easterly along the south line of Maple street to the place of beginning.

And, Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$2,500, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited and proper to be assessed for the whole expense thereof, viz.:

All the houses and lands within the following described territory:

Beginning in the westerly line of Brown street at its intersection with the northerly line of lot No. 100 in

the Sibley and Field tract; thence north-westerly along the northerly line of said lot to the east line of lot No. 69 in said tract; thence north-easterly along the east line of said lot 69 to Maple street; thence westerly along the south line of Maple street to the easterly along the north line of lot No. 66 in said tract; thence southerly along the east line to the north line of lot No. 63 in said tract; thence westerly along the north line of said lot 63 and lot 62, to the west line of said lot 62; thence south-westerly along the westerly line of lots 62, 61, 47, 46, 45 and 44 in said tract, to the east line of lot No. 51 in said tract; thence southerly along the east line of said lot to the north line of lot No. 50 in said tract; thence westerly along north line of said lot No. 50 to York street; thence southerly along the east line of York street to West avenue; thence easterly and north-easterly along West avenue and Brown street to the place of beginning.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council on Tuesday evening, April the 14th, 1898, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard.

Resolved, further, That the Assessors be and they are hereby instructed to confer with the owners of the property to be taken for said improvement, and report to this Board upon what conditions the same can be purchased. Adopted as follows:

Ayes—Ald. Spencer, Cram, Lutes, Andrews, Remington, Guggenheim, Carroll, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons—21.  
Nays—Ald. Qualtrough, Charters—2.

#### COURT STREET FLAG WALK.

By Ald. Ratt—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a flag sidewalk five feet wide, in two courses, on the north side of Court street, from Chestnut street to Union street, and on the south side from William street to Union street. Adopted.

The Surveyor submitted as such estimate \$4,550.  
By Ald. Ratt—Resolved, That the following improvement is expedient, viz:

The construction of a flag sidewalk, five feet wide, in two courses, on the north side of Court street, from Chestnut street to Union street, and on the south side from William street to Union street.

And Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$4,550, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefited, and proper to be assessed for the whole expense thereof, viz:

One tier of lots on the north side of Court street from Chestnut street to Union street, and one tier of lots on the south side of Court street from William street to Union street.

And further, Resolved, That the tax-payers to be assessed for making said improvement may, by paying in advance as hereinafter provided, on the amount assessed to them individually, pay their assessments in three equal payments, as follows: One-third of the amount assessed within three months after the confirmation of the assessment roll, without interest; one-third of the amount, with interest, at the rate of seven per cent. per annum, within one year from the confirmation of said roll; and the remaining one-third, with interest, at the same rate, within two years from the confirmation of such roll.

And the Clerk is hereby directed to publish notice in pursuance of section 164, of the City Charter, that all persons interested in the subject matter of said improvement, are required to attend the Common Council, on Tuesday evening, April the 14th, 1898, at half-past 7 o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

#### ASSESSMENTS.

Ald. Burke presented the assessment roll for Varum street opening.

Ald. Qualtrough moved its indefinite postponement.

Ald. Quin moved to lay Ald. Qualtrough's motion on the table. Carried as follows:

Ayes—Ald. Spencer, Cram, Lutes, Andrews, Remington, Carroll, Mutschler, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons—21.

Nays—Ald. Qualtrough, Groot, Guggenheim, Charters—4.

Ald. Burke moved to postpone further action until the next regular meeting, and that

the committee ascertain what arrangements can be made in the matter and report to the Board. Carried.

Ald. Cram presented the assessment rolls for Lake avenue walk and repairing walks on Hunter, Francis and Mill streets, which were confirmed as follows: All ayes—25.

#### EXECUTIVE.

Ald. Qualtrough presented the resignation of John E. Watters as a Commissioner of Deeds. Accepted.

On motion of Ald. Qualtrough, the Board proceeded to ballot for a Commissioner of Deeds, when W. S. Foster received 14 votes; scattering 9. No choice.

Ald. Kelly moved to postpone further balloting until the next regular meeting. Lost.  
SECOND BALLOT.—Wm. S. Foster, 13; Scattering, 9. No choice.

THIRD BALLOT.—Wm. S. Foster, 16; Scattering, 7. W. S. Foster declared appointed.

#### MISCELLANEOUS.

By Ald. Horcheler—Resolved, That the Sewer committee is hereby instructed to repair the laterals which are washed out on Gregory street sewer, they being in an unsafe condition, not having been properly constructed in the opinion of the tax payers on the street. Adopted.

By Ald. Woodruff—Resolved, That the Treasurer pay the reporters as follows: Thos. J. Neville, of the DEMOCRAT, \$150; Henry C. Daniels, of the Express, 150; Leonard Dorschell, of the Volksblatt, \$150; Arthur Lang, of the Observer, \$112.50, and charge Contingent fund.

Ald. Kelly called for a division of the question, taking each reporter separately.

The resolution to pay Thos. Neville was adopted as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Guggenheim, Carroll, Mutschler, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Charters, Horcheler, Bingemer, Mauder, Miller, Quin—22.

Nays—Ald. Adelman—1.

Ald. Groot moved as an amendment, to strike out the claim of \$150 for H. C. Daniels, and insert \$75.

Ald. Paine moved its reference back to the committee.

Ald. Groot's motion to strike out \$150, and insert \$75, was lost as follows:

Ayes—Ald. Groot, Quin—2.

Nays—Ald. Spencer, Cram, Qualtrough, Lutes, Andrews, Remington, Guggenheim, Carroll, Mutschler, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Parsons—23.

Ald. Groot moved to strike out \$150 and insert \$100.

Ald. Taylor moved to postpone Ald. Groot's motion indefinitely. Carried.

The resolution to pay H. C. Daniels \$150, was adopted as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Andrews, Remington, Guggenheim, Carroll, Mutschler, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons—24.

Nays—Ald. Groot—1.

The resolution to pay Leonard Dorschell, was adopted as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Andrews, Remington, Guggenheim, Carroll, Mutchler, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons—24.

Nays—Ald. Groot—1.

The resolution to pay Arthur Lang, was adopted as follows:

Ayes—Ald. Spencer, Cram, Qualtrough, Lutes, Andrews, Remington, Guggenheim, Carroll, Mutchler, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons, 24.

Nays—Ald. Groot, 1.

By Ald. Woodruff—Resolved, That Mr. Griffin, keeper of the billiard saloon, in Washington Hall block, is hereby granted a license until the first day of July next, by paying into the city treasury the sum of forty-five dollars. Adopted.

By Ald. Paine—Resolved, That the Treasurer charge Contingent Fund the sum of two hundred dollars, being the amount advanced by him in appeal of suit with Erie Railway Company. Adopted.

By Ald. Paine—Resolved, That the Treasurer make the city's note at three months date, payable at Powers Banking House for twenty-five thousand dollars; that he get the same discounted, and charge the discount to Contingent Fund—being for renewal of note dated December 21, 1867, and falling due March 24, 1868. Adopted.

By Ald. Paine—Resolved, That the Treasurer pay H. P. Langworthy, City Treasurer, the sum of five hundred dollars additional compensation for his services during the past year, and charge Contingent fund.

Ald. Woodruff moved as an amendment, that the Mayor, and each of the other city officers be allowed the same amount.

The President pro tem, Ald. Ratt being in the Chair, ruled the motion out of order.

Ald. Groot appealed from the decision, and the Chair was sustained as follows:

Ayes—Ald. Spencer, Qualtrough, Lutes, Remington, Guggenheim, Carroll, Mutchler, Relyea, Ratt, Kelly, Burke, Paine, Charters, Horcheler, Bingemer, Miller, Quin, Parsons—18.

Nays—Ald. Cram, Groot, Andrews, Taylor, Woodruff, Adleman, Mauder—7.

The resolution was lost as follows:

Ayes—Ald. Qualtrough, Groot, Remington, Guggenheim, Mutchler, Paine, Horcheler, Miller, Quin, Parsons—10.

Nays—Ald. Spencer, Cram, Lutes, Andrews, Carroll, Relyea, Ratt, Taylor, Kelly, Burke, Woodruff, Adelman, Charters, Bingemer, Mauder—15.

By Ald. Burke—Resolved, That James H. Kelly have permission to build a gravel and stone walk in front of his lots on Frank and Thompson street, the same to be done under the direction of the City Surveyor and Committee. Adopted.

By Ald. Taylor—Resolved, That the honorable Senator from this district and the members of Assembly from the several districts in the county, be and they are hereby requested to oppose the passage of a bill pending in the Legislature, which was intro-

duced in the Senate, February 10th, by Mr. Morgan, entitled "an act providing for relief against illegal taxation, in the County of Monroe and city of Rochester, and confirming the acts of the Board of Supervisors of Monroe County and the Common Council of Rochester, in respect thereto," it being the belief of this Board that said act if it becomes a law, will effect disadvantageously to the interests of the city.

Resolved, That the City Clerk be directed to transmit a certified copy of the foregoing resolution to the honorable Senator and each of the members of Assembly from this county. Adopted.

By Ald. Taylor—Bill of E. A. Raymond. Law committee.

By Ald. Taylor—Resolved, That the City Treasurer be and he is hereby directed to apply the amount of money received as the avails of the of the Erickson mortgage, or so much of the same as has not been credited to contingent fund to the liquidation of that amount of the city bonds that fall due during the years 1863 and '69. Adopted.

By Ald. Taylor—Resolved, That the thanks of this Board and city are due and they are hereby cordially tendered to Ald. Wm. Guggenheim for the faithful and impartial manner in which he has discharged the duties of presiding officer of this Board for the past year; also to B. Frank Enos, City Clerk; Daniel Richmond, City Surveyor; E. A. Raymond, Esq., City Attorney; Thomas Purcell, City Superintendent; Joseph Hoffman, Overseer of the Poor; Wm. H. Tracy, Messenger; and Fred. Schoen, Sealer, for the intelligent and faithful manner in which they have severally discharged the duties of their respective offices. Adopted.

By Ald. Ratt—Resolved, That C. Lewis is hereby granted permission to remove his market from the Union market building. Mill street, to No. 97 East avenue. Adopted.

By Ald. Ratt—Resolved, That the Mayor is hereby authorized to contract with Whitmore, Carson & Co. for grading Jones' avenue, for the sum total of three hundred and ninety-two dollars, they being the lowest bidders. Adopted.

Ald. Woodruff moved to suspend the rule to adjourn at 11 o'clock. Carried.

By Ald. Mutchler—Resolved, That Isaac Jarvis, M. E. Judson, Mrs. Cunningham, Harriet Cannell, Jacob Tanubeduith, A. D. Buel, D. Stull have leave to erect wooden buildings according to their several petitions, under the direction of the Fire Marshal. Adopted.

By Ald. Carroll—Resolved, That the Street Superintendent order and direct the owners of property on Ely street to repair their walks by resetting the curb stone, repairing gutters and relaying the brick sidewalk, and in case they neglect to comply with the resolution the Street Superintendent is ordered to repair the same in accordance with the revised city charter, section 212. Adopted.

Ald. Groot moved to reconsider the resolution, which was lost, offered by Ald. Qualtrough at the last regular meeting, relative to the pay of certain drivers of the fire teams.—Carried.

The resolution to pay the said drivers' bills as approved by Supt. Butler and Chief Harris was adopted as follows:

Ayes—Ald. Quailtrough, Lutes, Groot, Remington, Guggenheim, Relyea, Ratt, Paine, Adelman, Charters, Horcheler, Bingemer, Miller, Parsons—14.

Nays—Ald. Spencer, Cram, Andrews, Carroll, Taylor, Kelly, Burke, Woodruff, Mauder, Quin—10.

By Ald. Cram—Resolved, That the City Treasurer be directed to credit Highway fund \$136.73 and charge Hunter street plank walk; Repair fund \$5.25; Mill street sidewalk Repair fund \$21.10; Lake avenue Sidewalk fund \$30.00, and Francis street \$10.25. Adopted.

By Ald. Cram—Resolved, That the City Surveyor be and he is hereby directed to establish the lines of St. Joseph street from Fierman street to the city line.

Ald. Mauder moved to postpone indefinitely. Lost.

Resolution adopted.

By Ald. Cram—Resolved, That the City Treasurer be directed to pay Holloway & Normington \$120 and charge State and Furnace streets crosswalk fund. Adopted as follows:

All ayes—24.

By Ald. Cram—Resolved, That the treasurer is hereby directed to cancel the tax of \$7.20, assessed against William Box, for repair of walk on Pearl street, and charge Highway fund. Tabled.

By Ald. Cram—Resolved, That the city surveyor be and is hereby directed to establish the grade and lines of North Water street.—Adopted.

#### FINANCE BUDGET.

MARCH 31, 1888.

By Ald. Paine—Resolved, That the Treasurer pay as follows:

#### CONTINGENT FUND.

Henry L. Fish, Mayor, 3 months salary.....	\$375 00
H. P. Langworthy, Treasurer, 3 months salary	875 00
B. Frank Enos, Clerk, 2 months salary.....	200 00
Daniel Richmond, Surveyor, 1 months salary..	250 00
E. A. Raymond, Attorney, 1 months salary.....	91 67
D. McKay, assessor, 1 month's salary.....	100 00
E. T. Oatley, .....	100 00
C. M. St. John, .....	100 00
Wm. H. Tracy, Messenger, 1 months salary....	66 66
Frank Lochhart, watching City Hall, 2 mos..	70 00
E. A. Raymond, act' of disbursements.....	179 53
Rochester Volksblatt office, publishing proceed-	
ings.....	300 00
B. Frank Enos, disbursements.....	14 48
Fred. D. Alling, bill stationery.....	15 25
D. D. S. Brown, publishing proceedings, &c.,	457 25
Briggs & Huntington, iron money-box and re-	
pairs to safe.....	112 00
Ostrander & Vary, bill printing notices, &c....	3 00
A. Nolte, .....	28 00
Adams & Ellis, bill stationery.....	69 50
H. Jacobs, bill steel pens.....	20 00
Edward Gray, bill repairs City Hall.....	53 53
E. L. Thomas, bill ice for City Hall.....	30 00
Jeremiah Tracy, .....	20 00
Beaton & Andrews, bill printing.....	36 00

And charge Contingent Fund. \$3,649 87

#### FIRE DEPARTMENT FUND.

Monthly Pay Roll, payable to George B. Harris, Chief Engineer:	
Steamer No. 1, engineer and drivers.....	\$135 00
.. 2 .. ..	135 00
.. 3 .. ..	135 00
.. 4 .. ..	135 00
Hook & Ladder Co. No. 1, driver.....	40 00
R. B. Paine, services at hose depot.....	60 00
Geo. B. Harris, Chief Engineer, salary 1 month	100 00

\$740 00

#### QUARTERLY PAY ROLL.

Payable to Geo. B. Harris, Chief Engineer:	
Steam Engine Co. No. 1, pay of hosemen.....	\$115 00
.. 2 .. ..	115 00
.. 3 .. ..	115 00
.. 4 .. ..	115 00

Hook & Ladder Co. No. 1, pay of Company.....	250 00
Total.....	\$710 00

#### SALARIES AND APPROPRIATIONS.

Jas. Malcolm, Ass't Engineer, ¼th salary.....	\$50 00
Thos. O'Brien, .. ..	50 00
Lewis S. Gibson, .. ..	50 00
Charles Frank, .. ..	50 00
O. L. Angevine, Fire Marshal, .. ..	175 00
Alert Hose Co. No. 1, quarterly appropriation..	250 00
Sack and Bucket Co. No. 1 .. ..	250 00

Total \$875 00

#### RENTS AND CONTRACTS.

J. B. Bennet, 1 quarter's rent of Engine House No. 4.....	31 25
Edward Harris, attorney, ¼quarter's rent of Engine House No. 4.....	31 25
Browning & Cutting, doctoring horses by contract.....	9 00
W. N. Carrier, doctoring horses by contract.....	10 50
Cutting & Cooney, shoeing horses by contract	42 25

\$124 25

R. & J. Kirley, neats foot oil.....	2 50
Seele & Avery, stationery.....	3 00
Rochester cotton mills, waste.....	6 10
Ferris & Stewart, repairs to apparatus.....	16 50
Rochester Gas Light Co., steam coal.....	7 50
A. M. Semple, salt, soap, &c.....	19 27
Cutting & Cooney, blacksmithing.....	4 20
Sts. Peter and Paul's con., burial expenses.....	8 00
W. Burke & Co., hardware.....	9 25
R. A. Hall, repairs to Engine House.....	10 82
A. Cram & Co., hay.....	2 48
Geo. J. Whitney, oats.....	94 93
Alling Brothers, oil and leather.....	15 50
H. Barnard, oil.....	2 70
Smith & Roberts, coal.....	29 20
Woodbury, Booth & Co., repairs to apparatus.	6 99
E. B. Booth & Son, .....	1 00
Rochester Paper Co., bedding.....	10 45
Merrick, Hays & Co., brooms.....	2 68
Sherlock & Sloan, steam fitting.....	25 89
F. Parsons & Son, kindling wood.....	2 50
P. B. Whitbeck, wood.....	32 00
Wehn & Gotzman, soap.....	4 50
Western Union Tel. Co., telegraphing.....	2 88
John Jacob Kolb, bell-ringing.....	7 50
Wm. Lewin, .....	10 00
John Babbage, .. ..	22 50
John Lyness, .. ..	7 50
John Renand, .. ..	11 25
Jacob Hye, .. ..	5 00
Geo. B. Harris, disbursement.....	56 22

And charge Fire Department Fund. \$452 64

#### LAMP FUND.

Rochester Gas Light Company, lighting gas lamps.....	\$461 20
Boyd, Gommenginger & Co., repairs to street lamps.....	86 66
N. H. Galusha, bill for lamp posts.....	35 55
J. G. Luitwieler, glass for street lamps.....	14 40
Fred. Stickle, bill for care of kerosene lamps and repairs to same.....	570 42
Benton & Andrews, printing bill heads.....	4 00

And charge Lamp Fund..... \$1,172 23

#### EAST AVENUE REPAIR FUND.

R. Milliman, Com'r, repairs on East Avenue.	\$193 81
And charge that Fund.	

#### SOUTH AVENUE REPAIR FUND.

W. D. Oviatt, Com'r, repairs on South Ave..	7 75
And charge that Fund.	

#### HEALTH FUND.

George Frauenberger, bill diagrams, &c.....	83 00
Chas. Burns, burying animals.....	3 00
Geo. Moshier, .. ..	3 50
And charge Health Fund.	

#### VARNUM STREET OPENING.

George P. Draper and others, Commission-	
ers, bill fees, &c., payable to Geo. P. Dra-	
per, Esq.....	83 50
And charge that Fund.	

#### FITZHUGH STREET WIDENING AND EXTENSION.

George P. Draper and others, Commission-	
ers, bill fees, &c., payable to Geo. P. Dra-	
per, Esq.....	85 0
And charge that Fund.	

## POLICE FUND.

S. M. Sherman, 1 mo. salary to April 1, 1868.....	\$125 00
Alexander McLean, .. .. .	75 00
Peter Hughes, .. .. .	75 00
Wm. J. Rogers, .. .. .	75 00
Jonathan Dresser, .. .. .	75 00
Thos. Lynch, .. .. .	75 00
Monroe A. Green, .. .. .	75 00
John H. Dana, .. .. .	75 00
F. H. Sullivan, .. .. .	75 09
John Raggs, .. .. .	75 00
Chas. McCormick, .. .. .	75 00
James McKelvey, .. .. .	75 00
Perry Marzluff, .. .. .	75 00
J. W. Lord, .. .. .	75 00
Joseph S. Roworth, .. .. .	75 00
John Barry, .. .. .	75 00
Frank Plass, .. .. .	75 00
Thos. F. Hurley, .. .. .	75 00
Wm. White, .. .. .	75 09
Warren H. Noyce, .. .. .	75 00
Michael Flynn, .. .. .	75 00
John J. Garrett, .. .. .	75 00
Edward Vanvorst, .. .. .	75 00
Wm. Rodgers, .. .. .	75 00
A. H. Franklin, .. .. .	75 00
Joseph T. Clary, .. .. .	75 00
Bartholomew Crowley, .. .. .	75 00
Peter Yost, .. .. .	75 00
James Sullivan, .. .. .	75 00
Lyman Johnson, .. .. .	75 00
W. R. McArthur, .. .. .	75 00
Albert H. Bruman, .. .. .	75 00
Thos. F. Burchell, .. .. .	75 00
Wm. F. Lusk, 29 days, .. .. .	72 50
James K. Foster, 29 .. .. .	72 50
Michael Tierney, 29 .. .. .	72 50
Michael Hyland, 29 .. .. .	72 50
E. W. McBurney, 26½ .. .. .	66 25
Phillip Schaad, 21 .. .. .	52 50
Frank B. Allen, 20 .. .. .	50 00

E. W. Bryan, Justice, quarter salary.....	\$450 00
Adams & Ellis, stationery.....	16 75
Sherlock & Sloan, repairs.....	9 85
S. M. Sherman, disbursements.....	18 75

And charge Police Fund. \$495 35

## HIGHWAY FUND.

Thomas Purcell, Supt., 6 months' salary .....	800 00
W. J. Hanford, crosswalks, &c.....	32 00
Holloway & Normington, repairs on streets...	20 69
W. J. Cramond, sidewalk .....	20 40
Thomas Purcell, laborers' pay roll, \$68.83 payable to City Treasurer.....	397 60
Benton & Andrews, bill printing bill heads.....	4 00

And charge that fund. \$1,274 69

Ald. Quin called for a division of the question, taking the vote on all the budget except the item of \$112, for an iron money box, first.

The budget, with the exception of the item above referred to, was passed as follows:

**Nays**—Ald. Remington, Parsons—2.  
**Ayes**—Ald. Spencer, Cram, Qualtrough, Lutes, Groot, Andrews, Guggenheim, Carroll, Mutchler, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin—23.

The bill for the iron money box was then ordered paid, as follows:

**Nays**—Ald. Groot, Quin—2.  
**Ayes**—Ald. Spencer, Cram, Qualtrough, Lutes, Andrews, Remington, Guggenheim, Carroll, Mutchler, Relyea, Ratt, Taylor, Kelly, Burke, Paine, Woodruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Parsons—23.

On motion, the Board adjourned until next Monday afternoon at two o'clock.

B. FRANK ENOS, Clerk.

## In Common Council—April 6th, 1868.

### ADJOURNED MEETING.

The President of the Board, Ald. William Guggenheim, presiding.

Present—Ald. Cram, Qualtrough, Lutes, Groot, Andrews, Remington, Graham, Guggenheim, Carroll, Mutchler, Relyea, Copeland, Ratt, Taylor, Brown, Burke, Paine, Wood-

ruff, Adelman, Charters, Horcheler, Bingemer, Mauder, Miller, Quin, Parsons.

Absent—Ald. Spencer, Kelly.

Minutes of the previous meeting approved as published.

The Clerk presented the following:

#### ADDRESS FROM THE PRESIDENT.

##### Gentlemen of the Common Council:

When, in the course of human events, it becomes necessary for the President of the Common Council to dissolve the political bands which have connected him with that body, and to assume among the citizens of Rochester the humble station of a private citizen, a decent respect to the opinions of my worthy colleagues, requires a few words of separation.

The President of the Board does not intend to-day to give a description of that "municipal muddle" which has created so much excitement in the local history of our city, because history should never be written in a moment when passions are not entirely subdued, and when it is impossible to guide the pen under the influence of that impartiality which dictates truth and veracity. The place which your President has filled during the existence of the present Board, was originally not designed for him; he never had the ambition to aspire for it, and after the exciting scenes of the first organization, he accepted the place only at the request of numerous and influential citizens of both parties; whether your President has filled his station to the satisfaction of the Board and the citizens of Rochester, is not for him to say. He has tried to fulfil his duties with fidelity and impartiality, and if he has committed errors they were committed unintentionally; they were errors of the head not of the heart.

Your President belongs by birth to a nation which, although the cradle of all that is great in science, arts, literature, philosophy, &c., is only too often baptized with the sobriquet of "Dutch." he belongs to a religion, the followers of which were not very long ago, persecuted, hooted, spit at, nay, imprisoned and deprived of property and life, and even in this great free country men of the greatest military and civil talents have not hesitated to insult the country of his birth, and the religion of his forefathers; how much more credit is it then for his constituents, as well as his colleagues in the Board, that your humble servant was chosen, not only to represent the intelligent citizens of the good Fifth ward, but also to preside over the representatives of the whole city, and that in the midst of the greatest excitement in our debates your President had always occasion to be proud of the *personal* regards and respects shown to him by his political friends as well as his political adversaries. Your President was generously added to all the standing committees, and in many instances to important special committees, his decisions in parliamentary matters were generally considered final, and the official records of the Board show that only in one single instance an appeal from the decision of the chair was sustained.

The labors of the board just terminated were numerous and sometimes of great im-

portance, and your President believes that they will favorably compare with the Boards of former years; most of the appropriations wanted by the Board were carefully examined by the proper committees, and seldom a vote taken without debate, which sometimes may have appeared tedious, but which were the result of "close watching."

Your President cannot retire from the Board without tendering his thanks for the great assistance given him by our efficient Clerk, Mr. B. Frank Enos, the legal advice given when connecting with ruling in the board by our learned City Attorney, Mr. E. A. Raymond; also, the services rendered by our excellent messenger, Mr. Wm. Tracy; he also tenders his thanks to the reporters of the different papers for the leniency and impartiality of their reports, and last, but not least, to his constituents who have kindly allowed

him to retire from his numerous political labors.

To my worthy colleagues I say, let us forget all the angry debates of the past year, and cover with the cloak of human charity all the errors committed by "you," by "me," by "us." In a few minutes our official character as Aldermen will be terminated; let us, as citizens of Rochester, continue to labor for the prosperity of our beautiful city, and remember in later years only such moments of our official career which were pleasant and cheerful, and a credit to us and our constituents.

Yours respectfully,

WILLIAM GUGGENHEIM,

President of the Board.

Received and ordered published.

On motion of Ald. Taylor the Board adjourned *sine die*. B. FRANK ENOS, Clerk.



## In Common Council, March 31, 1868.

CITY TREASURER'S OFFICE,  
March 17, 1868.

To the Honorable the Common Council:

GENTLEMEN—The Treasurer herewith submits his annual statement as required by section 64, title 4, of the city charter.

H. P. LANGWORTHY, Treasurer.

The Finance Committee have carefully examined the vouchers for the several items of expenditure made by the Common Council, and embraced in the City Treasurer's report from April 1st, 1867, to March 31st, 1868—the objects and purposes for which the same were made, and find the same correct.

CYRUS F. PAINE,  
L. C. SPENCER, } Finance Committee.  
JAMES H. KELLY,

The Finance Committee certify that the total amount of "Fractional Checks" redeemed by the City Treasurer from April 1st, 1867, to March 31st, 1868, is fifty-eight dollars and seventy cents—consisting of nineteen dollars and eighty cents (\$19.80) of the "old" issue, and thirty-eight dollars and ninety cents (\$38.90) of "new" issue, and that said checks, after having been duly counted, were destroyed.

CYRUS F. PAINE,  
L. C. SPENCER, } Finance Committee.  
JAMES H. KELLY,  
Rochester, March 31, 1868.

### BALANCE SHEET CITY TREASURER'S LEDGER MARCH 31st, 1868.

	Dr.
Cash,	\$422 27
Erroneous assessments,	7,856 53
Bonds and mortgages,	7,000 00
Land sold for taxes and assessments,	29,310 13
Relief Loan, '64,	100,000 00
Bounty Loan, '64,	230,500 00
Floating Debt Loan, '58,	57,000 00
do. do. '62,	66,000 00
City Hall Loan, '50,	30,000 00
City Stock, do.,	30,000 00
Bridge Loan, '57,	50,000 00
Deep Hollow Loan,	3,000 00
Main-st. Bridge do.,	45,000 00
Clarissa-st. do.,	15,000 00
Steam Fire Engine do.,	20,000 00
R. & G. V. R. stock do.,	250,000 00
Oak-st. improvement,	11,559 49
Smith-st. sewer,	129 18
Frank-st. improvement,	3,765 44
Front-st. outler sewer,	919 27
Buffalo-st. sewer,	2,239 05
Mt. Hope-ave improvement,	4,291 44
Martin-st. sewer,	586 92
Mechanics' Savings Bank, } Cemetery account,	235 19
Mt. Hope Cemetery account,	14,766 81
Broadway-st. sewer,	483 65
Orchard-st. improvement,	982 27
Galusha-st. sewer,	768 11
South Clinton-st. do.,	651 22
Munger-st. do.,	918 06
Orange-st. do.,	941 32
Magne-st. do.	1,833 03
Repairing sundry walks,	1,090 34
Sanford-st. improvement,	555 68
Front-st. do.,	2,383 11
Jay-st. do.,	4,500 97
Frank-st. flag-walk,	683 65
Water-st. Bridge,	7,808 10
Plymouth-ave improvement,	1,523 00
Center Square Fund,	505 80
House for Idle and Truant Children,	1,350 45
South-ave improvement,	77 59
Powers' Banking House,	7,893 16
Hickory-st. sewer,	1,027 21
Gregory-st. sewer,	2,017 49
Hudson-st. do.,	1,353 91
Monroe-ave walk,	1,320 65
Tremont-st. improvement,	2,382 32
South St. Paul-st Bridge sidewalk,	906 62
Selling-st., Joseph and Herman-sts. sewer,	4,089 73
Jay-st. sewer,	2,107 58
South-ave improvement,	1,057 13
Prospect-st. sewer,	1,433 18
Widening and extending South Fitz- hugh-st.,	53 46
Fence on Genesee-st.,	1 60
Anson Park plank-walk,	6 40
Personal property ret'd, 1867,	551 73

Appropriations for deficiencies 1867,	56,518 00
Oak-st. plank-walk,	7 46
State-st. cross-walks,	462 00
Ambrose-st. sewer,	86 40
Re-assessment Union-st. sewer,	24 00
Stone-st. improvement,	203 70
Lewis-st. grading,	3 70
Re-assessment Monroe-ave walks,	74 72
Grape-st. sewer,	10 00
Clinton-st. do.,	17 20
Champion-st. walks,	15 15
Litchfield-st. do.,	10 80
Jones-ave do.,	10 80
Loans for Board Education,	10,000 00
Stone-st. improvement,	120 96
Union-st. sewer, 6d,	36 00
St. Joseph-st. sewer,	10 78
Main and Scio-st. reservoir,	33 09
Kelly-st. sewer,	144 37
Jersey-st. do.,	43 55
Rome-st. do.,	183 31
Cayuga-st. do.,	350 18
Gardner Park plank-walk,	3 29
Germant-st. improvement,	195 40
Hanover-st. do.,	38 36
Mill-st. cross-walks,	84 56
St. Paul-st. do.,	17 87
Lake-ave do.,	93 83
Jones-st. improvement,	1,579 20
South Union-st. sewer,	2,075 20
West Alexander-st. sewer,	378 62
Grading Anson Park,	175 63
Smith-st. sewer,	134 81
Wilson-st. plank-walk, south side,	168 31
Graham-st. improvement,	168 00
Thompson-st. do.,	245 00
Widening Litchfield-st.,	1 05
Jefferson-st. plank-walk,	1 05
Saxton-st. extension,	659 43
Ralling Mt. Hope ave,	836 24
Armory Site Fund,	971 20
Personal property ret'd 1866,	1,034 25
Plymouth-ave cross-walks,	26 98
Grading Mt. Hope-ave,	125 72
Galusha-st. plank-walk,	39 90
Buffalo-st. lateral sewers,	601 71
Allen-st. improvement,	419 10
Flood Loans,	28,583 58
Center Park flag-walk,	60 40
Hastings-st. improvement,	589 22
Hanover-st. plank-walk,	126 12
Armory Site Loan,	17,800 00
Clinton-st. improvement,	381 98
City Hall,	40,000 00
Center Market,	30,000 00
Fire Department property,	41,900 00
School do.,	120,000 00
R. & G. V. R. stock,	8,900,000 00
	\$1,685,083 06

	Cr.
Contingent Fund,	6,590 63
Fire Department Fund,	3,150 09
Highway do.,	1,857 48
Lamp do.,	5,247 69
Poor do.,	2,241 58
Police do.,	5,340 10
Public Park do.,	15 65
Board of Health,	43 74
Board of Education,	25,269 59
Sewer Repair Fund,	38 35
South-ave Repair Fund,	10 75
Loyal-st. do.,	5 00
North-ave do.,	9 57
North St. Paul-st. Repair Fund,	8 25
North do. do. (2d. sec.)	100 00
Monroe-ave do.,	73 73
Mt. Hope-ave do.,	86
Plymouth-ave do.,	65 95
West-ave do.,	52 77
Lake-ave do.,	5 52
East-ave do.,	198 81
General interest account,	1,123 49
Bills payable,	120,300 00
Acceptances,	57,650 00
Bonded Debt,	897,000 00
Interest on acceptances,	313 45
Tax sale certificates,	16 00
do. do.,	10 60
do. do.,	3 85
Interest on Bounty Loan '64,	374 69
Fractional checks,	180 95
Re-assessment graham-st. imp't,	41 48
do. Thompson-st. do.,	140 06
Repairing Elizabeth-st. walks,	21 09
Kelly-st. sewer,	18 21
State-st. cross-walks,	3 01
Chatham-st. sewer,	2 13
Wilson-st. plank-walk No.,	125 10
Re-assessment Mt. Hope-ave imp't,	460 41
Plymouth-ave plank-walk,	274 40

Mt. Hope Cemetery b'ds and mortg's,	15,000 00	
Brown-st. cross-walks,	72 29	
City property,	538,900 00	
West Alley Lines,	335 96	
Jones and Center Squares Imp't,	1,981 37	
	<u>\$1,688,083 06</u>	

DEBIT AND BALANCES.

Cash account.		Dr.	
To cash on hand,			\$422 27
Erroneous assessments.			
To balance for last year,	Dr	\$8,115 20	
To this amount for 1887,		938 09	
	Cr	9,053 29	
By balance from sundry local assessments,		1,096 71	7,956 58
Bonds and Mortgages.			
To balance from last year,	Dr	6,640 00	
Paid mortgage on account Fire Dep't in full,		360 00	7,000 00
Lands sold for taxes and assessments.			
To total amount unredemmed and held by city,	Dr		29,310 18
Relief Loan 1864.			
To amount bonds issued, Bounny Loan 1864.	Dr	100,000 00	
To balance bonds unpaid, Floating Debt Loan 1858.	Dr	230,500 00	
To amount bonds issued, Floating Debt Loan 1832.	Dr	57,000 00	
To amount bonds issued, City Hall Loan.	Dr	66,000 00	
To amount bonds issued, City Stock Loan.	Dr	30,000 00	
To balance bonds unpaid, Bridge Loan 1857.	Dr	30,000 00	
To amount bonds issued, Deep Hollow Loan.	Dr	50,000 00	
To balance bonds unpaid, Main-st. Bridge Loan.	Dr	3,000 00	
To amount bonds issued, Clarissa-st. Bridge Loan.	Dr	45,000 00	
To amount bonds issued, Steam Fire Engine Loans.	Dr	15,000 00	
To amount bonds issued, R. & G. V. R. E. Stock Loan.	Dr	20,000 00	
To balance bonds unpaid, Oak-st. Improvement.	Dr	250,000 00	
To balance for last year,	Dr	12,717 07	
By total receipts,	Cr	1,187 58	11,559 49
Smith-st. Sewer.			
To balance for last year,	Dr	413 54	
To total disbursements,		5 65	
	Cr	419 19	
By total receipts,	Cr	290 01	129 18
Frank-st. Improvement.			
To balance for last year,	Dr	4,704 76	
To total disbursements,		20 01	
	Cr	4,724 77	
By total receipts,	Cr	9,953 33	3,765 44
Front-st Outlet Sewer.			
To balance from last year,	Dr	842 22	
To total disbursements,		4,105 00	
	Cr	4,947 22	
By total receipts,	Cr	4,027 95	919 27
Buffalo-st. Sewer.			
To balance from last year,	Dr	3,006 72	
To total disbursements,		2,412 00	
	Cr	5,508 72	
By total receipts,	Cr	32,322 67	2,286 05
Mt. Hope-ave Improvement.			
To balance from last year,	Dr	10,315 38	
To total disbursements,		99 50	
	Cr	10,414 88	
By total receipts,	Cr	6,123 04	4,291 84
Martin-st. Sewer.			
To balance from last year,	Dr	1,115 58	
By total receipts,	Cr	518 66	596 92
Mechanics' Savings Bank, in account wit Mt. Hope Cemetery Fund.			
To cash on deposit,	Dr		233 19
Mt. Hope Cemetery Fund.			
To balance from last year,	Dr	20,474 88	
To 10 per cent on gross receipts deposits in Mechanics' Savings Bank			

for repair and Sinking Fund.			1,630 51
To Superintendent's disbursements, labor, &c.			10,462 33
To interest on mortgages Monroe Co. Savings Bank.			49 53
To interest on mortgages Maria Hall,			204 65
To interest on mortgages B. F. Hall,			256 00
To interest on mortgages A. F. & G. P. Wolcott,			1,050 00
By cash received from Superintendent.	Cr	5,843 32	34,128 04
By amount Superintendents' disbursements,	Cr	10,462 33	
By amount Repair and Sinking Fund applied in payment of bonds and mortgages,			3,034 86
By interest on deposits Mechanics' Sav'rs Bank,			20 72
			<u>19,361 23</u>
			<u>14,766 81</u>
Mt. Hope Cemetery Bond and Mortgage Account.			20,833 34
By balance from last year,	Cr		
To paid mortgage to Monroe Co. Savings Bank in full,	Dr	2,500	
To paid mortgage to B. F. Hall in full,	Dr	3,833 34	5,333 34
			<u>15,000 00</u>
Broadway-st. Sewer.			
To balance from last year,	Dr	927 54	
By total receipts,	Cr	443 89	483 65
Orchard-st. Improvement.			
To balance from last year,	Dr	1,485 27	
By total receipts,	Cr	463 00	982 27
Galusha-st. Sewer.			
To balance from last year,	Dr	1,387 15	
By total receipts,	Cr	619 04	768 11
South Clinton-st. Sewer.			
To balance from last year,	Dr	1,229 21	
By total receipts,	Cr	578 02	650 22
Munger-st. Sewer.			
To balance from last year,	Dr	1,317 41	
To total disbursements,		16 93	
	Cr	916 33	913
Orange-st Sewer.			
To balance from last year,	Dr	1,956 25	
To total disbursements,		10 05	
	Cr	1,966 30	
By total receipts,	Cr	1,024 98	941 32
Magne-st. Sewer.			
To balance from last year,	Dr	2,426 31	
By total receipts,	Cr	793 23	1,663 03
Repairing Sundry Walks.			
To balance from last year,	Dr	823 91	
To total disbursements,		1,295 78	
	Cr	2,113 69	
By total receipts,	Cr	1,028 35	1,090 34
Sanford-st. Improvement.			
To balance from last year,	Dr	862 29	
By total receipts,	Cr	306 61	555 68
Front-st. Improvement.			
To balance from last year,	Dr	2,548 31	
To total disbursements,		31 66	
	Cr	2,629 97	
By total receipts,	Cr	296 86	2,333 11
Jay-st. Improvement.			
To balance from last year,	Dr	6,587 90	
To total disbursements,		1,426 12	
	Cr	8,014 02	
By total receipts:	Cr	3,513 05	4,500 97
Frank-st. Flag-walk.			
To balance from last year,	Dr	263 04	
To total disbursements,		462 01	
	Cr	725 05	
By total receipts,	Cr	41 40	683 65

Water-st. B. idge.				Grape-st. Sewer.			
To balance from last year,	Dr	4,017 08		To total disbursements,	Dr	367 50	
To total disbursements,		4,200 00		By total receipts,	Cr	292 78	74 72
				Clinton-st. Sewer.			
By total receipts,	Cr	3,217 08	7,808 10	To total disbursements,	Dr		10 00
		408 98		Champion-st. Plank-Walk.			
Plymouth-ave Improvement.				To total disbursements,	Dr		17 20
To balance from last year,	Dr	2,530 72		Litchfield-st. Plank-Walk.			
By total receipts,	Cr	1,005 72	1,525 00	To total disbursements,	Dr	22 25	
				By total receipts,	Cr	6 10	16 15
Center Square Fund.				Jones-ave Walks.			
To total disbursements,	Dr	2,005 80	585 80	To total disbursements,	Dr		10 80
By total receipt,	Cr	1,500 00		Loans for Board of Education.	Dr		
House for Idle and Truant Children.				To this amount,	Dr		10,000 00
Total disbursements,	Dr	793 83	14,230 65	Stone-st. Improvement.			
By balance from last year,	Cr	793 83		To total disbursements,	Dr	177 78	
By total receipts,	Cr	12,136 37	12,930 20	By total receipts,	Cr	56 82	121 96
			1,350 45	Union-st. Sewer, rd.			
South-ave Improvement.				To total disbursements,	Dr	40 00	
To total disbursements,	Dr	80 00		By total receipts,	Cr	14 00	26 00
By total receipts,	Cr	241 00	77 59	St. Joseph-st. Sewer.			
Powers' Banking House.				To total disbursements,	Dr	324 70	
To cash deposited,	Dr	7,593 15	7,593 15	By total receipts,	Cr	313 92	10 78
Hickory-st. Sewer.				Main and Sci-o-sts. Reservoir.			
To total disbursements,	Dr	2,023 40	1,027 21	To total disbursements,	Dr	219 66	
By total receipts,	Cr	1,002 19		By total receipts,	Cr	186 57	33 09
Gregory-st. Sewer.				Kelly-st. Sewer.			
To total disbursements,	Dr	3,644 89	2,017 49	To total disbursements,	Dr	744 73	
By total receipts,	Cr	1,627 40		By total receipt,	Cr	600 36	144 37
Hudson-st. Sewer.				Jersey-st. Sewer.			
To total disbursements,	Dr	2,209 00	1,353 91	To total disbursements,	Dr	886 40	
By total receipts,	Cr	855 09		By total receipts,	Cr	342 85	43 55
Monroe-ave Flag and Plank-Walk.				Rome-st. Sewer.			
To total disbursements,	Dr	3,191 82	1,920 65	To total disbursements,	Dr	800 00	
By total receipts,	Cr	1,271 17		By total receipts,	Cr	413 69	186 31
Tremont-st. Improvement.				Cayuga-st. Sewer.			
To total disbursements,	Dr	4,440 80	2,862 32	To total disbursements,	Dr	974 50	
By total receipts,	Cr	1,577 98		By total receipts,	Cr	624 32	350 18
Extending Sidewalk on South St. Paul-st. Bridge.				Gardner Park Plank-Walk.			
To total disbursements,	Dr	910 00	906 62	To total disbursements,	Dr	5 20	
By total receipts,	Cr	3 38		By total receipts,	Cr	191	3 29
Sellinger, St. Joseph and Herman-sts. Sewer.				German-st. Improvement.			
To total disbursements,	Dr	6,029 13	4,089 72	To total disbursements,	Dr	969 40	
By total receipts,	Cr	1,939 41		By total receipts,	Cr	774 00	195 40
Jay-st. Sewer.				Hanover-st. Improvement.			
To total disbursements,	Dr	3,585 74	2,107 53	To total disbursements,	Dr	117 50	
By total receipts,	Cr	1,478 16		By total receipts,	Cr	79 14	38 36
South-ave Improvement (flag-walks)				Mill-st. Cross-Walks.			
To total disbursements,	Dr	1,455 06	1,057 13	To total disbursements,	Dr	149 42	
By total receipts,	Cr	391 93		By total receipts,	Cr	64 86	84 56
Prospect Sewer.				St. Paul-st. Cross-Walks.			
To total disbursements,	Dr	2,023 96	1,443 18	To total disbursements,	Dr	111 94	
By total receipts,	Cr	590 18		By total receipts,	Cr	94 07	17 87
Widening and Extending South Fitzhugh-st.				Lake-ave Cross-Walks.			
To total disbursements,	Dr	53 46	53 46	To total disbursements,	Dr	438 20	
Fence on Genesee-st.				By total receipts,	Cr	344 37	93 83
To total disbursements,	Dr	1 60		Jones Square Improvement.			
Anson Park Plank-Walk.				To total disbursements,	Dr		1,567 20
To total disbursements,	Dr	6 40		South Union-st. Sewer.			
Personal Property returned for Gen'l Taxes 1867.				To total disbursements,	Dr	1,141 00	
To this amount,	Dr	551 73		By total receipts,	Cr	565 65	575 35
Appropriations for Deficiencies 1867.				West Alexander-st. Sewer.			
To estimated deficit in the principal Funds for 1867,	Dr	56,518 00		To total disbursements,	Dr	1,084 68	
Oak-st. Plank-Walk.				By total receipts,	Cr	708 06	376 62
To total disbursements,	Dr	1 00		Grading Anson Park.			
State-st. Cross-Walks.				To total disbursements,	Dr	369 76	
To total disbursements,	Dr	132 50	7 46	By total receipts,	Cr	194 13	175 63
By total receipts,	Cr	115 04		Smith-st. Sewer.			
Ambrose-st. Sewer.				To total disbursements,	Dr	519 84	
To total disbursements,	Dr	1,021 50	462 00	By total receipts,	Cr	385 03	134 81
By total receipts,	Cr	559 50		Wilson-st. Plank-Walk.			
Re-assessment Union-st. Sewer.				To total disbursements,	Dr	403 83	
To total disbursements,	Dr	101 60	86 40	By total receipts,	Cr	285 07	168 31
By total receipts,	Cr	15 20		Graham-st. Improvement.			
Stone-st. Improvement (west side.)				To total disbursements,	Dr	672 00	
To total disbursements,	Dr		24 00	By total receipts,	Cr	564 00	108 00
Lewis-st. Grading,				Thompson-st. Improvement.			
To total disbursements,	Dr	339 00		To total disbursements,	Dr	885 00	
By total receipts,	Cr	135 30	203 70	By total receipts,	Cr	590 00	245 00
Re-assessment Monroe-ave Flag and Plank-Walks.							
To total disbursements,	Dr	6 10	3 70				
By total receipts,	Cr	2 40					

Widening Litchfield-st.			
To total disbursements,	Dr	279 57	
By total receipts,	Cr	278 52	
			1 05
Jefferson-st. Plank-Walk.			
To total disbursements,	Dr	351 62	
By total receipts,	Cr	343 72	
			7 90
Saxton-st. Extension.			
To total disbursements,	Dr	3,115 30	
By total receipts,	Cr	2,455 87	
			659 43
Mt. Hope-ave Railing.			
To total disbursements,	Dr	551 56	
By total receipts,	Cr	185 32	
			386 24
"Armory Site" Fund.			
To total disbursements,	Dr	1,046 20	
By total receipts,	Cr	75 00	
			971 20
Personal Property Returned for Gen'l Taxes '66.			
To balance from last year,	Dr		1,034 25
Plymouth-ave Cross-Walks.			
To total disbursements,	Dr	185 75	
By total receipts,	Cr	138 77	
			26 98
Grading Mt. Hope-ave.			
To total disbursements,	Dr	931 47	
By total receipts,	Cr	805 75	
			135 72
Galusha-st. Plank-Walk.			
To total disbursements,	Dr	88 90	
By balance from last year,	Cr	49 00	
			39 90
Buffalo-st. Lateral Sewers.			
To total disbursements,	Dr	1,104 00	
By total receipts,	Cr	502 29	
			601 71
Allen-st. Improvement.			
To this amount,	Dr		419 10
Damages by "Flood" Loans.			
To balance from last year,	Dr	28,000 00	
To loans this amount,	Dr	3,014 40	
		31,014 40	
By balance from "damages to			
Main-st. Bridge" act,	Cr	4,024 87	
			26,989 53
Center Park Flag-Walk.			
To total disbursements,	Dr		60 40
Hastings-st. Improvement.			
To balance from last year,	Dr	1,705 28	
By total receipts,	Cr	1,116 06	
			589 22
Hanover-st. Plank-Walk.			
To balance from last year,	Dr	167 92	
By total receipts,	Cr	41 80	
			126 12
Armory Site Loan.			
To this amount,	Dr		17,800 00
Clifton-st. Improvement.			
To balance from last year,	Dr	163 41	
To total disbursements,	Dr	459 41	
			381 98
By total receipts,	Cr	627 82	
City Hall estimated value,	Cr	245 84	
Center Market do.			40,000 00
Fire Department.			30,000 00
To balance from last year,	Dr	42,000 00	
To J. Harris bonds and mort-			
gage,	Dr	700 00	
		42,700 00	
By city property lot sold J.			
Harris for this amount,	Cr	800 00	
			41,900 00
School Property.			
Estimated value,			120,000 00
R. & G. V. R. R. Stock.			
To this amount	Dr		300,000 00

CREDIT BALANCES.

Contingent Fund.			
By total receipts,	Cr	34,262 74	
To total disbursements,	Dr	27,732 11	
			6,530 63
Fire Department Fund.			
By total receipts,	Cr	26,941 57	
To total disbursements,	Dr	23,791 48	
			3,150 09
Highway Fund.			
By total receipts,	Cr	18,991 04	
To total disbursements,	Dr	17,133 56	
			1,857 48
Lamp Fund.			
By total receipts,	Cr	28,090 00	
To total disbursements,	Dr	22,773 31	
			5,317 69

Poor Fund.			
By balance from last year,	Cr	7,389 28	
By total receipts,	Cr	38,707 22	
To total disbursements,	Dr	46,096 50	
		43,754 92	2,341 58
Police Fund.			
By total receipts,	Cr	41,847 93	
To total disbursements,	Dr	36,507 28	
			5,340 10
Public Parks Fund.			
By total receipts,	Cr	607 00	
To total disbursements,	Dr	591 35	
			15 65
Board of Health Fund.			
By total receipts,	Cr	3,000 00	
To total disbursements,	Dr	2,956 26	
			43 74
Board of Education.			
By balance from last year,	Cr	22,291 17	
By total receipts,	Cr	59,935 43	
		112,226 60	
To total disbursements,	Dr	36,957 01	
			25,269 59
Sewer Repair Fund.			
By total receipts,	Cr	1,151 00	
To total disbursements,	Dr	1,112 65	
			38 35
South-ave Repair Fund.			
By total receipts,	Cr	340 00	
To total disbursements,	Dr	289 25	
			10 75
Lyell-st. Repair Fund.			
By balance from last year,	Cr	25 00	
By total receipts,	Cr	300 00	
		325 00	
To total disbursements,	Dr	320 00	
			5 00
North-ave Repair Fund.			
By total receipts,	Cr	300 00	
To total disbursements,	Dr	290 43	
			9 57
North St. Paul-st. Repair Fund (1st sec.)			
By total receipts,	Cr	300 00	
To total disbursements,	Dr	291 75	
			8 25
North St. Paul-st. Repair Fund (3d sec.)			
By total receipts,	Cr	200 00	
To total disbursements,	Dr	100 00	
			100 00
Monroe-ave Repair Fund.			
By balance from last year,	Cr	81 38	
By total receipts,	Cr	300 00	
		381 38	
To total disbursements,	Dr	307 65	
			73 73
Mt. Hope-ave Repair Fund.			
By balance from last year,	Cr	01	
By total receipts,	Cr	300 00	
		300 01	
To total disbursements,	Dr	299 15	
			86
Plymouth-ave Repair Fund.			
By balance from last year,	Cr	83 45	
By total receipts,	Cr	300 00	
		383 45	
To total disbursements,	Dr	317 50	
			65 95
West-ave Repair Fund.			
By balance from last year,	Cr	112 48	
By total receipts,	Cr	300 00	
		412 48	
To total disbursements,	Dr	359 71	
			52 77
Lake-ave Repair Fund.			
By balance from last year,	Cr	29 31	
By total receipts,	Cr	300 00	
		329 31	
To total disbursements,	Dr	270 79	
			58 52
East-ave Repair Fund.			
By balance from last year,	Cr	151 26	
By total receipts,	Cr	300 00	
		451 26	
To total disbursements,	Dr	252 45	
			198 81
General Interest Account.			
By total receipts,	Cr	42,156 25	
To total disbursements,	Dr	41,032 76	
			1,123 49
Bills Payable.			
By this amount at Powers'			
banking house,	Cr		120,800 00

<b>Acceptances for Local Improvements.</b>			
By balance from last year,	Cr	83,520 55	
By total amount accepted,		29,760 10	
		<u>113,280 65</u>	
To total am't paid when due,		55,650 65	57,630 00
<b>Bonded Debt.</b>			
By balance from last year,	Cr		1,002,800 00
To paid R. & G. V. R. R. b'ds when due,		2,000 00	
To paid Deep Hollow bonds when due,		3,000 00	
To paid bounty bonds when due,		100,000 800	
			<u>105 800 00</u>
			897,000 00
<b>Interest on Assessments and Acceptances.</b>			
By total receipts,	Cr		6,824 94
To balance from last year,	Dr	775 90	
To total disbursements,		<u>5,235 59</u>	
			6,011 49
			<u>313 45</u>
<b>Tax Sale Certificates.</b>			
By this amount certificates redeemed,	Cr		16 00
do. do. do.			10 60
do. do. do.			<u>3 35</u>
<b>Interest on Bounty Loan 1864.</b>			
By balance from last year,	Cr	17 27	
By total receipts,		<u>23,170 00</u>	
			23,187 27
To total disbursements,	Dr		<u>22,812 58</u>
			374 69
<b>Fractional Checks.</b>			
By balance from last year,	Cr		3,125 65
To amount redeemed, (old)		18 95	
do do (new)		<u>39 75</u>	
			58 70
			<u>3,066 95</u>
<b>Re-assessment Graham-st. Improvement.</b>			
By total receipts,	Cr	79 68	
To total disbursements,	Dr	<u>38 20</u>	
			41 48

<b>Re-assessment Thompson-st. Improvement.</b>			
By total receipts,	Cr	145 06	
To total disbursements,	Dr	<u>5 00</u>	
			140 06
<b>Repairing Elizabeth-st. Walks.</b>			
By total receipts,	Cr	22 63	
To total disbursements,	Dr	<u>1 54</u>	
			21 09
<b>Kelly-st. Sewer.</b>			
By total receipts,	Cr	890 74	
To total disbursements,	Dr	<u>872 13</u>	
			18 21
<b>State-st. Cross-Walks.</b>			
By total receipts,	Cr	185 60	
To total disbursements,	Dr	<u>182 59</u>	
			3 01
<b>Chatham st. Sewer.</b>			
By total receipts,	Cr	38 13	
To total disbursements,	Dr	<u>31 00</u>	
			2 13
<b>Wilson-st. Plank-Walk.</b>			
By total receipts,	Cr	137 93	
To total disbursements,	Dr	<u>12 83</u>	
			125 10
<b>Re-assessment Mt. Hope-ave Improvement.</b>			
By total receipts,	Cr	526 81	
To total disbursements,	Dr	<u>66 40</u>	
			460 41
<b>Plymouth-ave Plank-Walk.</b>			
By total receipts,	Cr	280 00	
To total disbursements,	Dr	<u>5 60</u>	
			274 40
<b>Brown-st. Cross-Walks.</b>			
By balance from last year,	Cr	111 49	
To total disbursements,	Dr	<u>39 29</u>	
			72 20
<b>City Property.</b>			
By balance from last year,	Cr	539,000 00	
By John Harris' bond and mortgage,		700 00	
		<u>539,700 00</u>	
To engine-house lot sold to John Harris,	Dr	8,00 00	
			538,900 00
<b>West Alley Lines.</b>			
By total receipts,	Cr	348 48	
To total disbursements,	Dr	<u>13 52</u>	
			335 96
<b>Jones and Center Squares Improvement.</b>			
By total receipts,	Cr		1,981 37

STATEMENT OF THE ASSETS AND DEBTS OF THE CITY OF ROCHESTER.  
DEBT.

Date of Bonds.	Number of Bonds and amount of each.	Aggregate amount.	For what purpose Issued.	When Payable.
1850—July	1 5 Bonds of \$1,000 each	\$5,000	City Stock,	6 per cent. July 1, 1868
" "	1 25 " "	25,000	" "	" " 1, 1870
" "	1 5 " "	5,000	City Hall,	6 " " 1, 1870
" "	1 15 " "	15,000	" "	6 " " 1, 1872
" "	1 10 " "	15,000	" "	6 " " 1, 1873
1853—May	10 20 " "	20,000	Floating Debt,	7 " May 10, 1873
" "	10 20 " "	20,000	" "	7 " 10, 1876
" "	10 17 " "	17,000	" "	7 " 10, 1878
1862—April	15 3 " "	3,000	" "	7 " Apr. 15, 1874
" "	15 3 " "	3,000	" "	7 " 15, 1875
" "	15 3 " "	3,000	" "	7 " 15, 1876
" "	15 3 " "	3,000	" "	7 " 15, 1877
" "	15 3 " "	3,000	" "	7 " 15, 1878
" "	15 51 " "	51,000	" "	7 " 15, 1882
1864—June	10 20 " "	20,000	Relief of Soldiers' Families,	6 " Sept. 1, 1869
" "	10 20 " "	20,000	" "	6 " 1, 1871
" "	10 20 " "	20,000	" "	6 " 1, 1877
" "	10 20 " "	20,000	" "	6 " 1, 1880
" "	10 20 " "	20,000	" "	6 " 1, 1881
1853—Jan'y	1 100 " "	100,000	R. & G. V. R. R. Stock,	6 " Jan. 1, 1873
July	1 140 " "	140,000	" "	6 " 1, 1873
" "	1 1 " "	2,000	" "	6 " 1, 1869
" "	1 1 " "	2,000	" "	6 " 1, 1870
" "	1 1 " "	2,000	" "	6 " 1, 1871
" "	1 1 " "	2,000	" "	6 " 1, 1872
" "	1 1 " "	2,000	" "	6 " 1, 1873
1855—Aug.	28 20 " "	20,000	Building Main-st. Bridge,	7 " 1, 1876
1857—	12 18 " "	18,000	Andrew-st.	6 " Aug. 12, 1877
Sept.	1 32 " "	32,000	Court and Main-sts.	6 " sept. 1, 1877
1859—May	15 8 " "	8,000	Deep Hollow Im't,	7 " 1869
1861—July	1 6 " "	6,000	Steam Fire Engines,	6 " July 1, 1881
" "	1 1 " "	800	" "	6 " 1, 1881
" "	1 1 " "	250	" "	6 " 1, 1881
1862—	1 15 " "	15,000	Building Clarissa-st. Bridge,	6 " 1, 1882
" "	1 25 " "	25,000	Widening Main-st.,	7 " 1, 1882
Sept.	16 12 " "	12,000	Steam Fire Engines,	6 " Sept. 16, 1882
" "	16 1 " "	950	" "	6 " 16, 1882
1864—Oct.	400 125 " "	50,000	Bounties to Volunteers,	7 " Oct. 1, 1868
" "	500 100 " "	50,000	" "	7 " 1, 1868
" "	600 95 " "	57,000	" "	7 " 1, 1869
" "	1,000 43 " "	43,000	" "	7 " 1, 1869
" "	500 60 " "	30,000	" "	7 " 1, 1870
Total.....		\$896,000		

RECAPITULATION.

Amount of Bonds falling due.....	1868	\$105,000
" " " " .....	1869	135,000
" " " " .....	1870	62,000
" " " " .....	1871	22,000
" " " " .....	1872	17,000
" " " " .....	1873	272,000
" " " " .....	1874	8,000
" " " " .....	1875	3,000
" " " " .....	1876	48,000
" " " " .....	1877	78,000
" " " " .....	1878	2,000
" " " " .....	1880	20,000
" " " " .....	1881	27,050
" " " " .....	1882	108,950
		\$896,000

ASSETS.

City Hall.....	\$75,000
Center Market.....	30,000
Fire Department property, houses, lands, apparatus, &c.....	73,000
Rochester & Genesee Valley Railroad stock....	300,000
Public School property, houses, lands, libraries, &c.....	800,000
Mortgage on property corner Main and Front streets.....	7,000
Mortgage on lot on West-avenue.....	700
Unpaid taxes—being the first loan and drawing 15 per cent. per annum.....	30,000
Public Parks—Mechanics', Brown's, Jones, Franklin, Wadsworth, Center, and Caledonia.....	150,000
Public Bridges—Andrews-st, Main-st, Court-st, Clarissa-st. and Deep Hollow.....	150,000
	\$1,117,700

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