

PROCEEDINGS

OF

THE COMMON COUNCIL,

OF THE

City Engineer's Office.

CITY OF ROCHESTER,

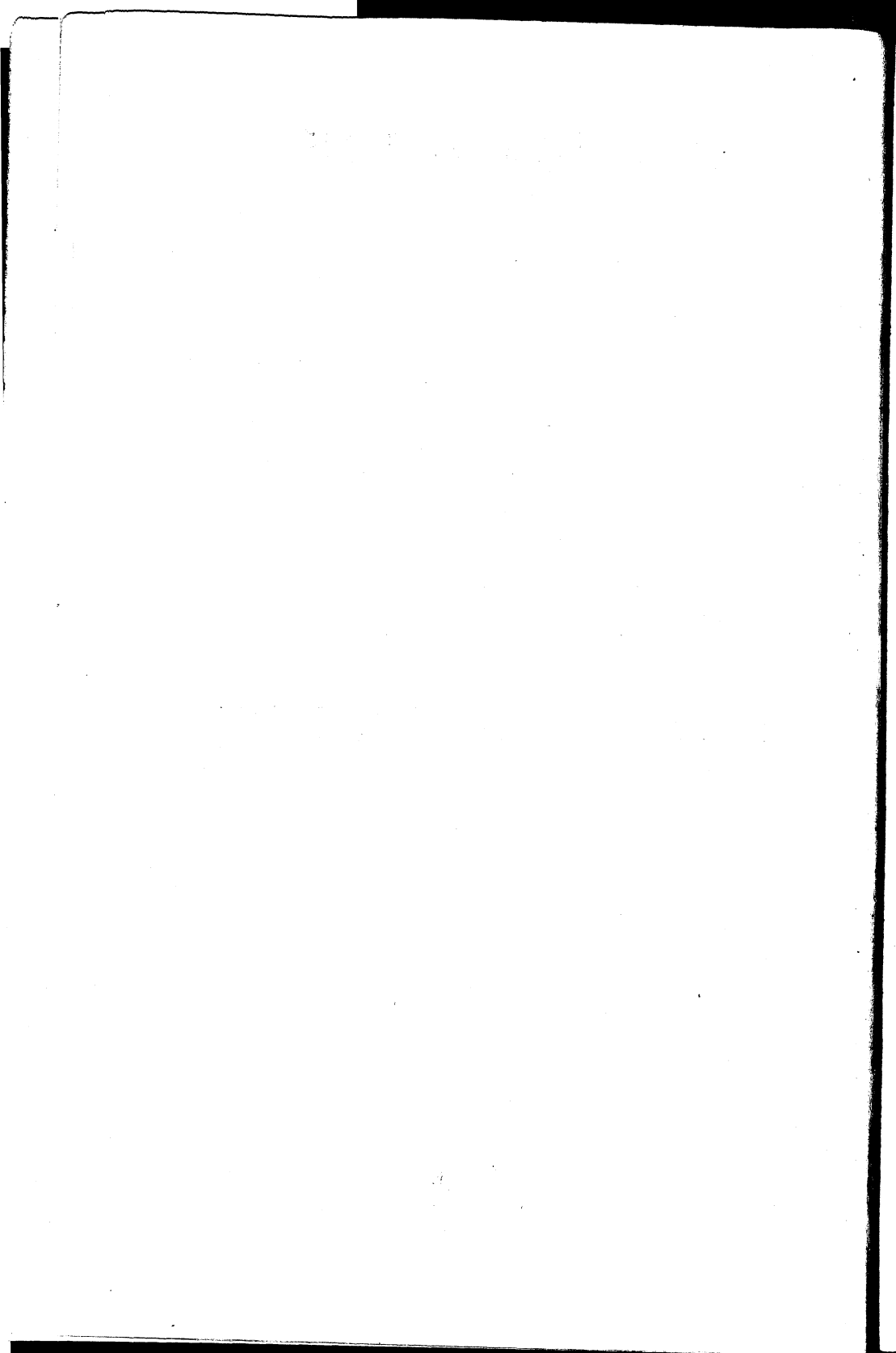
FOR 1859—60.



ROCHESTER:

STEAM PRESS OF A. STRONG & CO., DEMOCRAT AND AMERICAN OFFICE.

1859.



CITY GOVERNMENT, 1859.

EXECUTIVE AND JUDICIAL DEPARTMENTS.

OFFICE.	NAME.	RESIDENCE.
<i>Mayor,</i>	Samuel W. D. Moore,	No. 249 West Avenue.
<i>Treasurer,</i>	Wm. E. Lathrop,	No. 36 Jones-st.
<i>City Clerk,</i>	Francis S. Rew,	No. 8 New Main-st.
<i>Attorney,</i>	John Van Voorhis, Jr.,	Cor. East Ave. & Ches't.
<i>Comptroller,</i>	Chris. T. Amsden,	No. 46 N. St. Paul-st.
<i>Surveyor,</i>	Chas. R. Babbitt,	No. 29 East Avenue.
<i>Street Superintendent,</i>	Richard D. Howell,	No. 86 South S. Paul-st.
<i>Overseer of the Poor,</i>	Jonathan Child,	No. 4 Chestnut-st.
<i>Messenger,</i>	Henry A. Perry,	No. 125 N. Clinton-st.
<i>City Sealer,</i>	Wm. E. Roach,	Cor. Jones & Jay-sts.
<i>Clerk of the Market,</i>	Fred. Alexander,	Cor. Front & Mumford-sts.
<i>City Physicians, E. Side,</i>	Humphrey B. Sherman,	No. 42 North St. Paul-st.
" " "	Theodore B. Collins,	No. 38 East Avenue.
" " W. Side,	Theodore F. Hall,	No. 37 N. Fitzhugh-st.
" " "	Azel Buckus,	No. 45 Spring-st.
<i>German Physician, E. S.</i>	Gerard Arink,	Grove Place.
" " W. S.	Fred. Reichenbach,	No. 22 King-st.
<i>Health Officers, E. Side,</i>	Wm. H. Briggs,	No. 13 Pleasant-st.
" " W. Side,	Geo. W. Avery,	Congress Hall.
<i>Com'rs. Mount Hope,</i>	Hamlin Stilwell,	No. 40 1/2 N. Sophia-st.
" " "	Wm. Brewster,	No. 47 Troup-st.
<i>Health Inspectors,</i>	Alexander Richardson,	No. 12 Madison-st.
" " "	Samuel M. Luckey,	North Clinton-st.
<i>Justices of the Peace,</i>	Henry E. White,	No. Plymouth Ave.
" " "	Delos Wentworth,	No. 11 William-st.
" " "	Wm. R. Carpenter,	Osburn House

<i>Police Justice,</i>	Butler Bardwell,	No. 56 N. Clinton-st.	
<i>Chief of Police,</i>	Elisha J. Keeney,	No. 28 Ward-st.	
<i>Policemen,</i>	J. Montgomery,	P. B. Wilder,	L. Johnson,
"	B. B. Leap,	Wm. Coughlin,	A. Kingsbury,
"	A. Brownell,	R. W. Goodrich,	J. Dresser,
"	G. C. Pease,	J. C. Hagle,	J. C. Lauer,
"	H. Jordan,	John H. Dana,	Alvah Rice,
"	Paul Gilman,	Thomas Campbell,	Thomas Callister,
"	John S. Stott,	A. Wagner,	Peter Koons,
"	Seymour Coley,	H. McQuatters,	Ber. Horcheler,
"	John Parshall,	H. V. Stellar.	
<i>Chief Engineer Fire Dep't,</i>	George B. Harris,	No. 58 Kent-st.	
<i>1st Assistant Engineer,</i>	John McMullen,	No. 47 Edinburgh-st.	
<i>2d " "</i>	Jeremiah Twaige,	No. 10 Platt-st.	
<i>3d " "</i>	Friend W. Hine,	No. 35 Exchange-st.	
<i>4th " "</i>	Samuel M. Stewart,	No. 31 Delavan-st.	
<i>Coroners,</i>	John Quin,	No. 78 North-st.	
"	Oscar T. Brown,	Cor. Dean & John-sts.	
"	F. Reichenbach,	No. 24 King-st.	
<i>Assessors,</i>	Francis Dana,	No. 136 Broadway.	
"	Jared Coleman,	Cor. State & Ambrose-sts.	
"	David McKay,	No. 5 High-st.	

CONSTABLES.

WARDS.	NAMES.	RESIDENCES.
1st.	Addy W. Van Slyck,	No. 17 Allen-st.
2d.	Morris Bortle,	No. 83 John-st.
3d.	Richard L. Swift,	No. 39 Greig-st.
4th.	Russell W. Goodrich,	No. 11 Galusha-st.
5th.	Isaac V. Moshier,	No. 18 Ward-st.
6th.	Aronah Foster,	Young-st.
7th.	Elijah Jordan,	No. 24 Union-st.
8th.	John E. Wells,	Brown-st.
9th.	Samuel Brown,	White-st.
10th.	John Charles,	No. 64 North-st.
11th.	Peter Koons,	
12th.	Nicholas H. Smith,	No. 30 Griffith-st.

INSPECTORS OF ELECTION.

WARDS.	NAMES.	WARDS.	NAMES.
1st.	{ P. G. Buchan, R. Dransfield. John T. Fox.	2d.	{ John Boehm.
3d.	{ Cole C. See. Elijah Bottum. Lucian B. King.	4th.	{ John E. Morey. Wm. McCarthy. Elijah K. Blyth.
5th.	{ Wm. Guggenheim. Thomas Purcell. David C. Alling.	6th.	{ John R. Fellman. Samuel G. Crane. Thomas G. Murphy.
7th.	{ Wm. I. Hanford. Wm. H. Gorsline. Patrick H. McMahon.	8th.	{ James Orr. Wm. Robinson. Daniel D. Lynch.
9th.	{ Wm. Hageman. John Daniels. Patrick Moran.	10th.	{ David Wagner. Wm. H. Evans. Peter F. Rhines.
11th.	{ Frederick Zimmer. Wm. L. Gifford. Joseph Felix.	12th.	{ Price T. Turner. John A. Meyer. Wilson D. Oviatt.

CITY DIRECTORS OF GENESEE VALLEY RAILROAD.

S. W. D. Moore,

Wm. Mudgett,

H. S. Fairchild.

COMMISSIONERS OF AVENUES.

Commissioner of East Avenue—Belden R. McAlpine.

Commissioner of West Avenue—Henry B. Knapp.

Commissioner of Lake Avenue—Reuben P. Benton.

COMMISSIONERS OF DEEDS.

M. Chapin,	Delos Wentworth,	H. Sargent,
J. A. Eastman,	P. S. Wilson,	Geo. T. Parker,
Geo. B. Harris,	R. D. Jones,	G. W. Stebbins,
E. B. Shepardson,	John J. Bowen,	J. M. Bardwell,
Z. L. Davis,	L. Barhydt,	William Abbott,
F. S. Rew,	L. Adams,	M. G. Warner Jr.,
E. H. Griffin,	Geo. L. Hawkins,	P. B. Hulett,
H. C. Bloss,	E. S. Lewellyn,	J. W. Stebbins,
J. B. Bennett,	Wm. H. Andrews,	C. S. Baker,
Wm. L. Ingraham,	A. C. True,	H. F. Hatch,
R. Penny,	Geo. Truesdale,	Jno. McConvill,
J. Cutler,	E. Trimmer,	A. Mandeville,
Thos. B. Husband,	H. E. White,	J. Alleyn,
J. Van Voorhis,	S. W. Updike,	H. S. Fairchild,
Alfred G. Mudge,	W. F. Holmes,	Jno. E. Morey,
C. S. Collins,	P. G. Buchan,	G. W. Humphrey,
D. Wood,	H. A. Brewster,	Geo. B. Brand,
Wm. Moore,	E. Knickerbocker,	A. B. Benedict,
J. Gunnison,	H. Campbell,	Mont. Rochester,
J. P. Beck,	W. N. Emerson,	J. C. Campbell,
G. G. Griswold,	C. D. Tracy,	P. M. Crandall,
H. Hunter,	J. Alexander,	J. Morrison,
W. C. Storrs,	E. K. Blyth,	C. N. Simmons,
J. R. Vosburgh,	J. K. Anderson,	J. Rau,
A. H. Jones,	C. Jordan,	A. W. Miller,
C. Perry,	T. B. Hamilton,	H. Banker,
P. Burns,	D. B. Beach,	D. C. Ellis,
M. Filon,	H. J. Egleston,	G. G. Cooper,
L. Farrar,	D. D. Lynch,	L. Ernst,
O. E. Castle,	W. J. McPherson,	H. Hebing,
B. D. McAlpine,	F. DeLano,	A. W. Fanning,
J. C. Cochrane,	J. Wegman,	O. L. Angevine,
W. H. Moore,	W. Gibbons,	James Gallery,
H. D. Scrantom,	Wm. M. Lewis,	C. J. Powers,
Geo. P. Draper,	K. J. Holmes,	J. Regua.

LEGISLATIVE DEPARTMENTS.

ALDERMEN.

WARDS.	NAMES.	RESIDENCES.	TERM EXPIRES.
1st.	{ Wm. Mudgett,	No. 12 Elizabeth-st.	1860.
	{ Wm. F. Holmes,	No. 35 N. Sophia-st.	1861.
2d.	{ Geo. W. Perry,	No. 22 Frank-st.	1860.
	{ Benj. Butler,	No. 74 " "	1861.
3d.	{ Wm. A. Reynolds,	No. 100 S. Fitzhugh-st.	1860.
	{ Wm. Hollister,	Hubbell Park.	1861.
4th.	{ George W. Lewis,	Corner S. Clinton & Court.	1860.
	{ Henry S. Hebard,	No. 7 Howell-st.	1861.
5th.	{ Lawson B. Twitchell,	No. 134 N. St. Paul-st.	1860.
	{ Nehemiah C. Bradstreet,	Corner N. St. Paul & Andrews-sts.	1861.
6th.	{ David W. Perry,	No. 125 N. Clinton-st.	1860.
	{ John C. Nash,	Nassau-st.	1861.
7th.	{ Aaron Erickson,	East Avenue.	1861.
	{ Henry G. Moore,	Corner Pearl & Alexander-sts.	1860.
8th.	{ Henry B. Knapp,	No. 277 West Avenue.	1860.
	{ Newell A. Stone,	No. 4 Reynolds-st.	1861.
9th.	{ Lewis Selye,	No. 290 Lake Avenue.	1860.
	{ John Lutes,	No. 323 " "	1861.
10th.	{ Abram H. Jones,	No. 112 North-st.	1860.
	{ George Shelton,	No. New Main-st.	1861.
11th.	{ Louis Bauer,	No. Lyell-st.	1860.
	{ John C. Mason,	No. " "	1861.
12th.	{ Henry Billinghamst,	No. 2 W. Alexander-st.	1860.
	{ Wm. T. Cushing,	No. 77 " "	1861.

<i>Board of Health,</i>	The Mayor,	No. 249 West Avenue.
" "	Alderman Hebard,	No. 7 Howell-st.
" "	Alderman Knapp,	No. 277 West Avenue.
" "	Henry Scrantom,	No. 8 Bowery.
" "	Simon L. Brewster,	No. 45 S. Clinton-st.
" "	Ambrose Cram,	No. 33 Allen-st.

SCHOOL COMMISSIONERS.

WARDS.	NAMES.	RESIDENCES.
1st.	{ Alfred G. Mudge, Paul W. Garfield,	No. 17 Fitzhugh-st. No. 10 " "
2d.	{ James H. Kelly, Edwin R. Hall,	No. 39 Frank-st. Corner Centre & Frank-st.
3d.	{ Wm. H. Groot, Joseph A. Eastman,	No. 36 High-st. No. 7 Atkinson-st.
4th.	{ George W. Rawson, John Wegman,	No. 59 Chestnut-st. No. 29 S. Clinton.
5th.	{ Bart. O' Brien, Wm. Goggin,	No. 93 Main-st. No. 15 Andrews-st.
6th.	{ James E. Haydon, John Gilligan,	No. 44 Andrews-st. No. 30 St. Joseph-st.
7th.	{ Reuben Cook, Jarvis W. Hatch,	No. 40 Marshall-st. No. 4 Alexander-st.
8th.	{ Edgar Knickerbocker, J. Hugh McDonough,	No. 32 King-st. No. 27 Reynolds-st.
9th.	{ Joseph E. Conway, Joseph Qualtrough,	No. 15 Vincent Place. No. 113 Jones-st.
10th.	{ James Kingsley, Wm. M. Lewis,	No. 118 East Avenue. No. 52 Delavan-st.
11th.	{ Wm. L. Gifford, Niram Mordoff,	No. 10 Jay-st. No. 17 Jay-st.
12th.	{ Michael Canfield, John M. Bardwell,	Corner Cayuga & Jefferson-sts. No. 126 Mt. Hope Avenue.

SUPERVISORS.

WARDS.	NAMES.	RESIDENCES.
1st.	Benj. M. Baker,	No. 12 N. Fitzhugh-st.
2d.	Hamlet D. Scrantom,	No. 155 State-st.
3d.	Amon Bronson,	No. 75 Plymouth Avenue.
4th.	Octavus P. Chamberlain,	Cor. Chestnut & Court-sts.
5th.	Wm. W. Bruff,	No. 4 Pleasant-st.
6th.	Geo. C. Maurer,	No. 48 Joiner-st.
7th.	Matthew G. Warner,	No. 36 S. Union-st.
8th.	Joel B. Bennett,	No. Genesee-st.
9th.	Oliver L. Angevine,	No. 325 Lake Avenue.
10th.	Hubbard W. Jones,	Cor. New Main & Gibbs-st.
11th.	Francis A. Adelman,	Campbell-st.
12th.	Philip J. Meyers,	No. 48 South Avenue.

STANDING COMMITTEES.

Finance—The Mayor, Ald. Reynolds, Erickson, Holmes.

Streets and Bridges—The Mayor, Ald. Knapp, Lewis, Hollister.

Support and Relief of the Poor—The Mayor, Ald. Stone, Mudgett, Billinghamurst.

Fire Department—The Mayor, Ald. Lewis, D. W. Perry, Butler.

Public Lamps—Ald. D. W. Perry, Lutes, Knapp.

Sewers—The Mayor, Ald. Shelton, Bradstreet, Nash.

Markets—Ald. Mason, Bauer, Billinghamurst.

Opening and Alteration of Streets—Ald. Mudgett, Selye, Twitchell.

Contingent Expenses—The Mayor, Ald. Hebard, Butler, Bradstreet.

Law—The Mayor, Ald. Nash, Selye, Holmes.

Amendments of City Charter—The Mayor, Ald. Jones, Reynolds, Twitchell.

Schools—Ald. Cushing, Butler, Bauer.

Ordinances and Rules—Ald. Twitchell, Moore, Jones, G. W. Perry.

City Property—Ald. Butler, Knapp, Mudgett.

Grievances—The Mayor, Ald. Bradstreet, Shelton, Stone.

Public Health—Ald. Holmes, Shelton, Cushing.

Public Improvements—The Mayor, Ald. Selye, Reynolds, Hebard, Erickson.

Excise—The Mayor, Ald. Lutes, D. W. Perry, Stone.

Hackney Coaches and Cabs—Ald. Bauer, Hebard, Hollister.

Police—Ald. G. W. Perry, Lutes, Mason.

Mount Hope—Ald. Billinghamurst, Nash, Cushing.

Wooden Buildings—Ald. Hollister, Mason, G. W. Perry.

NOTARIES PUBLIC.

Geo. E. Jennings,

L. W. Clark,

T. B. Hamilton,

J. H. Smith,

J. Thompson, Jr.,

A. G. Melvin.

R. G. Murray, Jr.,

Jno. H. Rochester,

F. S. Rew,

Geo. C. Maurer,

W. R. Leonard,

R. L. Dakin,

G. H. Haas,

Geo. Truesdale,

B. F. Young,

E. B. Wheeler.

SUPERVISORS OF TOWNS.

TOWNS.	NAMES.	TOWNS.	NAMES.
<i>Brighton,</i>	H. Holden.	<i>Clarkson,</i>	
<i>Chili,</i>	E. J. Reed.	<i>Gates,</i>	E. M. Parsons.
<i>Greece,</i>	Simon Butts,	<i>Henrietta,</i>	H. Diver,
<i>Irondequoit,</i>	John Smyles.	<i>Mendon,</i>	T. H. Holden.
<i>Ogden,</i>	Enoch Arnold.	<i>Parma,</i>	Abner J. Wood.
<i>Penfield,</i>	Jas. Harris.	<i>Perinton,</i>	A. Dickinson.
<i>Pittsford,</i>	D. Kingsley.	<i>Riga,</i>	Geo. Brown.
<i>Rush,</i>		<i>Sweden,</i>	C. White.
<i>Union,</i>	E. Barringer.	<i>Webster,</i>	H. H. Holt.
<i>Wheatland,</i>	E. Finch.		

IN COMMON COUNCIL,

1859—60.

In Common Council, April 4, 1859.

ORGANIZATION OF THE NEW BOARD.

Present—His Honor the Mayor, Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, D. W. Perry, Nash, Billinghamurst, Cushing, Knapp, Stone, Selye, Lutes, Fairchild, Shelton, Bauer, Mason.

Absent—Ald. G. W. Perry.

Prayer by Rev. Geo. D. Boardman.

The Mayor elect, the Hon. Samuel W. D. Moore, then delivered the following Inaugural address:

Gentlemen of the Common Council:

The duties you are called upon to perform require careful and considerate attention. They directly concern the growth and prosperity of our city, and consequently the well being and happiness of every citizen. When these duties are faithfully and properly administered, the city and all classes of its inhabitants prosper, and their faith in municipal legislation is strengthened.

Members of county, city and town Boards, act under the immediate observation and scrutiny of their constituents. They are not like legislators acting at a distance from those by whom they were elected, and upon matters about which personally they know nothing, so liable to be trampled by an outside pressure, which clamors for favors for the few at the expense of the many.—There is abundant evidence that the purity of legislation is not enhanced by removing the legislator from direct and immediate responsibility to those for whom he acts. It is earnestly hoped that the labors of the present Board will be such as shall meet the decided commendation of those who hopefully cherish the extension of home legislation.

By a wise provision of our charter, one half of the former Board constitute an equal proportion of the present. They have, therefore, by experience that practical knowledge of the public interests so essential to the correct dispatch of business. We all have a common interest which is, and should be, to promote the public welfare; and by mutual efforts our labors may be made serviceable to the best interests of our constituents, and pleasant and agreeable to ourselves.

The duties and responsibilities of an Alderman are onerous, and at times exceedingly perplexing. Much time and attention must necessarily be given to official duties; but when those associated together exercise a kindly feeling, each striving to assist rather than embarrass his associates, that effort which otherwise would be a burthen not easily borne becomes pleasant and comparatively light.

A great variety of public interests come within the scope of our action. The particular means

and methods of promoting them will generally be suggested by circumstances, and the facts pertaining to each case as they arise from time to time. I would, however, beg to call your attention to a few of the more important matters which will claim your attention—prominent among which is the subject of public improvements that call for local assessments.

The substantial improvement of all main avenues leading to the city is of vital importance. All such as are not in good condition should be improved as speedily as due regard to the convenience of tax payers will warrant. There can be no question in regard to investments made in improving streets. The enhancement of the value of the property taxed, far exceeds the outlay. Nevertheless, many tax payers, by being pressed to pay an assessment, might hazard the loss of their homestead; especially would this be so, on the streets remote from the centre of business. Property in business localities, being generally held by persons of abundant means, there would seem to be no reason why streets thus situated, should be left in a dilapidated condition.

I would also call your attention to the importance of well lighted streets. It should be done to the extent of the fund allowed for that purpose, for in addition to the comfort and convenience afforded, it is of great importance as a police regulation. Offences against persons, or property, are seldom committed in well lighted streets.

The health of the city demands that the most rigid sanitary measures be adopted. Every street and alley should immediately be placed in a cleanly condition, and all nuisances promptly abated.

Intimately connected with these measures, in a sanitary point of view, is proper sewerage. The health of the city is greatly dependant upon a perfect and extended system of sewerage. Very much has been done in this department already, and more is demanded. Buffalo street sewer discharges into the river at Main st. bridge. It has been in contemplation heretofore to change the outlet, by a sewer through Front street, to a point below the high Falls. No argument is necessary to commend this improvement to your favorable consideration. If the streets are permitted to remain filthy for weeks and months, and gutters become the receptacle of garbage and kitchen refuse it is idle to expect sewers to avert the natural consequences of such neglect.

The comfort, to say nothing of the prevention of disease, of having dry grounds and cellars, is so thoroughly appreciated by our citizens, that they submit to be taxed sewerage, perhaps more cheerfully, than for almost any other local improvement. This subject has elicited much discussion and investigation here and elsewhere.

And I take this occasion to remark that I have been informed that circular glazed pipes, made of material similar to fire brick, are much used in European cities for sewerage purposes, and they have been used with decided success in some of our western cities. Such pipes, I believe, are less liable to obstructions, may be put down with less inclination, and at much less cost, than those ordinarily constructed. I recommend an investigation in regard to their cheapness and efficiency.

The Fire Department has been reorganized the past year, and is now effectively serving the city upon all occasions when required; and I regret to add that the occasions for its assistance have lately been alarmingly frequent. This Department has now an excellent corps of Engineers—good officers, and active and efficient men in the several companies. They deserve, and I have no doubt will receive, your cordial aid and cooperation. If the amendments to the City Charter should be passed, you will be able to place the several companies in a position to combat successfully the devouring element.

Our Public Schools are in a prosperous condition. The liberality of our citizens, and the care and attention bestowed upon these institutions of learning, have placed them in a position of which we may well be proud. The school houses erected during the last few years are commodious and well furnished, and are a credit and ornament to the city. Though the Board of Education have the immediate charge and control of the schools, yet the duty of furnishing the requisite funds for their successful operation devolves upon the Common Council.

Very great importance is justly attached to securing and maintaining an efficient Police. To this force our citizens look not only for the protection of life and property, but for the general preservation of morality and good order. An increased number of Policemen seems almost to be necessary, in view of the extent of territory they are required to supervise. The Police Fund, however, being overdrawn, rigid economy in this department is demanded. Yet to limit the force to a number insufficient for the protection of the city, would be anything but true economy. It will be my aim to select men for this branch of service who shall be, in every sense of the word, trustworthy, and adapted to the duties of their position, and to hold them to the strictest accountability for the faithful discharge of their duties. I shall be ready at all times to cooperate with you in any plans that may promise to promote economy in the management, or the efficiency of this department.

The Poor Fund has a large credit balance, and the management of it during the last year seems to have been highly judicious. The past winter has been one of unusual mildness, and extremely favorable to the unfortunate who are compelled to look to the city for aid. "The poor ye have with you always," and in dispensing the funds provided for their assistance, great care is necessary to guard against imposition. Without this the unworthy may be encouraged in idleness, and the truly unfortunate and deserving be neglected.—When assistance is rendered it should be done with kindness. Kind words cost nothing, and if fitly spoken may do more to soothe the distress of a crushed and broken spirit, and encourage to renewed exertion, than liberal material aid.

For a statement of the several city funds, I will refer you to the published report of the City Treasurer. The exhibit presented demands a careful perusal.

At a recent meeting of citizens considerable discussion was had in regard to amending, or entirely revising the City Charter, and it was suggested that some competent person or persons be commissioned to perform that duty. I regard it as exceedingly desirable that some course be taken to put an end to the constant alterations and amendments of the Charter. So accustomed to change has the Charter become, that the Common Council deem it as incumbent on them to submit amendments during the session of the Legislature, as do city officials to clean the streets before the first Tuesday in March. Change of circumstances, as well as experience in its practical working, have doubtless made some amendments desirable. If it should be thought best to have a thorough revision of the Charter, I would suggest a provision that amendments shall not be made oftener than once in five years.

Economy in the various funds of the city should at all times be observed. Especially should this point be urged and carefully kept in view at the present time. We have just passed through a period of great financial embarrassment—every branch of industry has seriously suffered. Large numbers of mechanics and other laborers, have been thrown out of employment; their resources if not entirely cut off, have been greatly curtailed. Taxation, always a seeming burthen to many, becomes, under circumstances like the present, a stern reality. No extravagance or wastefulness on our part should give occasion for increasing the load now so difficult to be borne.

The large and yearly accumulating debt of the city, admonishes us to guard faithfully against a further increase of it. This growing indebtedness and consequent increase of taxation, may alarm our capitalists, and property holders, and unless a different line of policy shall be pursued, will very soon affect the prosperity of our city. The attractions which have heretofore made Rochester a desirable place of residence, may be outweighed by a fear of the excessive demands of the tax-gatherer.

The several funds should in no case be overdrawn. It is to be hoped that this principle will hereafter be rigidly adhered to. It is unwise, and an act of great injustice, for one board to leave debts for its successor to pay, or provide for.—Much of the funded debt of the city is made up of these unpaid balances, accruing from year to year.

Our constituents demand, and confidently expect, an economical administration of the affairs committed to our charge. We need not be penurious, but should carefully guard against extravagant or unnecessary expenditures.

Permit me to call your attention to the importance of prompt action on the part of committees. In bodies like this, business is often greatly delayed and embarrassed, by suffering the work of committees to be put off until the last hour, before a meeting.

Prompt attendance at meetings of the Board is of the utmost importance, if we would dispatch business to the best advantage. In many respects it is better to be absent entirely, than dilatory in attendance. Punctuality obviates late sessions.

I have thus, gentlemen, briefly alluded to some of the more prominent subjects that will claim your attention. Some of you have large experience in municipal affairs, and can render very essential aid in bringing to the knowledge of the Board such matters as should demand its consideration.

In the immediate discharge of my duties, as your presiding officer, I can only promise an honest endeavor to do all in my power to lighten your labors, and to promote harmony and unity of action in our counsels, trusting I may never swerve from that fairness and impartiality you have a right to expect of me.

Your aid and counsel, at all times, is most earnestly desired, and will always be cordially received and duly appreciated. And I ask at your hands a charitable construction upon any errors I may commit. There always have been—there always will be—differences of opinion in a body like this, in regard to may subjects claiming its attention. Men may be honest and differ in opinion, and we are in honor bound to concede to our associates the same honesty of purpose—the same desire to promote the public welfare we ask for ourselves.

Important interests, such as involve the safety, prosperity and happiness of a city of fifty thousand inhabitants, are committed to our charge.—It is hoped that our duties may be so performed that our constituents shall never have reason to regret the high trusts with which they have seen fit to clothe us; and especially may we so meet our responsibilities, that our own consciences will never reproach us, either with intentional error or neglect of duty.

PETITIONS AND ACCOUNTS.

By Ald. Knapp—Petition of Jesse Howland and M. Benjamin. Table.

By Ald. Shelton—Petitions of D. Knickerbocker, J. Franklin, T. B. Collins, M. Bills, and J. Quin. Table.

By Ald. Reynolds—Resolved, That the Rules and Orders of the previous Board are hereby adopted as the Rules and Orders of the present Board until otherwise ordered. Adopted.

On motion of Ald. Selye the Board proceeded to the transaction of

EXECUTIVE BUSINESS.

By Ald. Lewis—Resolved, That the Board proceed to ballot for a City Clerk. Adopted.

A ballot was had and

Francis S. Rew received.....12 votes

C. N. Simmons " 9 "

F. S. Rew was declared appointed.

By Ald. Hebard—Resolved, That the Board proceed to ballot for a City Superintendent.—Adopted.

A ballot was had and

Richard D. Howell received.....13 votes.

H. Deffendorf " 3 "

E. H. Munn " 3 "

W. H. Groot " 1 "

" 1 "

Total.....21

Richard D. Howell was declared appointed.

By Ald. D. W. Perry—Resolved, That the Board proceed to ballot for a Clerk of the Market.—Adopted.

A ballot was had, and

Frederick Alexander received....18 votes.

Frederick Zimmer " 2 "

Thomas Davis " 1 "

By Ald. Knapp—Resolved, That the Board proceed to designate by ballot a person with whom a contract shall be made to act as Attorney and Counsel for the city for the ensuing year. Adopted.

A ballot was had, and

John Van Voorhies received.....13 votes.

John M'Convill " 3 "

J. L. Angle " 3 "

H. Hunter " 1 "

Blank " 1 "

John Van Voorhies was declared duly designated as such person.

By Ald. Reynolds—Resolved, That the Board proceed to ballot for an Overseer of the Poor.—Adopted.

A ballot was had, and

Jonathan Child received.....17 votes.

Hiram Banker " 3 "

W. H. Groot " 1 "

Jonathan Child was declared appointed.

By Ald. Fairchild—Resolved, That the Board proceed to ballot for a City Surveyor. Adopted.

A ballot was had, and

Charles R. Babbitt received.....17 votes.

Silas Cornell " 3 "

W. H. Groot " 1 "

Charles R. Babbitt was declared appointed.

By Ald. Cushing—Resolved, That the Board proceed to ballot for a Messenger to the Common Council. Adopted.

A vote was had, and

H. A. Perry received.....17 votes.

E. H. C. Griffin " 1 "

W. H. Groot " 1 "

J. Franklin " 1 "

Tom Grannis " 1 "

H. A. Perry was declared appointed.

By Ald. Shelton—Resolved, That the Board proceed to ballot for a Commissioner of Mt. Hope. Adopted.

William Brewster received.....12 votes.

B. M. Baker " 6 "

H. Stilwell " 1 "

Blank " 2 "

By Ald. Selye—Resolved, That for the purpose of locating the City Physicians, the city be divided into four Districts—two on the east side of the river, to be divided by Main street, and two on the west side, to be divided by Buffalo street. Adopted.

By Ald. Stone—Resolved, That the Board proceed to ballot on one ticket for two City Physicians for the East Side of the River. Adopted.

A ballot was had and

Humphrey B. Sherman received....18 votes

T. B. Collins "15 "

Brower " 6 "

J. F. Whitbeck " 2 "

Jared Newell " 1 "

Humphrey B. Sherman and T. B. Collins were declared appointed City Physicians for the East Side of the River.

The Board balloted, on one ticket, for two City Physicians for the West Side of the River, and

T. F. Hall received.....17 votes

Azel Backus "19 "

C. Vaile " 3 "

G. W. Avery " 1 "

Blank " 1 "

T. F. Hall and Azel Backus were declared appointed City Physicians for the West Side of the River.

By Ald. Fairchild—Resolved, That the Board proceed to ballot for a German Physician.—Adopted.

A ballot was had and

Frederick Reichenbach received....20 votes

Gerhard Arink " 1 "

Frederick Reichenbach was declared elected.

By Ald. Lewis—Resolved, That the Board proceed to ballot for an additional German Physician for the East Side of the River. Adopted.

A ballot was had and

Gerhard Arink received.....	17	votes
Dr. Miller "	2	" "
Dr. Keuchling "	1	" "
Dr. Collins "	1	" "

Gerhard Arink was declared elected.

By Ald. Mudgett—Resolved, That the Board now proceed to ballot for an Irish Physician for the whole city.

Ald. Stone moved as an amendment that the Board proceed to ballot for a Comptroller. Amendment adopted.

As thus amended adopted.

A ballot was had when

J. E. Pierpont received.....	13	votes
C. T. Amsden "	7	" "
H. B. Sherman "	1	" "

J. E. Pierpont was declared elected.

Ald. Stone moved that the Board proceed to ballot for two Health Physicians.

Ald. Mudgett moved as an amendment that the Board ballot for four Health Physicians. Lost.

Ald. Bradstreet moved that the Board proceed to ballot for one Health Physician. Lost.

The resolution offered by Ald. Stone was then adopted.

A ballot was had, when William H. Briggs, for the East side of the River, received 14 votes; George W. Avery, for the West side of the River, received 18 votes.

William H. Briggs and George W. Avery were declared appointed.

By Ald. Nash—Resolved, That the Board proceed to ballot for six members of the Board of Health. Adopted.

A ballot was had, when

Henry B. Knapp received.....	15	votes.
Henry S. Hebard "	16	" "
Henry Scramton "	13	" "
John Crombie "	13	" "
S. L. Brewster "	13	" "
Ambrose Cram "	16	" "

The above persons were declared appointed members of the Board of Health.

By Aid. Nash—Resolved, That the Board proceed in a body to the Depot at 6:50 this evening, and receive the remains of the late John Allen, formerly Mayor, bring them to this Hall and deposit them here to remain till the time for interment, and that this Board attend the funeral in a body.

Adopted unanimously.

On motion of Ald. Reynolds, adjourned to Tuesday evening, April 5th, at 7½ o'clock.

C. N. SIMMONS, Clerk.

In Common Council—April 5, 1859.

REGULAR MEETING.

His Honor the Mayor, Presiding.

Present—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, D. W. Perry, Nash, Billingham, Cushing, Knapp, Stone, Selye, Lutes, Fairchild, Shelton, Bauer, Mason.

Absent—Ald. G. W. Perry.

The minutes of the previous meeting were approved as published.

PETITIONS AND CLAIMS.

By Ald. Reynolds—Of S. F. Butler, to erect a Wood Office on the corner of Buffalo and Washington streets. Referred to Com. on Wood Buildings.

By Ald. Lewis—Report of City Superintendent for March. Referred to Street Committee.

By Ald. Stone—Of F. C. Whittlesey and others, for grading Francis street, and building Plank walk. Referred to Improvement Committee.

Report of Overseer of the Poor, disbursements for month of March. Referred to the Poor Committee.

By Ald. Lutes—Of Isaiah Bunker, for leave to erect a Woodshed adjoining his house on State street or Lake avenue, Referred to Committee on Wooden Buildings.

By Ald. Shelton—Of H. Miller and others, for J. C. Holyland, leave to erect a barn. Committee on Wood Buildings.

Of O. Leonard and others, to erect Wood addition to his house, No. 8 Asylum street. Same reference.

Of James Hubbell and others. Referred to the Board of Health.

Of Chas. Mulford and others, for a sewer on New Main street. Referred to Sewer Committee.

By Ald. Mudgett—Account of A. G. Wheeler, for costs on suit of People vs. Thomas Burrows, and another. Referred to Law Committee.

COMMUNICATIONS FROM CITY OFFICERS.

Report of Police Justice for March. Amount of fines received, \$16.

Ald. Reynolds presented the following communication from C. T. Amsden, in reference to the appointment of City Comptroller:

To the Honorable, the Mayor and Common Council of the City of Rochester:

In the month of June last the undersigned was appointed City Comptroller, to which office he duly qualified and entered upon its duties.

At the meeting of your Honorable Body held yesterday, it appears from the proceedings as published, that J. E. Pierpont was appointed to the same office.

The undersigned claims, that his term of office does not expire until the expiration of three years from the time of his appointment, in which case no vacancy existed, consequently the appointment of Mr. Pierpont must have been illegal.

If the undersigned is correct in this position, it would be improper for him to deliver the books and securities of his office to Mr. Pierpont, but if wrong, he will cheerfully surrender.

Your action in the premises is respectfully invited.

C. T. AMSDEN.

ROCHESTER, April 5, 1859.

BRICK WALK IN BUFFALO STREET.

On motion of Ald. Selye, the board proceeded to hear allegations in relation to constructing a brick walk in front of the Hospital lot on the west side of Buffalo street. No person appearing to make allegations, Ald. Selye submitted the following:

AN ORDINANCE, to construct a Brick Walk on the south side of Buffalo street, in front of the Hospital lot, (late West Cemetery).

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

A Brick Side Walk, fourteen feet wide shall be constructed on the south side of Buffalo street, from the end of the cross walk at the alley on the east side of the Hospital (late West Cemetery) lot, to the west line of said Hospital lot.

And the whole expense thereof 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-Five Dollars, which estimate was and is hereby approved. The sum of three 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: The Hospital (late West Cemetery) lot, on the south side of Buffalo street; on which above described portion of the city, the said sum of three hundred and twenty-five dollars is hereby ordered to be assessed. And David McKay, Jared Coleman and Francis Dana, three of 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 Friday, the 8th day of April, 1859, at ten o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote: Ayes—Messrs. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, D. W. Perry, Nash, Billinchurst, Cushing, Knapp, Stone, Selye, Lutes, Fairchild, Shelton, Bauer and Mason.

Nays—None.

IMPROVING FRANCES STREET.

On motion of Ald. Selye, the Board proceeded to hear allegations in relation to Grading Frances Street, and constructing Plank Walks from Buffalo street to Clifton street. No person appearing to make allegations, Ald. Selye submitted the following:

AN ORDINANCE, to improve Frances Street, from Buffalo street to Clifton street.

The Common Council of the City of Rochester do ordain and determine that Francis Street from Buffalo street to Clifton street, shall be improved as follows: grading the same and constructing a Plank Walk six feet wide on each side.

And the whole expense thereof 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 Hundred and Seventeen Dollars, which estimate was and is hereby approved. The sum of Six Hundred and Seventeen 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 Francis street from Buffalo street to Clifton street; on which above described portion of the city, the said sum of six hundred and seventeen dollars is hereby ordered to be assessed. And David McKay, Francis Dana and Jared Coleman, three of 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 Friday, the 8th day of April, 1859, at ten o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote: Ayes—Messrs. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, D. W. Perry, Nash, Billinchurst, Cushing, Knapp, Stone, Selye, Lutes, Fairchild, Shelton, Bauer and Mason.

Nays—None.

MILL STREET IMPROVEMENT.

Ald. Selye presented the assessment roll for the improvement of Mill street from Mumford st. to the north end of the improvements recently made by Messrs. Reynolds and Simpson, and moved that hearing of appeals therefrom be postponed until the next regular meeting, April 19th, and that the Clerk publish notice thereof. Motion adopted.

Ald. Fairchild presented the ordinance for laying water-pipes and constructing reservoirs, as described below, and moved that the consideration of the same be postponed until the next regular meeting, April 19th, when allegations will be heard. Motion adopted.

LAYING WATER PIPES IN AQUEDUCT STREET, BUFFALO STREET AND FRONT STREET.

Laying iron water pipes, six inches in diameter, from Childs' Basin through Aqueduct street to Buffalo street; thence through Buffalo street to Front street; thence through Front street to Mumford street, and constructing in Front street, between Mumford and Buffalo street, two new reservoirs ten feet wide by twenty feet long, and the bottom to be sixteen feet below the surface of the street; and also repairing three old reservoirs, which will be supplied by said pipe.

LAYING WATER PIPES IN FITZHUGH STREET.

Laying iron water pipes six inches in diameter, from the reservoir in front of the City Hall across Buffalo street to Fitzhugh st.; thence in Fitzhugh street to Ann street, and constructing in Fitzhugh street, between Buffalo street and Ann street, four new reservoirs ten feet wide by twenty feet long, and the bottom to be sixteen feet below the surface of the street.

LAYING WATER PIPES IN EXCHANGE, STATE AND ANN STREETS.

Laying iron water pipes six inches in diameter, from Childs' Basin to Exchange street; thence through Exchange street and across Buffalo street to State street; thence in State to Ann st.; thence in Ann street to the Ann street reservoir; and constructing in State street, between Buffalo street and Ann street, five new reservoirs ten feet wide by twenty feet long, and the bottom to be sixteen feet below the surface of the street.

Ald. D. W. Perry presented the ordinance for constructing a stone sewer three feet square along the line of the N. Y. Central Railroad, from the centre of Chatham street to the Genesee river, and moved that the consideration of the same be postponed until the next regular meeting, April 19th, when allegations will be heard. Motion adopted.

Ald. Reynolds presented the ordinance for constructing a sewer in State street, from a point sixty feet north of Jay street, to the White street sewer, and, after hearing allegations from all persons appearing, moved that the further consideration of the same be postponed until the next regular meeting, April 19th. Motion adopted after the following discussion:

Ald. Reynolds said State street, between Jay and Smith streets, is not improved, for the reason that there is no sewer there, and owners of property are unwilling that the improvement should be made until the sewer is laid. Residents on that part between Smith and White streets oppose the sewer—between Smith and Jay streets they are nearly unanimous in favor of it.

Ald. Lutes said the only proper outlet is to go through to White street. The McAdam between Smith and White streets can be taken up and relaid, and no loss sustained.

Ald. Selye said that those who want a sewer at all, want it to be ten feet in depth. Property-holders who do not require it are desirous for it, so that the street may be improved. He had tried to have a cheap improvement without a sewer, but some of the property-holders are not willing to have such an one. Mr. Sharp is about to erect a block of buildings there, and requires a sewer.—So far as the dwellings are concerned, they did not need it. It will be of use to that portion of State street whenever they do build. The present sewer is of plank, and liable to give way. He would like to get rid of constructing a sewer down to White street, but he did not know exactly how to avoid

it. He would postpone it till the next regular meeting. Agreed to.

UNFINISHED BUSINESS.

The report on James Sharp's claim for a building destroyed by order of the Chief Engineer, to prevent the spread of a fire, was called up, and Ald. Hebard explained the substance and ground for the claim. The resolution gives \$200 to the claimant. He moved that the resolutions lie over until the next meeting. Agreed to.

MISCELLANEOUS.

By Ald. Fairchild—The following preamble and resolution:

Whereas, For many years past, the tax-payers of the outer wards have justly complained of the manner in which the Highway Fund has been expended; and whereas, it is generally admitted, even by those residing in the more central portion of the city, that the outer wards have received but a very small portion of the amount paid by them for highway purposes, saying nothing about the much larger amount assessed to them for the Police and Lamp Fund, from which they receive no direct benefit; and whereas, past experience justifies a strong belief, to say the least, that unless some special provision is made for the protection of the tax-payers of these long neglected wards, their rights will ever remain, as heretofore, unnoticed and unprotected. Therefore

Resolved, That the sum of five hundred dollars be appropriated and paid out of the Highway Fund to each of the several wards of this city, for the benefit of the highways and sewers in said wards, respectively, to be expended under the direction of the Street Committee, by the advice and consent of the Aldermen of the respective wards; and that the balance of the Highway Fund be and it is hereby appropriated for cleaning the city by the City Superintendent, under the direction of the Street Committee, and for paying the necessary salaries appertaining to the street department of the City Government.

By consent, laid on the table until the next meeting.

By Ald. Fairchild—Resolved, That the Mayor be authorized to appoint as policemen a number equal to the representation of two in each ward.

Ald. Selye moved that the resolution lie on the table. He preferred to consult with the Mayor, and ascertain his views.

Ald. Fairchild thought the present number too limited, and supposed this the usual way of designating the proper number.

Ald. Stone had not consulted with the Mayor, but he thought the number of policemen should be fixed at once, for the public safety and the peace of the Mayor.

Ald. Hebard feared the police fund would be insufficient.

Ald. Holmes advocated the resolution. The city requires a strong police force. Ruffianism is too ripe to permit of delay.

Ald. Fairchild said the resolution did not require the Mayor to appoint any particular number, but limited him to a certain number.

Ald. Selye withdrew his motion.

Ald. Lewis inquired how many were appointed last year.

Members replied twenty.

The resolution was adopted.

By Ald. Fairchild—Resolved, that the Treasurer pay Chas. Patterson Fifty Dollars, in full, for his contract to keep a supply of water in the Erie Canal for Fire purposes, and charge Fire Department

fund, when there are funds in the Treasurer's hands.

Ald. Reynolds asked if there had been previous payments.

Ald. Fairchild replied that this was the balance of \$200 to which the contract entitled him.

The resolution was adopted. All ayes.

Ald. Reynolds, from the Contingent Expense Committee, reported in favor of the account of James Palmer, for the use of rooms for election purposes, and moved its reference to the Finance Committee for payment. It was so referred.

By Ald. Reynolds—Resolved, That the Treasurer pay as follows: Geo. Gardiner, for services as constable, subpoenaing witnesses in suit of McFarland vs. the City, \$1.

James Palmer, use of rooms for election purposes in the 4th ward, and charge Contingent fund, \$18 00. Adopted. All ayes.

By Ald. Shelton—Resolved, That the Overseer of the Poor be required to execute a Bond, in the penalty of One Thousand Dollars, as required by the "Ordinance regulating the Support of the Poor." Adopted.

By Ald. Shelton—Resolved, That the Clerk of the Market be required to execute a Bond, with the penalty of One Thousand Dollars, for the faithful discharge of the duties of said office. Adopted.

By Ald. Holmes—Resolved, That the Superintendent of Streets be and is hereby required to repair North Sophia street, between Buffalo and Ann streets, immediately.

Referred to Street Committee with power.

By Ald. Reynolds—Resolved, That the Treasurer make the city's note for fifteen thousand dollars, payable at the Monroe County Bank, at four months from date, and get the same discounted, and charge the discount to Contingent Fund.—Adopted.

By Ald. Reynolds—Resolved, That a committee of three be appointed, of which His Honor the Mayor be one, to procure carriages and make other arrangements deemed necessary, in connection with the funeral obsequies of Hon. John Allen.—Adopted.

The Mayor appointed Ald. Shelton, Lewis and Holmes the committee under the above resolution.

By Ald. Reynolds—Whereas, When the books and papers belonging to the city were removed from the old Clerk's Office into the present one, a large quantity of miscellaneous papers, the accumulations of nearly forty years, were deposited in the under cupboards, in a condition wholly unavailable for any useful purpose of reference; and whereas, the City Clerk has during the past year assorted, re-arranged and filed them in a convenient form for future reference,—prompted to do so by his observation of the frequent occasions in which committees of the Common Council have occasion to examine the old city and village records, in the discharge of their duties, though not properly devolving on him in the discharge of the duties of his office; and whereas, the said Simmons has also performed a large amount of other labor, in copying assessment rolls, and performing other duties, for which there are many precedents in former years to pay the Clerk extra compensation; therefore

Resolved, That Charles N. Simmons be allowed and paid the sum of — dollars, in full for said service, and that the Clerk draw an order on the Treasurer for that amount, chargeable to Contingent Fund.

Ald. Fairchild moved to fill the blank with \$200.

Ald. Selye moved \$300.

Ald. Holmes moved \$500.

Ald. Stone was in favor of the largest sum. The universal testimony was that he had been exceedingly courteous as well as faithful, and had performed a great amount of extra labor, not actually incumbent upon him. He knew the ordinary duties of Clerk were really laborious and exacting.—He was in favor of the largest sum.

Ald. Reynolds was prompted, in offering this resolution, by observation of the duties performed by Mr. Simmons, in arranging the papers, and he gladly accorded to him the merit of having done his duty faithfully. He would be quite satisfied with the smaller sum named, and he (Ald. R.) would vote for that and against the larger sum.

Ald. Holmes thought the work of arranging those papers was worth \$500.

Ald. Stone did not believe that proper economy was exemplified in cutting down the pay of officers.

Ald. Hebard hoped the larger sum would not be passed, for the sake of Mr. Simmons.

Ald. Nash regarded it as an unwise and unsafe thing to set an improper precedent. We had already paid the Treasurer \$600 above his salary.—He had no doubt that Mr. Simmons had been one of the best Clerks the city ever had, and he was quite willing to pay the smaller sum.

Ald. Knapp and Ald. Selye advocated liberal reward to the Clerk. Clerks had heretofore been paid extra for extending the tax rolls, and Mr. Simmons had not received it.

The motion to fill the blank with \$500 was lost, as follows:

Ayes—Ald. Mudgett, Holmes, Lewis, Bradstreet, D. W. Perry, Cushing, Stone, Selye, Lutes—9.

Nays—Ald. Butler, Reynolds, Hollister, Hebard, Twitchell, Nash, Billingham, Knapp, Fairchild, Shelton, Bauer, Mason—12.

The motion to fill the blank with \$300 was carried. Ayes 13, nays 3—Ald. Hollister, Hebard and Nash.

Ald. Reynolds' resolution was then adopted; all ayes.

Ald. Reynolds presented an invitation from the Mayor and Common Council of Brooklyn, to the Mayor and Council of this city, to join them in celebrating the introduction of water into that city, on the 27th April inst., and moved the following resolution:

Resolved, That the thanks of this Board be returned to the Mayor and Council of the city of Brooklyn, for their kind and cordial invitation to join them in celebrating an event so auspicious and of so much importance to the welfare of that city; and that the Clerk of this Board communicate to the Mayor and Council of Brooklyn our acceptance of the invitation. Resolution adopted.

By Ald. Holmes—Resolved, That J. B. Bennett have permission to construct a plank walk on the east side of Washington street in front of his lot, according to the grade to be given by the City Surveyor, if done within twenty days, and in accordance with the ordinance applicable thereto. Adopted.

Ald. Holmes offered the following:—Resolved, That a motion to adjourn shall always be in order at 10 o'clock, without reference to the business before the Board.

After some explanations, the resolution was withdrawn for the present.

By Ald. D. W. Perry—Resolved, That the owners and occupants of property on the west side of Joiner street, from Atwater to Kelly street, repair

their sidewalks forthwith, under the direction of the City Superintendent. Adopted.

By Ald. Shelton—Resolved, That the City Surveyor furnish the grade for sidewalk on New Main street as soon as possible. Adopted.

The Mayor announced that the funeral of the late John Allen would take place at 10 o'clock, and it was desirable that all the members of the Board should be present.

Ald. Holmes moved that the members of the Common Council meet in their Chamber at 10 o'clock, for the purpose of attending the funeral. Carried.

The Mayor announced the following

STANDING COMMITTEES.

Finance—Messrs. Reynolds, Fairchild, Holmes.

Streets—Messrs. Knapp, Lewis, Hollister.

Support and Relief of Poor—Messrs. Stone, Mudgett, Billingham.

Fire Department—Messrs. Fairchild, D. W. Perry, Lewis.

Public Lamps—Messrs. D. W. Perry, Lutes, Knapp.

Sewers—Messrs. Shelton, Bradstreet, Nash.

Markets—Messrs. Mason, Bauer, Billingham.

Opening and Alteration of Streets—Messrs. Mudgett, Selye, Twitchell.

Contingent Expenses—Messrs. Hebard, Butler, Bradstreet.

Law—Messrs. Nash, Selye, Holmes.

Amendments of City Charter—Messrs. Lewis, Reynolds, Twitchell.

Schools—Messrs. Cushing, Butler, Bauer.

Ordinances and Rules—Messrs. Twitchell, Fairchild, G. W. Perry.

City Property—Messrs. Butler, Knapp, Mudgett.

Grievances—Messrs. Bradstreet, Shelton, Stone.

Public Health—Messrs. Holmes, Shelton, Cushing.

Public Improvements—Messrs. Selye, Reynolds, Hebard.

Excise—Messrs. Lutes, D. W. Perry, Stone.

Hackney Coaches and Cabs—Messrs. Bauer, Hebard, Hollister.

Police—Messrs. G. W. Perry, Lutes, Mason.

Mt. Hope—Messrs. Billingham, Nash, Cushing.

Wooden Buildings—Messrs. Hollister, Mason, G. W. Perry.

By Ald. Reynolds—Resolved, That His Honor the Mayor, be added to the following Standing Committees, viz:

Committee on Finance.

“ “ Streets and Bridges.

“ “ Support and Relief of the Poor.

“ “ Contingent Expenses.

“ “ Law.

“ “ Public Improvements.

“ “ Amendments to City Charter.

“ “ Fire Department.

“ “ Sewers.

“ “ Grievance.

“ “ Excise.

Adopted.

The Board then adjourned.

FRANCIS S. REW, Clerk.

In Common Council, April 19, 1859.

REGULAR MEETING.

Present—The Mayor, Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, D. W. Perry, Nash, Billingham, Cushing, Knapp, Stone, Selye, Lutes, Fairchild, Shelton, Bauer, Mason.

Absent—Ald. Geo. W. Perry.

The minutes of the previous meeting were read, and on motion of Ald. Lewis, amended by inserting a resolution to appoint the Mayor a member of the Excise Committee.

PETITIONS AND CLAIMS.

By Ald. Mudgett, of H. Banker, late Overseer of the Poor, for compensation for extra services.—Laid on the table.

By Ald. Hollister, of various persons, for leave to erect and move wood buildings. Committee on Wood Buildings.

By Ald. Reynolds, of Jason Baker, County Treasurer, for payment of a draft on the City Treasury. Finance committee.

Of I. S. Hobbie & Co., to supply wooden pipes for conducting water to reservoirs.

Of O. H. Palmer, remonstrance of New York Central Railroad Co., against making a sewer along their track. Sewer Committee.

Of John Brown, for pay for a horse lost by falling through an opening in a sewer in Hunter's Alley. Law committee.

Ald. Hebard said this was reported on adverse-ly last year.

By Ald. Reynolds—A claim for an unpaid county tax on the lot of House for Truant Children.—Account of Addy Van Slyck, services as Constable. Law committee.

Ald. Reynolds presented a communication from the Finance Committee, relating to accounts audited by the previous Board of Health. Table.

By Ald. Lewis—Bill of C. V. Jeffries, for hack hire and other expenses attending the funeral of the late John Allen. Finance committee.

Petition of citizens of 6th ward for sewer in Atwater st. Sewer committee.

Petition for plank walk on east side of South st. Improvement committee.

By Ald. Hebard—Account of J. Siddons & Co., for fifty street lamps. Lamp committee.

Of owners of property in 4th and 7th wards for continuance of South Clinton st. to Cayuga st.—Committee on opening streets.

Of Josiah M. Fisk & Co., relating to side walk on east side of State st., from Furnace st. to the railroad. Grievance committee.

By Ald. Twitchell, of Geo. M. Heburger and others, for grading and plank walk on Lowell st. Improvement committee.

By Ald. Bradstreet, of Wm. Carroll and others, for sewer in North St. Paul st. Sewer com.

Of M. Alcott and others, for improvement of Franklin st. Public improvement com.

By Ald. Cushing, of M. Coreran and others, remonstrance against the erection of a wooden shanty on Manhattan st. Com. on wood buildings.

Of F. Roch and others, for improvement of Gregory st. Improvement committee.

By Ald. Mudgett—Account of P. Leonard, for hack hire. Contingent expense com.

By Ald. Nash—Communication from E. B. Wheeler, asking for a gallery to be placed on the south side of Court of Appeals library. City Property Committee.

Of James Gallery and others, for a sewer in Brown street. Sewer Committee.

Of Wm. Donnelly, former Street Superintendent, for relief. Law Committee.

By Ald. Perry—Account of Wm. Kidd & Co., for lamp posts. Lamp Committee.

By Ald. Billingshurst—Of Mrs. Mary Enos, for relief. Grievance Committee.

By Ald. Knapp—Of Red Jacket Fire Co. No. 5, for an appropriation. Fire Department Committee.

Of C. Perry, for leave to grade Denning street. Street Committee.

By Ald. Lutes—Account of Jacob Stryker, salary and disbursements at the Police-office. Police Committee.

By Ald. Mason—Of W. E. Hasson, for materials and lighting public lamps on Oak street. Lamp Committee.

By Ald. Bauer—Of Arnold & Seitz, for meat market at 208 East avenue. Market Committee.

Of citizens of Lyell, Orchard and Lime streets, for a sewer in Lyell street, through Orchard and Lime streets, to Saxton street sewer. Sewer Committee.

By Ald. Fairchild—Of citizens of East avenue, for reservoir on corner of the Avenue and Union street. Fire Department Committee. Also for a sewer from Prince street to the city line. Sewer Committee. Account of Perkins' Band, for music at the funeral of John Allen. Contingent Expense Committee. Of John C. Prior, ringing alarm bells; J. W. Phillips, coal; W. Delany, claim for damages; W. Hollister & Co., for lumber; R. A. Hall, bell-ringing; Stewart & McBurnes, repairs to engine-houses; Wm. Dobson, claim for damages; L. M. Blakeslee, bell-ringing; proceedings of Engine Cos. Nos. 5, 6 and 7; for addition to house on Asylum street. Fire Department Committee.

By Ald. Shelton—Of G. W. Perry and others, for removal of obstructions in Otsego street. Street Committee. Of N. Aylsworth and others, for a sewer in Otsego street. Sewer Committee.

REPORTS OF COMMITTEES.

Ald. Reynolds, from the Finance Committee, reported that the committee had made arrangements with Freeman Clarke, Esq., of the Monroe County Bank, for the bank account of the city for the ensuing year. Table.

Ald. Knapp reported the bill of the Street Superintendent, and moved its reference to the Finance Committee for payment. Agreed to.

Ald. Hollister reported favorably on various petitions to erect and remove wood buildings. Table.

Ald. Nash reported in favor of the claim of C. Jordan, for costs in the suit of City vs. Barrens, and that the amount of costs be paid. Table.

By Ald. Lutes—In favor of the claim of Jacob Stryker. Referred to Finance Committee.

EXPULSION OF FOREMAN OF FIRE CO. NO. 6.

Ald. Fairchild, from the Fire Department Committee, submitted the following report:

TO THE MAYOR AND COMMON COUNCIL OF THE CITY OF ROCHESTER—Gentlemen:—The Fire Department Committee, to whom was referred the annexed communication of the Chief Engineer, reporting J. B. White, Foreman of Fire Engine Co. No. 6, for disobeying the orders of Assistant Engineer Stewart at the fire at Genesee Valley Railroad depot, on the night of 31st March, respectfully report:

The committee met at the Mayor's office, and called the Chief Engineer and Assistant Engineer Stewart, also Mr. J. B. White, Foreman of Engine Co. No. 6, and heard their several statements, Mr. White admitting that he refused to obey the order.

Your committee are of the opinion that all fires the orders of the Engineers should be promptly and strictly obeyed by all officers of Companies, and if they refuse to obey such orders, the Common Council should take immediate action; they therefore offer the following resolution:

Resolved, That J. B. White, Foreman Fire Engine Co. No. 6, be and is hereby expelled from the Fire Department.

S. W. D. MOORE,
H. S. FAIRCHILD,
D. W. PERRY,
GEO. W. LEWIS.

THE ROCHESTER CITY HOSPITAL.

Ald. Reynolds presented the following report on the petition of the Trustees of the Rochester City Hospital:

TO THE MAYOR AND COMMON COUNCIL OF THE CITY OF ROCHESTER:—The undersigned, a Committee of the Rochester City Hospital, respectfully represent, that by resolutions of your honorable body, passed May 24, 1855, the property known as the Alms House property, belonging to the city, was pledged and appropriated to the Rochester City Hospital, on certain conditions in the said resolutions expressed. The undersigned further represent, that they have now fully performed, or are prepared to perform, all the conditions mentioned in said resolutions, and are desirous of availing themselves of the fund therein mentioned for the purposes therein expressed. They therefore pray for the appointment of a proper Committee from your body, to confer with the undersigned, in order that upon receiving a satisfactory report from such Committee, the fund in question may be transferred and conveyed to the Rochester City Hospital. Rochester, March 15, 1859.

G. H. MUMFORD,
JACOB GOULD,
(per E. M.)
FREDERICK STARR,
EDWARD M. SMITH,
WM. PITKIN.

TO THE HONORABLE THE MAYOR AND COMMON COUNCIL OF THE CITY OF ROCHESTER:—The Special Committee to which was referred a communication from the Trustees of the Rochester City Hospital, beg leave to submit the following Report:

The Trustees in their communication ask that certain property in lands and contracts, known as the "Alms House Property," and all money received for the sale of portions of said property, heretofore appropriated to the "Rochester City Hospital," by resolution of the Common Council, on certain conditions, be now conveyed, assigned, and paid over to the Trustees thereof, they claiming to have complied, or that they are now ready to comply, with the conditions on which the appropriation and grant was made.

Accompanying the communication of the Trustees, are schedules of lots belonging to the Alms House property, unsold; amount received by the City Comptrollers for portions of said property which have been sold, and amount due on contracts for lots sold, prepared for them by Mr. Joseph Alley.

The subject of providing a City Hospital has occupied the attention of the Common Council and the citizens of Rochester, at various times in years past, and several different plans have been proposed to attain the object. With the plans and measures heretofore proposed, many of our citizens are familiar; and some of the members of this Board, while members of the Common Council in former years, engaged earnestly and actively in efforts to devise some feasible plan to secure the purchase or erection of suitable buildings for the purposes of a City Hospital.

To most of the members of the present Board, the subject, as now presented, will probably be new, and as the action which the Trustees of the

Rochester City Hospital desire the Common Council to take, is of considerable importance, your Committee have thought it advisable to present somewhat in detail the action that has heretofore been taken by the Common Council on this subject, that all may act understandingly in the premises.

In 1838, the then Common Council engaged with commendable zeal in the project of providing an Alms House, or Work House, for the city; a public stock was created, denominated the "Alms House Stock," and bonds of the city to the amount of \$30,000, were issued and sold, the avails to be used in the purchase of land and the erection of buildings for that purpose. Proposals were received for the sale of suitable grounds for the purpose, and on the 25th of June, 1839, propositions were accepted by the Common Council for the purchase of land on Monroe street, for \$3,100. Plans for buildings were procured and adopted, and at this point the subject seems to have received a quietus, and nothing further was done by the Common Council that became a matter of public record, till June, 1844, when a Committee of five members of the Common Council was appointed, with instructions to report at the next meeting of the Board, the most feasible plan of disposing of the Alms House property, and constructing the proposed Alms House buildings on the new Hay-Market Lot.

Another committee was appointed July 7th, 1845, consisting of three, to report a plan for the erection of an Alms House in the city.

And still another committee of three was appointed February 18, 1846, to select a location on the Hay Market lot for the contemplated Work House or Alms House buildings.

With this committee the whole subject of building a Work or Alms House, on that property, seems to have died; and on the 20th of April, 1847, the Commissioners of the Sinking fund, (now designated "the Comptroller,") under the direction of the Alms House Committee, was directed to procure an allotment, and map of the Alms House property, and he was directed to sell it at auction, at such limitations as to price, and such terms of credit, (not exceeding ten years,) as he should think best for the city.

The "Rochester City Hospital" was incorporated by an Act of the Legislature passed May 7th, 1849.

Some preliminary steps were taken during this year in relation to Hospital buildings, but no definite action had, and on the 10th of April, 1850, the following amendment to the City Charter was passed by the Legislature:

§ 144. "The Common Council may sell the real estate known as the Alms House property, and with the avails thereof, and the avails of the bonds and contracts heretofore received on the sale of portions of said property, and now held, may purchase, erect and provide a hospital for the accommodation of the sick."

October 14th, 1851, a petition was presented to the Common Council to allow St. Luke's Church to build a church on the Western Cemetery lot; and another from the Rochester Female Charitable Society, for a Public Hospital on the same lot; both of which were referred to a Select Committee, consisting of Aldermen Briggs, Bronson and Holmes.

November 13th 1851, the Trustees of the "Rochester City Hospital" petitioned the Common Council to convey the Western Cemetery to that Asso-

ciation, for the purpose of a site for a Hospital.— Referred to the same committee.

This committee made a report on the foregoing petitions Nov. 25th, 1851, adversely as to all but that of the Rochester City Hospital. They conclude their report by recommending that the prayer of the petition be granted; provided the Trustees will undertake to fence and take care of the Cemetery grounds until they can obtain releases from the owners of lots, and remove the monuments and remains of the dead. A copy of this report is appended.

The Trustees of the Hospital accepted a dedication of the cemetery, on the conditions imposed in the foregoing report, Dec. 9th, 1851.

A deed or conveyance, prepared by the City Attorney, was presented for the consideration of the Common Council, Dec. 23d, 1851, and approved by resolution, as follows:

By Ald. Holmes—Resolved, That the Mayor be and he is hereby directed to execute, on behalf of the city of Rochester, a deed or conveyance of the old cemetery lot on Buffalo street to the Rochester City Hospital; that said deed or conveyance be in the form presented to this Board by the City Attorney this evening; provided the Directors of said Hospital shall cause the cemetery to be fenced by the first of June next.

A copy of this conveyance is also appended.

The Common Council approved of a plan for a fence to be built around said grounds, June 25th, 1852.

The Trustees built the fence in accordance with said plan, which now surrounds the grounds, and adopted measures to obtain releases of the lots from persons who held leases from the city, but they found the subject environed with difficulties. Many of those to whom leases had been executed were dead or had removed to parts unknown, and others yet residing here were unwilling to release, and but little progress was made in extinguishing the claims of those holding leases from the city; and nothing further appears to have been done of much importance on the part of the city in relation to the Hospital, till March 20th, 1855, when Ald. Shelton moved resolutions, authorizing the City Comptroller to sell the Alms-house property, remaining unsold, at public auction, and pay over the proceeds of such sale, as well as all monies and securities heretofore received from the sale of portions of said Alms House property to the Rochester City Hospital, upon certain conditions to be performed by the Trustees, prior to such transfer. These resolutions (a copy of which is herewith submitted) were referred to a Select Committee, consisting of Ald. Bronson, Shelton and Marsh.

This Committee made a report March 27th, 1855, reciting the history of the Western cemetery, its then condition what action the Common Council had taken respecting it, the Act of Incorporation of the Rochester City Hospital, the Amendment of the Charter authorizing the use of the Alms house property with which to build or provide a Hospital—the then present value of the property supposed to be about \$7,000—and recommending that the property be transferred and paid over to the Trustees of the Hospital for the erection of buildings on the Cemetery lot—a copy of which Report is also submitted herewith.

At a special meeting of the Common Council held May 24th, 1855—On motion of Ald. Robins, resolutions were adopted directing the Comptroller to pay over to the Trustees of the Rochester City Hospital all moneys heretofore received for the sale of portions of the Alms house proper-

ty, and all contracts, bonds, &c., in his hands, received for, or on account of, said property, and the City Comptroller was also directed to sell the remaining lots of the Alms house property and pay the proceeds over to the Trustees of the Hospital—but before any such payments were made, the Trustees were to execute a bond to the City, to expend the said monies, &c., for the erection of Hospital buildings—and to raise the sum of five thousand dollars, for the same purpose within one year, or return all the monies and securities received from the city, on demand—and conditioned that said Hospital shall at all times be open for the reception and treatment of the sick poor of the City. These resolutions were adopted, and a Select Committee consisting of Ald. Robins, Pancost and Clarke appointed to confer with the Trustees to settle in detail the spirit of these resolutions.

In June, 1855, the Cemetery property was sold for an assessment of \$338 39 for the construction of the Canal and Buffalo street sewer, and bid in by the City.

An Act was passed by the Legislature April 3, 1857, to enable the Trustees of the Hospital to acquire title to the lots which had been sold, and for which releases had not been obtained—the Act provides a summary process, somewhat like the provisions of the City Charter to acquire title to lands for opening and altering streets.

In addition to the \$338 39 above mentioned, the Cemetery property stands charged on the Treasurer's books, with the following sums, viz:

For Buffalo street Improvement,.....	\$640 30
“ Mechanic's square “.....	20 00
“ Side walk,.....	325 00

which sums are subject to interest, under the Charter, since they became due, at from 12½ to 15 per cent.—amounting in all to about \$1,500.

From all the foregoing it will be perceived that, while there have been obstacles and difficulties, occasioning much delay in the attainment of a purpose steadily pursued, the Common Council have not lost sight of the great importance of providing a Hospital for the sick poor of the City, nor have the Trustees of the Rochester City Hospital wavered in their purpose to supply that great desideratum.

Your committee recommend that the arrangements heretofore made, with the Trustees of the Rochester City Hospital, and the resolutions and action heretofore adopted by the Common Council, in relation to the transfer of the Alms House property to the said Trustees, be carried out and consummated in the spirit, in which they were originally adopted.

Your committee conclude their report with the following resolutions:

Resolved, That the whole subject matter embraced in this report, be referred to the Standing Committee of this Board on “Public Health and Hospitals,” with instructions to confer with the Trustees of the Rochester City Hospital, and when they shall receive satisfactory evidence, that the said Trustees have complied with or are prepared to comply with the conditions upon which the conveyance of the cemetery lot was made, and the transfer of the Alms House property and securities was ordered, that they be authorized to have the necessary papers executed, and transfers made, and that they report their doings to this Board for ratification and confirmation.

Resolved, That the City Comptroller on instructions to that effect from the committee aforesaid, be directed to transfer and assign and pay over to the Trustees of the Rochester City Hospital, all

articles, contracts and money in his hand belonging to the Alms House property, subject to a deduction for all claims the city has against the Western Cemetery for taxes and assessments, and when such transfers, assignments and payment shall be made, that he report to this Board in detail the amount of such transfers, assignments and payments.

W.A. REYNOLDS,
H. B. KNAPP.

Rochester, April 19, 1859.
Ald. Selye presented a communication from Hon. Wm. Buell in relation to a strip of land heretofore denoted to the city for public purposes. Referred to the Improvement Committee.

The Clerk reported a list of acceptances of persons appointed to officers under the city charter, on the 4th of April. All had accepted, with the exception of John Crombie, member of the Board of Health.

The Clerk presented a Report from P. G. Buchan, Esq., former city Attorney, in relation to the City's title in certain lots on the corner of Monroe and Nelson-sts. The necessary proceedings have not been taken to perfect the title under sale. Referred to Finance Committee.

ACTION ON ORDINANCES.

STATE STREET IMPROVEMENT.

Ald. Reynolds presented the ordinance for improving State-st., from Buffalo-st. to the North line of the New York Central Railroad, by setting curb of Medina stone in line with the present curb stones; paving the roadway with Medina stone, and constructing a suitable number of cross-walks; and moved that the further consideration of said ordinance be postponed until the regular meeting of this Board, June 14th next. Motion adopted.

ASSESSMENTS.

Ald. Selye presented the assessment rolls for the following named improvements, and moved that the next regular meeting of this Board, May 3d, be fixed when appeals therefrom will be heard. Motion adopted.

Constructing a flag walk on the east side of State street, from Furnace-st. to the New York Central Railroad.

Improving Frances-st., from Buffalo-st. to Clifton street, by grading the same, and constructing a plank walk on each side.

Constructing a plank walk on the west side of West-st., from Bowery-st. to Atwater street.

Constructing a plank walk on the east side of Boliver street from Jay street to Smith street.

Constructing a plank walk on the south side of Washington Square.

Constructing a plank walk on the east side of Washington street, from Buffalo street to the Erie Canal bridge.

Constructing a plank walk on each side of Smith street, from Oak street to Whitney street.

Constructing a brick walk in front of the Hospital (late West Cemetery) lot, on the south side of Buffalo-st.

Constructing a plank walk on the south side of Phelps Avenue, from State-st. to Backus Avenue.

Improving East Avenue from New Main-st. to the East line of the city, by setting Medina curb stone, Macadamizing twenty feet wide in the centre and paving with cobble stone between the McA dam and curb stone.

Ald. Selye presented the assessment roll for the improvement of Mill-st., for confirmation. No one appearing to make allegations, the roll was confirmed. Ayes 21, noes 0.

SEWER IN STATE STREET.

On motion of Ald. Shelton, the Board proceeded to hear allegations in relation to constructing a Sewer in State street, as described in the ordinance below :

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

AN ORDINANCE,

To construct a sewer on the west side of State street from a point eight feet north of the north line of the Eagle Hotel property fronting on State street, to a point opposite the centre of Mumford street, thence across State street to the Mumford street sewer. Also, from a point 250 feet north from the centre of Mumford street to intersect the sewer leading across State street to the Mumford street sewer.

The Common Council of the City of Rochester do ordain and determine as follows : a stone sewer two feet wide and three feet high, and about fourteen feet deep, shall be constructed along the westerly side of State street, from a point eight feet north of the north line of the Eagle Hotel property fronting on State street, to a point opposite the centre of Mumford street; thence across State street to the Mumford street sewer. Also, a stone sewer of the same dimensions, and as deep as can properly drain into the Mumford street sewer, to be constructed along the westerly side of State street, from a point 250 feet north from the centre of Mumford street, to intersect the sewer leading across State street to the Mumford street sewer.

And the whole expense thereof 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 and Five Dollars, which estimate was and is hereby approved. The sum of Four Thousand and 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 west side of State street, from the north line of the Eagle Hotel property fronting on State street, to the south line of Ann street."

On which above described portion of the city, the said sum of Four Thousand and Five Dollars is hereby ordered to be assessed. And David McKay, Francis Dana and Jared Coleman, 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 Friday, the 22d day of April, 1859, at ten o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote : Ayes—Ald. Mudgett, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, D. W. Perry, Nash, Billingshurst, Cushing, Knapp, Stone, Selye, Lutes, Fairchild, Shelton, Bauer and Mason—0.

Nays—Ald. Holmes.

SEWER IN STATE STREET, BETWEEN JAY AND WHITE STREETS.

On motion of Ald. Shelton, the Board proceeded to hear allegations in relation to constructing a Sewer in State street from a point sixty feet north of Jay street, to the White street sewer.

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

AN ORDINANCE,

To construct a sewer in State street, from a point sixty feet north of Jay street to the White street sewer.

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

A stone sewer two by two and a half feet and about nine feet deep shall be constructed in State street, commencing at a point sixty feet north of the north line of Jay st., and extending to White st. sewer.

And the whole expense thereof 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 and Thirty Six Dollars, which estimate was and is hereby approved. The sum of Two Thousand and Thirty-Six 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 a point sixty feet north of the north line of Jay street to White street; one tier of lots on each side of Smith street from State street to Brown's Alley; also, one tier of lots on each side of Lyell street, from State street to the east line of Brown's Alley and a point opposite."

On which above described portion of the city, the said sum of Two Thousand and Thirty-Six Dollars is hereby ordered to be assessed. And David McKay, Jared Coleman and Francis Dana, 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 Friday, the 22d day of April, 1859, at ten o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote: Ayes—Ald. Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, D. W. Perry, Nash, Billingshurst, Knapp, Stone, Selye, Lutes, Fairchild, Shelton, Bauer and Mason. Noes—Ald. Mudgett, Holmes, Cushing.

SEWER IN NEW MAIN STREET.

By Ald. Shelton—Resolved, That the City Surveyor submit to this Board, an estimate of the expense of constructing a Stone Sewer in New Main street, from the cross-walk running across New Main street at the east line of Franklin street to the Court and Williams street outlet sewer at its intersection with New Main street at Alexander street; said sewer to be two feet by three feet in dimensions, and of such depth as the sewer committee may direct. Adopted.

The Surveyor submitted such estimate.

By Ald. Shelton—Resolved, That the following improvement is expedient, namely: constructing a stone sewer in New Main street from the cross-walk, running across New Main street at the east line of Franklin street to the Court and Williams streets outlet sewer at its intersection with New Main street at Alexander street; such sewer to be two feet by three feet in dimensions, and of such depth as the sewer committee may direct.

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 \$7,227 31, which estimate is hereby approved;

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

"One tier of lots on the north side of New Main street from the east line of Franklin street to a point opposite the west line of Alexander street; also, one tier of lots on the south line of New Main street from the east line of East Avenue to the west line of Alexander street."

And the Clerk is hereby directed to publish notice in pursuance of section 190 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 3d, 1859, at half-past seven o'clock, at the Common Council Hall, when allegations will be heard.

Adopted by the following vote—Ayes, Messrs. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, D. W. Perry, Nash, Billingshurst, Cushing, Knapp, Stone, Selye, Lutes, Fairchild, Shelton, Bauer and Mason. Noes—None.

PLANK WALK IN SOUTH STREET.

By Ald. Selye—Resolved, That the City Surveyor ascertain and report to this Board, an estimate of the expense of constructing a Plank Walk six feet wide on the east side of South street from the street next south of and adjoining Washington Square to Jackson street. Adopted.

The Surveyor submitted such estimate.

By Ald. Selye—Resolved, That the following improvement is expedient, namely: Constructing a Plank Walk six feet wide on the east side of South street from the street next south of and adjoining Washington Square to Jackson 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 \$72 25, which estimate is hereby approved.

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

"One tier of lots on the east side of South street from the street next south of and adjoining Washington Square to Jackson street.

And the Clerk is hereby directed to publish notice in pursuance of section 190 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 3d, 1859, at half-past seven o'clock, at the Common Council Hall, when allegations will be heard.

Adopted by the following vote—Ayes, Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, D. W. Perry, Nash, Billingshurst, Cushing, Knapp, Stone, Selye, Lutes, Fairchild, Shelton, Bauer and Mason. Noes—None.

PLANK SIDE WALK IN STATE STREET.

By Ald. Selye—Resolved, That the City Surveyor ascertain and report to this Board an estimate of the expense of constructing a Plank Side Walk six feet wide, on the east side of State street from Ambrose street to Vincent Park. Adopted.

The Surveyor submitted such estimate.

By Ald. Selye—Resolved, That the following improvement is expedient, namely: constructing a Plank Side Walk six feet wide on the east side of State street from Ambrose street to Vincent Park.

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 \$280 70, which estimate is hereby approved.

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

"One tier of lots on the east side of State street from Ambrose street to Vincent Park."

And the Clerk is hereby directed to publish notice in pursuance of section 190 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 3d, 1859, at half-past seven o'clock, at the Common Council Hall, when allegations will be heard.

Adopted by the following vote—Ayes, Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, D. W. Perry, Nash, Billingshurst, Cushing, Knapp, Stone, Selye, Lutes, Fairchild, Shelton, Bauer and Mason. Noes—None.

Ald. Fairchild presented the ordinance for laying water-pipes and constructing reservoirs, as described below, and moved that the consideration of the same be postponed until the next regular meeting, May 3d, when allegations will be heard. Motion adopted.

LAYING WATER PIPES IN AQUEDUCT STREET, BUFFALO STREET AND FRONT STREET.

Laying iron water pipes, six inches in diameter, from Childs' Basin through Aqueduct street to Buffalo street; thence through Buffalo street to Front street; thence through Front street to Mumford street, and constructing in Front street, between Mumford street and Buffalo street, two new reservoirs ten feet wide by twenty feet long, and the bottom to be sixteen feet below the surface of the street; and also repairing three old reservoirs, which will be supplied by said pipe.

LAYING WATER PIPES IN FITZHUGH STREET.

Laying iron water pipes, six inches in diameter, from the reservoir in front of the City Hall across Buffalo street to Fitzhugh street; thence in Fitzhugh street to Ann street, and constructing in Fitzhugh street between Buffalo street, and Ann street, four new reservoirs ten feet wide by twenty feet long, and the bottom to be sixteen feet below the surface of the street.

LAYING WATER PIPES IN EXCHANGE, STATE AND ANN STREETS.

Laying iron water pipes, six inches in diameter, from Childs' Basin to Exchange street; thence through Exchange street and across Buffalo street to State street; thence in State street to Ann street; thence in Ann street to the Ann street Reservoir; and constructing in State street, between Buffalo street and Ann street, five new Reservoirs ten feet wide by twenty feet long, and the bottom to be sixteen feet below the surface of the street.

THE FIFTH AND SIXTH WARDS RAILROAD SEWER.

Ald. Shelton presented the second ordinance for a sewer in the Fifth and Sixth Wards, along the N. Y. Central Railroad.

Ald. D. W. Perry suggested its reference to the Sewer Committee, with instructions to negotiate with the Central Railroad Co. for permission to build the sewer along their track.

The ordinance was postponed till the next regular meeting.

UNFINISHED BUSINESS.

Ald. Fairchild's resolution relating to the appropriation of the Highway Fund, was laid over until the next regular meeting.

Ald. Reynolds moved the reference of a communication from Charles H. Clark, late Mayor, in relation to the lines of Main-st., on the south side of Main-st. bridge. Referred to committee on Opening and Alteration of Streets.

The resolution to pay James Sharp \$200 for a building destroyed by order of the Chief Engineer at a fire on Magne street, January 24th, 1859, was called up.

Mr. Sharp was heard in behalf of his claim. He only asked half his actual damage.

Ald. Fairchild moved to amend, by charging the amount to the Contingent fund.

Ald. Hebard moved to refer to the Law committee. Lost: ayes 3, noes 18.

Ald. Nash moved to lay the matter on the table until the next meeting. Lost: ayes 2, noes 19.

Ald. Fairchild's motion was adopted, ayes 11, noes 10.

The resolution was adopted as follows:

Ayes—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Hebard, Twitchell, Bradstreet, Nash, Billighurst, Cushing, Knapp, Stone, Shelton, Bauer, Mason—17.

Noes—Ald. Lewis, D. W. Perry, Lutes, Fairchild—4.

SALARIES OF CITY OFFICERS.

Ald. Reynolds moved that the Board now proceed to fix the salaries of City officers. Agreed to: ayes 13, noes 8.

Ald. Reynolds moved that the salary of the Mayor be fixed at \$1,200. Agreed to.

Ald. Twitchell moved that the salary of the Clerk be fixed at \$900. Agreed to.

Ald. Knapp moved that the salary of the Street Superintendent be fixed at \$1,000. Agreed to.

By Ald. Hebard—Resolved, That His Honor the Mayor be authorized to contract with John Van Voorhis, Attorney at Law, to perform such services as may be required of him as Attorney and Counsel of the city for one year, for the sum of \$500.

Ald. Lewis moved that the sum be fixed at \$600. Lost: ayes 4, noes 17.

Ald. Hebard's resolution was adopted.

Ald. Nash moved that the salary of the Chief of Police be \$800. Agreed to.

Ald. Hollister moved that the Policemen be paid at the rate of \$44 per month. Agreed to.

By Ald. Stone—Resolved, That the salary of the Overseer of the Poor, Hon. Jonathan Child, be fixed at eleven hundred dollars for the present fiscal year, and that his duties be as prescribed in the ordinance relating to the duties of the Overseer of the Poor, passed August 12th 1856, or any modification or amendment thereof.

Ald. Bradstreet moved to amend, by striking out \$1100 and inserting \$1200. Lost: ayes 9, noes 12.

Ald. Stone's resolution was adopted.

By Ald. Fairchild—Resolved, That the salary of the Treasurer be fixed at \$2,200.

Ald. Holmes moved to amend, by striking out \$2,200 and inserting \$2,500. Lost: ayes 9, noes 12.

Ald. Fairchild's resolution was agreed to.

Ald. Butler moved that the salary of the Messenger be fixed at \$500. Agreed to.

Ald. Mason moved that the salary of the Clerk of the Market be fixed at \$400. Agreed to.

Ald. Shelton moved that the salary of the Comptroller be \$200. Agreed to.

Ald. Cushing moved that the salary of the Health officers be \$500. [Mr. Cushing, at a suggestion that there was a question as to the legality of the appointments of two Health officers withdrew his resolution. Ald. Shelton renewed it in the form following: That the sum of \$250 per annum be paid to each of the Health officers.]

Ald. Fairchild moved to lay the resolution on the table. Lost.

Ald. Lewis moved as a substitute, that Geo. W. Avery, Health officer of the city, be paid \$500.—Lost—Ayes 9; noes 12.

Ald. Shelton's resolution was adopted.

By Ald. Billighurst—Resolved, That the salary of City Physicians for the Poor, be fixed at \$250 each. Adopted.

By Ald. Perry—Resolved, That the salary of the German City Physicians for the Poor, be \$250 each. Adopted.

Ald. Lewis moved to amend by striking out \$250 and insert \$300. Lost—Ayes 5; noes 16.

By Ald. Reynolds—Whereas, When the Common Council in 1856 determined to make the office of City Surveyor a salary office, and proceeded to fix the salary and define the duties of the then incumbent of that office, the following order and resolution were adopted:

“Resolved, That the City Surveyor, Daniel Marsh's salary for the current year be fixed at seventeen hundred dollars; he furnishing at his own expense, all proper and necessary clerk hire, draughtsmen and assistants, and his duties shall be—

To make all surveys, measurements, estimates, maps and profiles of improvements of streets, alleys, bridges, sidewalks and sewers, and also of the opening of streets and alleys and surveys of city property. To prepare specifications of work to be let by the city, and when required by the Chairman of a committee to draw contracts for the same.

To make a complete register of all the streets and alleys in the city embracing a map or diagram of such streets, together with all previous particular survey and demarcation thereof which have been made by order of the Common Council or other authorities, laying out and defining or establishing streets and alleys; the register to give the length and width of streets, alleys and sidewalks.

To make a register of all the public sewers in the city, with the necessary diagrams and profiles thereof, showing the depth and size of such sewer, together with the original cost and time of their construction, so far as the same can be ascertained.

To prepare and put into portfolios, all the maps, diagrams, and profiles of streets, lots and sewers belonging to the city. When such maps and profiles are defaced or torn, they are to be backed with cloth or copied, as may be necessary to their preservation. A suitable index is to be prepared to all such portfolios.

All the ordinary business done by the Surveyors for the current year, is to be suitably delineated and described by maps and profiles, or otherwise, and the whole put into the appropriate registers and portfolios during the year, and he shall render all such Surveyors' services as may from time to time be required of him by the Common Council.”

Resolved, That the salary of the present City Surveyor, Charles R. Babbitt, for the current fiscal year, be fixed at seventeen hundred dollars, and that he be required to furnish at his own expense,

all proper and necessary clerk hire, draughtsmen, and assistants, and that his duties shall be substantially as prescribed and defined in the resolution and order aforesaid.

Ald. Lewis moved to amend by inserting \$2000 in place of \$1700. Lost. Ayes 8, noes 13.

Ald. Reynold's resolution was adopted.

By Ald. Nash—

Resolved, That the salaries awarded to the city officers, appointed by the Board, severally, are deemed full and adequate compensation for the proper and faithful discharge of their respective duties, ordinary and extraordinary; and that it is hereby distinctly understood and declared, that no extra charges or compensation will be paid by this Board to said officers, or any of them, for any services connected with, or pertaining to the duties of their respective offices.

Ald. Bradstreet moved to lay on the table.—Lost.

Ald. Holmes moved to strike out the word "extraordinary." Lost.

The Resolution was adopted. Ayes 11, noes 10.

Ald. Bradstreet moved to reconsider the vote fixing the salary of the Mayor. Agreed to, ayes 11, noes 10.

Ald. Bradstreet moved that the salary of the Mayor be fixed at \$1500. Agreed to, as follows;

Yeas—Ald. Mudgett, Holmes, Butler, Lewis, Bradstreet, Stone, Selye, Lutes, Fairchild, Shelton, Mason—11.

Nays—Ald. Reynolds, Hollister, Hebard, Twitchell, D. W. Perry, Nash, Billingham, Cushing, Knapp, Bauer—10.

Ald. Lewis moved to reconsider the vote fixing the salary of the City Treasurer. Lost, ayes 8, noes 13.

Ald. Holmes moved to reconsider the vote fixing the salary of the Overseer of the Poor. Lost—ayes 8, noes 13.

Ald. Lewis moved to reconsider the vote fixing the salary of the Messenger. Lost—ayes 4, noes 17.

MISCELLANEOUS BUSINESS.

By Ald. Mason—Resolved, That the City Superintendent be and he is hereby directed to construct a lateral sewer from the corner of Oak and Lyell streets, so as to drain the surface water into Lyell street sewer, and charge Highway Fund. Referred to Sewer Committee.

Ald. Mason presented a communication from Robert McIntyre, for the rescinding of a fine imposed by the Street Superintendent for placing stones in Jackson Street.

Ald. Selye moved to refer to the Grievance Committee.

Ald. Lewis moved to lay that motion on the table. Lost.

Ald. Selye's motion was lost—ayes 9, noes 12.

Ald. Reynolds moved to refer to the Law Committee. Agreed to.

By Ald. Bauer—Resolved, That the tax-payers to be assessed for constructing a sidewalk on both sides of Smith street, from Oak street to Whitney street, are hereby permitted to build their own walks, under the direction of the Street Superintendent, provided they do so within thirty days after the grade has been established by the City Surveyor; provided, also, they pay their proportion for assessing and surveying the same improvement. Laid on the table.

By Ald. Shelton—Resolved, That the Superintendent of Streets be and is hereby directed to put a lateral sewer and grate of suitable size, on

the northwest corner of Charlotte and East streets. Referred to Street Committee.

Resolved, That the time for laying the sidewalk on New Main street, by the owners of property thereon, be extended thirty days from this date.—Adopted.

By Ald. Fairchild—Resolved, That J. B. White, Foreman of Engine Co. No. 6, be and is hereby expelled from the Fire Department. Adopted—ayes 18, nays 3—Ald. Holmes, Butler and Lutes.

By Ald. Knapp—Resolved, That the City Surveyor is hereby directed to mark, by suitable stakes, the lines of Adams street between Reynolds street and Frances street; also, in like manner, the lines of Clay street, from Reynolds street to Frances street; and when done, the City Superintendent is hereby directed to remove all obstructions in said streets without delay. Lost.

By Ald. Knapp—Resolved, That the Street Superintendent be and is hereby directed to remove all obstructions from Otsego street, as complained of by petition presented to the Board this evening. Adopted.

By Ald. Knapp—Resolved, That the Clerk is hereby directed to procure from the Secretary of State a certified copy of the Charter Amendments lately passed, and also a copy of the law providing for a division of the Seventh Ward. Adopted.

By Ald. Nash—Resolved, That the Treasurer pay C. Jordan, attorney for Thomas Barrons and Thomas Barrons, Jr., the sum of \$103.60, the amount recovered by them in the Supreme Court against the People of this State, for costs on appeal, docketed on the 26th of March last, in a suit on recognizance brought by the Overseer of the Poor of this city, on his producing to the Clerk of this Board certificate of satisfaction thereof, on the docket, from the Clerk of the Court; and charge Contingent Fund. Adopted—all ayes.

By Ald. Nash—Resolved, That the owner of lot on the south-west corner of Main and Water sts., known as the Curtis property, be required forthwith to remove the brick and obstructions from the sidewalk and streets adjoining the same, and that on his refusal or neglect so to do, within the period of thirty days, that the City Superintendent cause the same to be removed at the expense of the city, which expense shall be chargeable to such lot, in pursuance of section 228, of the City Charter; and that the Clerk of this Board cause a copy of this Resolution to be served on the owner of said lot. Adopted.

By Ald. Nash—Resolved, That the owners and occupants of mill race in Water street, be required to cover the same, in such manner and with such materials as the street committee shall direct, within twenty days, and in case of their refusal or neglect so to do, the said Committee are hereby authorized and required to cause the same to be done forthwith, in pursuance of sections 50 and 51 of the City Charter. Referred to Improvement Committee.

By Ald. Perry—Resolved, That His Honor, the Mayor, be added to the Lamp Committee. Agreed to.

By Ald. Lewis—Resolved, That Francis H. Oriol be permitted to build a lateral sewer from his house on East Avenue to the sewer in said street, under the direction of the Street Superintendent. Adopted.

By Ald. Lewis—Resolved, That Robert A. Hall be permitted to build a lateral sewer from his house on East avenue, to the sewer in said street, under the direction of the Street Superintendent. Adopted.

By Ald. Lewis—Resolved, That the City Treasurer pay Mr. Barnabus Langdon one hundred and ten dollars, the balance due for grading South avenue, and charge Highway fund when there is money in the treasury belonging to said fund.—Adopted—ayes 19, noes 1.

By Ald. Hebard—Resolved, That a committee of three be appointed by the Mayor, to take into consideration the subject of publishing the proceedings of this Board, together with all notices, reports, ordinances and all other matters required by law, or ordered by the Common Council or any committee thereof to be published, and report a recommendation at the next meeting of this Board, the terms on which, and the parties with whom contracts should be made for the performance of such work. Adopted.

The Mayor appointed Ald. Hebard, Lewis and Reynolds the committee under the above resolution.

By Ald. Hebard—Resolved, That the Contingent Expense Committee be directed to contract with some competent person to wind, regulate and keep in repair the clocks belonging to, or the care of which has been assumed by the City, for one year from April 5th, 1859. Adopted.

Ald. Hebard reported favorably, on C. V. Jeffrey's account for hack hire and expenses at the funeral of the late John Allen, and it was referred to Finance Committee.

By Ald. Hebard—Resolved, That the City Surveyor be directed to make surveys and prepare plans and estimates for the extension of South Clinton street, as laid out South of Court street, to the North line of the Wadsworth tract, thence including Green street, and parallel with its lines through the Wadsworth and Griffith tract, until it intersects the lines of Cayuga street as now laid down, or extended, if necessary, and submit the same to this Board at its next meeting. Adopted.

By Ald. Hollister—Resolved, That J. C. Andrews have permission to build a lateral sewer from the rear of his lot on High street along the alley, to Spring street sewer, under the direction of the Street Superintendent. Adopted.

By Ald. Reynolds—Resolved, That the Treasurer pay—

Jacob Striker, bill for quarter's salary and disbursements at Police office..... \$37 75
 And charge Police Fund.

Committee of Arrangements for the funeral of the late Hon. John Allen, for hack hire, hearse, undertaker's services, crape, &c..... 70 50
 And charge Contingent Fund.

J. Holden, burying dog.....	\$0 25
J. Wright, burying dead animals.....	1 50
Morgan and Burns, conveyance to Hospital.....	6 00
A. Richardson, salary as Health Inspector for March	46 50
Thos. Burns, care of Hospital.....	40 50
Isaac Ichman, abating nuisance.....	5 00
John Purcell, Health Inspector and disbursements.....	51 50
Jno. Gilligan, do.....	46 50
W. G. Stewart, do payable to A. H. Jones.....	46 50
P. Holleran, do.....	46 50
J. Buckley, do.....	46 50
John Baker, do.....	46 50
Felix Cosgrove, do.....	46 50
E. P. Doty, do.....	46 50
C. N. Simmons, Clerk of Board of Health.....	75 00
Thos. Bradley, Health Physician.....	125 00

And charge Board of Health. Adopted, all ayes.

By Ald. Reynolds—Resolved, That the communication of R. Lester, Esq., made March 17th, in relation to certain city orders held by the Eagle Bank, be referred to the Finance Committee.—Adopted.

By Ald. Reynolds—Resolved, That the Improvement Committee be authorized to contract with Rathburn & Whitmore for the improvement of Mill

street, it being understood to be the wish of the tax-payers on said street that the contract be made with them, in accordance with their proposition for the same. Adopted.

By Ald. Reynolds—Resolved, That for the purpose of anticipating the sum of five thousand dollars authorized to be raised to meet the deficiency in the amount heretofore raised for the current year, to defray the expenses of fire engines, engine houses, apparatus and preparation for prevention and extinguishment of fires, in pursuance of § 2 of an act relating to the city of Rochester, and to amend the charter thereof, passed April 13th, 1859, the City Treasurer be and he is hereby directed to make the City's note for that amount, payable at the Metropolitan Bank, in the city of New York, at three months from date, and get the same discounted at the Monroe County Bank, and charge discount to Fire Department Fund. Adopted.

By Ald. Reynolds—Resolved, That the report of the late City Attorney, P. G. Buchan, Esq., made to the Common Council March 22d, and the report of the Clerk of the Market, Mr. J. Boehm, made March 31st, be referred to the Law Committee, to report at the next meeting of this Board the condition of the suits and claims referred to therein, and the amount of money, if any, in the hands of either of said officers, belonging to the city; also, what course they recommend to be pursued in relation to the unfinished business, and undetermined suits in the hands of the late City Attorney. Adopted.

By Ald. Hollister—Resolved, That Geo. W. Fisher have leave to locate his frame building, removed from near Exchange street, upon his lot on Tremont street, under the supervision of the Chief Engineer and the Fire Department Committee.

Also, that E. Whithall, Isaiah Bunker, Patrick Flood, J. C. Andrews, E. P. Mumford, Moses Chapin, J. Kelly, Henry Goodyear, N. B. Phelps, J. C. Holyland, George Brown, and C. L. Frendenburgh, have leave to erect wood buildings and additions to wood buildings, in accordance with their respective petitions, under the direction of the Chief Engineer and the Fire Department Committee.

Also, that J. G. Wagner have leave to remove a wood building from the corner of Main and Lancaster streets to the corner of Kirk and Scio sts.

Also, that John A. Jordan have leave to remove a frame building from Franklin street, next west and adjoining the Stillson block, thirty or forty feet back from where it now stands.

Provided, in all cases, that these removals and erections be made under the direction of the Fire Department Committee. Adopted.

By Ald. Holmes—Resolved, That the sum of _____ dollars be allowed Hiram Banker, late Overseer of Poor, for extra services during the past year. Carried.

Ald. Holmes move that the blank be filled with \$200.

Ald. Selye moved to amend by adding an allowance of \$200 for J. H. Babcock, former Overseer.

The resolution was laid on the table till next meeting.

By Ald. Nash—Resolved, That a Special Election, under the law erecting the Twelfth Ward, be held in the Seventh Ward on Tuesday, April 26th. Laid on the table.

By Ald. Hebard—Resolved, That when this Board adjourn, it adjourn to meet one week from this (Tuesday) evening, at half-past seven P. M. Adopted.

A motion having been made to adjourn, His Honor the Mayor rose and said, that while he felt

grateful to the members of the Board for their kindness in fixing his salary at an excess of \$300 over the sum paid to the previous occupant of the Mayoralty, he felt bound to decline accepting any larger sum than that paid last year.

The Board then adjourned.

F. S. Rew, Clerk.

In Common Council, April 26, 1859.

ADJOURNED MEETING.

Present—The Mayor, Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Billinghamurst, Knapp, Stone, Selye, Lutes, Fairchild, Shelton, Bauer and Mason.

Absent—Ald. G. W. Perry, Twitchell and Cushing.

The minutes of the previous meeting were approved as published.

PETITIONS AND CLAIMS.

By Ald. Hollister—Of P. B. Viele, for leave to erect a wood building on Water street. Referred to Committee on Wood Buildings.

By Ald. Knapp—Of James Sharp, to re-build his house destroyed in January by order of the Chief Engineer. Same reference.

By Ald. Bauer—Of citizens of Lyell and Magne streets, for a sewer. Sewer Com.

REPORTS OF COMMITTEES.

By Ald. Nash—From the Law Committee, in relation to business in charge of the late City Attorney and the report of the late Clerk of the Market. Accepted.

Also, in favor of the claim of A. G. Wheeler, for costs in the suit of The City vs. Barrons. Accepted.

Also, on the communication from Mr. Amsden, Comptroller, in relation to the term of his office.

Ald. Nash said that he had consulted eminent legal counsel on this subject, and on the strength of that, reported that Mr. Amsden's term does not expire until three years from the time of his appointment. Accepted.

EXECUTIVE BUSINESS.

RESIGNATION OF E. T. OATLEY.

The Mayor presented the following communication from E. T. Oatley—School Commissioner from the First Ward—tendering his resignation as Commissioner of Common Schools for the First Ward: *To the Honorable the Mayor and Common Council of the City of Rochester:*

GENTLEMEN—Having been a member of the Board of Education for the last two years, and in consequence of the deep interest which I felt in our magnificent system of Public Instruction, was induced to accept an election for another year; but since the organization of the present Board, its proceedings have been so *disorganizing*, so *utterly regardless* of its own By-Laws, Rules and proceedings which govern all public bodies, that I cannot—with a decent respect for myself—longer allow my name to be connected with such *disgraceful* proceedings; and, painful as it is to me, to assign such reasons for withdrawing from the Board, still it is due to those I represent, as well as myself, that they should be publicly stated.

I herewith tender to your Honorable body, my resignation of School Commissioner of the First Ward, of the City of Rochester.

I am, very respectfully, your Ob't. Ser't,
Rochester, April 26, 1859. O. T. OATLEY.

Ald. Shelton moved that the resignation be accepted, and that the communication be filed and published. Agreed to.

The Clerk reported that Jared Coleman was disqualified to act as Assessor under the ordinance for constructing a sewer in State street, from a point sixty feet north of Jay street, to the White street sewer, by reason of being of kin to persons interested in said improvement.

RESIGNATION OF AZEL GAY.

Ald. Mason presented the following communication from Azel Gay:

To the Mayor and Common Council of the city of Rochester:

My business will be such the ensuing year, that I shall be compelled to be absent from the city much of the time, and feel it my duty to tender to your honorable body my resignation as Commissioner of Common Schools for the 11th ward.

AZEL GAY.

The Clerk presented resolutions of the Board of Health, recommending the construction of a sewer in Maple-st., and a sewer in New York street. Referred to the Sewer Committee.

UNFINISHED BUSINESS.

Ald. Reynolds moved that the Report and Resolutions on City Hospital be referred the Committee on Public Health. Agreed to.

SPECIAL ELECTION.

The resolution for a Special Election in the 7th ward was called up by Ald. Fairchild, as follows:

By Ald. Fairchild—Resolved, That a special election be held in the Seventh Ward, at the house of Lewis Miles, corner of Monroe and Union-sts., on Tuesday next, (May 3d.), for the choice of one Supervisor to represent that ward, one Alderman, to serve until the first Monday of April, 1860, and one Alderman to serve until the first Monday in April, 1861. Also, one Commissioner of Common Schools, and two Inspectors of Election, to serve respectively, until the first Monday of April, 1860. Adopted.

On motion of Ald. Fairchild, the Board proceeded to ballot, separately, for Inspectors of Election for the Seventh Ward. On the first ballot, Matthew G. Warner, Sr., had 16 votes, Matthew G. Warner, Jr., 1, George N. Deming 1, William J. Hall had 17 votes, and Jehial R. Felt 17.

Matthew G. Warner, Sr., William J. Hall and Jehial R. Felt were declared duly appointed Inspectors of the Seventh Ward.

Ald. Selye moved that the Board now proceed to appoint a Commissioner for Lake Avenue, to expend the appropriation to be made under the recent amendment of the City Charter.

Ald. Mudgett moved to postpone the appointment of Commissioners until the next regular meeting. Agreed to.

Ald. Mudgett moved that the Board now proceed to appoint a Commissioner of Common Schools, in place of E. T. Oatley, resigned. Agreed to.

On the first ballot, Alfred G. Mudge received 19 votes, and was declared duly appointed.

On motion of Ald. Mason, the Board proceeded to ballot for a Commissioner of Common Schools for the Eleventh Ward, in place of Azel Gay, resigned.

On the first ballot, Wm. Gifford received 16 votes, and was declared duly appointed.

MISCELLANEOUS BUSINESS.

Ald. Mason, from the Market Committee, reported adversely to the petition of Arnold & Seitz for a market license on East Avenue. Agreed to.

SEWER IN ATWATER STREET.

By Ald. Shelton—Resolved, That the city Surveyor submit to this Board an estimate of the expense of constructing a sewer in Atwater street, from the west line of North street to connect at Clinton street with the Atwater and Clinton street sewer; said sewer to be of Ohio Tile, twelve inches in diameter, and of such depth as the sewer committee may determine.

The Surveyor submitted such estimate.

Ald. Shelton offered the following:

By Ald. Shelton, Resolved, That the following improvement is expedient, namely:

The constructing of a sewer from the west line of North street through Atwater street to Clinton street, to connect with the Clinton and Atwater street sewer, said sewer to be constructed of Ohio Tile, twelve inches in diameter, laid at such depth as the sewer committee may direct.

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 \$2123 36, which estimate is hereby approved.

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

"One tier of lots on each side of Atwater street from North street to Clinton street."

And the Clerk is hereby directed to publish notice in pursuance of section 190 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 17th, 1859, at half-past seven o'clock, at the Common Council Hall, when allegations will be heard.

Adopted by the following vote—Ayes, Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Nash, Billinghamst, Knapp, Stone, Selye, Lutes, Fairchild, Shelton, Bauer and Mason—18.

Noes—None.

SEWER IN EAST AVENUE.

By Ald. Shelton—Resolved, That the city Surveyor ascertain and report to this Board, an estimate of the expense of constructing a sewer in East Avenue, from a point opposite the centre of Prince street to the city line, thence easterly in said East Avenue road to the creek, near the south-west corner of Charles Bissell's land; said sewer to be twelve inches in diameter, and of such depth as the sewer committee may direct. Adopted.

The Surveyor submitted such estimate.

By Ald. Shelton—Resolved, That the following improvement is expedient, namely:

The constructing of a sewer in East Avenue from the centre of Prince street to the city line; said sewer to be constructed of Ohio Tile, twelve inches in diameter, at a depth of about ten feet.

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 \$1,757 04, which estimate is hereby approved.

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

"One tier of lots on each side of East Avenue from Prince street to the city line."

And the Clerk is hereby directed to publish notice in pursuance of section 190 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 17th, 1859, at half-past seven o'clock, at the Common Council Hall, when allegations will be heard.

Adopted by the following vote—Ayes, Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Billinghamst, Knapp, Stone, Selye, Lutes, Fairchild, Shelton, Bauer and Mason—19.

Noes—None.

SEWER IN FRANK STREET.

By Ald. Shelton—Resolved, That the city Surveyor submit to this Board an estimate of the expense of constructing a sewer in Frank street from a point fifty feet south of Brown street, to the sewer in Platt street; said sewer to be twelve inches in diameter, and of such depth as the sewer committee may direct.

The Surveyor submitted such estimate.

By Ald. Shelton—Resolved, That the following improvement is expedient, namely:

The constructing of a sewer in Frank street from a point fifty feet south of the south line of Brown street to the sewer in Platt street; said sewer to be constructed of Ohio Tile, twelve inches in diameter, and laid at its commencement nine feet below the surface, and upon a regular grade to the bottom of Platt street 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 \$577 12, which estimate is hereby approved.

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

"One tier of lots on each side of said Frank street, from Brown to Platt street."

And the Clerk is hereby directed to publish notice in

pursuance of section 190 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 17th, 1859, at half-past seven o'clock, at the Common Council Hall, when allegations will be heard.

Adopted by the following vote—Ayes, Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Billinghamst, Knapp, Stone, Selye, Lutes, Fairchild, Shelton, Bauer and Mason—19.

Noes—None.

By Ald. Shelton—Whereas, Jared Coleman was appointed at the last meeting of this Board, to act with David McKay and Francis Dana, in making an assessment for constructing a sewer in State street, from a point sixty feet north of Jay street to White street sewer, and said Coleman being disqualified from serving, by being of kin to persons interested in premises to be assessed; therefore,

Resolved, That Fisher Bullard, who is not interested in any of the premises described in the ordinance for said improvement, nor of kin to any person so interested, is hereby appointed a Commissioner in place of Jared Coleman, to act with said McKay and Dana, in making said assessment, and said Bullard is hereby directed to appear at the City Clerk's office, on Friday, the 29th day of April, 1859, at 9 o'clock in the forenoon, and take and subscribe the oath as required by the charter. Adopted.

ASSESSMENTS.

Ald. Shelton, presented the assessment roll for a sewer in State-st., from the Eagle Hotel to Mumford-st. Appeals will be heard at the regular meeting, to be held on Tuesday evening, May 17.

By Ald. Fairchild—Bill of N. Aylesworth, for repairs to engines. Referred to Fire Dept. Com.

By Ald. Fairchild—Resolved, That the Superintendent be directed to enforce Section 20 of the Ordinance prohibiting cattle and swine from running at large, 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 be at large in any of the public streets, lanes or alleys within said city, under the penalty of four dollars for each offence, one half of the penalty recovered and collected for such offence, shall be paid to the informer in each case.

By Ald. Fairchild—Resolved, That the City Superintendent be directed to build two pounds, (one on each side of the river, in a convenient place.)

Laid on the table until next meeting.

By Ald. Selye—Communication from Hon. Wm. Buell, relating to the conveyance of lands adjacent to St. Mary's Hospital, asking that the same be attached as grounds to the said Hospital. Ald. Selye moved the following:

Whereas, Wm. Buell, Esq., conveyed to the city of Rochester, by a quit claim deed, dated June 15, 1857, and recorded 29th June, 1857, a strip of land on the south-west corner of Buffalo and Genesee streets; said conveyance was made without a consideration, and intended as a donation, to be used and occupied by the city as a part of Buffalo street; and whereas, Buffalo street is not benefitted by the said strip of land, inasmuch as the street is of the same width at that point as elsewhere; and whereas, said Buell is anxious that said land should be donated to some charitable institution: therefore,

Resolved, That His Honor the Mayor be requested to re-deed the land above referred to to the Hon. Wm. Buell, to be by him disposed of as he may deem proper. Adopted.

By Ald. Knapp—Resolved, That permission is hereby granted to Chauncey Perry to grade Denning street, provided he does so under direction of the City Surveyor and Street Superintendent.—Adopted.

By Ald. Knapp—Resolved, That the Street Superintendent be and is hereby directed to notify the owners of lots on Grape street, between Orange street and Smith street, to repair the sidewalks in front of their lots, within ten days from service of notice. Adopted.

Ald. D. W. Perry reported favorably on William Kidd & Co's, bill for 26 Lamp-posts. Referred to Finance committee.

By Ald. Nash—Resolved, That the Treasurer pay A. G. Wheeler, the sum of \$65, being the amount of his claim for costs, on Appeal to the Supreme Court, in an action of the People against Thomas Barrons, and Thomas Barrons, Jr., originally brought by the Overseer of the Poor in this city, on recognizance in Justice's Court, and charge contingent fund. Adopted.

Yeas—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Billingham, Knapp, Stone, Selye, Lutes, Fairchild, Shelton, Bauer, Mason.

By Ald. Nash—Resolved, That the Treasurer pay S. Mathews and H. R. Selden, the sum of \$10 each for their written legal opinions, procured by the Chairman of the Law Committee, on file with the Clerk of this Board, in relation to the tenure of the present City Comptroller, and charge contingent fund. Adopted.

Ayes—Ald. Mudgett, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Billingham, Knapp, Stone, Selye, Lutes, Fairchild, Shelton, Bauer, Mason.

Nays—Ald. Holmes, Butler.

Ald. Bradstreet reported adversely on the petition of J. Fisk & Co., to be excepted from assessment for brick side-walk in State street.

Also, adversely to the petition of Benevolent, Scientific and Industrial School, of the Sisters of Mercy, on South street, to have tax of 1857 and 1858 remitted.

Also, adversely to petition of Andrew McDade, for refunding of a tax.

THE CLAIM OF MRS. ENOS.

Also, adversely, on the petition of Mrs. Mary Enos, for relief as follows:

To the Honorable the Mayor and Common Council:

GENTLEMEN—The Grievance Committee, to whom was referred the petition of Mary Enos, asking for "essential aid" in consequence of a serious injury she sustained by falling upon the ice in front of a Public School House on Scio street, in the winter of 1855, respectfully report:

That Mrs. Enos having sought redress at law, and having failed to establish a legal claim against the city, can now ask or expect "aid" therefrom, only in the light of Philanthropy.

Commiserating most fully with Mrs. Enos in her misfortune, your Committee think there are many good reasons why the door of the Public Treasury should not be opened to this class of petitions, without great discrimination, and evident justice, and in the present instance must report adversely to the prayer of the petitioner.

N. C. BRADSTREET, }
N. A. STONE, } Committee.
GEO. SHELTON, }

April 26, 1859.

By Ald. Bradstreet—Resolved, That the sum of twenty-five dollars be paid August Seizer, in full, for reconstruction of a pound in 1858, on North Clinton street, by order of Street Superintendent, and that the same be charged to Highway Fund. Adopted—ayes 18, noes 1—Ald. Mason.

By Ald. Lewis—Resolved, That the Clerk pro-

vide fifty copies of the amendments to the charter and the act erecting the Twelfth Ward, printed in pamphlet form, to correspond with those printed in 1858. Adopted.

By Ald. Lewis—Resolved, That a license be granted to P. A. Fitzgerald for a Theater in Stone's block, by his paying into the City Treasury the sum of five dollars per month. Adopted.

Ald. Hebard reported favorably on the bill of Perkins' Band, for music at the funeral of John Allen; also, on the bill of the Secretary of State, for certified copies of the charter amendments. Referred to Finance Committee for payment.

By Ald. Hollister—Resolved, That P. B. Veile have leave to erect wood building on Water street, according to the prayer of his petition, under the direction of the Chief Engineer. Adopted.

By Ald. Hollister—Resolved, That the Superintendent be and he is hereby directed to notify owners of property on the east side of Greig street to repair their sidewalks within ten days after notice. Adopted.

Ald. Reynolds presented the bill of P. G. Buchan, for legal services. Referred to Contingent Expense Committee.

UNPAID DRAFTS.

Ald. Reynolds, from the Finance Committee, on the petition of Ralph Lester, Cashier of the Eagle Bank, for payment of \$2,950 drafts, drawn on the City Treasurer in favor of Samuel Buell, or that they be made to draw interest, reported recommending that interest be paid to the bank from such time as shall—with the margin in the hands of the bank belonging to said Buell—save the bank harmless in the premises. Agreed to.

Also the following:

To the Hon. the Mayor and Common Council:

The Finance Committee report in relation to the communication of Messrs. Allen & Stewart, referred to them this evening, that there has been a reassessment made for the improvement of Andrews street, and that the roll is in the hands of the Treasurer for collection; that as there are but few persons from whom to collect the tax, and those able to pay, in all probability the tax will be principally collected within the ensuing three months; they recommend that the Treasurer be directed to make the city's note at three months, and take up an order of \$747.50 held by them.

Your committee understand that the reassessment is too small, and that there will still be a balance of some \$165 or more against this fund.

W. A. REYNOLDS,
W. F. HOLMES,
H. S. FAIRCHILD.

Also the following ordinance, for the introduction of which unanimous consent was given:

AN ORDINANCE

To authorize the issuing of Bonds for a loan of thirteen thousand dollars.

In pursuance of a power granted by an act of the Legislature of the State of New York, passed April 13th, 1859, entitled "An Act relating to the City of Rochester, and to amend the Charter thereof," the Common Council of the city of Rochester do ordain and determine as follows:

§ 1. That the sum of thirteen thousand dollars shall be borrowed upon the bonds of the city as hereinafter provided, for the purpose of "defraying the expense incurred or to be incurred in the construction of a culvert or bridging at Deep Hollow, so called, where State street in said city crosses the same, in addition to the amount already raised for that purpose, and in perfecting said improvement," and the money so borrowed shall not be used for any other purpose whatever.

§ 2. That thirteen bonds of the city of Rochester, for the payment of one thousand dollars each, bearing date May 15th, 1859, with interest at the rate of seven per cent per annum, payable semi-annually, on the fifteenth days of May and November, shall be made and subscribed by the Mayor, and the corporate seal of the city affixed thereto

by him, which bonds shall be payable to the bearer thereof, and the principal sums therein shall be payable as follows:

Four thousand dollars on the first day of September, one thousand eight hundred and sixty-three.

Three thousand dollars on the first day of September, one thousand eight hundred and sixty-five.

Three thousand dollars on the first day of September, one thousand eight hundred and sixty-seven; and the remaining Three thousand dollars on the first day of September, one thousand eight hundred and sixty-nine; and both principal and interest shall be made payable at the Metropolitan Bank in the city of New York, or at such other Bank in said city as the Mayor of the city of Rochester may designate in a notice to be published in at least two daily newspapers in the city of New York, at least twice a week for four successive weeks.

Coupons for the several instalments of interest shall be attached to the said Bonds, to be subscribed by the Mayor.

§ 3. When said Bonds shall be made and executed as aforesaid, the Mayor and Finance Committee of the City of Rochester are authorized and empowered to transfer the said Bonds, or any one or more of them, to such person or persons as shall pay not less than the par value for those so transferred, and not otherwise; and the proceeds thereof shall be paid into the city Treasury, to be used for the purpose aforesaid, and the City Treasurer shall credit the same to Deed Hollow Fund.

§ 4. There shall be raised by tax every year hereafter at the time of raising the general taxes of the city, such sum as shall be sufficient to pay the interest on any of the aforesaid Bonds remaining unpaid, and in the year 1863 an additional sum of Four thousand dollars, to pay such of said Bonds as shall become due in that year; and in the years 1865, 1867 and 1868 the sum of Three thousand dollars respectively, to pay such of said Bonds as shall become due in each of those years, together with the interest on so many of said bonds as shall remain unpaid respectively in those years.

§ 5. It shall be the duty of the City Treasurer, in connection with the Finance Committee, to cause the said thirteen Bonds to be prepared and printed in the form hereinbefore prescribed.

Ald. Selye moved to amend by extending the time of payment to twenty years hence. Lost.

The Ordinance was adopted by the following vote:

YEAS—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Billinghamurst, Knapp, Stone, Selye, Lutes, Fairchild, Bauer, Mason—18.

By Ald. Reynolds—Whereas Jason Baker, in a communication to the Common Council referred to the Finance Committee, at the last meeting of this Board, claims to be the present owner of an order drawn by the City Clerk on the City Treasurer, in favor of Gatens & McConnell, dated March 9th, 1858, for one hundred and sixty-eight 98-100 dollars, chargeable to State-street Improvement, from Ambrose to Champion, "when there are funds in the hands of the Treasurer for that purpose," for the payment of which he thinks he has waited as long as he can reasonably be asked to, and as that fund is overdrawn, and can only be put in a condition that would authorize the Treasurer to pay the said order, by a re-assessment, it would be manifestly unreasonable to require the holders of this order, at this late day, to wait for the Common Council to resort to that measure—Therefore,

Resolved, That the Treasurer pay to Jason Baker, or order, the said \$168 98, on presentation and surrender of said order duly authenticated, and charge the same to fund to which in the order it is directed to be charged.

AYES—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Billinghamurst, Knapp, Stone, Selye, Lutes, Fairchild, Bauer, Mason—18.

By Ald. Reynolds—Resolved, That the Treasurer pay P. G. Buchan, Esq., one hundred and fifty dollars, amount of quarter's salary to April 5th, 1859, and in full thereof—subject to a deduction of \$145 19, money in his hands, received on two judgments—one of \$131 21 vs. McLaughlin and a balance due on another of \$13 98 vs. P. O'Meara, as reported by Law Committee—said salary to be

charged to Contingent Fund, and the offset of \$145 19 to be credited to same fund. Adopted, all Ayes.

By Ald. Reynolds—Resolved, That the Treasurer pay William Kidd & Co. two hundred and twenty-seven 50-100 dollars for their bill for lamp posts, and charge Lamp Fund. Adopted.

By Ald. Reynolds—Resolved, That the Treasurer pay to F. S. Rew six dollars, amount of Secretary of State's bill for certified copy of Charter Amendments, paid by him, and charge Contingent Fund. Adopted.

By Ald. Reynolds—Resolved, That the Treasurer pay to Jason Baker, County Treasurer, a bill of \$1.59 for taxes on lot purchased for an addition to the grounds for the House for Idle and Truant Children, and charge "Juvenile Asylum account." Adopted.

By Ald. Reynolds—Resolved, That the Treasurer pay the interest due May 1st, 1859, in the city of New York, on \$69,000 city bonds, amounting to \$2,415, and charge the same to Interest account, and the exchange to Contingent Expense account. Adopted, all ayes.

By Ald. Reynolds—Resolved, That the Treasurer pay the Treasurer of Perkins' Band fifteen dollars, the amount of their bill for music at the funeral of ex-Mayor John Allen, and charge Contingent Fund. Adopted.

By Ald. Reynolds—Resolved, That the Treasurer be directed to credit Edward Roggen five thirty-nine one-hundredths dollars on his assessment for Mill street improvement, he being assessed for one foot of land more than he owns on the street, and charge that fund. Adopted.

By Ald. Reynolds—Resolved, That the Treasurer be directed to credit Owen Gaffney with one hundred and twenty-seven and twenty one-hundredth dollars (\$127.20), the whole amount of his assessment for Mill street improvement, he having made the improvement in front of his lot last fall, and being erroneously included in the territory to be assessed for the improvement about to be made; and charge Mill Street Improvement Fund.—Adopted.

By Ald. Reynolds—Resolved, That the Treasurer make the city's note, payable to the order of Allen & Stewart, at the Monroe County Bank, at three months from date, for seven hundred and forty-seven and fifty one hundredths dollars, in exchange for and full payment of an order for that amount held by them, given in settlement of balance due on their contract for the improvement of Andrews street, and charge Andrews Street Improvement Fund. Adopted.

By Ald. Reynolds—Resolved, That the Treasurer pay the city's note, due May 3d, at the Monroe County Bank, for twenty-five hundred dollars, and charge appropriate funds. Adopted—ayes 18, noes 0.

By Ald. Reynolds—Resolved, That the contract for Mill Street Improvement be empowered to close so much of said street while the improvement is progressing, against the passage of teams, as may be necessary to avoid interruption, and to comply with his contract for the improvement thereof. Adopted.

NOTICES OF ORDINANCES.

By Ald. Reynolds—Resolved, That the following improvement is deemed expedient, viz: The improvement of Market street, by constructing flag sidewalks of suitable width; by paving the gutters with flag stone 14 inches wide, and paving the remainder of the roadway with Lockport stone, and

constructing the requisite number of lateral sewers and crosswalks. And notice is hereby given that an ordinance for the improvement aforesaid, will be introduced at the next regular meeting of this Board. Adopted.

By Ald. Reynolds—Resolved, That the following improvement is deemed necessary for the promotion of the public health, viz: The construction of a stone or tile sewer in Lafayette and Fitzhugh streets, from the south line of lot No. 20 in the Montgomery Tract, to the sewer in Exchange st.—And notice is hereby given that an ordinance for the construction of said sewer, will be presented for the consideration of the Common Council at their next regular meeting.

By Ald. Reynolds—Whereas, A committee of the Common Council to whom was referred the accounts rendered by the committee having in charge the "McAdam Stone Fund," so called, reported, on the 27th of July last, that said committee had expended \$9,601.16; that the whole amount of stone broken was a little over 9,100 yards, as per measurement of the City Surveyor; that \$3,940 worth had been used on Buffalo street improvement; \$503 worth on State street, north of Ambrose street, as reported by the Chairman of the Improvement Committee; \$812 worth by the City Superintendent, on the streets, chargeable to the Highway fund; making \$5,255 worth to be credited to "McAdam Stone Fund"—

That there was then on hand, per measurement of the City Surveyor, therewith submitted, 2464 yards of broken stone, and about 100 cords of unbroken stone.

And whereas, The Common Council, at the same meeting, passed the following resolution: "Resolved, That the Street Superintendent take charge as far practicable of all the broken and unbroken stone reported by the City Surveyor as on hand this day, and report monthly the amount used by him on the streets of the city, for repairing or local improvements, in order that the same may be charged to appropriate funds," therefore

Resolved, That the Street Committee, with the City Surveyor, be requested to measure and report to this Board, at its next regular meeting, the quantity of broken and unbroken stone now on hand belonging to that fund, where deposited, and the quantity in each place; and if on private property, whether subject to rent or compensation for the use thereof; also the quality of the stone remaining on hand. Adopted.

Ald. Butler presented the petition of William Peeler and others, for a sewer on Smith street.—Referred to Sewer Committee.

Also, account of Michael Lester, for payment of rent for lot corner of Brown-st. and Brown's alley, used to deposit stones collected from the streets. Referred to Street Committee.

By Ald. Mudgett—Resolved, That the regular meetings of this Board be held hereafter on Monday evenings for the ensuing year. Laid on the table till next meeting—ayes 15, noes 3.

Ald. Mudgett called up the resolution laid on the table at the last meeting, to pay Hiram Banker, late Overseer of the Poor, \$200.

The Chair decided the question to be on Ald. Selye's amendment, to pay John H. Babcock \$200.

Ald. Bradstreet moved to amend that amendment, so as to provide for paying \$100 to both Mr. Babcock and Mr. Banker.

Ald. Mason moved that Mr. Munn be included also.

Ald. Fairchild proposed as a substitute, a resolution including Mr. Holmes and Mr. Munn.

Ald. Hollister moved to include all the previous Overseers.

Ald. Holmes moved to lay the whole subject on the table. Agreed to.

By Ald. Holmes—Resolved, That hereafter, his Honor The Mayor be, and he is hereby authorised and required to declare this Board adjourned at 10 o'clock. Lost, ayes 5, noes 11.

AYES—Ald. Mudgett, Holmes, Hollister, Selye, Lutes—5.

NAYS—Ald. Butler, Reynolds, Lewis, Hebard, D. W. Perry, Billinghamst, Knapp, Stone, Fairchild, Bauer, Mason—11.

By Ald. Fairchild—Resolved, That an appropriation of two hundred dollars be paid to Fire Co. No. 4, for the furnishing their Engine House with furniture, on the filing an inventory of the property with the City Clerk, under the direction and approval of the Chief Engineer, and charge Fire Department Fund. Adopted, ayes 17, noes 0.

The Board then adjourned.

FRANCIS S. REW, Clerk.

In Common Council, May 3, 1859.

REGULAR MEETING.

Present—The Mayor, Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, Nash, Billinghamst, Cushing, Knapp, Stone, Lutes, Fairchild, Bauer, Mason.

Absent—Ald. G. W. Perry, D. W. Perry, Selye, and Shelton.

PETITIONS AND CLAIMS.

By Ald. Butler—Acct. of J. B. & G. W. Aldridge. Com. on City Property. Of G. J. Whitney, for leave to build a lateral sewer. Sewer Com. Acct. of the Messenger for disbursements. Contingent Expense Com.

By Ald. Reynolds—Of I. Butts and others, for sewer in East Avenue, from the east end of the present sewer. Sewer Com.

By Ald. Hollister—Of Mr. Powell, for leave to erect a wood addition to his dwelling on Greig st. Of Thos. McAnary, for leave to erect a wood building. Com. on Wood Buildings.

By Ald. Hebard—Of Fire Co. No. 8, for an appropriation. Fire Dept. Com.

Accounts of the assessors. Contingent Expense Committee.

By Ald. Bradstreet—Of Wm. Cavan and others, for a sewer in Asylum st. Sewer Com.

By Ald. Knapp—Report of City Superintendent. Referred to the Street Com.

By Ald. Nash—Remonstrance against improvement of Franklin st. Street Com. For a sewer in Bowery st. Sewer Com. For improvement of Hudson st. Improvement Com.

By Ald. Nash—Acct. of Patrick Leonard for hack hire. Sewer Com.

By Ald. Stone—Of Messrs. Cornwell & Moulson, relating to an erroneous assessment. Grievance Com. Of Riley & Hughes, for undertakers' services. Poor Com. Of H. Brewster & Co., Smith, Perkins & Co., J. G. VanZandt, W. S. Main, P. B. Banker, clerk hire at Poor Store; Frost & Schleier, Wm. Simpson, for rent; J. Howe, Adams, Hastings & Co., J. B. Ward & Co., John McDonell, removing paupers and delivering wood. Severally referred to the Poor Com.

By Ald. Lutes—Acct. of late Chief of Police and policemen for services, four days in April; also of present Chief and policemen. Referred to Police Committee.

By Ald Fairchild—Sundry accounts for ringing alarm bells, and sundries. Fire Department Committee.

By Ald. Bauer—Of John R. Galen, for sundries. Market Committee.

By Ald. Mason—Of Leonard Seitz and of George Brown, for Market Bencenes. Market Committee.

By Ald. Mudget—Of Michael Wall, for a sewer in Lyell street. Sewer Committee.

REPORTS OF COMMITTEES.

By Ald. Knapp—Favorably on Report of Street Superintendent. Referred to Finance Committee. Also, the following, which was accepted and ordered published:

To the Honorable, the Mayor and Common Council of the City of Rochester:

The undersigned, members of the Street Committee, to whom was referred the account of Michael Lester, for payment of rent for lot corner of Brown street and Brown's alley, used to deposit stone collected from off the streets, would respectfully report, that on the 31st day of January, 1859, Mr. Lester was paid by the city \$57 35, being in full for stone purchased from him by the late City Superintendent, upon the condition that the said stone was to be left upon the lot, until required by the city, and this embraced all the stone then lying upon the lot, and none other has been placed there since. Mr. Lester claims \$40 for use of his lot for depositing stone collected during the past year from off the streets. If this is correct, Mr. Lester has been paid for stone owned by the city, as, so far as your Committee can learn, no stone has been placed upon the lot but what he has been paid for. If the stone was collected from off the streets, as Mr. Lester's account states, then he should not have been paid for them, and consequently, after deducting the amount of his bill for use of lot, from the amount he has received for stone that did not belong to him (according to his own showing) Mr. Lester now owes the city, seventeen dollars and thirty-five cents. Your Committee would therefore report adversely to the payment of Mr. Lester's bill.

H. B. KNAPP,
GEO. W. LEWIS,
WM. HOLLISTER.

By Ald. Knapp—From the Street Committee, in relation to McAdam stone belonging to the city.—Adopted.

By Ald. Lutes—Favorably on Seth Simmons' account, for police services in April. Also, on the bills of the present police. Also in favor of the account of J. Siddons & Co., and of W. E. Hassan. Referred to Finance Com.

By Ald. Hollister—Favorably on Mr. Sharp's petition for leave to erect a wood building.

By Ald. Fairchild—Favorably on various accounts. Referred to Finance Committee for payment.

By Ald. Stone—Favorably on various bills for supplies, &c., to the Overseer of the Poor. Same reference.

THE CITY PRINTING.

By Ald. Hebard—The following:

To the Mayor and Common Council:

Your committee, to whom was referred the subject matter of printing the proceedings of the Common Council, for the present official year, respectfully report in favor of contracting with the proprietors of the Rochester Daily Democrat and American, and the Rochester Daily Union and Advertiser, to publish in full in their respective papers, the proceedings of the Board, including all

resolutions and reports, for one year from the 5th day of April, 1859, to the 5th day of April, 1860, both inclusive, for the sum of three hundred and fifty dollars, each, per year, payable quarterly.—Also in favor of contracting with the proprietors of the Genesee Observer, and Intelligencer of the North, (German papers,) to translate and publish the proceedings of this Board, in their respective papers, in full (and not otherwise), for one year, for the sum of three hundred dollars, payable quarterly. Also in favor of making the Daily Democrat and American, the official paper of the city, and contracting with the proprietors thereof, to publish in said papers for one year, from the 5th day of April 1859 all legal and other notices, and advertisements required to be published by the city charter, or any amendment thereof, emanating from any department of the city government, or by any resolution, ordinance or proceeding of the Common Council, or any committee thereof, at their usual rates of advertising, provided the amount for such printing does not exceed in the aggregate, the sum of five hundred dollars. Also in favor of paying the Daily Union and Advertiser, the sum of three hundred and fifty dollars for the same service and on same conditions, payable quarterly.—Said proprietors of Daily Democrat and American, to furnish without charge, seventy-five bound copies of the official proceedings of this Board, within ten days after the organization of the new Board of 1860.

HENRY S. HEBARD, } Committee.
GEO. W. LEWIS. }

Rochester, May 3, 1859.

By Ald. Nash—From the Law Committee, in favor of releasing Robert McIntyre from a judgment for breach of Ordinance, on condition of his paying costs. Table.

ACTION UPON ORDINANCES.

The second ordinance for a plank walk in State street, from Ambrose steet to Vincent Park, was called up, and, on motion, postponed till the next regular meeting.

The second ordinance for sewer in New Main street was disposed of in the same manner.

PLANK WALK IN SOUTH STREET.

On motion of Ald. Selye, the Board proceeded to hear allegations in relation to constructing a Plank Walk on the east side of South street from the street next south of and adjoining Washington Square to Jackson street.

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

AN ORDINANCE,

To construct a plank walk on the east side of South street, from the street next south of and adjoining Washington Square to Jackson street.

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

A Plank Walk six feet wide shall be constructed on the east side of South street from the street next south of and adjoining Washington Square to Jackson street.

And the whole expense thereof 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 Seventy-Two Dollars and 25-100, which estimate was and is hereby approved. The sum of Seventy-Two and 25-100 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 South street from the street next south of and adjoining Washington Square to Jackson street."

On which above described portion of the city, the said sum of Seventy-Two Dollars and twenty-five cents, is hereby ordered to be assessed. And David McKay, Jared Coleman and Francis Dana, 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 Friday, the 6th day of May, 1859, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote: Ayes—Ald. Mudgett, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, Nash, Billinghamurst, Cushing, Knapp, Stone, Lutes, Fairchild, Bauer and Mason—17.
Noes—None.

IMPROVING MARKET FROM STATE TO MILL STREET.

By Ald. Reynolds—Resolved, That the city Surveyor ascertain and report to this Board the expense of improving Market street from the east line of State street to the west line of Mill street, by constructing flag side walks ten feet wide, made of one course of flagging, by paving the gutters with flag stone fourteen inches wide, paving the remainder of the roadway with Lockport stone, and constructing one walk across Mill street.

The Surveyor submitted such estimate.

By Ald. Reynolds—Resolved, That the following improvement is expedient, namely:

The improvement of Market street from the east line of State street to the west line of Mill street, as follows: by constructing flag side walks on each side of said street ten feet wide, made of a single course of flagging, by paving the gutters with flag stone fourteen inches wide, paving the remainder of the roadway with Lockport stone, and constructing one walk 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 \$2,168 10, 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, namely:

“One tier of lots and all the land on each side of Market street from the east line of State street to the west line of Mill street.”

And the clerk is hereby directed to publish notice in pursuance of section 190 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 17th, 1859, at half past seven o'clock, at common council hall, when allegations will be heard:

Adopted by the following vote—Ayes—Ald. Mudgett, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, Nash, Billinghamurst, Cushing, Knapp, Stone, Lutes, Fairchild, Bauer and Mason—17.
Noes—None.

IMPROVING MARKET STREET FROM MILL TO FRONT STREET.

By Ald. Reynolds—Resolved, That the city Surveyor ascertain and report to this Board the expense of improving Market street from the east line of Mill street to the west line of Front street, by constructing a flag side walk ten feet wide, made of one course of flagging on the south side of said street, and a flag side walk of the same width, but made of two courses of flagging on the north side, by paving the gutters with flag stone fourteen inches wide, paving the remainder of the roadway with Lockport stone, and constructing one walk across Mill street.

The Surveyor submitted such estimate.

By Ald. Reynolds—Resolved, That the following improvement is expedient, namely:

The improvement of Market street from the east line of Mill street to the west line of Front street, as follows: by constructing a flag side walk on the south side of said street, ten feet wide made of one course of flagging, and a flag side walk ten feet wide on the north side of said street made of two courses of flagging, by paving the gutters with flagging fourteen inches wide, paving the remainder of the roadway with Lockport stone, and constructing one walk 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 \$1,697 18, 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, namely:

“One tier of lots on each side of said street from the east line of Mill street to the west line of Front street.”

And the clerk is hereby directed to publish notice in pursuance of section 190 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 17th, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard:

Adopted by the following vote—Ayes—Ald. Mudgett, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, Nash, Billinghamurst, Cushing, Knapp, Stone, Lutes, Fairchild, Bauer and Mason—17.
Noes—None.

IMPROVEMENT OF LOWELL STREET

By Ald. Reynolds—Resolved, That the city Surveyor ascertain and report to this Board, an estimate of the expense of improving Lowell street, as follows: by grading the roadway and side walks, and constructing a plank side

walk four feet wide on each side of the street from St. Paul street to Clinton street.

The Surveyor submitted such estimate.

By Ald. Reynolds—Resolved, That the following improvement is expedient, namely:

The improvement of Lowell street as follows: by grading the roadway and side walks and constructing plank side walks four feet wide on each side of the said street from St. Paul street to Clinton 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 \$867 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, namely:

“One tier of lots and all the lands on each side of Lowell street from St. Paul street to Clinton street.”

And the Clerk is hereby directed to publish notice in pursuance of section 190 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 17th, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard:

Adopted by the following vote—Ayes—Ald. Mudgett, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, Nash, Billinghamurst, Cushing, Knapp, Stone, Lutes, Fairchild, Bauer and Mason—17.
Noes—None.

SEWER IN FITZHUGH AND LAFAYETTE STREETS

By Ald. Reynolds—Resolved, That the city Surveyor ascertain and report to this Board the expense of constructing a tile sewer from a point seventy-five feet north of the south line of the Montgomery tract, through Fitzhugh and Lafayette streets to Exchange street sewer, said sewer to be constructed from its commencement to Lafayette street of nine inch Ohio tile, and thence to its outlet of twelve inch tile.

The Surveyor submitted such estimate.

By Ald. Reynolds—Resolved, That the following improvement is expedient, namely:

The construction of a tile sewer from a point seventy-five feet north of the south line of the Montgomery tract, through Fitzhugh and Lafayette streets to the Exchange street sewer. The sewer to be laid of nine inch Ohio tile in Fitzhugh street, and of twelve inch tile in Lafayette street, with such openings and laterals as the sewer committee may direct.

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 \$384 80; 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, namely:

“One tier of lots and all the land on each side of Lafayette street, from a point forty feet west of the west line of Exchange street, to Fitzhugh street; one tier of lots on the west side of Fitzhugh street, from Lafayette street to a point seventy-five feet north of the south line of the Montgomery tract; one tier of lots on the east side of Fitzhugh street, from the north line of lots 9 and 10, corner of Lafayette street and Fitzhugh street to the south line of the Montgomery tract. Also, for an outlet and for surface drainage, one tier of lots on each side of Fitzhugh street, from the above mentioned points to the north line of the Montgomery tract; one tier of lots on each side of Lafayette street, from Fitzhugh street to Plymouth Avenue; one tier of lots on Fitzhugh street, from a point 85 feet south of the south line of Lafayette street to the north line of the Caledonia tract.”

And the clerk is hereby directed to publish notice in pursuance of section 190 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 17th, 1859, at half-past seven o'clock, at the common council Hall, when allegations will be heard:

Adopted, by the following vote:—Yees—Ald. Mudgett, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, Nash, Billinghamurst, Cushing, Knapp, Stone, Lutes, Fairchild, Bauer, Mason—17.
Nays—None.

SEWER IN ORCHARD STREET

By Ald. Reynolds—Resolved, That the city surveyor ascertain and report to this board the expense of constructing a stone sewer, two feet by two feet in dimensions, from the city line through Lyell street to the centre of Orchard street, thence through the centre of Orchard street to the centre of Lime street; thence thence through Lime street to the Saxton street sewer.

The surveyor submitted such estimate.

By Ald. Reynolds—Resolved, That the following improvement is expedient, namely:

The construction of a stone sewer, 24 inches by 24 inches in dimensions, from the city line through Lyell street to the centre of Orchard street; thence through Orchard street to the centre of Lime street; thence through Lime street to the Saxton street 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 \$3,054 90, which estimate is hereby approved.

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

"One tier of lots and all the land on each side of Lyell street from the city line to Orchard street, and on the north side of Lyell street to the east side of Orchard street. Also, one tier of lots on each side of Orchard street, from Lyell to Lime streets. And also, one tier of lots on each side of Lime street, from Orchard street to the west line of Saxton street. Also, for outlet and surface drainage the New York Central Railroad, from Orchard street to the city line, and one tier of lots on each side of Whitney street, from Lyell street to the Central Railroad.

And the Clerk is hereby directed to publish notice in pursuance of section 190 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 17th, 1859, at half-past seven o'clock, at the Common Council hall, when allegations will be heard.

Adopted by the following vote—Ayes—Ald. Mudgett, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Nash, Billingshurst, Cushing, Knapp, Stone, Lutes, Fairchild, Bauer and Mason—15

Noes—Ald. Butler, Twitchell—2

Ald. Mason asked to be excused from voting on the ordinance the question being taken, the Board refused to excuse Ald. Mason—ayes 6, noes 10—and he voted in the affirmative.

SEWER IN SMITH STREET.

By Ald. Reynolds—Resolved, That the city Surveyor ascertain and report to this Board the expense of constructing a stone sewer, eighteen inches by eighteen inches in dimensions, from a point one hundred feet east of the east line of Frank street, through Smith street to the centre of State street.

The Surveyor submitted such estimate.

By Ald. Reynolds—Resolved, That the following improvement is expedient, namely:

The construction of a stone sewer, 18 inches by 18 inches in dimensions, from a point one hundred feet east of the east line of Frank street, in Smith street, to the centre of 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 \$623.54, which estimate is hereby approved.

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

"One tier of lots and all the land on each side of Smith street, from a point 100 feet from the east line of Frank street to State street."

And the clerk is hereby directed to publish notice in pursuance of section 190 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 17th, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard.

Adopted, as follows—Ayes, Ald. Mudgett, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, Nash, Billingshurst, Cushing, Knapp, Stone, Lutes, Fairchild, Bauer, Mason—17.

Nays, None.

SEWER IN LYELL STREET.

By Ald. Reynolds—Resolved that the city surveyor ascertain and report to this Board the expense of constructing a stone sewer in Lyell street, from a point 108 feet east from the Erie canal to a centre of Moore street, said sewer to be eighteen inches by two feet in dimensions, and of an average depth of nine feet.

The surveyor submitted such estimate.

By Ald. Reynolds—Resolved, That the following improvement is expedient, namely:

The construction of a stone sewer, 18 inches by 24 inches in dimensions, in Lyell street, from a point 108 feet east of the Erie canal to the centre of Moore street, having an average depth of nine feet.

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 \$694.13, which estimate is hereby approved.

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

"One tier of lots and all the land on each side of Lyell street, from a point 108 feet east of the Erie canal to Moore street, and one tier of lots on each side of West Moore street, from Wells street to Lyell street.

And the clerk is hereby directed to publish notice in pursuance of section 190 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 17th, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard:

Adopted, by the following vote: Ayes—Ald. Mudgett, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Brad-

street, Nash, Billingshurst, Cushing, Knapp, Stone, Lutes Fairchild, Bauer, Mason 17.

Noes—None.

SEWER IN EDINBURG STREET.

By Ald. Reynolds—Resolved, That the city surveyor ascertain and report to this board the expense of constructing a sewer from the centre of lot No. 73, on the north side of Edinburg street, running 180 feet east to Exchange street sewer, said sewer to be eighteen inches by two feet in the clear.

The surveyor submitted such estimate.

By Ald. Reynolds—Resolved, That the following improvement is expedient, namely:

The construction of a sewer from the centre of lot No. 73, on the north side of Edinburg street, to Exchange street sewer, said sewer to be of stone, and be eighteen inches by two feet in the clear.

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 \$227.10, which estimate is hereby approved.

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

"One tier of lots on each side of Edinburg street, from the east line of lot No. 74 to the centre of lot No. 73; also for outlet purposes, on one tier of lots on each side of Edinburg street, from the centre of lot No. 73 to Plymouth avenue, and one tier of lots on each side of Plymouth avenue, from Caledonia square to the south line of Ralph Lester's property."

And the clerk is hereby directed to publish notice in pursuance of section 190 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 17th, 1859, at half-past 7 o'clock, at the common council hall, when allegations will be heard.

Adopted, by the following vote—Ayes—Ald. Mudgett, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, Nash, Billingshurst, Cushing, Knapp, Stone, Lutes, Fairchild, Bauer, Mason—17.

Noes—None.

SEWER IN OTSEGO STREET.

By Ald. Reynolds—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone sewer in Otsego street, eighteen inches square and seven feet deep, from a point 100 feet north of Centre street to Platte street sewer.

The surveyor submitted such estimate.

By Ald. Reynolds—Resolved, That the following improvement is expedient, namely:

The construction of a stone sewer, eighteen inches square and seven feet deep, in Otsego street, from a point 100 feet north of Centre street to Platte street 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 \$538.00, which estimate is hereby approved.

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

"One tier of lots on each side of Otsego street, from a point 100 feet north of Centre street to Platt street."

And the clerk is hereby directed to publish notice in pursuance of section 190 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 17th, 1859, at half-past 7 o'clock, at the common council hall, when allegations will be heard.

Adopted by the following vote—Ayes—Ald. Mudgett, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, Nash, Billingshurst, Cushing, Knapp, Stone, Lutes, Fairchild, Bauer, Mason—17.

Noes—None.

NOTICES OF NEW ORDINANCES.

Ald. Reynolds gave notice that ordinances for the following improvements will be introduced at the next regular meeting of this board, viz:

Improvement of Spring street, from Exchange to Washington streets, by setting a Medina curb-stone, paving the gutters with flagstone 18 inches wide, and the remainder of the roadway with Lockport stone, with the requisite number of crosswalks, lateral sewers and grates.

Improvement of Plymouth avenue, from Spring to Buffalo streets, by establishing a proper grade, setting a suitable curb-stone, paving the gutters and roadway with Lockport stone, and constructing the requisite number of crosswalks and lateral sewers and grates.

Improvement of Greig street, by setting a Medina curb-stone, paving gutters with Lockport or cobble stone, and covering the roadway either with Macadam or gravel, and constructing the requisite number of crosswalks, lateral sewers and grates.

ASSESSMENTS.

Ald. Reynolds presented the assessment roll for the sewer in State street, from Jay street to White street. Appeals to be heard May 17th.

MISCELLANEOUS BUSINESS.

Also, the following assessment rolls, which were severally duly confirmed; ayes 17, noes 0.

Constructing a Flag Walk on the east side of State street, from Furnace street to the New York Central Railroad.

Improving Frances street, from Buffalo street to Clifton street, by grading the same and constructing a plank walk on each side.

Constructing a Plank Walk on the west side of West street, from Bowers street to Atwater street.

Constructing a Plank Walk on the east side of Bolivar street, from Jay street to Smith street.

Constructing a Plank Walk on the south side of Washington Square.

Constructing a Plank Walk on the east side of Washington street, from Buffalo street to the Erie Canal Bridge.

Constructing a Plank Walk on each side of Smith street from Oak street to Whitney street.

Constructing a Brick Walk in front of the Hospital, (late West Cemetery,) lot, on the south side of Buffalo street.

Constructing a Plank Walk on the south side of Phelps Avenue, from State street to Backus Avenue.

Ald. Reynolds presented the assessment roll for East Avenue improvement, and appeals were heard.

Ald. Hebard moved to rescind all the proceedings heretofore had in relation to East Avenue improvement. Agreed to, as follows:

Ayes—Ald. Lewis, Hebard, Twitchell, Nash, Billinghamurst, Cushing, Knapp, Stone, Fairchild—9.

Nays—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lutes, Bauer, Mason—8.

UNFINISHED BUSINESS.

Ald. Lewis moved the indefinite postponement of the resolution relating to the distribution of the Highway Fund, appropriating \$500 to each ward, proposed by Ald. Fairchild, April 5, and laid on the table. Agreed to, as follows:

Ayes—Ald. Mudgett, Holmes, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, Billinghamurst, Cushing, Knapp, Stone—12.

Nays—Ald. Butler, Nash, Lutes, Fairchild, Bauer, Mason—6.

EXECUTIVE BUSINESS.

Ald. Stone moved that the Board proceed to appoint a Commissioner for West Avenue, to expend \$300 to be raised by tax, as provided by the recent amendment of the charter.

Ald. Fairchild moved to lay the resolution on the table. Carried.

Ald. Knapp moved that the Board proceed to elect a member of the Board of Health, in place of John Crombie, who neglected to qualify. Agreed to.

On the first ballot, 17 votes were cast, of which Chas. J. Hill had 7, Henry Harrison 3, Wm. H. Harrison 1, Wm. A. Groot 2, W. F. Holmes 1, John Haywood 2, Wm. S. Thompson 1.

On the second ballot, 18 ballots were cast, of which Chas. J. Hill had 8, Henry Harrison 5, W. S. Thompson 3, John Haywood 1, Fourth Ward 1.

On the third ballot 18 votes were cast, of which C. J. Hill had 5, Henry Harrison 6, W. H. Moore 2, W. S. Thompson 3, W. H. Groot 1, W. H. Moot 1.

Ald. Nash moved to postpone further action under this resolution until the next meeting. Agreed to.

Ald. Billinghamurst moved that the Board proceed to appoint a Commissioner of Common Schools, for the 12th Ward, to supply a vacancy caused by the division of the Seventh Ward. Carried.

This vote was subsequently reconsidered, and the subject of appointing a Commissioner and Constable for the Twelfth Ward was referred to the Law Committee.

The Clerk presented the Monthly Report of the Superintendent of Mt. Hope Cemetery.

Also, the Monthly Report of the Overseer of the Poor and of the Police Justice.

Ald. Reynolds moved that the Fire Department Committee be instructed to introduce an ordinance, at the next meeting of the Board, for the laying of Wooden Water pipes in Exchange, State and Ann streets, Aqueduct, Buffalo and Front streets, and in Fitzhugh and Ann streets, such ordinances to be substituted for those formerly presented. Agreed to—Ayes 13, Nays—Ald. Lewis.

Ald. Fairchild moved to confirm the proceedings of Fire Cos. Nos. 5 and 6. Agreed to.

By Ald. Fairchild. Resolved, That the Treasurer pay Norman Alyswoth seventy-five dollars, on account of his bill for Repairs to Fire Apparatus, and Charge Fire Department Fund. Adopted—Ayes 17, Nays 0.

Ald. Fairchild. Resolved, That the Treasurer pay Richard Gilbert forty-one 66-100 dollars, for one month's salary as Superintendent of Hose Depot, and charge Fire Department Fund. Adopted—Ayes 17, Nays 0.

By Ald. Lutes—Resolved, That the Lamp Committee be authorized to cause a gas lamp to be erected on the corner of Pindle alley and Buffalo street. Adopted.

By Ald. Lutes—Resolved, That the Lamp Committee be authorized to cause two gas lamps to be erected at each end of the canal bridge on Sophia street. Adopted.

By Ald. Knapp—Resolved, That the Lamp Committee be authorized to contract with the Rochester Gas Company, to light the street lamps for one year, at a price not to exceed twenty dollars for each lamp, per year, for the gas furnished, and not to exceed twenty-three cents per month for lighting each lamp. Adopted.

By Ald. Knapp—Resolved, That the Street Superintendent be and is hereby directed to notify the owners of lots on Reynolds street, from West avenue to Clay street—also, the owners of lots on Clifton street, from Prospect street to Frances street—to repair the sidewalks in front of their respective lots, where necessary, within ten days of the service of such notice. Adopted.

By Ald. Stone—Resolved, That this Board convene in the Council Chamber on Thursday, May 5th, at 4 o'clock P. M., to act as a Board of Censors, and determine the number of votes cast and the persons duly elected at the Special Election held in the Seventh Ward on Tuesday, May 3d, 1859. Adopted.

By Ald. Nash—Resolved, That Robert McIntyre be released from judgment of \$7.97, recovered against him on the 25th of January last, for violation of ordinance, on condition of his paying all costs in relation to the same.

A motion to lay on the table was lost, and the resolution was adopted.

By Ald. Nash—Resolved, That the Police Justice be and is hereby directed to issue execution upon all judgments upon his docket in favor of the City of Rochester, upon which execution has not heretofore been issued, under the direction of the City Attorney. Adopted.

By Ald. Bradstreet—Resolved, That the Street Committee are hereby directed to examine Scratchton street, and if it is deemed necessary by them to expend one hundred dollars in the proper and necessary improvement thereof. Adopted.

By Ald. Lewis—Resolved, That permission be granted the "Rochester Wicket Club" to play on Franklin Square, provided that the members thereof employ a competent person to act as special policeman during the times they are playing, and

that they protect the fence and trees from any damages that may occur in consequence of their playing on said square. Laid on the table till next regular meeting.

By Ald. Hebard—Resolved, That the City Attorney is hereby directed to draw up contracts in behalf of the city, with the several papers for printing and publishing the proceedings of the Common Council, in accordance with the report submitted by the select committee on printing, and that his Honor the Mayor execute such contracts. Adopted.

By Ald. Hebard—Resolved, That the sum of twenty-eight dollars, the amount remaining in the Treasury credited to the Gregory street improvement fund, after the improvement of said street, be placed in the hands of the Street Superintendent to be expended by him in repairing said Gregory street. Adopted—ayes 17, noes 0.

FINANCE BUDGET.

By Ald. Reynolds—Resolved, That the Treasurer pay as follows

E. H. Munn, late Street Superintendent, for disbursements for March.....	\$375 88
R. D. Howell, Street Superintendent, for disbursements for April.....	959 50
and charge Highway Fund.	
Seth Simmons, services as Chief of Police, 4 days.....	8 89
George Bradshaw, services as Policeman, 4 ".....	5 84
Edward Jennings, " ".....	5 84
Alexander McLean, " ".....	5 84
Samuel Brown, " ".....	5 84
Wm. Ratt, (assigned to Shaw) " ".....	5 84
Michael O'Connor, services as " ".....	5 84
Harris Smith, " ".....	5 84
Edward Schooley, " ".....	5 84
Frederick Shove, " ".....	5 84
Monroe Green, " ".....	5 84
John McDermott, " ".....	5 44
J. M. Rogers, " ".....	5 84
Eneas Lane, " ".....	5 84
Francis McAnally, " ".....	5 84
Peter Shindare, " ".....	5 84
Barney Haunes, " ".....	5 84
Allan McMullen, " ".....	5 84
John Lyness, " ".....	5 84
E. J. Keeney, services as Chief of Police, for April.....	59 40
J. Montgomery, services as Policeman, for April.....	29 00
R. W. Goddich, " ".....	39 15
A. Kingsbury, " ".....	39 15
B. B. Leap, " ".....	39 15
Seymour Cooley, " ".....	39 15
H. Jordan, " ".....	39 15
J. C. Hagle, " ".....	39 15
J. C. Lauer, " ".....	39 15
Thomas Casterer, " ".....	39 15
H. McQuatters, " ".....	39 15
P. B. Wilder, " ".....	31 90
Wm. Coughlin, " ".....	37 70
A. Brownell, " ".....	31 90
J. Dresser, " ".....	33 35
G. C. Pease, " ".....	27 55
H. V. Steller, " ".....	31 90
A. H. Waterman, " ".....	31 90
Alvah Rice, " ".....	32 35
Paul Gilman, " ".....	27 55
Thomas Campbell, " ".....	31 90
A. Wagner, " ".....	31 90
John S. Stott, " ".....	33 35
Peter Koons, " ".....	31 90
E. J. Keeney, disbursements,.....	18 06
and charge Police Fund.	
Also, the following bills, and charge Fire Department Fund.	
L. M. Blakeslee, ringing alarm bells.....	\$10 00
R. A. Hall, " ".....	41 25
Jno. J. Pryor, " ".....	43 75
Stewart & McBirney, repairs to Engine Houses and Ladders.....	7 25
Wm. Dobson, claim for damages.....	3 00
J. W. Phillips, coal.....	2 50
W. Delaney, claim for damages.....	2 00
W. Hollister, bill lumber.....	4 37
By Ald. Reynolds—Resolved, That the Treasurer pay the following accounts, viz:	
John McDowell, drawing wood, and removing pauper's to the county house.....	\$91 25
W. S. Main, flour and corn meal.....	30 25
Adams, Hastings & Co., bill of paper.....	2 38
Smith, Perkins & Co., bill of groceries.....	76 97
H. Brewster & Co., " ".....	30 86
J. Howe, " bread and crackers.....	23 85
Jacob Anderson, " candles.....	20 36
Frost & Schlier, " pork.....	20 40

Wm. Simpson, one qrs rent Poor office.....	\$25 00
F. R. Banker, one mo salary, clerk.....	25 00
J. J. Van Zandt, bill of coffee.....	7 00
J. B. Ward & Co., bill of coal.....	7 50
Riley & Hughes, undertaker's services.....	18 76
and charge Poor Fund.	
W. E. Hassen, materials for lighting public lamps on Oak street.....	7 00
J. Siddons & Co., bill for 50 street lamps.....	200 00
and charge Lamp Fund.	
Adopted—Ayes 17, noes 0.	

Ald. Lewis stated that Mr. Fitzgerald, proprietor of the Metropolitan Theatre, had requested him to present his thanks to the Board for their liberality in granting him a license at a comparatively small sum, and, in further acknowledgement of the kindness, he (Mr. Fitzgerald) invited the Mayor and members of the Common Council, and their families to attend the exhibitions at the Theatre.

By Ald. Lewis—Resolved, That his Honor the Mayor and members of the Common Council meet at the Mayor's office at 2 P. M., Wednesday, May 4th, and that they proceed from thence to Deep Hollow for the purpose of examining the work now under contract at that place. Adopted.

By Ald. Reynolds—Resolved, as a standing rule and order of this Board, that all persons having accounts and demands against the city be, and are hereby required to verify the same by their affidavits, before they are presented for the consideration of the Board, in pursuance of Section 9 of an Act of the Legislature, passed March 2d, 1877, amending Section 72 of the City Charter; and all Committees of this Board are required not to report for payment any accounts or demands not so verified. Adopted.

By Ald. Reynolds—Resolved, That the Lamp Committee be authorized to locate and direct the placing of the requisite number of lamps in Mill st. between Exchange Place and Mumford st., while the improvement of said street is progressing.—Adopted.

By Ald. Reynolds—Resolved, That the Treasurer pay the account of A. Strong & Co., of seventy-four dollars, for publishing Treasurer's notice of land to be sold for General Taxes in 1857, and charge the amount to the Contingent Fund. Adopted; ayes 17, noes 0.

By Ald. Reynolds—Resolved, That in describing the territory to be assessed for local improvements, it is not intended to include the Public Squares of the city. Adopted; and a motion to reconsider was lost.

By Ald. Holmes—Resolved, That the Committee on Public Lamps cause to be erected four street lamps—two on the north side and two on the south side of Main st. Bridge. Adopted.

By Ald. Hollister—Resolved, That James Sharp have leave to erect a wood building according to the prayer of his petition, under the direction of the Chief Engineer. Adopted.

By Ald. Hebard—Resolved, That when this Board adjourns, it adjourn to meet one week from this evening, at the usual hour. Adopted.

And the Board adjourned.

FR. S. REW, Clerk.

In Common Council, May 5, 1859.

CONVENED AS A BOARD OF CANVASSERS.

Present—The Mayor, Ald. Mudgett, Holmes, Reynolds, Hollister, Lewis, D. W. Perry, Nash, Billinghamst, Knapp, Stone, Selye, Lutes.

Absent—G. W. Perry, Butler, Hebard, Twitchell, Bradstreet, Cushing, Shelton, Fairchild, Bauer, and Mason.

The Mayor announced the special purpose of the meeting of the Board, to be to receive and canvass the votes taken at the Special Election held in the Seventh Ward on the 3d of May, inst.

The Clerk presented and read the returns of the Inspectors appointed to hold the Special Election in the Seventh Ward; whereupon

The Board determined and declared that the following persons, by the greatest number of votes, were duly elected to the offices named, respectively, viz:

Matthew G. Warner, Supervisor.

Aaron Erickson, Alderman, to serve until the 1st Monday in April, 1861.

Henry G. Moore, Alderman, to serve until the first Monday in April, 1860.

Reuben Cook, Commissioner of Common Schools.

William I. Hanford, and William H. Gorsline, Inspectors of Election.

And that Patrick H. McMahon, being one of the two persons who received the next highest number of votes, is appointed Inspector of Elections, to be associated with the two who were elected to that office.

The Certificates of Election were then signed in duplicate, by the Mayor and the Aldermen present, and the Board adjourned. FRANCIS S. REW, Clerk.

In Common Council, May 10, 1859.

ADJOURNED MEETING.

PRESENT—The Mayor, Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Nash, Erickson, Moore, Knapp, Stone, Lutes, Shelton, Bauer, Mason, Billinghamurst, Cushing.

ABSENT—Ald. Mudgett, G. W. Perry, D. W. Perry, Selye and Fairchild.

The minutes of the previous meeting were approved as published.

PETITIONS AND CLAIMS.

By Ald. Holmes—Of Ezra Jones and others, for a light on Hill street. Committee on Lamps.

Account of Thos. Burns, for services at the Pest house. Table.

By Ald. Butler—Of H. Blanchard and others, for the improvement of Platt street, from State to Broad street. Improvement Committee.

Bill of W. S. Thompson. Contingent Expense Committee.

By Ald. Hollister—Of W. J. Armitage, for leave to erect an addition to his dwelling house on Stillson street. Remonstrance of Thos. Peart and others, against the erection of a wooden building on Greig street, by Wm. Powell. Committee on Wooden Buildings.

By Ald. Reynolds—Remonstrance of H. Plumer and others, against improvement of Greig street.—Improvement Committee.

Account of A. Karnes, for cash paid on certain protests. Contingent Expense Committee.

By Ald. Bradstreet—Of citizens residing on Franklin square, against permitting persons to play ball thereon. Table.

By Ald. Nash—Of G. Goetzman and others, to be allowed time in the payment of tax for sewer in Atwater street. Sewer Committee.

By Ald. Erickson—Of Lewis Miles, for election expenses in 7th ward; also, of Inspectors of Election in 7th ward. Contingent Expense Committee.

By Ald. Knapp—Of property holders on Canal street, for appropriation of balance of fund for Ca-

nal street sewer. Also, for establishing the grate of the west sidewalk of said street. Also, of residents of New York street, for leave to make an open drain in said street. Table.

By Ald. Lutes—Account of Edward Bardwell, for taking boys to the House of Refuge; of W. E. Roach, City Sealer, for services of County Sealer in sealing weights and measures. Contingent Expense Committee. Also, a communication from the City Sealer in relation to the standards belonging to the city. Of residents and owners between Phelps Avenue and Brisbane street, to open Var-num street. Table.

By Ald. Shelton—Of George Ruby, for re-payment of an erroneous assessment. Grievance Committee. Of Stephen Wood, for leave to repair and alter his house, corner of Scio street and University Avenue. Committee on Wood Buildings. Remonstrance of N. Osborn and others against sewer in East Avenue, from Chestnut street to Main st.—Sewer Committee.

By Ald. Stone—Petition of James Haley, for leave to erect a wood building. Committee on Wood Buildings.

By Ald. Mason—Account of Jacob Stryker, for cleaning Centre Market; D. W. Wickoff, whitewashing the same. Market Committee.

REPORTS OF COMMITTEES.

By Ald. Shelton, from the Sewer Committee, in favor of paying P. Leonard \$2 50 for hack hire.—Referred to Contingent Expense Committee.

By Ald. Nash, from the Law Committee, that the Common Council have not power to appoint a School Commissioner in the 12th ward. The election must be by the people.

By Ald. Hebard—From the Contingent Expense Committee, bill of P. Leonard, for hack hire. Referred to Finance Com. for payment.

Against the insuring of clocks owned by the city. Table.

Favorably on the accounts of the Assessors for one month's salary. Referred to Finance Com. for payment.

Against paying the Messenger's bill for disbursements. Agreed to.

By Ald. Stone—From the Poor Com., on the claim of Dr. Whitbeck, late City Physician, for surgical operation, the following:

To the Honorable Mayor and Common Council of the City of Rochester:

The Poor Committee, to whom was referred the petition of Dr. Whitbeck, late City Physician, for extra compensation for a surgical operation performed while acting as Poor Physician, would state the facts as they have come to the knowledge of the Committee: An aged man, named Thomas Burmick, had the misfortune, while playing with a friend, to fall and break his leg. That, although he had been previously helped by the Poor Master, he did not send for Dr. Whitbeck, but for Dr. Dolley, who attended him up to the day of the amputation. That fearing the result of the case, or for some other reason, Dr. Dolley on the 30th day of March, one day previous to the expiration of Dr. Whitbeck's appointment, handed over the case to him. Dr. Whitbeck might have deferred the matter for a day or two, and thrown the labor and responsibility on his successor.

That on consultation with Mr. Banker, Ald. Bromley and others, he called a council and amputated the broken leg. The patient in a short time died.

The only question to be determined by the Committee is: is "surgery" a part of the duties of a City Physician? if so, then no "extra pay" could con-

sistently be expected; if not, then a fair and honorable compensation should be allowed.

To warrant Dr. Whitbeck in asking extra pay, he has put into the hands of the Committee communications from Mr. Banker, ex-Ald. Bromley, Dr. Avery and others, all of which favor his claim.

So long as the Common Council fail to determine the duties of its subordinates, so long will every man wish to "rope in," and the applications for extra pay be as numerous as the appointments made. Your Committee are of the opinion that Surgery, as well as the ordinary practice of a physician, are obligations resting on all the Physicians appointed, to attend the wants of the unfortunate poor. We do not recognise this claim as valid, beyond the assurance given Dr. Whitbeck at that time, by gentlemen in authority, and how far such are binding on the present Board, we will not say.

In view of all the circumstances and facts which cluster around this case, your Committee would recommend the adoption of the following resolution: [See Miscellaneous.]

N. A. STONE,
H. BILLINGHURST,
WM. MUDGET, JR.

May 10, 1859.

By Ald. Holmes—From Health Com., favorably on bill of Thomas Burns, keeper of the Pest House. Referred to Finance Com. for payment.

Also, the following:

To the Hon. the Mayor and Common Council:

Your Committee on Public Health to whom was referred the subject matter, and papers relative to transfer of balance of Alms House funds, and property to the Trustees of the City Hospital, would respectfully Report, that they have examined the papers and documents referred to them, and find that the former Committee of the board, who had this subject before them, did submit a long and able report thereon, covering the whole ground, leaving but little if anything for your Committee to whom the last reference was made to do or say, except to regret that the Trustees of the City Hospital should have suffered a measure of so much importance to our city to slumber so long. Your Committee proposed to the Trustees of the City Hospital, that they furnish evidence of full performance on their part in procuring releases of the grounds for the Hospital Building; that they have in possession the requisite sum of Five Thousand Dollars; that the assessments now standing against the Western Cemetery grounds, on the Books of the City Treasurer be paid without interest, out of the Alms House funds, and the balance transferred to said Trustees without interest. It is the opinion of your Committee, that the Trustees should inform this Board, or his Honor the Mayor, of the character of the security to be given for faithful performance of the Trust on their part.—And also, that the authority to recommend persons for admission to the Institution when ready to receive patients, should be determined upon at the time of transfer of balance of funds and property.

Respectfully submitted.

W. F. HOLMES,
GEO. SHELTON,
W. T. CUSHING.

By Ald. Lutes—From Police Com., favorably on the bill of Edward Bardwell, and on D. Johnson's bill for police services; and Fisher & Co's., bill for bookcase at the Police Office. Referred to Finance Com. for payment.

By Ald. Mason, from the Market Committee, fa-

vorably on petition of Geo. Brown, for market license on Asylum street. Table.

Ald. Shelton called for the reading of a remonstrance against the establishment of another market on Asylum street.

A motion to postpone indefinitely the question of agreeing to this report was lost, ayes 3—Ald. Lewis, Bradstreet and Shelton—nays 15.

Also, favorably on petition of Leonard Seitz for a market at 208 East avenue.

Agreed to: ayes 16, noes 1—Ald. Reynolds.

By Ald. Hollister, favorably on W. J. Armitage's petition to repair his dwelling house on Stillson street. Table.

REPORTS OF EXECUTIVE OFFICERS.

The Clerk presented a communication from the Board of Education, certifying the amount to be raised for School purposes the present year. Referred to School Committee, in connection with the Law Committee.

ACTION UPON ORDINANCES. SEWER IN BOWERY STREET.

By Ald. Shelton—Resolved, That the city Surveyor ascertain and report to this Board the expense of constructing a stone sewer in Bowery street from a point opposite the center of Chatham street to the sewer in the center of Clinton street; said sewer to be one and a half by two feet in dimensions, with brick bottom, and of such depth as the sewer committee may direct, and a suitable number of laterals and grates. Adopted.

The Surveyor submitted such estimate.

By Ald. Shelton—Resolved, That the following improvement is expedient, namely:

Constructing a stone sewer in Bowery street from a point opposite the center of Chatham street to the sewer in the center of Clinton street; said sewer to be one and a half by two feet in dimensions, with brick bottom, and of such depth as the sewer committee may direct, and a suitable number of laterals and grates.

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 \$1086 36; which estimate is hereby approved;

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

One tier of lots on each side of Bowery street from Chatham street to Clinton street.

And the clerk is hereby directed to publish notice in pursuance of section 190 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 17th, 1859, at half-past seven o'clock, at the common hall, when allegations will be heard.

Adopted, by the following vote:—Yea—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Nash, Erickson, Moore, Knapp, Stone, Lutes, Shelton, Bauer, Mason, Billingham, Cushing—18.

Nays—None

SEWER IN ASYLUM STREET.

By Ald. Shelton—Resolved, That the city surveyor ascertain and report to this board the expense of constructing a stone sewer, eighteen inches by twenty-four inches and nine feet deep from a point twenty-five feet east from the south-west corner of New Main and Asylum streets through the center of Asylum street to the sewer in Alexander street. Adopted.

The surveyor submitted such estimate.

By Ald. Shelton—Resolved, That the following improvement is expedient, namely:

The construction of a stone sewer eighteen inches by twenty-four inches, nine feet deep, with brick bottom from a point in Asylum street twenty-five feet from the south west corner of Asylum and New Main street to the sewer in 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 \$2,022, which estimate is hereby approved.

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

One tier of lots and all the land on each side of said Asylum street from a point twenty-five feet east from the south-west corner of New Main and Asylum street to Alexander street.

And the Clerk is hereby directed to publish notice in pursuance of section 190 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 17th, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard:

Adopted by the following vote—Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Nash, Erickson, Moore, Knapp, Stone, Lutes, Shelton, Bauer, Mason, Billinghamurst, and Cushing—18. Noes—None.

SEWER IN NEW MAIN STREET.

By Ald. Shelton—Resolved, That the city Surveyor ascertain and report to this Board, an estimate of the expense of constructing a stone sewer eighteen inches by twenty-four inches, eight feet deep, with brick bottom, in New Main street from the east line of Gibbs street to the sewer in Alexander street. Adopted.

The Surveyor submitted such estimate.

By Ald. Shelton—Resolved, That the following improvement is expedient, namely :

The construction of a stone sewer eighteen inches by twenty-four inches, eight feet deep, with brick bottom, in New Main street from the east line of Gibbs street to the sewer at 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 \$3,624 00, which estimate is hereby approved.

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

One tier of lots and all the land on each side of New Main street from the east line of Gibbs street to the west line of Alexander street.

And the clerk is hereby directed to publish notice in pursuance of section 190 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 17th, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard.

Adopted by the following vote—Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Nash, Erickson, Moore, Knapp, Stone, Lutes, Shelton, Bauer, Mason, Billinghamurst and Cushing—18. Noes—None.

By Ald Knapp—Resolved: That the City Surveyor be and is hereby directed to establish the grade of the side-walk on the West side of Canal street. Adopted.

By Ald. Knapp—Resolved: That E. R. Armstrong and others be permitted to construct on the west side of New York street, from Burns street to West Avenue sewer, a drain for the purpose of draining the pool of stagnant water now standing in Burns street, to be done under the direction of the Street Superintendent. Adopted.

By Ald. Knapp—Resolved: That the sum of forty-five dollars and fifty-five cents, the amount remaining in the Treasury, credited to the Canal Street Sewer Fund, after the building of said sewer, be placed in the hands of the Street Committee to be expended by them in repairing said Canal street. Adopted—ayes 15, noes 3—Ald. Holmes, Reynolds and Lutes.

By Ald. Knapp—Resolved: That the Street Superintendent be and he is hereby directed to notify the owners of the lots on the west side of Alexander street, from Mrs. Maria Gifford's lot to Simeon T. Brown's lots, to fill in and raise the side-walk in front of their lots to the same height with the side-walk north and south of said points, and repair the same by constructing a box sewer to conduct the water under said side-walk from the sewer on the west side of the street, within fifteen days from the service of said notice. Adopted.

By Ald. Stone—Resolved, That the Consultation fees claimed in the bill of items presented by Dr. J. F. Whitbeck, late City Physician, for amputating the leg of Thos. Burwick, March 30th, 1859, be allowed, and the Treasurer be directed to pay to his order the sum of fifteen dollars; also, the further sum of ten dollars, the whole being half of the bill rendered and amount claimed, and charge Poor Fund. Adopted.

By Ald. Stone—Resolved, That all Surgical operations performed by Physician to the Poor, from this date, are deemed by this Board to be part of their duties, and as such, will not be entitled to any extra compensation. Adopted, as follows:

Yeas—Ald. Reynolds, Hollister, Lewis, Hebard,

Bradstreet, Nash, Knapp, Stone, Bauer, Billinghamurst, Cushing—11.

Nays—Holmes, Butler, Erickson, Moore, Lutes, Shelton, Mason—7.

By Ald. Stone—Resolved, That the City Surveyor be directed to designate the lines and boundaries of Cady street, in the 8th Ward—from Genesee to Olean street. Adopted.

By Ald. Lewis—Resolved, That the street lying south of Washington square, and extending from the west end of Monroe street to South street, be hereafter known and distinguished as Wood street, and the Clerk is directed to enter the same in the Street Register. Adopted.

By Ald. Lewis—Resolved, That the owners of property on the east side South street, between the street south of Washington Square and Jackson street, be permitted to build their own side walk, according to the Ordinance adopted by this Board, provided they do the same within thirty days—that the same be done under the direction of the City Surveyor and Street Superintendent. Adopted, ayes 14, nays 4—Ald. Hebard, Bauer, Mason and Billinghamurst.

By Ald. Lewis—Resolved, That C. H. Castle, agent of Dan Rice's Great Show, be permitted to exhibit the same on Falls Field, May 17th and 18th, by his paying into the treasury the sum of thirty dollars per day, and that the same be credited to the contingent fund.

Ald. Lutes moved to amend, by crediting the fee to the police fund. Lost.

The resolution was adopted.

By Ald. Lewis—Resolved, That the Treasurer pay A. Karnes forty-two dollars, the same having been advanced by him per order of the Street Committee, as follows, viz:—Forty dollars for graveling South Avenue, and two dollars for repairing sewer in Emmett street, and charge Highway fund. Adopted; ayes 18, noes 0.

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

The widening of Green street to a width of 66 feet, and extending the same each way, as follows: north from Jackson street to Monroe street, and south through the Griffith tract from Griffith street until it intersects the line of Cayuga street. And that the land necessary to be taken for said improvement is described as follows:

That territory between Jackson street and Monroe street, lying between the east line of Green street produced to Monroe street, and a line drawn parallel with and 66 feet west from said east line of Green street. Also, thirty-three feet on the west side of Green street, from Jackson street to Griffith street. Also, the territory south of Griffith street lying between the east line of Green street extended to the Erie Canal, and a line drawn parallel with and sixty-six feet westerly therefrom. Also, the territory on the south side of the Erie Canal lying between these two last mentioned lines produced, until they intersect the line of Cayuga street produced. Also, the territory included between the lines of Cayuga street thus produced from said point of intersection to the north line of Holley street.

Resolved, That the City Surveyor be authorized to negotiate with the owners of property necessary for this improvement, and report to this Board at its next meeting. Adopted.

By Ald. Hollister.—Resolved, That W. J. Armistage have leave to repair his dwelling on Stillson street, according to the prayer of his petition, under the direction of the Chief Engineer. Adopted.

By Ald. Reynolds—Resolved that the City Sur-

GREEN ST

veyor be, and is hereby directed to ascertain and report to this Board at the next meeting, an estimate of the expense of improving East Avenue, from New Main street to the east line of the city, by setting curb of Medina stone, fifteen feet from the line of the street, and paving the whole space between the curbs with Lockport or Medina stone; and that he also make a survey and profile of the said street, and determine and mark plainly the lines and boundaries thereof; also to report the cost of improving the street agreeable to the ordinance relating thereto, and rescinded at the last meeting of this Board. Adopted.

By Ald. Reynolds—Resolved, that the Treasurer refund William Dawson, one hundred and thirty-two dollars, on his assessment for Mill street improvement, amount of Rathbun's and Whitmore's bill for side walk built by them in front of his lot on Mill street, in pursuance of a resolution of the Common Council, passed May 18th, 1858, and charge Mill street Improvement Fund. Adopted; ayes 18, nays 0.

By Ald. Reynolds—Resolved, that the Treasurer credit William Brewster \$35 28 on his assessment for Mill street improvement, for 126 feet Medina flagging at 28c per foot, and charge Rathbun and Whitmore on their contract for said improvement, they having agreed in their proposal for the work to allow him that price for the stone. Adopted; ayes 18, nays 0.

By Ald. Reynolds—Resolved, That the Surveyor be directed to mark and define the lines of Frances street, from West Avenue to Clifton street; and the City Superintendent is requested to notify the owners of the property on said street between the points above mentioned, to remove their fences to the lines of the streets as so designated. Adopted.

Ald. Reynolds presented the assessment roll for South street plank walk, and moved that allegations be heard at the first regular meeting in June. Agreed to.

By Ald. Holmes—Resolved, That the Mayor, upon the request of the Standing Committee on "Public Health and Hospitals," be and is hereby authorized on behalf of the city, to execute a conveyance to the Trustees of the Rochester City Hospital, of all the unsold lands belonging to the Alms House Property; and that the City Comptroller, on like request, be and is hereby authorized and directed to assign, transfer and pay over to the said Trustees, all articles, contracts and moneys in his hands belonging to the said Alms House Property, and all moneys received on contracts or articles for any portion of said property heretofore sold, and which are embraced in the resolutions of this Board passed May 24, 1855, upon the condition that the said Trustees of the Rochester City Hospital shall allow to the city all assessments now due upon the Hospital Lot, and shall execute and deliver to the city a bond, to be approved by the Mayor, that the avails shall be faithfully expended in the erection of suitable hospital buildings upon said lot. Adopted—ayes 16, noes 0.

By Ald. Lutes—Resolved, That the Treasurer pay T. H. Hyatt, or his attorney, one hundred dollars, for land taken for widening State street at Deep Hollow, and charge that fund.

Adopted—ayes 18, noes 0.
By Ald. Mason—Resolved, That Leonard Seitz have a license for a market at No. 208 East avenue, on his paying into the city treasury seventy-five dollars. Adopted.

By Ald. Mason—Resolved, That George Brown be granted a license for a market stall at No. 8

Asylum street, on his paying into the city treasury the sum of seventy-five dollars. Laid on the table.

By Ald. Lewis—Resolved, That the Treasurer pay Ambrose Cram one hundred and thirteen and eighty one-hundredths dollars, in full for building plank sidewalk in Buffalo street in front of lots Nos. 166, 167, 168, 171 and 172, and charge that improvement, when there are funds belonging thereto. Adopted—ayes 18, noes 0.

By Ald. Reynolds—Resolved: That the Treasurer pay

P. G. Buchan—part of bill disbursements,.....	\$23 40
David McKay—salary as Assessor for April,.....	83 33
Francis Dana—assigned to H. W. Jones, salary as Assessor for April,.....	83 33
Jared Coleman—salary as Assessor for April,.....	83 33
P. Leonard—hack hire for Sewer Committee, April 5,.....	3 00
P. Leonard—do do do do 28,.....	2 50
and charge Contingent Fund.	
Lyman Johnson—27 days service as Policeman,....	\$39 15
and charge Police Fund.	
Thomas Burns—services, &c., at Small Pox Hospital,.....	\$34 14
and charge Board of Health.	
P. G. Buchan—Balance of bill of disbursements,....	\$22 00
and charge Poor Fund. Adopted. Ayes 18, nays 0.	

The Mayor stated to the Board that it was understood Mr. Selah Mathews was about to erect a three story building in place of that now occupied by him on the east side of the county lot, and if it was in contemplation to widen the alley on the east side of the Court House, it should be done before an expensive building was erected there.

On motion of Ald. Reynolds, the subject was referred to the Committee on opening and widening streets.

Ald. Holmes called for a report of the Committee of the whole on the Deep Hollow Improvement.

Ald. Reynolds made a partial oral report relating to the visit of inspection on the 4th inst.

Ald. Nash asked leave to absent himself for the remainder of the evening, it being now 10 o'clock. Leave granted.

Ald. Holmes called up his resolution to change the time of the meetings of this Board from Tuesday to Monday evening, and it was, on motion, indefinitely postponed.

By Ald. Bradstreet—Resolved, That Ald. Lewis have leave to withdraw his resolution offered at the last meeting of this Board, asking permission for the Wicket Club to play upon Franklin Square. Adopted.

On motion of Ald Reynolds, the Board proceeded to ballot for a member of the Board of Health, in place of John Crombie, who neglected to qualify.

Ald. Reynolds nominated W. H. Groot, and Ald. Holmes nominated Wm. S. Thompson.

On the first ballot, W. H. Groot received 6 votes, Henry Harrison 6, Wm. S. Thompson 4 and blank 1. No choice.

On the second ballot, W. H. Groot had 8, Henry Harrison 6, Wm. S. Thompson 1. No choice.

On a third ballot, W. H. Groot had 8 and Henry Harrison 8. No Choice.

On a fourth ballot, Wm. H. Groot had 9 votes and Henry Harrison 8. No choice.

The Board then adjourned.

FR. S. REW, Clerk.

In Common Council, May 17, 1859.

REGULAR MEETING.

Present—The Mayor, Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Fairchild, Shelton, Bauer, Mason, Bilinghurst, Cushing.

Absent—Ald. G. W. Perry, Twitchell.
The minutes of the last meeting were approved and published.

PETITIONS AND CLAIMS.

By Ald. Butler—Petition of Geo. W. Parsons and others, to enclose and improve the termination of Dean street. Street Committee.

By Ald. Reynolds—Of D. A. Hanvey, to be allowed to pay back taxes on lot No. 120 State street, with the addition of 7 instead of 15 per cent.—Table.

Bill of C. T. Amsden, for insurance premium on Engine House No. 1, and Fire apparatus. Fire Department Committee. Insurance on clock in Brick Church. Contingent Expense Committee.

By Ald. Hollister—Of John Phinn and others, for plank sidewalk on north side of Glasgow st.—Improvement Committee.

By Ald. Lewis—Bill of Geo. Cummings, for hack hire. Contingent Expense Committee.

By Ald. Bradstreet—Of John Ruby, for re-payment of erroneous assessment. Of Cornwell & Moulson, to be refunded part of a tax. Grievance Committee.

By Ald. Nash—Of E. Ferguson and others, remonstrance against sewer in Otsego street. Sewer Committee.

Of James Connolly and others, for improvement of Clinton street, from Main to Andrews street.—Improvement Committee.

By Ald. D. W. Perry—Of James O'Donohue and Wm. Simpson, for a sewer in Marietta st., through St. Paul street to Railroad sewer. Sewer Committee.

By Ald. Stone—Remonstrance of persons living in New York and Maple streets, against a sewer in those streets. Sewer Committee.

By Ald. Lutes—Bill of Dr. G. W. Avery, for setting the dislocated shoulder of a policeman. Police Committee.

By Ald. Bauer—Of Adam Heinle, for leave to erect a wood building corner of Romaine and Magne streets. Committee on Wood Buildings.

By Ald. Billingham—Of Philip Kirley, M. Canfield and others, for special election in Twelfth Ward. Table.

By Ald. Fairchild—Treasurer's bill for tax against Engine House No. 3; Perrine & Stewart's bill for repairs to Fire apparatus; Geo. W. Fisher's bill for paper hangings for Engine House No. 4; A. Flory's bill for ringing alarm bells; Proceedings of Engine Co. No. 4, and H. & L. Nos. 1 and 2. Referred to Fire Department Committee.

By Ald. Mason—Remonstrance of residents on Orchard and Lime streets, against sewer in those streets. Sewer Committee.

By Ald. Shelton—Accounts of Thos. Culhane and J. VanAuker, for hack hire; of A. Cram and others, for a sewer in Allen street; of J. Crombie and others, against sewer in Smith street. Sewer Committee.

Of J. S. Tracy, for opening of Finney street to Kirk street. Committee on Opening Streets.

By Ald. Reynolds—Communication from S. F. Witherspoon, in relation to an unpaid order. Table.

By Ald. Knapp—Of residents on Broad street, for the improvement of that street in the same manner as Platt street. Improvement Committee.

REPORTS OF COMMITTEES.

THE DEEP HOLLOW IMPROVEMENT.

By Ald. Seyle—The following Report on the Deep Hollow Contract:

The Improvement Committee report, that they have had the subject matter of the Improvement

of Deep Hollow under consideration for some time, and that they have made and received propositions from the contractor; that they have caused an estimate to be made of the whole work from the beginning to the present time by three responsible Engineers, including the City Surveyor; that the estimate so made, exceeds the estimate made at the closing up of the work in December last, \$552 41-100, which, the Committee are happy to say is satisfactory to themselves and the Contractor—leaving no dispute so far as quantities are concerned; that there has been a difference of opinion between the Contractor and the Committee in regard to what he calls *extra work*, as well as to the quality of the work done under the contract; these differences have been amicably settled so far as the Committee are disposed to go, in the absence of further instructions from the Common Council. The amount of extra work claimed by the Contractor, including an amount of wall laid in rear of the arch and called backing, which wall or backing is not in the contract, and was not authorized, so far as the present Committee are aware, by any person or persons having authority to order extra work upon said improvement is, \$994 51-100.

The Committee upon thorough investigation and consideration have unanimously agreed to recommend the allowance of \$500, in full compensation for all extra work done or materials furnished by the Contractor to this date, and to which the Contractor has signified his consent in writing, which is herewith submitted. The Committee recommend that the said terms of settlement, &c., be approved by the Board; and they further recommend the passage of the following resolution:

Resolved, That the instrument of settlement &c. executed by James Conway, and now here produced, bearing date May 16, 1859, be, and the same is hereby approved and accepted, and in pursuance of the condition upon which the same is delivered by said Conway, ordered, that the Treasurer pay to James Conway, on his contract for culvert, &c., at Deep Hollow, fifteen hundred dollars, as an advance upon the 60 per cent. to which he may be entitled upon his next estimate or estimates of work hereafter done under said contract, and to be deducted therefrom.

The Committee further recommend that Richard Gorsline be employed to inspect the work hereafter to be done at Deep Hollow at \$5 per day.

LEWIS SELYE,
W. A. REYNOLDS,
H. S. HEBARD.

By Ald. Selye—Favorably on Daniel Marsh's bill for services at Deep Hollow. Finance Com.

By Ald. Hollister—From the Committee on Wood Buildings, favorably on petition of J. Haley, for leave to erect wood building; also, favorably on Stephen Wood's petition for leave to alter his house on corner of Scio-st. and University Avenue, and on Thomas M'Anary's petition for leave to erect a wood building on Brown-st. Tabled. Also, in favor of granting leave to Wm. Powell to put a wooden cornice on addition to his house, No. 30 Greig-st., and unfavorably as to his request to erect a wooden addition.

By Ald. Shelton—From the Sewer Committee, favorably on the petition of G. J. Whitney, for leave to drain into Oak-st. sewer; also, favorably on bills of J. Van Auker and Thos. Culhane, for hack hire. Finance Committee.

Ald. Mudgett—From the Committee on Opening and Widening Streets, asked further time in the matter of widening Main-st., at the Main-st. bridge. Granted.

By Ald. Fairchild—From the Fire Department Committee, favorably on the following bills: Geo. W. Walbridge, horse hire, for Fire Dept. Com., Fish, Mudgett & Co., for cement, Treasurer's bill for taxes on Engine and Hook & Ladder Houses for improving East side square, J. C. Moore's for blank book, Fire Dept. Register, Jesse Howland, ringing alarm bells, Orrin Harris, work for Fire Dept., Jacob Hyne, ringing alarm bells, Jas. Terry & Co., stove for Sack & Bucket Co., Chas. Green, ringing alarm bells. Referred to Finance Committee. Also, to confirm proceedings of Fire Co. No. 7.

By Ald. Lutes—From the Police Committee, favorably on the bill of Dr. Avery for reducing a dislocation. Referred to Finance Committee.

By Ald. Hebard—From the Contingent Expense Committee, favorably on the bill of Lewis Miles, for use of room at Special Election in the 7th Ward. Finance Committee.

EXECUTIVE BUSINESS.

The City Surveyor submitted the following report:

To the Honorable Mayor and Common Council:

The undersigned, in conformity with your resolution passed May 10, 1859, submits the following estimates for the improvement of East Avenue from New Main st. to the City Line:

Full Medina improvement.....	\$19,659 00
Medina Curb, cobble gutters, and McAdam road-way.....	16,115 00
Lockport stone.....	23,020 00
Respectfully submitted,	CHARLES R. BARRITT,
Rochester, May 17, 1859.	City Surveyor.

The Clerk presented resolutions of the Board of Health, declaring that the preservation of the public health, requires the construction of a sewer to drain the Gregory tract, between Nelson st. and South Avenue; a sewer to drain the tract north of Atwater st., and a sewer in Lyell st. from a point 108 feet east of the Erie canal, to the Saxon street sewer. Table.

ACTION ON ORDINANCES AND ASSESSMENTS.

Ald. Shelton presented the assessment roll for the sewer in State st. from Jay st. to White st. sewer. No one appearing to make appeals therefrom, it was confirmed by the following vote:

Ayes—Ald. Mudgett, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Shelton; Bauer, Mason, Billinghurst, Cushing.—20.

Nays—0.

Ald. Shelton presented the assessment roll for the sewer in State st. from the north line of the Eagle Hotel property, to Mumford st. sewer.—Messrs. J. B. Bennett and Geo. Arnold were heard in opposition to its confirmation.

Ald. Reynolds offered the following:

Resolved, That the assessment roll for a sewer on the west side of State st. from a point eight feet north of the north line of the State st. front of the Eagle Hotel property, to a point opposite the centre of Mumford st.; thence across State street to the Mumford street sewer; also from a point 250 feet north from the centre of Mumford st. to intersect the sewer leading across State st. to the Mumford st. sewer, be amended by adding to the assessment therein of Samuel Wilder, the sum of two hundred and thirty-six dollars 50-100 and deducting that amount from the assessments therein against the following persons, the following sums respectively:

Hamlin Stilwell.....	\$20 00
G. Tallinger.....	13 00
J. E. Hayden.....	12 00
D. Cole.....	20 00
Geo. Arnold.....	22 00
Craig & Pell.....	33 00
Walbridge & Williams.....	40 00
William Churchill.....	24 00
J. B. Bennett.....	52 50

\$236 50

Adopted.

The question being on the confirmation of the roll as thus amended,

Ald. Lewis moved to postpone till the next regular meeting. Lost; ayes 16, nays 5—Ald. Holmes, Lewis, Erickson, Moore and Stone.

The roll was then confirmed by the following vote:

Ayes—Ald. Mudgett, Butler, Reynolds, Hollister, Hebard, Bradstreet, D. W. Perry, Nash, Knapp, Stone, Selye, Lutes, Shelton, Bauer, Mason, Billinghurst, Cushing—17.

Nays—Ald. Holmes, Lewis, Erickson, Moore—4.

SEWER IN NORTH ST. PAUL STREET.

Ald. Shelton presented a communication from S. D. Porter, in behalf of Commercial Bank, authorizing the city to construct the sewer across the land owned by the Bank, if the land be assessed only one half the full rate for the same.—Table.

IMPROVEMENT OF MARKET STREET.

The ordinance for the improvement of Market street was presented, and on motion of

Ald. Reynolds, it was—Resolved: That the ordinances passed by this Board May 3d, for the improvement of Market street, and all proceedings thereon, be and the same are hereby rescinded.

SEWER IN EDINBURGH STREET.

The final ordinance for a sewer in Edinburgh and La Fayette streets, was postponed until the next regular meeting.

SEWER IN LYELL STREET.

Remonstrance read, and allegations heard.—Postponed till May 31st.

SEWER IN ORCHARD AND LIME STREETS.

Ald. Shelton presented the final ordinance for a sewer in Orchard and Lime streets, and allegations were heard and a remonstrance of tax-payers read.

Ald. Holmes moved to postpone the further consideration of this ordinance for two weeks. Lost. On motion, it was postponed for one week.

Ald. Selye moved that when the Board adjourns it adjourn to meet one week from this night.—Carried.

SEWER IN OTSEGO STREET.

On motion of Ald. Shelton, the Board proceeded to hear allegations in relation to constructing a sewer in Otsego street as described in the ordinance below.

After hearing such allegations from all the persons appearing, Ald. Shelton submitted the following: **AN ORDINANCE**, to construct a sewer in Otsego street, from a point 100 feet north of Centre street to Platt street sewer.

The common council of the city of Rochester do ordain and determine as follows: That a stone sewer shall be constructed eighteen inches square and seven feet deep, in Otsego street, from a point 100 feet north of Centre st. to Platt street sewer.

Lost by the following vote: Ayes—Ald. Mudgett, Butler, Reynolds, Hollister, Lewis, Bradstreet, D. W. Perry, Knapp, Stone, Selye, Lutes, Shelton, Bauer, Mason, Billinghurst, and Cushing—16.

Nays—Ald. Holmes, Hebard, Nash, Erickson, Moore—6.

SEWER IN SMITH STREET.

On motion of Ald. Shelton, the Board proceeded to hear allegations in relation to constructing a sewer in Smith st. as described in the ordinance below.

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

AN ORDINANCE, to construct a sewer in Smith street, from a point 100 feet east of the east line of Frank street to State street.

The common council of the city of Rochester do ordain and determine as follows: a stone sewer, 18 inches by 18 inches in dimensions, shall be constructed from a point one hundred feet east of the east line of Frank street, in Smith street, to the centre of State street.

And the whole expense thereof shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefitted thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at Six Hundred and Twenty-Three Dollars and Fifty-Four Cents, which estimate was and is hereby approved. The sum of Six Hundred Twenty-Three Dollars and Fifty-Four cents, 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 benefitted by said improvement is described as follows: One tier of lots and all the land on each side of Smith street, from a point 100 feet from the east line of Frank street to State street.

On which above described portion of the city, the said sum of Six Hundred Twenty-Three Dollars and fifty-four cents is hereby ordered to be assessed. And David McKay, Francis Dana and Jared Coleman, the assessors of said city, not interested in any of the property so benefitted, 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 Friday, the 20th day of May, 1859, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote: Ayes—Ald. Mudgett, Butler, Reynolds, Hollister, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Shelton, Bauer, Mason, Billingshurst and Cushing—21.

Noes—Ald. Holmes and Lewis—2.

SEWER IN FITZHUGH AND LAFAYETTE STREETS

On motion of Ald. Shelton, the Board proceeded to hear allegations in relation to constructing a sewer in Fitzhugh and Lafayette streets, as described in the ordinance below.

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

AN ORDINANCE, to construct a sewer from a point 75 feet north of the south line of the Montgomery tract through Fitzhugh and Lafayette streets to the Exchange street sewer.

The common council of the city of Rochester do ordain and determine as follows: a tile sewer shall be constructed from a point seventy-five feet north of the south line of the Montgomery tract, through Fitzhugh and Lafayette streets to the Exchange street sewer. The sewer to be laid of nine inch Ohio tile in Fitzhugh street, and of twelve inch tile in Lafayette street, with such openings and laterals as the sewer com mittee may direct.

And the whole expense thereof shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefitted 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 Eighty-four Dollars and 80-100, which estimate was and is hereby approved. The sum of Five hundred eighty-four 80-00 dollars, being the whole amount of estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which said Common Council deem will be benefitted by said improvement is described as follows:

“One tier of lots and all the land on each side of Lafayette street, from a point forty feet west of the west line of Exchange street, to Fitzhugh street; one tier of lots on the west side of Fitzhugh street, from Lafayette street to a point seventy-five feet north of the south line of the Montgomery tract; one tier of lots on the east side of Fitzhugh st., from the north line of lots 9 and 10, corner of Lafayette street and Fitzhugh street to the south line of the Montgomery tract. Also, for an outlet and for surface drainage, one tier of lots on each side of Fitzhugh street, from the above mentioned points to the north line of the Montgomery tract; one tier of lots on each side of Lafayette street, from a point 250 feet west of the east line of the Montgomery tract; one tier of lots on Fitzhugh street, from a point 250 feet south of the south line of Lafayette street.

On which above described portion of the city, the said sum of Five hundred eighty-four dollars and eighty cents is hereby ordered to be assessed. And David McKay, Jared Coleman and Francis Dana, the assessors of said city, not interested in any of the property so benefitted, 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 Friday, the

20th day of May, 1859, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote: Ayes—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Shelton, Bauer, Mason, Billingshurst and Cushing—21.

Noes—None.

SEWER IN EAST AVENUE.

On motion of Ald. Shelton, the Board proceeded to hear allegations in relation to constructing a sewer in East Avenue from a point opposite the centre of Prince street to the city line, as described in the ordinance below.

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

AN ORDINANCE, to construct a sewer in East Avenue from a point opposite the centre of Prince street, to the city line.

The common council of the city of Rochester do ordain and determine as follows:

A sewer shall be constructed in East Avenue from the centre of Prince street to the city line; said sewer to be constructed of Ohio Tile, twelve inches in diameter, at a depth of about ten feet.

And the whole expense thereof shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefitted 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 Seven Hundred and Fifty-seven 04-100 dollars, which estimate was and is hereby approved. The sum of One Thousand Seven hundred and Fifty-seven 04-100 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 benefitted by said improvement is described as follows:

One tier of lots on each side of East Avenue from Prince street to the city line.

On which above described portion of the city, the said sum of One Thousand Seven hundred and Fifty-seven 04-100 dollars is hereby ordered to be assessed. And David McKay, Francis Dana and Jared Coleman, the assessors of said city, not interested in any of the property so benefitted, 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 Friday the 20th day of May, 1859, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote: Ayes—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Shelton, Bauer, Mason, Billingshurst and Cushing—21.

Noes—None.

SEWER IN FRANK STREET.

On motion of Ald. Shelton, the Board proceeded to hear allegations in relation to constructing a sewer in Frank street from a point 50 feet south of the south line of Brown street to the sewer in Platt street as described in the ordinance below.

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

AN ORDINANCE, to construct a sewer in Frank street, from a point 50 feet south of the south line of Brown st, to the sewer in Platt street.

The common council of the city of Rochester do ordain and determine as follows:

A sewer shall be constructed in Frank street from a point fifty feet south of the south line of Brown street to the sewer in Platt street; said sewer to be constructed of Ohio Tile, twelve inches in diameter, and laid at its commencement nine feet below the surface, and upon a regular grade to the bottom of Platt street sewer.

And the whole expense thereof shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefitted 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 Seventy-seven 12-100 dollars, which estimate was and is hereby approved. The sum of Five hundred and Seventy-seven 12-100 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 benefitted by said improvement is described as follows:

“One tier of lots on each side of Frank street, from Brown to Platt street.”

On which above described portion of the city, the said sum of Five hundred and Seventy-seven 12-100 dollars is hereby ordered to be assessed. And David McKay, Francis Dana and Jared Coleman, the assessors of said city, not interested in any of the property so benefitted, 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 of

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 Friday, the 20th day of May, 1899, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote: Ayes—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Shelton, Bauer, Mason, Billinghamurst and Cushing—21.

Noes—None.

SEWER IN ATWATER STREET.

On motion of Ald. Shelton, the Board proceeded to hear allegations in relation to constructing a sewer in Atwater street from North street to Clinton street as described in the ordinance below.

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

AN ORDINANCE, to construct a sewer in Atwater street from North street to Clinton street.

The common council of the city of Rochester do ordain and determine as follows:

A sewer shall be constructed from the west line of North street through Atwater street to Clinton street, to connect with the Clinton and Atwater street sewer, said sewer to be constructed of Ohio tile, twelve inches in diameter, laid at such depth as the sewer committee may direct.

And the whole expense thereof 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 One Hundred and Twenty-three 36-100 dollars, which estimate was and is hereby approved. The sum of Two thousand One hundred and Twenty-three 36-100 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 Atwater street from North street to Clinton street.”

On which above portion of the city, the said sum of Two Thousand One hundred and Twenty-three 36-100 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, Francis Dana and Jared Coleman, 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 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 the said Assessors are hereby notified to meet for this purpose on Friday, the 20th day of May, 1899, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote: Ayes—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Shelton, Bauer, Mason, Billinghamurst, Cushing—21.

Noes—None.

LOWELL STREET IMPROVEMENT

On motion of Ald. Selye the Board proceeded to hear allegations in relation to improving Lowell street, as described in the ordinance below.

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

AN ORDINANCE to improve Lowell street, from St. Paul street to Clinton street.

The common council of the city of Rochester do ordain and determine that Lowell street, from St. Paul street to Clinton street, shall be improved as follows: by grading the roadway and sidewalks and constructing plank side walks four feet wide on each side of said street, from St. Paul street to Clinton street.

And the whole expense thereof 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-seven dollars, which estimate was and is hereby approved. The sum of eight hundred and sixty-seven dollars, being the whole amount of the estimate aforesaid, shall be assessed upon 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 and all the lands on each side of Lowell street, from St. Paul street to Clinton street.

On which above described portion of the city, the said sum of eight hundred and sixty-seven dollars is hereby ordered to be assessed. And David McKay, Francis Dana and Jared Coleman, 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 Friday, the 20th day of May, 1899, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote:

Ayes—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Shelton, Bauer, Mason, Billinghamurst, Cushing—21.

Noes—None.

PLANK WALK IN STATE STREET.

On motion of Ald. Selye, the Board proceeded to hear allegations in relation to constructing a plank side walk six feet wide on the east side of State street, from Ambrose street to Vincent Park.

After hearing allegations from all the persons appearing, Ald. Selye submitted the following—AN ORDINANCE for constructing a plank walk on the east side of State street, from Ambrose street to Vincent Park.

The common council of the city of Rochester, do ordain and determine as follows: a plank side walk six feet wide, shall be constructed on the east side of State street, from Ambrose street to Vincent Park.

And the whole expense thereof 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 report the same at two hundred and eighty 70-100 dollars, which estimate was and is hereby approved. The sum of two hundred eighty 70-100 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 State street, from Ambrose street to Vincent Park; and the remaining one-third, with interest at the same rate, within two years from the confirmation of such roll.

And David McKay, Francis Dana, and Jared Coleman, 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 Friday, the 20th day of May, 1899, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote: Ayes—Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Shelton, Bauer, Mason, Billinghamurst, Cushing—20.

Nays—None.

SEWER IN BOWERY STREET.

On motion of Ald. Shelton, the Board proceeded to hear allegations in relation to constructing a sewer in Bowery street, as described in the ordinance below.

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

AN ORDINANCE to construct a sewer in Bowery street, from a point opposite the centre of Chatham street, to the sewer in the centre of Clinton street.

The common council of the city of Rochester do ordain and determine as follows:

A stone sewer shall be constructed in Bowery street from a point opposite the centre of Chatham street to the sewer in the centre of Clinton street, said sewer to be one and a half feet by two feet in dimensions, with brick bottom, and of such depth as the sewer committee may direct, and a suitable number of laterals and grates.

And the whole expense thereof 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 eighty-six 36-100 dollars, which estimate was and is hereby approved. The sum of one thousand and eighty-six 36-100 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 Bowery street, from Chatham street to Clinton street.

On which above described portion of the city, the said sum

of one thousand and eighty-six 36-100 dollars is hereby ordered to be assessed. And David McKay, Francis Dana, and Jared Coleman, 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 the said Assessors are hereby notified to meet for this purpose on Friday, the 20th day of May, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote—Ayes, Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Shelton, Bauer; Mason, Billinghamurst, Cushing—21.
Noes—None.

SEWER IN NORTH ST. PAUL STREET.

By Ald. Shelton—Resolved, That the city Surveyor ascertain and report to this Board, an estimate of the expense of the construction of a stone sewer in North St. Paul street, from a point 210 feet south of the south line of Marietta street, to a point about 261 feet south of the centre of Hart Avenue, thence to the bluff bank of the river, and across the flat to the river channel. This sewer shall be at its commencement eighteen inches by two feet in size and ten feet deep, to be increased in size and depth as the sewer committee may direct, for the purpose of making it an outlet sewer, with a suitable number of laterals and grates. The Surveyor submitted such estimate.

By Ald. Shelton—Resolved, That the following improvement is expedient, namely:

The construction of a stone sewer in North St. Paul-st., from a point 210 feet south of the south line of Marietta street, to a point about 261 feet south of the centre of Hart Avenue, thence to the bluff bank of the river, and across the flat to the river channel. This sewer shall be at its commencement eighteen inches by two feet in size, and ten feet deep, to be increased in size and depth as the sewer committee may direct, for the purpose of making it an outlet sewer, with a suitable number of laterals and grates. And Whereas, the city surveyor, on the application of this Board, has made an estimate of the whole expense thereof, and reported the same at \$6,324.00, 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, namely:

"One tier of lots on each side of North St. Paul street, from a point two hundred and ten feet north of the south line of Marietta street, to a point two hundred and sixty-one feet south of the centre of Hart Avenue; one tier of lots on the east side of St. Paul street to a point one hundred feet north of the north line of Hart Avenue; and for outlet and surface drainage, one tier of lots on each side of the following streets, from St. Paul to Clinton streets: Marietta street, Ward street, Gorham street, and Lowell street; Cook street from Ward street to its termination; Almira street from Lowell to Gorham; Cole-st. from Lowell to Gorham; and all the land on each side of Hart 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 190 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 24th, 1859, at half-past seven o'clock, at the common council hall, when all allegations will be heard.

Adopted, by the following vote: Ayes—Ald. Mudgett, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Shelton, Bauer, Mason, Billinghamurst, Cushing—19.
Noes—Ald. Holmes—1.

SEWER IN ASYLUM STREET.

On motion of Ald. Shelton, the Board proceeded to hear allegations in relation to constructing a sewer in Asylum street, as described in the ordinance below.

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

An ordinance to construct a sewer in Asylum street, twenty-five feet east from the south-west corner of Asylum and New Main streets, to its sewer in Alexander street.

The common council of the city of Rochester do ordain and determine as follows:

A stone sewer shall be constructed eighteen inches by twenty-four inches, and nine feet deep, from a point twenty-

five feet east from the south-west corner of New Main and Asylum streets through the centre of Asylum street to the sewer in Alexander street.

And the whole expense thereof 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 and twenty-two dollars, which estimate was and is hereby approved, the sum of two thousand and twenty-two 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 and all the land on each side of said Asylum street, from a point twenty-five feet east from the south-west corner of New Main and Asylum streets to Alexander street.

On which above described portion of the city, the said sum of two thousand and twenty-two 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 Whereas, Francis Dana and Jared Coleman, 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 Friday, the 20th day of May, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:

Ayes—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Shelton, Bauer, Mason, Billinghamurst, Cushing—21.
Noes—0.

SEWER IN NEW MAIN STREET.

On motion of Ald. Shelton, the Board proceeded to hear allegations in relation to constructing a sewer in New Main street, as described in the ordinance below.

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

AN ORDINANCE to construct a sewer in New Main street, from Gibbs street to the sewer at Alexander street.

The common council of the city of Rochester do ordain and determine as follows:

A stone sewer shall be constructed eighteen inches by twenty-four inches, eight feet deep, with brick bottom, in New Main street, from the east side of Gibbs street to the sewer at Alexander street.

And the whole expense thereof 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 six hundred and twenty-four dollars, which estimate was and is hereby approved. The sum of three thousand six hundred and twenty-four 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 and all the land on each side of New Main street from the east line of Gibbs street to the west line of Alexander street.

On which above described portion of the city, the said sum of three thousand six hundred and twenty-four dollars is hereby ordered to be assessed.

And David McKay, Francis Dana and Jared Coleman, 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 Friday, the 20th day of May, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:

Ayes—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Shelton, Bauer, Mason, Billinghamurst, Cushing—21.
Noes—None.

SEWER IN OTSEGO STREET

By Ald. Shelton—Resolved, That the city Surveyor ascertain and report to this Board the expense of constructing a stone sewer in Otsego street, eighteen inches square and seven feet deep, from a point sixty feet north of Centre street to Platt street sewer. Adopted.

The surveyor submitted such estimate at \$606 18.

By Ald. Shelton—Resolved, That the following improvement is expedient, namely:

The construction of a stone sewer in Otsego street, eighteen inches square and seven feet deep from a point 60 feet north of Centre street to Platt street 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 \$606 18, which estimate is hereby approved.

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

One tier of lots on each side of Otsego street from a point 60 feet north of the north line of Centre street to a point within 60 feet of Platt street.

And the Clerk is hereby directed to publish notice in pursuance of section 190 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 24th, 1859, at half-past seven o'clock, at the Common Council Hall, when allegations will be heard.

Adopted by the following vote—Ayes, Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Shelton, Bauer, Mason, Billingshurst, and Cushing—21.

Noes—None.

IMPROVEMENT OF HUDSON STREET.

By Ald. Selye—Resolved, That the city surveyor ascertain and report to this Board the expense of improving Hudson street, from North street to the north line of Bardwell street, by grading the same and laying plank side walks five feet and four inches wide, upon each side of the street, and constructing a suitable number of cross walks. Adopted.

The surveyor submitted such estimate.

By Ald. Selye—Resolved, That the following improvement is expedient, namely:

The grading of Hudson street, from North street to the north line of Bardwell street, laying plank walks upon each side thereof, five feet and four inches wide, and constructing a suitable number of 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 \$2464, which estimate is hereby approved.

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

One tier of lots and all the land upon each side of Hudson street, from North street to the north line of Bardwell street.

And the clerk is hereby directed to publish notice in pursuance of section 190 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 24th, 1859, at half past seven o'clock at the Common Council Hall, when allegations will be heard. Adopted by the following vote:

Ayes—Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Shelton, Bauer, Mason, Billingshurst, Cushing—20.

Noes—None.

Ald. LeBar was excused from voting.

LAYING WOODEN WATER-PIPES.

By Ald. Fairchild—Resolved, That the city Surveyor ascertain and report to this Board the expense of laying wooden water-pipes from Childs basin through Exchange and State streets to Ann street reservoir, and constructing five new reservoirs in State street, between Buffalo and Ann streets, and also repairing the reservoir at the corner of Exchange and Buffalo streets and Ann street reservoir.

The Surveyor submitted such estimate.

By Ald. Fairchild—Resolved, That the following improvement is expedient, namely:

The laying of wooden water-pipes from Child's basin through Basin to Exchange street, through Exchange street and across Buffalo to State street, thence in State street to Ann street, and in Ann street to the Ann street reservoir; constructing five new reservoirs between Buffalo and Ann streets, and repairing the reservoirs at the corner of Exchange and Buffalo streets and in Ann 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 \$2311,00, which estimate is hereby approved.

Resolved, further, That the following portion of said city is deemed benefitted, and proper to be assessed for the whole expense thereof, namely, to the amount of two hundred and twenty dollars:

One tier of lots on each side of Exchange street, from

the Erie canal to Buffalo street; for the remaining two thousand one hundred and twenty-one dollars, one tier of lots on each side of State street, from Buffalo street to the New York Central railroad; one tier of lots on the south side of Ann street, from State street to Fitzhugh street; and one tier of lots on the north side of Ann street, from State street to Frankfort alley."

And the Clerk is hereby directed to publish notice in pursuance of section 190 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 24th, 1859, at half-past seven o'clock, at the Common Council Hall, when allegations will be heard.

Adopted by the following vote:

Ayes—Ald. Mudgett, Butler, Reynolds, Hollister, Hebard, Bradstreet, Nash, Moore, Knapp, Stone, Selye, Shelton, Bauer, Mason, Billingshurst, Cushing—16.

Noes—Ald. Holmes, Lewis, D. W. Perry, Erickson, Lutes—5

IMPROVEMENT OF FRANKLIN STREET.

By Ald. Selye—Resolved, That the city Surveyor ascertain and report to this Board the expense of improving Franklin street, from Andrews to North St. Paul streets, by setting a curb of Medina stone fourteen feet from the lines of the street upon each side; making a gravel sidewalk with flagging four feet wide, in two courses, laid in the centre; paving with cobble stone eight feet wide upon each side of the street, and McAdamizing a roadway in the centre, with a suitable number of cross-walks and laterals. The Surveyor submitted such estimate.

The Surveyor submitted such estimate.

By Ald. Selye—Resolved, That the following improvement is expedient, namely:

The improvement of Franklin street, from Andrews to North St. Paul streets, by setting a curb of Medina stone fourteen feet from the lines of the street; making a gravel sidewalk, with flagging four feet wide, in two courses, laid in the centre; paving with cobble stone eight feet wide upon each side of the street, and constructing a McAdam roadway in the centre.

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 \$3,606 00, which estimate is hereby approved.

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

One tier of lots upon each side of Franklin street from Andrews street to North 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 190 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 24th, 1859, at half past seven o'clock, at common council hall, when allegations will be heard:

Adopted by the following vote—Ayes—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Shelton, Bauer, Mason, Billingshurst, Cushing—21.

Noes—None.

IMPROVEMENT OF EAST AVENUE.

By Ald. Selye—Resolved, That the following improvement is expedient, namely:

The improvement of East Avenue, from New Main street to the East line of the city, by setting a curb of Medina stone fifteen feet from the lines of the street, by paving with cobble stone to within ten feet of the centre of the street, and McAdamizing a roadway twenty feet wide; constructing a suitable number of walks across the avenue and the intersecting streets, and building a sufficient number of lateral sewers.

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 \$16,115, which estimate is hereby approved;

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

One tier of lots and all the land on each side of East Avenue from New Main street to the city line, including one tier of lots upon each side of the private and public parks leading into the 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 190 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 24th, 1859, at half-past seven o'clock, at the Common Council Hall, when allegations will be heard.

Adopted by the following vote—Ayes, Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Shelton, Bauer Mason, Billinghamurst, Cushing—21.

Noes—None.

MISCELLANEOUS BUSINESS.

Ald. Mason called up the resolution granting a license to Geo. Brown, for a market stall at No. 8 Asylum street.

Ald. Holmes moved to indefinitely postpone the resolution. Lost, ayes—Ald. Mudgett, Holmes, Reynolds, Shelton—4; noes—17.

Ald. Holmes moved to lay on the table. Lost.

The resolution was adopted, as follows:

Ayes—Ald. Butler, Hollister, Lewis, Bradstreet, D. W. Perry, Knapp, Stone, Selye, Lutes, Bauer, Mason, Billinghamurst, Cushing—13.

Nays—Ald. Mudgett, Holmes, Reynolds, Hebard, Nash, Erickson, Moore, Shelton—8.

By Ald. Fairchild—Resolved, That the Fire Department Committee be authorized to purchase the materials necessary for the manufacture of two thousand feet of first quality Leather Hose.—Adopted.

By Ald. Fairchild—Resolved, That the Treasurer pay Norman Aylsworth eleven dollars and twenty-one cents in full for his bill for repairs of Engines, &c., to April 13th, 1859, and charge Fire Department Fund. Adopted; ayes 18, noes 0.

By Ald. Fairchild—Resolved, That that the Treasurer pay Norman Aylsworth one thousand eighty-three dollars and fifty cents, in full on his contract for building Fire Engine No. 3, and charge Fire Department Fund. Adopted; ayes 18, noes 0.

By Ald. Fairchild—Resolved, That the Treasurer pay Wm. A. Reynolds twelve dollars and fifty cents, for new stops or slides for hydrant corner of Buffalo and Aqueduct streets, on condition that the Fire Department use the same in cases of fire, and charge Fire Department Fund. Adopted; ayes 18, noes 0.

By Ald. Fairchild—Resolved, That the operation of Section 18 of "An ordinance relating to Fires and the Fire Department," be so far suspended as to allow the Annual Review of the Fire Department therein ordered to be held on the first Tuesday in June, to be held on the second Tuesday of September next. Adopted.

By Ald. Fairchild—Resolved, That the Treasurer pay William A. Reynolds, sixty dollars for one hundred feet of hose, lost by him lent Fire Department at the fire on Front street in July, 1858, in full, and charge Fire Department Fund. Adopted; ayes 18, noes 0.

VACANCY IN THE TENTH WARD.

Ald. Fairchild announced, that by reason of his removal from the Tenth Ward into the Third Ward, his seat as a member of this Board has become vacant.

Ald. Selye called up the resolution accompanying the report of the Improvement Committee relative to Mr. Conway's contract, and it was adopted, ayes 18, noes 0.

By Ald. Knapp—Resolved, That the City Surveyor ascertain and fix the lines of the alley on the east side of the Court House Square, from Buffalo street to the Canal. Adopted.

By Ald. Knapp—Whereas, the Common Council

did on the 4th of October last, pass the following preamble and resolution, viz:

"By Ald. Selye—Whereas. The ordinance for the improvement of Buffalo street from the Erie Canal to the west line of the city, provides that one tier of lots on each side of said street shall be assessed for said improvement, and whereas, lot 111 on Brown street and lots 11 and 12 on Genesee street, are assessed for the improvement of said street, said lots not being included in the territory described in said ordinance, and the assessment is therefore as to those lots illegal and void. Therefore—

Resolved: That the Treasurer be directed to cancel the taxes on said lots, and charge the same to Buffalo Street Improvement Fund."

And whereas; said lots 11 and 12 do not front on Genesee street, but on the triangular piece of land that is now and has been for more than 20 years, recognized as part and parcel of Buffalo street, the side only of lot 12 (being a corner lot) fronting on a strip of land lying between what is now recognized as Genesee street and the street as originally laid out.

And whereas; lots 9 and 10, lying west of said lots 11 and 12, also fronting on said triangular piece of land were assessed for said improvement, and which assessment has been paid, and all of said lots 9, 10, 11, and 12, were rightly included within the territory assessed for said improvement, and the assessment against them is as legal and valid as the assessments against any other lots fronting on said Buffalo street assessed for said improvement.

And whereas, the said assessments against said lots 11 and 12 still stand on the roll in the Treasurer's hands unpaid and uncanceled;

And whereas, there is a suit pending and undetermined, brought by the assignee of the contractor for the said improvement, against the city, which may involve the necessity of a re-assessment.

And whereas, if the assessment against said lots 11 and 12 should be charged back to said improvement fund, and be included in the same so to be re-assessed, the whole of said re-assessment would thereby be rendered illegal and void; therefore,

Resolved, That the preamble and resolution passed by the Common Council, October 4, 1858, above referred to, be and the same is hereby revoked, cancelled and abrogated; and the Treasurer is directed to proceed and collect the assessments against said lots, as if no such preamble and resolution had been passed by the Common Council.

On motion, the above was laid on the table.

By Ald. Stone—Resolved, That the Street Committee are hereby authorized to expend in grading, and improving Litchfield street, the amount now in the Treasury to the credit of Litchfield street Improvement. Adopted.

By Ald. Stone—Resolved, That all persons having authority, by virtue of appointment from this Common Council, in case of any litigation not under the control and jurisdiction of the City Attorney, are hereby directed to confer with the Law Committee before employing any counsel, and to follow their instructions in reference to the same. Adopted.

By Ald. Hebard—Resolved, That the Mayor and Contingent Expense Committee be and are hereby authorized to procure a proper safe for the Mayor's office, and to dispose of the old one now on hand. Adopted—ayes 16, noes 0.

By Ald. Hollister—Resolved, That J. Haley, Stephen Wood and Thos. McAnary have leave to erect

and alter wood buildings, according to the prayers of their several petitions, under the direction of the Chief Engineer. Adopted.

By Ald. Hollister—Resolved, That William Powell have permission to place a wood cornice on his stone dwelling, No. 30 Greig street, according to the prayer of his petition. Adopted.

By Ald. Hollister—Resolved, That the petition of William Powell for leave to erect a wood building thirty feet long, six feet wide and ten feet high, in the rear of his dwelling, No. 30 Greig street, be denied. Adopted.

By Ald. Reynolds—Resolved, That the Treasurer be authorized to receive sixty per cent. respectively of all persons assessed for Frances street grading and sidewalk, in full of their assessment for said improvement, the contract for the same having been let so much below the estimate. Adopted.

By Ald. Reynolds—Resolved, That the Treasurer pay to Peter Springstead one hundred dollars on his contract for constructing a plank sidewalk in Oak street, when there are funds in his hands belonging to that fund, and charge that fund. Adopted—ayes 16, noes 0.

By Ald Reynolds—Resolved, That the Treasurer pay S. F. & W. Witherspoon an order drawn on the Treasurer for twenty-five dollars, dated August 11th, 1857, chargeable to Front street improvement, and charge that fund. Adopted—ayes 16, noes 0.

By Ald. Reynolds—Resolved, That the Treasurer make the city's note for ten thousand dollars, payable at the Metropolitan Bank, in the city of New York, three months after date, and get the same discounted at the Monroe County Bank, and charge the discount to contingent fund. Adopted; ayes 16, noes 0.

By Ald. Reynolds—Resolved, That the Treasurer pay an order, dated July 13, 1858, drawn in favor of Rathbun & Whitmore, for balance due them for constructing a flag walk on State-st., in front of the Waverly Hotel, and charge that fund. Adopted; ayes 16, noes 0.

By Ald. Reynolds—Resolved, That the Treasurer be authorized to receive of Thomas Hanvey, or of any other person authorized to act in the premises, the taxes and assessments due and unpaid on lot 120 State-st., with the usual fees, and any expenses that may have been made for collector's fees, tax sales or otherwise, and interest at the rate of 7 per ct. per annum on the amount, from the time they began by the city charter to draw interest, instead of 15 per ct. as provided for by the charter. Adopted.

By Ald. Reynolds—Whereas, The Common Council passed a resolution July 27, 1858, directing the Treasurer to credit Mc Adam Stone Fund with \$503, for stone used by Fisher Bullard, on State-st. improvement, from Ambrose to Champion-st., and charge that fund which he omitted to do, therefore, resolved, that the present Treasurer be directed to make the transfers on the books, in accordance with the resolution aforesaid. Adopted.

By Ald. Reynolds—Resolved, That the Improvement Committee be authorized to employ a suitable person as an inspector of plank sidewalks, being built in all parts of the city, at such reasonable compensation as they shall be able to agree upon, the expense to be charged to the several improvements in the proportion to the benefits received; as it is impossible for the Improvement Committee to look after the construction of these walks as closely as the interest of tax-payers requires—particularly as so many walks are allowed to be built by the owners of property them-

selves, requiring the supervision of some competent person to secure their construction in accordance with the several ordinances requiring their construction. Adopted.

By Ald. Reynolds—Resolved, That, in pursuance of the provisions of section 6 of "An Act relating to the city of Rochester, and to amend the charter thereof," passed April 13th, 1859, the Common Council hereby extends till the twenty-fourth day of May, 1859, the time for the collection of all unpaid taxes and assessments for the municipal year ending the first Monday of April, 1859; and do hereby extend the time limited in the city charter for the sale of all real estate charged with any taxes or assessments remaining due and unpaid more than thirty days previous to the first day of March, 1859, and do fix the twenty-first day of June, 1859, as the time for such sale.

By Ald. Reynolds—Resolved, That in pursuance of Section 8 of an Act of the Legislature of the State of New York, entitled "An act relating to the city of Rochester, and to amend the Charter thereof," passed April 13, 1859, the sum of three hundred dollars be raised by tax on the said city the current year, for each of the following Avenues, viz:

East Avenue, from Main street to the city line.
West Avenue, from the Erie Canal to the city line.

Lake Avenue, from Ambrose street to McCracken street.

And the Finance Committee is directed to include \$300 each for the Avenues above named, in the sum to be assessed and levied for the General city taxes for the current year. Adopted.

Ald. Lewis moved that Monroe street be included within the terms of the foregoing resolution.

Ald. Butler moved to amend, so as to include Plymouth Avenue also. Lost, ayes 4, noes 12.

Ald. Lewis' motion lost, ayes 4, noes 16.

By Ald. Reynolds—Resolved, That the Treasurer pay

S. M. Luckey, 1 month, services as Inspector,.....	\$45 00'
Jacob Hammer, 1 " " " " " " " " " " " "	45 00'
Joel Pound, 1 " " " " " " " " " " " "	45 00'
John A. Meyer, 1 " " " " " " " " " " " "	45 00'
Alex. Richardson, 1 " " " " " " " " " " " "	45 00'
John A. Meyer, incidental expenses for Small Fox Sign, " " " " " " " " " " " "	50'

And charge Board of Health.	
Geo. W. Avery—Services in reducing dislocated shoulder for Policeman Koons,.....	\$10 00'
Edward A. Bardwell—Bill for carrying delin- quents to House of Refuge,.....	4 00'

And Charge Police Fund.	
Orrin Harris, word for Fire Department,.....	\$8 63'
Jacob Hyne, ringing Fire Alarm Bells,.....	10 00'
Jas. Terry & Co., Stove for Fire Department Com- mission,.....	28 26'
F. Tully, Repairs to Engine House No. 7,.....	11 00'
Chas. Greene, ringing Alarm Bells,.....	17 50'
Jesse Howland, " " " " " " " " " " " "	17 50'
Jno. C. Moore, Blank Books,.....	4 55'
W. E. Lathrop, Treasurer, Taxes on Engine Houses, 1 00'	
Fish, Mudgett & Co., Bill for Rosendale Cement,.....	7 50'
Geo. W. Walbridge, Horse Hire,.....	1 50'

And charge Fire Department Fund.

Said bills to be paid when affidavits are attached to said bills.

Lewis Miles—use of room for Special Election in 7th Ward,.....	\$15 00'
And charge Contingent Fund.	
Dani. Marsh—bill for services making estimates of work done at Deep Hollow,.....	12 50'
And charge Deep Hollow Fund.	
Thomas Culhane—Hack hire for Sewer Committee And charge Contingent Fund.	2 50'
John Van Auken—Hack hire twice by Improve- ment Committee to Deep Hollow,.....	5 00'

And charge Deep Hollow Fund. Adopted—ayes 16.

By Ald. Erickson—Resolved, That the City Superintendent be and is hereby directed to complete the unfinished contract of J. McConnell & Son, made in 1854, for grading and improving Nel-

son street, and report the expense of the same to this Board. Laid on the table.

By Ald. Lewis—Resolved, That the Treasurer pay George Cummings two and fifty one hundredths dollars, in full for carriage to Deep Hollow and back, May 4th, and charge Deep Hollow Fund. Adopted—ayes 15, noes 1—Ald. Billingham.

By Ald. Mudgett—Resolved, That the Common Council of the city of Rochester does hereby determine that Exchange place, between State street and Bank alley, shall be widened, and that the following described territory is deemed necessary for said improvement, viz.: Beginning at the intersection of the present north line of Exchange place with the east line of State street; thence northerly on the east line of State street twelve feet; thence easterly parallel with the north line of that part of said Exchange place between State street and Bank alley, to the said Bank alley; thence southerly on the west line of Bank alley twelve feet, to Exchange place; thence westerly along the present north line of Exchange place to the place of beginning. And the City Surveyor is hereby empowered and directed to negotiate with the owner of said land and premises, and report to this Board at its next meeting, upon what conditions the same can be purchased for the above described purpose. Adopted.

By Ald. Cushing—Resolved, That Tuesday, the 24th inst., be designated for holding a special election in the Twelfth Ward, for the purpose of choosing a Constable and Commissioner of Common Schools, whose terms of office shall expire on the 1st Monday in April, 1860, and that said election be holden at the Seventh Ward House, kept by F. Roth. Adopted.

And the Board adjourned for one week.

FR. S. REW, Clerk.

In Common Council, May 24, 1859.

ADJOURNED MEETING.

Present—The Mayor, Ald. Holmes, Butler, Reynolds, Hollister, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Stone, Selye, Lutes, Shelton, Mason, Bauer, Billingham, Cushing.

Absent—Ald. Mudgett, G. W. Perry, Twitchell, Lewis, Moore and Knapp.

The minutes of the previous meeting were approved as published.

PETITIONS AND CLAIMS.

By Ald. Reynolds—Account of F. J. M. Cornell, for services at Deep Hollow. Improvement Committee.

Of Dr. H. F. Montgomery, for attending a man at Police office. Police Committee.

By Ald. Holmes—Of Thos. Moulson, Wm. Simpson and Fred. Starr, against encroachments on the east line of Front street. Committee on Streets and Bridges.

By Ald. Hollister—Of Mr. Huddleston, for leave to put a wooden cornice on his dwelling house on South street. Committee on Wood Buildings.

By Ald. Hebard—Accounts of F. Bullard, Isaac Eichman, E. P. Doty and Henry Scrantom, for services to Board of Health. Finance Committee.

Of Duryee & Forsyth Manufacturing Company, for a safe for Mayor's office. Contingent Expense Committee.

By Ald. Bradstreet—Remonstrance of 145 citizens of the 5th ward, against the St. Paul street sewer. Sewer Committee.

Of Jacob Bætzell, for a butcher's license corner of North Clinton and Marietta streets. Market Committee.

By Ald. Erickson—Of Jason W. Seward and others, for opening a new street from Union to Alexander street. Committee on Opening Streets.

By Ald. Stone—Of E. F. Smith and others, for a walk on the west side of Canal street. Improvement Committee.

Of tax-payers residing on East Avenue, for a Medina or Lockport stone instead of a McAdam improvement of that street. Improvement Committee.

By Ald. Shelton—Remonstrance against improvement of Hudson street. Table.

By Ald. Mason—Account of John Killingsbury, for repairing at Police office. Police Committee.

Of property holders on Whitney street, for leave to grade that street. Improvement Committee.

By Ald. Bauer—Of property owners on Lyell st., for improvement of that street. Improvement Committee.

REPORTS OF COMMITTEES.

By Ald. Hebard, from Contingent Expense Committee, favorably on bills of A. Karnes, W. S. Thompson, and Duryee & Forsyth Manufacturing Co. Finance Committee.

Also, favorably on account of Inspectors of Special Election in the 7th ward. Same reference.

By Ald. Nash, from the Law Committee, favorably on account of A. W. Van Slyck for Constable's fees.

Also, a report on the School Fund estimates for the current year. The Committee are of opinion that the Board of Education, by exceeding the sum appropriated for building purposes last year, (to the amount of \$6,573 89,) have violated an express provision of the Charter (§ 171). Also, that the Common Council may appropriate such sums for the use of the Board of Education as they shall deem necessary and proper, without regard to the estimates of said Board.

By Ald. Hollister, favorably on the petition of Adam Heinle, for leave to erect wood building on Romaine street. Table.

By Ald. Lutes, from the Police Committee, favorably on the bill of Dr. Montgomery, for attending a man at the Police office. Referred to Finance Committee for payment.

By Ald. Reynolds, from the Finance Committee, favorably on bill of F. J. M. Cornell, for services at Deep Hollow. Same reference.

By Ald. Cushing, from the Committee on Schools, in favor of appropriating for School purposes during the ensuing year the following sums:

For building and purchasing sites.....	\$10,000
For leasing, altering and repairing schoolhouses.....	3,000
For Teachers' wages and contingent expenses.....	28,189
	\$41,189

On motion of Ald. D. W. Perry, the question of agreeing with the Committee in their report was laid on the table until the next meeting.

Ald. Reynolds—Reported that he had negotiated the Bonds of \$13,000 for the Deep Hollow Improvement, with the Rochester Savings Bank, at par.

By Ald. Nash—From the Law Committee, favorably on the petition of Wm. Donnelly, City Superintendent in 1854, for relief from a judgment of \$133 12 obtained against him for certain acts done as such Superintendent.

REPORTS OF EXECUTIVE OFFICERS.

The Clerk gave notice that Jared Coleman was disqualified to act as assessor under the ordinance for a plank walk in State street, from Ambrose st.

to Vincent Park, by reason of kinship to owners of property to be assessed for the improvement.

The City Surveyor reported that he had negotiated with owners of property required for the opening of Green street. Those who were willing to sell, valued their property at \$10,000; and the value the of property of those who were absent or unwilling to give a valuation, is estimated at \$5,400. Also, a diagram of Public Square or Pindall Alley.

The Clerk read a communication from the City Treasurer, relative to the collection of taxes for plank walks, in cases where the tax-payers had made the improvements themselves. The Treasurer requests that some provision be made for collecting or cancelling assessments in such cases.—Many accounts of this kind, of several years standing, remain open.

ACTION UPON ORDINANCES.

IMPROVEMENT OF PLATT STREET.

By Ald. Selye—Resolved, That the city Surveyor ascertain and report to this Board the expense of improving Platt, Broad and Hill streets as follows: By setting a Medina curb stone fourteen feet from the lines of the street, from Brown's Race to the east line of Mill street, from the west line of Mill street to the east line of State street, from the west line of State street to Broad street; thence of equal width through Broad and Hill streets, to the east line of the railroad warehouse; and paving between the same with Lockport or Medina stone; constructing a sufficient number of cross-walks and lateral sewers. Adopted.

The Surveyor submitted such estimate.

By Ald. Selye—Resolved, That the following improvement is expedient, namely:

The improvement of Platt-st., by setting a curb of Medina stone fourteen feet from the lines of said street, from Brown's race to the east line of Mill-st.; from the west line of Mill-st. to the east line of State-st., and from the west line of State-st. to Broad-st.; and thence extending the improvement, of equal width, through Broad-st. and Hill street to the east line of the railroad warehouse; and paving between the same with Lockport or Medina stone, constructing a sufficient number of cross-walks and lateral sewers.

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 \$10,788, which estimate is hereby approved;

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

"One tier of lots on each side of Platt-st., from Brown's raceway to Broad-st., (including the New York Central Railroad); one tier of lots on the east side of Broad-st. to Hill-st.; one tier of lots and all the land on the west side of Broad-st. to the south line of Hill-st., and one tier of lots on the east side of Hill-st. to the east line of lot No. 62 in the Canal Tract; also all the lots on Brown's raceway having water rights on which are mills for the manufacture of flour; and also the lot on said raceway occupied by D. R. Barton as a manufactory of edged tools.

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 190 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 31st, 1859, at half past seven o'clock, at the common council hall, when allegations will be heard.

Adopted, by the following vote—Ayes, Ald. Holmes, Butler, Reynolds, Hollister, Hebard, D. W. Perry, Nasb, Erickson, Stone, Selye, Lutes, Shelton, Bauer, Mason, Billingshurst, Cushing—16.

Nays—None.

IMPROVEMENT OF EAST AVENUE.

Ald. Selye presented the second Ordinance for the Improvement of East Avenue.

Ald. Erickson moved to amend the estimate of the Surveyor for the Improvement of East Avenue, by reducing the sum two thousand dollars, leaving the whole amount to be assessed, \$14,115.

Ald. Erickson said that he had the offer of re-

sponsible parties to make the improvement for that sum.

The motion was agreed to.

Allegations were called for, and no person appearing, on motion, the further consideration of the Ordinance was postponed one week.

FRANKLIN STREET IMPROVEMENT.

Ald. Selye presented the second Ordinance for the Improvement of Franklin street, and allegations were heard from A. H. Jones and H. Campbell, in opposition to the same. Its further consideration was then postponed one week.

IMPROVEMENT OF HUDSON STREET.

Ald. Selye presented the second Ordinance for the Improvement of Hudson street, by a grade and plank side walks.

Ald. Shelton presented a remonstrance against the grade, and in favor of the side walk.

On motion of Ald. Selye, the Ordinance was indefinitely postponed.

WIDENING EXCHANGE PLACE.

By Ald. Selye—Resolved, That the common council hereby determine that Exchange Place shall be widened on the north side thereof, between State-st. and Bank alley; and that the following described territory is deemed necessary for said improvement, namely:

Beginning at the intersection of the present north line of Exchange Place with the east line of State-st.; thence northerly on the east line of State-st. twelve feet; thence easterly parallel with the north line of that part of Exchange Place between State-st. and Bank alley to Bank alley; thence southerly on the west line of Bank alley, twelve feet, to Exchange Place; thence westerly along the present north line of Exchange Place to the place of beginning.

That the portion of said city deemed benefitted by said improvement, and proper to be assessed therefor, is all the houses and lands included within the following limits, namely:

Beginning on the east line of State-st., at the south-west corner of Jacob Gould's land, running thence easterly on the south line thereof to the west line of lot No. 23 of the 100 acre tract, thence across lots 23, 24 and part of 25 to the north-west corner of William Pitkin's land, thence along the north line of said Pitkin's land to Avery alley, thence across Avery alley to the south-west corner of lot No. 6 in the Graves tract, thence along the south line of said lot No. 6 to Front-st., thence across Front-st. to the centre of the Genesee river, thence northerly along the centre of the river 200 feet, thence westerly across Front-st. and along the north line of William Simpson's land to Mill-st., thence across Mill-st. to the south-east corner of Owen Gaffney's land, thence along the south line thereof to State street, thence along the east line of State-st. to the place of beginning.

And the city Surveyor is hereby directed to negotiate with the owner of the land so deemed necessary for said improvement, and report an estimate of the expense thereof at the next regular meeting of this Board.—Adopted.

SEWER IN NEW YORK STREET.

By Ald. Shelton—Resolved, That the city Surveyor ascertain and report to this Board the expense of constructing a stone sewer 18 inches by two feet in size, in New York street, commencing at a point one hundred and forty-two feet north of the north line of Buffalo street, and running thence to East Maple street, thence through East Maple street to the Canal street sewer, with a sufficient number of laterals. Adopted.

The Surveyor submitted such estimate.

By Ald. Selye—Resolved, That the following improvement is expedient, namely:

The construction of a stone sewer, from a point one hundred and forty-two feet north of the north line of Buffalo street in New York street to Brown street, thence through East Maple street to the Canal street sewer; the sewer to be eighteen inches by two feet in size through New York street and at least seven feet deep, through East Maple street to be 18 inches by thirty-six inches, and as deep as the conformation of the ground will admit.

And Whereas, The city Surveyor, under the direction of this Board, has made an estimate of the whole expense is hereby approved;

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

One tier of lots and all the land on each side of New York street, from a point one hundred and forty-two feet north of the north line of Buffalo street to Brown street, one tier of lots on the north side of Brown street from Maple street to the New York Central Rail Road, and one

tier of lots on each side of East Maple street from New York and Brown streets to Canal 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 six 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 190 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 31st, 1859, at half past seven o'clock, at the common council hall, when allegations will be heard.

Adopted by the following vote: Ayes—Ald. Butler, Hollister, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Stone, Selye, Lutes, Shelton, Bauer, Mason, Billingshurst, and Cushing—15.
Noes—Ald. Holmes.

BOX SEWER IN TWELFTH WARD.

Whereas, The Board of Health have signified to this Board, the necessity of the construction of a sewer to drain the low lands in the Twelfth Ward, lying east of Grand street and South Avenue, and that the preservation of the public health requires the same, Therefore,

Resolved, That the city Surveyor be directed to ascertain and report to this Board, the expense of constructing a box sewer of sufficient capacity, and from such point as may be deemed necessary by the sewer committee, to the Erie canal near Nelson street. Adopted.

The Surveyor made such estimate.

By Ald. Shelton—Resolved, That the following improvement is expedient, namely:

A box drain of sufficient capacity to drain the low lands in the Twelfth Ward, upon or near lot No. 72 of the Gregory 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 \$80 00, which estimate is hereby approved;

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

One tier of lots and all the land on each side of Caroline street from South Avenue to Nelson street, and one tier of lots and all the land on each side of Nelson street from Caroline street to Cayuga street.

And the clerk is hereby directed to publish notice in pursuance of section 190 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 31st, 1859, at half past seven o'clock, at the common council hall, when allegations will be heard:

Adopted by the following vote: Ayes—Ald. Hollister, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Selye, Shelton, Bauer, Mason, Billingshurst, and Cushing—12.
Nays—Ald. Holmes, Butler, Reynolds, Stone, Lutes—5.

SEWER IN EAST AVENUE.

By Ald. Shelton—Resolved, That the city Surveyor ascertain and report to this Board, the expense of constructing a stone sewer in East Avenue, 48 inches by two feet in size, from New Main street to the sewer in East Avenue terminating near Chestnut street. Adopted.

The Surveyor submitted such estimate.

By Ald. Shelton—Resolved, That the following improvement is expedient, namely:

The construction of a stone sewer in East Avenue from New Main street to the sewer in East Avenue terminating near Chestnut street, to be eighteen inches by two feet in size, and of a depth to correspond with the depth of the sewer already constructed 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 \$630 00, which estimate is hereby approved;

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

One tier of lots and all the land on each side of East Avenue from New Main street to a point forty-two feet west of the west line of Chestnut street.

And the clerk is hereby directed to publish notice in pursuance of section 190 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 31st, 1859, at half past seven o'clock, at the common council hall, when allegations will be heard:

Adopted by the following vote: Ayes—Ald. Butler, Reynolds, Hollister, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Stone, Selye, Lutes, Shelton, Bauer, Mason, Billingshurst, and Cushing—16.
Noes—Ald. Holmes.

SEWER IN OTSEGO STREET.

The second Ordinance for a sewer in Otsego street was read, and allegations were heard. The further consideration thereof was then postponed one week.

SEWER IN LYELL, ORCHARD AND LIME STREETS.

Action upon the second Ordinance for a sewer in Lyell, Orchard and Lime streets was postponed one week.

WOODEN WATER PIPES.

The consideration of the second ordinance for laying wooden water-pipes from Child's Basin to Ann street reservoir, was postponed till the next regular meeting.

ASSESSMENTS.

Ald. Selye presented the assessment roll for Lowell street improvement, and moved that appeals be heard thereon, on Tuesday evening, June 7. Carried.

Ald. Shelton presented the following assessment rolls, and moved that appeals be heard on the same respectively, on Tuesday evening, June 7. Carried:

Sewer in Smith street from Frank to State street.
Sewer in Fitzhugh and Lafayette sts.
Sewer in Asylum st.
Sewer in Frank st., from Brown to Platt st.
Sewer in Atrwater st.
Sewer in Bowery st.
Sewer in New Main st.
Sewer in East Avenue, from Prince st. east.

MISCELLANEOUS BUSINESS.

By Ald. Mason—Resolved: That the Street Superintendent be and is hereby directed to move the lumber and stone out of the street at Jay street bridge. Adopted.

By Ald. Bauer—Resolved: That the Street Superintendent notify owners and occupants on Ward street to put their sidewalks in necessary repair within thirty days from notice. Adopted.

By Ald. Shelton—Resolved: That the Committee on City Property be authorized to present to the Common Council an ordinance to fence Jones Square, on condition that the 54th Regiment shall grade the same, and that said Jones Square be dedicated to said 54th Regiment as a military parade ground for the term of ten years. Adopted.

By Ald. Shelton—Resolved: That the Clerk be hereby directed to publish notice of a special election for one Alderman in the Tenth Ward, to be held at the store of P. Iwig, corner of New Main and Scio streets, on the 31st of May, inst., to fill the vacancy occasioned by the removal of Ald. Fairchild. Adopted.

By Ald. Shelton—Resolved: That his Honor, the Mayor be, and is hereby requested to sign in behalf of the City, a Contract with Daniel McGarry, in accordance with his proposition to build the sewer in State street, from the Eagle Hotel to Mumford and Ann streets. Adopted.

By Ald. Shelton—Resolved: That his Honor, the Mayor be, and is hereby requested to sign, in behalf of the City, a Contract with David Wagner, in accordance with his proposition to build a sewer on State street, from Jay to White street. Adopted.

By Ald. Shelton—Resolved: That the City Superintendent notify the owners of property on Kirk street to repair their Side Walks within two weeks from this date. Adopted.

By Ald. Shelton—Resolved: That Nicholas Wall have the privilege of building a sewer in the gutter opposite his premises on Lyell street, at his own expense, to the corner of Moore street, and that no other person be permitted to drain their lots or cel-

lars therein, without paying their due proportion of the expenses for building the said sewer. The whole to be done under the inspection of the Street Superintendent, or Sewer Committee.

Ald. Mason moved that the above resolution be laid on the table for one week. Carried:

Ayes—Ald. Holmes, Butler, Hollister, D. W. Perry, Selye, Lutes, Bauer, Mason, Billingham, Cushing—10.

Noes—Ald. Reynolds, Hebard, Nash, Erickson, Stone, Shelton—6.

By Ald. Shelton—Resolved, That the City Superintendent notify the owner or owners of property on Grove-st., to improve the sidewalk from the brick walk in front of St. Peter's Church, to a point intersecting a plank walk on said Grove-st., by placing a suitable walk of wood or brick, the same to be done within one month from this date; and if the parties neglect or decline to do the same, that the Superintendent report the same to this Board. Adopted.

By Ald. Stone—Resolved, That the School Committee be requested to advertise for sealed proposals, for the purchase of Old School House No. 4, situated on the corner of Reynolds-st. and Clay-st., in the 8th Ward, for fifteen days, and that they be authorized to sell the same on such terms and conditions as they deem best for the interest of the city, and report to this Board, the terms on which they may fix. Adopted.

By Ald. Stone—Resolved, That Richard Tanner have permission to build a box drain from his lot, 108 north side of Atkinson-st., west toward Prospect-st., into a gully running north through Julia-st., under the direction of the Street Committee or Superintendent. Adopted.

Ald. Erickson presented a communication from John McConnell & Son, in relation to Nelson street improvement, which was referred to the Street Committee.

By Ald. Nash—Resolved, That the City Treasurer pay to Bradford F. Crandall, the sum of \$138.12, being the amount of judgment in his favor in the Supreme Court, against William Donnelly, docketed in Monroe County Clerk's Office on the 14th May, 1856, together with interest thereon, to this date, amounting to the sum of \$29.30, being for damages and costs against said Donnelly, while in the discharge of his duty as City Superintendent, on said Crandall producing to the City Clerk a certificate of satisfaction of said judgment from the Clerk of said Court, and that the same be charged to the Contingent Fund.

Ald. Hebard moved to amend by charging to the Highway Fund. Carried—ayes 11, nays 6.

The resolution was adopted as amended. Ayes 17.

By Ald. Nash—Resolved, That the City Treasurer pay to Addy W. VanSlyck, sixteen dollars, being the amount of his bill audited and allowed at this meeting for constable fees and services rendered in behalf of the city, and charge Contingent Fund. Adopted—ayes 17.

By Ald. Bradstreet—Resolved, That permission be granted to Messrs. S. M. Spencer & Co., to lay down water pipes across Pindle Alley, in rear of Hayden & Bromley's ware rooms, and also across State st. in front of George Arnold's Block, into Mumford st., thence eastwardly along Mumford st. to the corner of Mill st.; to be done under the direction of the City Superintendent. Adopted.

On motion of Ald. Hebard, the resolutions of the Board of Health, in relation to sewers for drain Gregory Tract, the Atwater street Tract, and Lyell

street, presented at the previous meeting, were referred to the Sewer Committee.

By Ald. Hebard—Resolved, That the Committee on Opening and Alteration of Streets be and are hereby directed to prepare and introduce a proper ordinance for the continuation of Green street from Monroe street to Cayuga street, in accordance with the report submitted by the Surveyor this evening. Adopted.

By Ald. Reynolds—Resolved, That the Treasurer pay as follows:

Henry Scramton, services as Health Inspector	\$45 00
Isaac Eichman, " cleaning privy vault in	
	Joiner street	12 00
E. P. Doty, " 6 ds. as Health Inspector	9 00
F. Bullard, " with man and team	6 30

And charge Board of Health.
F. J. M. Cornell, services measuring up work at
Deep Hollow..... 12 50

And charge Deep Hollow.
A. Karnes, bill for amount paid for protests on notes
taken for materials of Suspension Bridge sold..... 3 27

And charge Suspension Bridge.
W. S. Thompson, bill for spittoons, tumblers, &c..... 10 62
Duryee & Forsyth Manufacturing Co., difference in
exchange of safe..... 88 50

And charge contingent fund.

Adopted—ayes 17.
Ald. Reynolds moved that the diagram prepared by the City Surveyor of the lines of public square or Pindle alley, be filed in the Clerk's office and entered on the street register.

Ald. Selye moved to lay that motion on the table. Carried.

By Ald. Hollister—Resolved, That Adam Heible have leave to erect a wood building on Romain street, according to the prayer of his petition, under the direction of the Chief Engineer. Adopted.

By Ald. Hollister—Whereas: The leading avenues to Mount Hope on the West side of the River, remain unimproved; and Whereas, notice was recently given that an ordinance would be introduced for the improvement of Greig street, being a continuation of Plymouth Avenue; and the principal one to Mount Hope; and Whereas, the taxpayers on said street, in consequence of a real or imaginary inability to pay, remonstrated against said improvement, alleging, among other things, that the whole city were directly interested in said contemplated improvement, inasmuch as that Avenue is, and must be used by all (particularly those residing upon the west side of the river) who may have the mournful duty to perform of following their friends to their last resting place—and, whereas, South St. Paul, the main Avenue to Mount Hope from the East side was improved some years since, and principally paid for by an appropriation out of the Highway Fund; Therefore,

Resolved, That so much of the Broken stone now belonging to the City as may be necessary to McAdamize said Greig street, to the extent of twenty feet in width be appropriated and set apart for such improvement, upon condition that the taxpayers on said street consent to be taxed for the balance of the improvement contemplated in the notice above referred to.

Ald. Shelton moved to refer the above to the Street Committee. Lost. Ayes 6; Noes 11.

The resolution was adopted.

By Ald. Butler—Resolved: That the City Superintendent be directed to repair Ann street from State to Sophia, by repairing with Cobble Stone, and charge Highway Fund, not exceeding Two Hundred and Fifty Dollars.

Ald. Holmes moved to refer the above to the Street Committee. Ayes 13; noes 3.

By Ald. Butler—Whereas, there is a general complaint among the tax payers of the several Wards against the manner in which the Highway

fund is expended—each Ward claiming to pay a much larger amount than is received by way of repairs of streets—and, Whereas, the tax payers have a right to know, where and in what manner their money is expended; Therefore,

Resolved, That the Superintendent report to this Board at the first regular meeting in each month, the amount of Highway fund and how expended, the amount in each Ward, and whether for grading, paving or McAdamizing, and the name of the street or streets, and all the particular items constituting the cost of the several repairs.

Ald. Bradstreet moved to lay the above resolution on the table. Carried; ayes 9, noes 8.

By Ald. Holmes—Resolved, That the Committee on Streets and Bridges be, and they are hereby required to produce at the next meeting of the Board all the papers and documents relative to the lines on Front street, corner of Buffalo street, called the Old Market Lot. Adopted.

By Ald. Hebard—Resolved, That the remainder of the McAdam stone remaining in the McAdam stone fund, after the improvement of Greig street in accordance with the resolution passed this evening, be appropriated for Mount Hope Avenue, and any deficiency in the amount, to the extent of \$150, to be paid out of the Highway fund. Adopted.

By Ald. Bauer—Resolved, That the Street Superintendent be, and is hereby instructed to notify the owners and occupants on Jay street, west of Magest., to repair their sidewalks within twenty days from this day. Adopted.

By Ald. Selye—Whereas, Jared Coleman was appointed at the last meeting of this Board, to act as an Assessor in making the assessment for the construction of a plank walk in State street, from Ambrose street to Vincent Park, and said Coleman being disqualified from serving as such Assessor, by reason of kinship to persons interested in property to be assessed; Therefore

Resolved, That Fisher Bullard, who is not interested in any of the premises described in the ordinance for said improvement, nor of kin to any person so interested, is hereby appointed a Commissioner, in place of Jared Coleman, to act with David McKay and Francis Dana in making said assessment; and the said Bullard is hereby directed to appear at the City Clerk's office, on Friday, the 27th day of May, instant, at 9 o'clock in the forenoon, to take and subscribe the oath required by the charter. Adopted.

By Ald. Reynolds—Resolved, That this Board will meet on Thursday next, 26th inst., at 2 o'clock P. M., in the Council Chamber, to act as a Board of Canvassers, to canvass and determine the votes cast at the special election held in the Twelfth Ward on Tuesday, May 24th. Adopted.

STANDING COMMITTEES.

The Mayor announced the following appointments.

Ald. Erickson to be a member of the Standing Committee on Finance, in place of ex-Ald. Fairchild.

Ald. Moore, to be a member of the Committee on Ordinances and Rules, in place of ex-Ald. Fairchild.

Ald. Lewis, D. W. Perry and Butler, to compose the Committee on Fire Department.

Adjourned.

FR. S. REW, Clerk.

In Common Council, May 31, 1859.

REGULAR MEETING.

Present—The Mayor, Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Stone, Selye, Lutes, Shelton, Bauer, Mason, Billingham, Cushing.

ABSENT—Ald. G. W. Perry, Hebard, Twitchell and Knapp.

The minutes of the previous meeting were approved as published.

PETITIONS AND CLAIMS.

By Ald. Hollister, of John Hines and others, for plank walk on West side of Oak street; Improvement Committee. Of N. Allen, to remove a wood building; Committee on Wood Buildings. Of Henry Plummer and others, for improvement of Greig street; Improvement Committee.

By Ald. Holmes, petition of property holders on Lowell street, for permission to build their own sidewalks; Improvement Committee. Account of F. H. Marshall. Contingent Expense Committee.

By Ald. Lewis—Account of Charles Helms, for repairs to Engine House No. 4; of W. C. Udell for repairs to Engine House No. 6. Proceedings of Engine Co. No. 8. Referred to Fire Department Committee.

By Ald. Nash—Remonstrance of M. Briggs and others against a sewer in Otsego street. Table.

By Ald. Perry—Bills of Gas Co. for lighting public lamps, gas for City Hall, &c. Severally referred to appropriate committees.

By Ald. Stone—Of Z. H. Benjamin and others, against flag walk on Canal street. Improvement Committee.

By Ald. Lutes—Remonstrance of Jacob Lux and others, against Improvement of Lyell street. Also of mill owners on Brown's race against being taxed for Platt street improvement. Improvement Committee. Account of H. Gates for building plank walk on Phelps Avenue. Improvement Committee.

By Ald. Billingham—Bill of F. Roth, for use of house at special election. Contingent Expense Committee.

By Ald. Reynolds—Account of S. Aldrich, for ice for Common Council room and city offices for one year, ending in April. Contingent Expense Committee.

By Ald. Selye—Accounts of W. B. Morse, for lumber. Improvement and Street Committees.

By Ald. Butler—Accounts of Inspectors of the 10th and 12th wards; of D. W. Wyckoff, for work done at Centre Market; Gas Company's bill for gas for City Hall. Contingent Expense Committee.

REPORTS OF COMMITTEES.

By Ald. Hollister, from the Committee on Wood Buildings, favorably on petitions of N. Allen and P. Huddleston, for leave to remove wood buildings. Table.

By Ald. Nash, from the Law Committee, the following report:

To the Mayor and Common Council of the City of Rochester:

The Law Committee, to whom was referred the Petition of John H. Brown, for damages to injury to horse, *Respectfully Report:*

That the subject matter embraced in said Petition has already been fully considered and reported upon by the Grievance Committee, as appears from the proceedings of this Board of the 25th January last, which was adversely to the claim.

The late Superintendent, Mr. Munn, informs your

Committee that the covering or grate to the sewer in the centre of Hunter Alley was removed without his knowledge or consent, and that before its removal became known to him for repair, the accident occurred.

Brown, who is a cartman, alleges that while passing through said Alley, about 7 o'clock in the evening, in the month of September last, his horse stepped into the opening caused by the removal of the grate mentioned, and thereby received injury which rendered the animal almost useless, until the month of April last, when it died from the effects of the injury so received.

Your Committee have no doubt, that Brown has sustained damage by reason of the accident mentioned, but the only question for them to consider, is, whether the claim for damages is a legal one, binding on the city to pay.

In order to make it a valid claim against the city, it will be necessary to show, that the city in its corporate capacity, had due notice of the opening in the sewer mentioned, and that there was gross negligence on the part of the City authorities in covering it over, which does not appear.

Your Committee therefore report adversely to the claim of your petitioner.

May 31, 1859. J. C. NASH, Chairman.

By Ald. Mason, from the Market Committee, favorably on J. R. Galen's bill for hardware. Finance Committee.

By Ald. Lutes, favorably on Police accounts for May; also, on a bill for cleaning at the Police office; also, on Gas Co.'s bill for gas at Police office and Watch-house; also, on Jacob Strecker's bill for services; also, monthly bills of the Police officers; also, on bill of H. F. Montgomery for services at Police office. Finance Committee.

By Ald. Lewis, from Fire Department Committee, in favor of confirming proceedings of Fire Companies Nos. 2 and 5, and H. & L. No. 1; favorably on C. T. Amsden's bill for insurance premium; W. E. Lathrop's for tax on Engine House No. 3; Geo. W. Fisher's bill for paper-hangings; A. Flory, ringing alarm bells, and Perrine & Stewart, for repairs. Referred to Finance Committee for payment.

By Ald. Butler, from the Contingent Expense Committee, favorably on the bills of the Assessors for one month's salary; also, on C. Newman's bill for music at John Allen's funeral; also, on J. B. & G. W. Aldridge's bill; and bill of Inspectors of Election in 7th ward. Finance Committee.

ACTION UPON ORDINANCES.

SEWER IN LYELL STREET.

By Ald. Shelton—Resolved, That the city surveyor ascertain and report to this board the expense of constructing a stone sewer eighteen inches by two feet in Lyell street from the centre of West street to the Lyell street sewer at Moore street. Adopted.

The surveyor submitted such estimate.

By Ald. Shelton—Resolved, That the following improvement is expedient, namely:

The construction of a stone sewer eighteen inches by two feet in Lyell street from a point opposite the centre of West street to the Lyell street sewer at Moore 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 \$562 00, which estimate is hereby approved.

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

One tier of lots on the north side of Lyell street from a point fifty feet west of the centre of West street to the Alley as laid down on Cornell's city map, between West and Bidde streets, and one tier of lots on the south side of Lyell street from a point fifty feet west of the centre of West street to a point forty-three and a half feet west of the west line of Moore street.

And the clerk is hereby directed to publish notice in pursuance of section 190 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 7th, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard. Adopted unanimously.

IMPROVEMENT OF NEW MAIN STREET.

By Ald. Selye—Resolved, That the city surveyor ascertain and report to this Board the expense of improving New Main street from its western termination to the west line of Gibbs street, by setting a curb of Medina stone twenty-five feet from the lines of the street, and paving between the same with Medina stone, and constructing a sufficient number of lateral sewers and cross walks.

Adopted.

The surveyor submitted such estimate.

By Ald. Selye—Resolved, That the following improvement is expedient, namely:

The improvement of New Main street from Franklin st. to the west line of Gibbs street, as follows: By setting a curb of Medina stone twenty-five feet from the lines of the street, and paving between the same with Medina or Lockport stone, and constructing a sufficient number of lateral sewers and 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 \$3868, which estimate is hereby approved.

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

One tier of lots and all the land upon each side of New Main street from Franklin street and the corner of East Avenue and New Main street, to the west line of Gibbs 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 190 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 7th, 1859, at half-past seven o'clock, at the Common Council Hall, when allegations will be heard. Adopted unanimously.

SEWER IN NORTH ST. PAUL STREET.

By Ald. Shelton—Resolved, That the city Surveyor ascertain and report to this Board, an estimate of the expense of the construction of a stone sewer in North St. Paul street, commencing at a point 210 feet south of the south line of Marietta street, and running thence north, about ten feet deep and eighteen inches wide and two feet high to Lowell street, thence to be two feet wide and two and a half feet high to Scrantom street, and discharge into the river over the high bank.

The Surveyor submitted such estimate.

By Ald. Shelton—Resolved, That the following improvement is expedient, namely:

The construction of a stone sewer in North St. Paul-st., commencing at a point 210 feet south of the south line of Marietta st. and running thence north about ten feet deep, eighteen inches wide and two feet high to Lowell street, thence to be two feet wide and two and a half feet high to Scrantom street, and discharge into the river over the high bank.

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 \$7,167.00, which estimate is hereby approved;

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

“One tier of lots and all the land to the depth of one tier of lots on each side of North St. Paul street, from a point two hundred and ten feet south of the south line of Marietta street, to Scrantom street, and for an out and surface drainage, one tier of lots on each side of Ward st. from St. Paul street to Emmet street, one tier of lots on each side of Hand street from St. Paul street to Summit Park, one tier of lots on each side of Gorham street from St. Paul street to the east line of lot number seventy-six in the Galusha tract, one tier of lots on each side of Lowell street from St. Paul street to the west line of Almira street, and one tier of lots on each side of Galusha 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 190 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 7th, 1859, at half-past seven o'clock, at the Common Council Hall, when allegations will be heard. Adopted unanimously.

SEWER IN ALLEN AND WAREHOUSE STREETS.

By Ald. Shelton—Resolved, That the city Surveyor ascertain and report to this Board the expense of constructing a stone sewer from the New York Central Railroad through Allen street to Warehouse street, and through Warehouse street to the Platt-st. sewer; said sewer to be eighteen inches wide, two feet high, and be at its commencement seven feet deep, and run upon a regular grade to the Platt-st. sewer. Adopted.

The Surveyor submitted such estimate.

By Ald. Shelton—Resolved, That the following improvement is expedient, namely:

The construction of a stone sewer eighteen inches by two feet, in Allen street, from the New York Central Railroad through Allen street to Warehouse street, and through Warehouse street to the Platt-st. sewer, and to be continued upon a regular grade to the Platt street 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 \$1,063, which estimate is hereby approved.

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

“One tier of lots on the south side of Allen street from a point 90 feet west of the west line of Elizabeth street to a point sixty-three feet east of the east line of Broad street, and one tier of lots on the north side of Allen street from the west line of lot No. 73 in the centre of lot No. 73 in the Canal tract, and one tier of lots on each side of Warehouse street from Allen to Platt street; also for outlet and surface drainage, one tier of lots on each side of Ford-st., from Allen to Hill streets.

And the Clerk is hereby directed to publish notice in pursuance of section 190 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 7th, 1859, at half-past seven o'clock, at the Common Council Hall, when allegations will be heard. Adopted—all ayes.

IMPROVING GREIG STREET.

By Ald. Selye—Resolved, That the city Surveyor ascertain and report to this Board an estimate of the expense of improving Greig street as follows: by setting a curb of Medina stone sixteen feet from the lines of the street, and paving seven feet wide on each side of said street, and constructing a suitable number of cross-walks. Adopted.

The Surveyor submitted such estimate.

By Ald. Selye—Resolved, That the common council of the city of Rochester, in giving to the petition signed by a majority of the owners of property to be assessed for the improvement hereinafter mentioned, hereby determine and ordain that Greig street be improved, by setting a curb of Medina stone sixteen feet from the lines of the street, paving seven feet in width on each side of the street with cobble stone, and constructing a suitable number of 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 \$1,536 00, which estimate is hereby approved.

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

“One tier of lots and all the land on each side of Greig street, from Glasgow street to Clarissa street.”

And the clerk is hereby directed to publish notice in pursuance of section 190 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 7th, 1859, at half past seven o'clock, at common council hall, when allegations will be heard. Adopted unanimously.

SEWER IN OTSEGO STREET.

On motion of Ald Shelton, the ordinance for constructing a sewer in Otsego-st., was considered, a remonstrance of tax payers was read, and opportunity given for further allegations. The ordinance was then postponed for one week.

SEWER IN NEW YORK AND MAPLE STREETS.

Allegations were heard upon the ordinance for a sewer in New York and Maple-sts., and it was postponed for one week.

SEWER IN EAST AVENUE.

The second ordinance for a sewer in East Avenue was considered, allegations heard, and further action postponed one week.

SEWER IN EDINBURG STREET.

The like proceeding was had in respect of the sewer in Edinburg-st.

BOX SEWER IN TWELFTH WARD

On motion of Ald Selye—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. Shelton submitted the following:

AN ORDINANCE, to construct a box sewer in the Twelfth Ward.

The common council of the city of Rochester do ordain and determine as follows:

That a box drain shall be constructed of sufficient capacity to drain the low lands in the Twelfth Ward, upon or near lot number 72 of the Gregory tract, and from such point as may be deemed necessary by the sewer committee, to the Erie canal near Nelson street.

And the whole expense thereof shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefitted 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 benefitted by said improvement is described as follows:

One tier of lots and all the land on each side of Caroline street from South Avenue to Nelson street, and one tier of lots and all the land on each side of Nelson street from Caroline street to Cayuga street; on which above described portion of the city, the said sum of eighty dollars is hereby ordered to be assessed.

And David McKay, Francis Dana and Jared Coleman, the Assessors of said city, not interested in any of the property so benefitted, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all 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 the said Assessors are hereby notified to meet for this purpose on Friday, the 3d day of June, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote: Ayes—Ald. Mudgett, Butler, Reynolds, Hollister, Lewis, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Stone, Selye, Lutes, Shelton, Bauer, Mason, Billingshurst, Cushing—18.

Noes—Ald. Holmes.

ERECTING A FENCE AROUND JONES' SQUARE.

By Ald. Butler—Resolved, That the city Surveyor ascertain and report to this Board, the expense of erecting a substantial post and board fence around Jones' Square, and of improving the same by grading, removing the dead and decayed trees, and substituting others in their places.

The Surveyor submitted such estimate.

By Ald. Butler—Resolved, That the following improvement is expedient, namely:

The erection of a substantial post and board fence around Jones' Square, and improving the same by grading, removing the decayed trees, and substituting others in their places.

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 \$700 00, which estimate is hereby approved;

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

That portion of the city included within the boundaries of the Ninth Ward.

And the clerk is hereby directed to publish notice in pursuance of section 190 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 7th, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard. Adopted unanimously.

LAYING WATER PIPES FROM CHILD'S BASIN TO ANN STREET RESERVOIR.

Ald Lewis presented the second ordinance for laying wooden water pipes from Child's basin to reservoirs in Ann-st., and moved to amend by increasing the estimate to \$3,141, and that the further consideration be postponed one week, allegations then to be heard. Carried.

ATWATER STREET EXTENSION.

By Ald. Mudgett—Resolved, That the city Surveyor be directed to ascertain and report to this Board an estimate of the expense of extending Atwater street from Water-st. to Front-st., by an appropriation of the following described territory, viz: Beginning on the East line of Front-st. at a point thirty-three feet south from the south face of the south-east pilaster of the N. Y. C. R. R. depot, and running thence easterly to a point thirty-three feet south from the south side of the railroad bridge at the west wall of the Genesee river; thence easterly to the west line of Water street, in such a course as to intersect the south line of Atwater-st. at the east line of Water-st.; thence northerly on the west line of Water-st. about thirty-three feet to the south line of the N. Y. C. Railroad property; thence westerly along the north line of said railroad property to the south-west corner of said railroad bridge; thence westerly to a point in line with the east line of Front-st., in such a course as to intersect the south-east corner of the south-east pilaster of said N. Y. C. Railroad depot; thence south in line with the east line of Front-st., to the place of beginning.

The Surveyor submitted such estimate.

By Ald. Mudgett—Resolved, That the following improvement is expedient, namely:

Extending Atwater street, from Water street to Front street, by an appropriation of the following described territory, viz: Beginning on the east line of Front-street at a point thirty-three feet south from the south face of the south-west pilaster of the N. Y. C. Railroad property, and running thence easterly to a point thirty-three feet south from the south side of the railroad bridge, at the west wall of the Genesee river; thence easterly to the west line of Water-st., in such a course as to intersect the south line of Atwater-st. at the east line of Water-st.; thence north on the west line of Water-st. about thirty-three feet to the south line of the N. Y. C. Railroad property; thence westerly along the south line of said railroad property to the south-west corner of said railroad bridge; thence westerly to a point in line with the east line of Front-st., on a line to intersect the south-east corner of the south-east pilaster of said N. Y. C. Railroad depot; thence southerly, in line with the east line of Front-street, thirty-three feet, 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 \$2448.00, 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, namely:

All the land included in the following described territory. Beginning on the east line of Front-st., at a point thirty-three feet south from the south-east corner of the south-east pilaster of the N. Y. C. R. R. depot; thence southerly along the east line of Front-st. to the north line of land of the Rochester Gas Company, including one tier of lots on the west side of Front-st., from the south line of the N. Y. C. R. R. company's land, to the north line of the brick building recently erected by Thomas Moulson; thence easterly along the north line of said Gas company's land, to the centre of the Genesee river; thence northerly in the centre of the Genesee river, to a point opposite the south line of River-st.; thence easterly through River-st., and including one tier of lots on the south side thereof, to St. Paul-st.; thence north in the centre of St. Paul-st., to the centre of Granger-st.; thence easterly in the centre of Granger-st. to Clinton-st.; thence north along Clinton-st. to Atwater-st.; thence easterly along Atwater-st. including one tier of lots on the south side thereof, to St. Joseph-street; thence north along St. Joseph-st., including one tier of lots on the east side thereof, to Catharine-st.; thence west along Catharine-st., including one tier of lots on the north side thereof, to Clinton-st.; thence northerly along Clinton-st., including one tier of lots on the east side thereof, to Lowell-st.; thence westerly along Lowell-st., including one tier of lots on the north side thereof, to St. Paul-st.; thence southerly along St. Paul-st., including one tier of lots on the west side thereof, to the south line of lot No. ninety-two in the Andrews and Atwater tract; thence westerly along the south line of said lot No. ninety-two and a continuation thereof, to the centre of the Genesee river; thence southerly along the centre of said Genesee river to a point opposite the south line of Centre-st.; thence westerly along the south line of Centre-st. to a point in line with the east line of Front-st., thence southerly in a direct line to the place of beginning.

And the Clerk is hereby directed to publish notice in pursuance of section 190 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 7th, 1859, at half-past seven o'clock, at the Common Council Hall, when allegations will be heard. Adopted unanimously.

WIDENING PUBLIC SQUARE OR PINDALL ALLEY.

By Ald. Mudgett—Resolved, That the common council of the city of Rochester do ordain and determine that the following improvement is expedient:

The widening of Public Square or Pindall Alley to a width of forty feet, and the following described territory is deemed necessary for such improvement, commencing

at the north west corner of Buffalo street and Pindall Alley, and running thence on the south line of Buffalo street westerly twenty-five feet, thence southerly parallel with the west line of said Alley, and twenty-five ft. distant therefrom to the Erie canal, thence along the Erie canal about twenty-five feet to the west line of said Alley, thence along the said west line of Public Square or Pindall Alley to the place of beginning.

And the city Surveyor is hereby empowered and directed to negotiate with the owners of said lands and premises and ascertain and report to this Board upon what conditions the same can be purchased for the above described purpose.

Adopted as follows:

Ayes—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Stone, Selye, Lutes, Shelton, Bauer, Mason, Billingshurst, Cushing—19.

Noes—None.

OPENING VARNUM STREET.

By Ald. Mudgett—Resolved, That the common council of the city of Rochester do ordain and determine that the following improvement is expedient:

The opening of Varnum street through the so called King or Baldwin tract; and the following described territory is deemed necessary for such improvement: Commencing at a point in the north line of the Phelps tract where it intersects the east line of Varnum street and running thence northerly parallel with State street and three hundred and sixty-three feet therefrom, (measured at right angles,) about five hundred and sixty feet to the south of the McCrackerville tract, thence westerly along the south line of said tract about sixty-four feet to a point in range with the west line of Varnum street, thence southerly parallel with State street and four hundred and seventy-three feet therefrom, (measuring at right angles,) to the north line of the Phelps tract, thence along said north line about sixty-four feet to the place of beginning.

And the city surveyor is hereby empowered and directed to negotiate with the owners of said lands and premises, and ascertain and report to this Board, upon what conditions the same can be purchased for the above described purpose. Adopted.

WIDENING EXCHANGE PLACE.

By Ald. Mudgett—Resolved, That all proceedings heretofore had by this Board in relation to widening Exchange Place, on the north side, between State street and Bank alley, be and the same are hereby rescinded. Adopted.

By Ald. Mudgett—Resolved, That the Common Council hereby determine that Exchange Place shall be widened on the north side thereof, between State street and Bank alley; and that the following described territory is deemed necessary for said improvement, namely:

Beginning on the east line of State street at a point thirty-two feet and two hundred and eighty-seven thousandths of a foot (32 287-1,000) north from the northwest corner of the face of the stone pier of Gould's Block, on the east side of State street, said distance to be measured on the east line of State street; thence easterly to Bank alley, in a direct line to intersect the southerly face of the southwest pilaster or pier of the Athenæum building; thence southerly along the west line of Bank alley to the present north line of Exchange Place; thence westerly along the present north line of Exchange Place to State street; thence northerly along the east line of State street to the place of beginning.

And the City Surveyor is hereby directed to negotiate with the owner of the land so deemed necessary for said improvement, and report an estimate of the expense thereof at the next regular meeting of this Board.

SOUTH LINE OF MAIN STREET AT MAIN STREET BRIDGE.

By Ald. Mudgett—Resolved, That the Common Council of the city of Rochester do ordain and determine, That the South line of Buffalo and Main streets, between Water street and Graves Alley, shall be determined by a line drawn from the south-east corner of Main and Water streets to the south-west corner of Buffalo street and Graves Alley—and the following described territory is deem-

ed necessary for said improvement: Beginning at a point four 37-100 feet from the north-east corner of Samuel Richardson's building, and upon his east line extended and running thence upon said line northerly fifteen 29-100 feet to the south line of Main street, as established by the ordinance of 1833; thence upon said south line and across the Genesee river, to a point eighty-two feet from the north-east corner of Horatio N. Curtis' property; thence upon the north line of said Curtis' property eighty-two feet, to the south-west corner of Main and Water streets, thence southerly, upon the west line of Water street three 95-100 feet, thence westerly through said Curtis' property and across the Genesee river, to the place of beginning.

And the City Surveyor is hereby empowered and directed to negotiate with the owners of said land and premises, and report to this Board, at its next regular meeting, upon what conditions the same can be purchased for the above described purpose.

WIDENING GREEN STREET.

By Ald. Mudgett—Resolved, That the common council of the city of Rochester do hereby ordain and determine that the following improvement is expedient, namely:

The widening of Green street to a width of sixty-six feet and extending the same each way as follows: North from Jackson to Monroe street, and south thence, which said tract, from Griffith street to intersect with the lines of Cayuga street; and the land necessary to be taken for this improvement is described as follows:

That territory between Jackson and Monroe streets lying between the east line of Green street produced to Monroe street, and a line drawn parallel with and sixty-six feet west from said east line, which said parallel line extends also to Monroe street. Also, thirty-three feet on the west side of Green street from Jackson street to Griffith street. Also the territory south of Griffith street lying between the east line of Green street extending to the Erie canal, and a line drawn parallel with and sixty-six feet westerly therefrom. Also, the territory south of the Erie canal lying between the two last mentioned lines produced until they intersect the lines of Cayuga street produced. Also the territory included between the lines of Cayuga street thus produced, from said point of intersection to the north line of Holley street.

And Whereas, The city Surveyor under the direction of this Board, has made an estimate of the expense of acquiring the territory for this improvement, and reported the same at Fifteen Thousand and Four Hundred Dollars, 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, namely:

One tier of lots and all the land to the depth of one tier of lots upon each side of Cayuga and Pinnacle streets from the north line of Holley street to the city line; and also one tier of lots on each side of the lines of Green street extended and widened between the north line of Holley street and the Erie canal; and also one tier of lots and all the land on each side side of the proposed improvement and adjacent to the lines of the said Green street, as widened and extended from the south line of Monroe street to the Erie canal.

And the clerk is hereby directed to publish notice in pursuance of section 190 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 7th, 1859, at half past seven o'clock, at the Common Council Hall, when allegations will be heard.

Ald. Lewis moved to lay the above ordinance on the table for one week. Carried.

ASSESSMENTS.

By Ald. Shelton—Resolved, That appeals be heard upon the assessments for the following improvements at the next regular meeting of this Board, June 14th, and that the Clerk give ten days notice thereof, as required by the Charter:

- Sewer in Smith street.
- “ Fitzhugh and Lafayette sts.
- “ Asylum st.
- “ Frank st.
- “ Atwater st.
- “ Bowery st.
- “ New Main st.
- “ East Avenue from Prince st. to the City

Line.

Lowell st. improvement.

Ald. Selye presented the assessment roll for a plank sidewalk on State st. from Ambrose st. to Vincent Park, and moved appeals be heard thereon at the next regular meeting. Agreed to.

EAST AVENUE IMPROVEMENT.

On motion of Ald. Butler, consideration of the second ordinance for the improvement of East Avenue, was postponed one week.

On motion of Ald. Selye, action upon the second ordinances for improvements of Platt st. and Franklin st. were postponed one week.

By Ald. Shelton—Whereas, The ordinance for a sewer in Lyell, Orchard and Lime streets, provides for the construction of said sewer as one improvement; and without some indication from the inhabitants, or the Common Council, the Assessors may conclude that the benefits to be derived therefrom were about equally distributed;

And Whereas, The people residing and owning property on Orchard and Lime streets are flooded with the water thrown upon them from the track of the New York Central Railroad and the higher lands west of them; therefore

Resolved, That in the opinion of this Board, the assessment for said sewer should be so made, that the tax-payers in Orchard and Lime streets shall have the entire benefit of all the money assessed to the New York Central Railroad; and also that the lot on the northwest corner of Lyell and Orchard streets shall be exempted from tax to the depth of one hundred feet on its Orchard street front, and that amount added to the cost of the sewer in Lyell street. Adopted.

UNFINISHED BUSINESS.

Ald Lewis withdrew his resolution to permit the Wicket Club to occupy Franklin Square as a playground.

Ald Lewis moved the adoption of the resolution offered by Ald. Fairchild, May 17th, directing the construction of two Pounds—one on each side of the river.

Ald. Stone moved to postpone action on the resolution indefinitely. Lost.

Ayes—Ald. Stone, Shelton, Mason. Nays—14.

Ald. Erickson moved to postpone one week.—Agreed to, as follows:

Ayes—Ald. Reynolds, D. W. Perry, Nash, Erickson, Moore, Stone, Selye, Shelton, Mason, Cushing—10.

Nays—Ald. Mudgett, Holmes, Butler, Hollister, Lewis, Lutes, Bauer, Mason, Billinghurst—8.

THE EAST LINE OF FRONT STREET.

Ald. Lewis, from the Committee on Streets, made the following report on the petition of Thomas Moulson, Wm. Simpson and Fred. Starr, relating to alleged encroachments upon the east line of Front street, which, on motion of Ald. Nash was ordered to be published:

To the Common Council of the City of Rochester:

The Street Committee to whom was referred the petition of Thomas Moulson, William Simpson and Frederick Starr, report that an examination of the records and maps relating to Front st., shows in the opinion of your Committee that the east line of Front st., as laid out, has never been changed by any ordinance of the Common Council of Rochester, or the Village Trustees; but was always a straight line. This opinion is based,

1st. Upon old maps on file in the Clerk's office of the City and of the County; see also maps in the Matthew Mead deed to the city.

2d. Upon the opinion of Mr. Elisha Johnson, made

in March 1835, who, however, states "from said alley (the alley back of the Arcade to Buffalo st.) there is a slight variation to the west, of I believe $\frac{1}{2}$ of a degree."

3d. Upon the opinion of Messrs. Ashley Sampson and Isaac R. Elwood, in July 1837, who state that "Front st. is four rods wide, measuring on a line with Buffalo st.; that the east line is parallel to the west line, and that the west line is that of the east line of Jacob Graves' lot, and a continuation thereof in a direct line to the southeast corner of the lot formerly owned by Matthew Mead; said southeast corner being twenty-four feet easterly in the north line of Buffalo st., from the southeast corner of the store of John B. Elwood. That these lines had then been acquiesced in for more than 20 years, and by consequence that the buildings of Judge Carroll (on the east side) encroached to a very considerable extent upon Front st."

It may not be important to examine into the circumstances which concurred to work a change in the front line of the buildings occupying the east side of the street. It seems not improbable, however, to have resulted from the following facts:

The east line of Front st. must have come down nearly, if not quite, to the edge of the water of the Genesee river; some speak of it as having quite a space between it and the edge of the stream, as laid out upon the map. It is quite certain, however, that whatever may have been its original location as early as 1835, and long prior to that time, the stream, by its attrition, has worn away quite a considerable portion of the street, so that it became necessary not only to build a wall for the protection of the street as against the river, but in order to get high ground for the purposes of the street, to widen the same upon the west side, which the records show was done.

During the year spoken of, the city was drawn into a controversy with Mr. C. H. Carroll, who seems to have had an idea that the city (then village) was built for him, in which he was compelled by the then Court of Chancery to execute a deed of what was then and now known as the Market Lot, upon which the city had erected a Market building, now removed, but then standing upon the corner of Front street and Buffalo street. The terms of that deed are bounded on the west end by the wall on Mason street, as mentioned in the pleadings, and on the south by the north line of Buffalo street extended towards the center of the river. It will be observed that this wall is spoken of as a wall on Mason street. Subsequently a second wall was erected further east and along the line of the west abutment of the old bridge, or nearly so, and upon this was placed the front of the Market building. In all this the lines of the street were not changed. Whether the city, or village, had the right to use a portion of the street for the purpose of the building, is not our present inquiry. Now, the Market building standing as it did, gave an *apparent line* to the east side of Front street, and nothing more.

Upon this line all the owners north for some distance built, and, whether by design or not, have built into the street, and thus have changed the line of Front street, by occupation.

On motion of Ald. Lewis, the Board heard Frederick Starr on the same question, and its further consideration was, on motion of Ald. Nash, postponed till Thursday next, at 2 P. M.

EXECUTIVE BUSINESS.

Ald. Lewis presented the following Communication:

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

The undersigned would respectfully tender to your honorable body his resignation of the office of Commissioner of Deeds of the city of Rochester.

Your obt' servant,

JNO. C. CHUMASERO.

Rochester, May 31, 1859.

The resignation of Mr. Chumasero was accepted.

Ald. Lewis moved that the Board proceed to appoint a Commissioner of Deeds in place of Judge Chumasero.

Ald. Holmes moved to postpone one week.—Lost; ayes 6, noes 11.

Ald. Lewis' motion was agreed to.

The Board proceeded to ballot, and Kneeland J. Holmes received 14 votes, W. H. Groot 3, blank 1. Kneeland J. Holmes was declared duly appointed.

Ald. D. W. Perry moved that the Board proceed to vote for a Commissioner of Deeds, in place of Bernard Schœffel, deceased. Agreed to.

The Board proceeded to ballot, and Geo. B. Harris received 8 votes, Joseph Rau 5, W. H. Groot 4. No choice.

On motion, a second ballot was had, which resulted as follows:—Geo. B. Harris 9, J. Rau 5, W. H. Groot 3. No choice.

A third ballot was ordered, and G. B. Harris had 9, Joseph Rau 6, W. H. Groot 2 votes. No choice.

On motion of Ald. Selye, further balloting was postponed one week.

On motion of Ald. Hollister, the Board proceeded to ballot for a Member of the Board of Health; and Henry Harrison had 8, W. H. Groot 7, H. L. Fish 1, and O. F. Brown 1 vote. No choice.

On motion, further balloting was postponed one week.

Ald. Stone moved that the Board proceed to ballot for a commissioner for West Avenue, to expend the \$300 to be raised by tax for maintaining the street improvement.

Ald. Holmes moved to postpone one week.—Carried.

MISCELLANEOUS BUSINESS.

By Ald. Holmes—Resolved, That the Committee on Streets and Bridges, and the Superintendent of streets be, and they are hereby politely requested to pass over North Sophia street, from Buffalo to Ann street once more, at the request of residents on said street. Adopted.

By Ald. Hollister—Resolved, That P. Huddleston, have leave to erect a wood cornice and piazza on his dwelling on South street, according to the prayer of his petition, under the direction of the Chief Engineer. Adopted.

By Ald. Hollister—Resolved, That N. Allen, have leave to move a wood building from lot No. 86 Plymouth Avenue, to rear of same lot, according to the prayer of his petition, under the direction of the Chief Engineer. Adopted.

By Ald. Reynolds—Resolved, That the Common Council do hereby ordain and determine as follows: That, in pursuance of section 175 of the city charter, it is hereby determined and certified that the sum of money 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, are the following:

To build school houses and for the purchase of sites..... \$5,000
 To lease, improve, alter and repair school houses... 3,000
 To pay wages of teachers and for contingent expenses..... 23,189

And the City Clerk is hereby directed to deliver to the Board of Education a certified copy hereof.
 Ald. Selye moved to strike out the item for building school houses.

Ald. Reynolds accepted the amendment, and the resolution as amended was adopted. Ayes 15; Nay—Ald. Nash.

FINANCE BUDGET.

By Ald. Reynolds—Resolved, That the Treasurer pay as follows:

Inspectors of Election 7th ward.....	\$15 00
J. B. & G. W. Aldridge, bill alterations and repairs	90 67
Surveyor's office and Treasurer's.....	
Newman's Band, services at the funeral of the late Hon. John Allen.....	25 00
and charge contingent fund.	
H. F. Montgomery's bill attendance at Police office.	5 00
E. J. Keeney, bill for disbursements for May.....	44 70
Jacob Stryker's bill paid for cleaning Police office.....	14 25
Rochester Gas Co.'s bill gas in Police office.....	1 20
do do gas in watch house.....	17 07
E. J. Keeney, services as Chief of Police, 1 month.....	66 65
J. Montgomery, services as Policeman, 1 month.....	44 00
R. W. Goodrich, " " " ".....	44 00
Seymour Cooley, " " " ".....	44 00
J. Dresser, " " " ".....	44 00
H. Jordan, " " " ".....	44 00
A. Kingsbury, " " " ".....	44 00
P. B. Wilder, " " " ".....	44 00
L. Johnson, " " " ".....	44 00
G. C. Pease, " " " ".....	44 00
B. B. Lepp, " " " ".....	44 00
Thomas Callister, " " " ".....	44 00
H. McQuatters, " " " ".....	44 00
J. C. Hagle, " " " ".....	44 00
Wm. Coughlin, " " " ".....	44 00
A. Brownell, " " " ".....	44 00
H. V. Steller, " " " ".....	44 00
A. H. Waterman, " " " ".....	44 00
Alvah Rice, " " " ".....	44 00
Paul Gilman, " " " ".....	44 00
Thomas Campbell, " " " ".....	44 00
John S. Stott, " " " ".....	44 00
Peter Koons, " " " ".....	44 00
A. Wagner, " " " ".....	39 65
J. C. Lauer, " " " ".....	23 20
Bernard Horcheller, 16 days, at \$1.45 per day.....	27 55
John Daney, 19 days, " ".....	27 55
and charge Police Fund.	
Perrine & Stewart, bill repairs of Fire apparatus.....	141 01
A. Flory, ringing alarm bells.....	12 50
George W. Fisher, paper hangings for Engine house No. 1.....	5 67
W. E. Lathrop, assessment on Engine house No. 3, for widening State-st.....	70
C. T. Amsden, premium on \$800 insurance on Engine house No. 1.....	4 00
Richard Gilbert, 1 month's salary, superintendent of Hose Depot.....	41 67
and charge Fire Department Fund when the proper affidavits are affixed to the bills of A. Flory, George W. Fisher and C. T. Amsden.....	
John R. Galen, bill for bolts, screws, &c.....	6 56
David McKay, salary as Assessor, for May.....	83 33
Francis Dana, assigned.....	
to H. W. Jones.....	83 33
Jared Coleman, salary as Assessor, for May.....	83 33
and charge contingent fund.	

Adopted—Ayes 17, noes 0.
 By Ald. Reynolds—Resolved: That the City Treasurer be authorized and directed to make the note of the city for five thousand dollars, at four months, and have the same discounted and place the amount to the credit of the Board of Education, in anticipation of the taxes, pursuant to subdivision 6 of section 167 of the city charter, for the payment of Teacher's wages of the Board of Education, the discount on said note to be charged to said fund. Adopted.

Ald. Holmes moved to adjourn. Lost.
 By Ald. Lewis—Resolved: That the Committee on Fire Department be authorized to lease from George N. Hotchkiss, the premises on West Alexander street owned by him, for the use of Engine Company No. 8 for the term of three years, at the annual rent of \$120, payable quarterly. Adopted.
 By Ald. Lewis—Resolved: That the City Clerk

be authorized to correct the rolls of Engine Companies Nos. 1, 3 and 6, in accordance with the statements of the Secretaries of the said Companies as certified by the Chief Engineer. Adopted.

By Ald. Lewis—Resolved, That the Treasurer pay Protective Sack & Bucket Co. No. 1 two hundred dollars, as an appropriation, for furnishing their carriage house, upon their filing with the City Clerk an inventory of the furniture and fixtures in their house, such inventory to be approved and certified by the Chief Engineer, and charge Fire Department Fund. Adopted—Ayes 16.

By Ald. Lewis—Resolved, That the City Surveyor be directed to make a map of the lot on the corner of Buffalo and Front streets, formerly known as the market lot, and now owned by Ald. Erickson, giving on the same the lines of Front street, and report the same to this Board at his earliest convenience. Adopted.

Ald. Lewis moved that the Street Committee be discharged from the further consideration of the communication of John McConnell & Son, in relation to Nelson street improvement, and that it be referred to the Law Committee. Agreed to.

By Ald. Nash—Resolved, That the Treasurer pay J. Van Voorhis, City Attorney, the sum of \$34.85, being the sum advanced by him for referees' fees and disbursements, in suit of J. F. Seaman, assignee of J. McConnell & Son, against the City, on contract for improvement of South Sophia street, as per bill rendered, and charge Contingent Fund. Adopted—Ayes 16.

By Ald. Nash—Resolved, That the City Attorney be added to the Law Committee. Adopted.

By D. W. Perry—Resolved, That the City Superintendent be, and is hereby request to notify the owners of property on the west side of Rome street, from Atwater to Bowery streets, to repair their side-walk within ten days from the time they receive notice. Adopted.

By Ald. Selye—Resolved, That the City Surveyor be directed to make a proper grade on Whitney street from the Niagara Falls railroad to Lime street, and that the owners of property upon said street be allowed the privilege of grading said street in accordance with the grade so made.—Adopted.

By Ald. Mason—Resolved, That the Superintendent of Streets be, and is directed to cause the immediate abatement of a nuisance at or near the Steam Saw Mill on Oak street, owned by S. D. Walbridge, said nuisance being the confining and feeding of a large number of hogs. The stench arising from said hogs causing an unbearable, unhealthy and outrageous smell in the neighborhood.

Ald. Stone moved to refer the above to the Board of Health. Agreed to.

Ald. Selye moved that when the Board adjourns, it adjourn for one week from this night. Agreed to.

The Board then adjourned.
 FR. S. REW, Clerk.

In Common Council, June 2, 1859.

CONVENED AS A BOARD OF CANVASSERS.

PRESENT—The Mayor, Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Nash, Erickson, Moore, Stone, Selye, Lutes, Mason, Billinghamst.
 Absent—Ald. Mudgett, G. W. Perry, Hebard, Twitchell, Bradstreet, D. W. Perry, Knapp, Shelton, Bauer and Cushing.

The Mayor announced that the Board was convened as a Board of Canvassers, and the Clerk produced and read the certificate of the Inspectors of the Special election for Alderman held in the Tenth Ward, on Tuesday, May 31st.

Whereupon, the Board determined and declared that by the greatest number of votes, Abram H. Jones was duly elected Alderman for the Tenth Ward, to serve until the first Monday in April, 1860.

The Certificate of Election was signed in duplicate by the Mayor and Aldermen present, and the Board adjourned. Fr. S. Rew, Clerk.

In Common Council, June 2, 1859.

ADJOURNED MEETING.

Present and absent as above.

The Mayor announced that the Board was now convened to consider the subject of the alleged encroachments upon the East line of Front-st.

Ald Selye moved that the whole subject matter be referred to the Law Committee, with instructions to consider and report at their earliest convenience.

On motion of Ald. Lewis, Mr. Frederick Starr was heard on the question of reference.

The motion to refer was carried, and the Board adjourned. Fr. S. Rew, Clerk.

In Common Council, June 7, 1859.

ADJOURNED MEETING.

Present—The Mayor, Ald. Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billinghamurst.

ABSENT—Ald. Mudgett, Holmes, G. W. Perry, Twitchell, Cushing.

The proceedings of the previous meeting were approved as published.

PETITIONS AND CLAIMS.

By Ald. Reynolds, account of W. G. Grantsyn, as Inspector of plank walks for May, and of F. Bular for assessing. Improvement Committee.

By Ald. Lewis, account of H. F. Montgomery for surgical operations; Grievance Committee. And of residents on State street, relating to water-pipes in Exchange and State streets. Table.

By Ald. Knapp, Report of the Street Superintendent for May. Street Committee.

By Ald. Stone, Accounts of Smith, Perkins & Co.; Moore & Cole; H. Wray; Frost & Schleier, J. Howe; Jonathan Child, for disbursements; P. R. Banker, Clerk of Overseer; J. McDowell, H. F. Montgomery. Poor Committee. Of C. Harper for Hack hire. Improvement Committee.

By Ald. Shelton, Account of John Crammond for services rendered in 1857. Finance Committee. Remonstrance of L. Barhydt and others, against being assessed for sewer in Allen street. Of J. W. Pritchard and others for a sewer in Hill street. Sewer Committee. Of A. Morse, for improvement of North street. Improvement Committee. Remonstrance of ninety-six residents of the Fifth Ward against the proposed sewer in North St. Paul street. Sewer Committee.

By Ald. Lewis—Account of H. F. Montgomery. Grievance Committee. Communication of Henry

Butts, relating to a city order held by him. Sewer Committee. Accounts of Jno. J. Van Zandt, R. E. & J. Sherlock, N. Aylesworth, A. J. Brackett, George B. Harris, Proceedings of Hose Co. No. 1, and Fire Co. No. 5. Fire Department Committee.

REPORTS OF COMMITTEES.

By Ald. Knapp—From the Street Committee, favorably on report of Street Superintendent of disbursements. Finance Com.

By Ald. Stone—From the Poor Committee, favorably on the bills above referred to that committee, excepting that of H. F. Montgomery. Finance Com. for payment.

By Ald. Perry—From the Lamp Committee, favorably on the bills of the Gas Co. Finance Com.

By Ald. Lewis—From the Fire De't. Committee, favorably on the accts. of W. C. Udell, Chas. Helms, and the Gas Co., and in favor of confirming, with certain corrections, the proceedings of Engine Cos. No. 4 and 8. Latter report agreed to.

By Ald. Hebard—From the Contingent Expense Committee, favorably on accts. of Gas Co.; 10th and 12th ward Inspectors, F. H. Marshall, D. W. Wyckoff, Wm. Roach and F. Roth. Finance Committee.

By Ald. Jones—Of B. Langdon and others against the assessment for a sewer in Nelson st. Sewer Committee.

EXECUTIVE BUSINESS.

The Clerk presented and read Resolutions adopted by the Board of Health, recommending the construction of a roadway from the foot of Falls street to the bank of the river.

The Clerk presented the report of the Overseer of the Poor for May. Number of families relieved, 193; am't. expended, \$315.51. Less for county and town poor, to be repaid to the city, \$18.13. Filed.

Also, the report of the Police Justice for May.—Amount of fines for criminal offences, \$104.91; for breaches of city ordinances, \$132.97. Total, \$237.88. Filed.

WIDENING PINDALL ALLEY.

The Surveyor submitted the following report:

To the Common Council of the City of Rochester:

The undersigned has been unable to make any progress in negotiations for the purchase of the property required for the widening of Public Square or Pindall alley, as there is no one authorised to represent the Board of Supervisors for the County of Monroe. Upon consultation with several parties, he thinks it safe to estimate that the required property can be purchased for ten thousand dollars, and submits the following estimate therefor:

Cost of land appropriated for widening Pindall alley.....	\$10,000 00
Incidentals and contingencies.....	200 00
	\$10,200 00

Respectfully, your ob't servant,

CHARLES R. BABBITT,
City Surveyor.

City Surveyor's Office, June 7, 1859.

WIDENING EXCHANGE PLACE.

Honorable the Mayor and Common Council:

The undersigned, in conformity with your resolution passed May 31, 1859, asks leave to report the following estimate of the expense of widening Exchange Place:

Cost of land required for the Improvement....	\$12,000 00
Incidental and contingent expenses.....	240 00
	\$12 240 00

The undersigned also submits the written proposition of Mr. William A. Reynolds, detailing the

terms and conditions upon which he will dispose of the property for the purpose contemplated.

Respectfully, your ob't servant,

CHARLES R. BABBITT,
City Surveyor.

City Surveyor's Office, June 7, 1859.

CHARLES R. BABBITT, Esq., City Surveyor:

Dear Sir:—I will sell to the city the piece of ground necessary for the proposed widening of Exchange Place, on the north side, between State street and Bank alley, for the sum of twelve thousand dollars, and will remove the building therefrom, and give possession thereof by the first day of May, 1860, and as much sooner as circumstances shall render practicable. I will execute a deed or conveyance thereof to the city for the purpose of said widening of Exchange Place, and take the obligations of the city, payable at such time as shall be agreed upon; reserving the use and occupation thereof as above provided.

W. A. REYNOLDS.

Rochester, June 7, 1859.

ACTION UPON ORDINANCES.

LYELL STREET SEWER.

By Ald. Shelton—Resolved, That the city Surveyor ascertain and report to this Board, an estimate of the expense of constructing a sewer of Ohio Tile, one foot in diameter, in Lyell street, to commence at a point one hundred and seventy-five feet east of the north-east corner of Lyell and Frank streets, and be carried through the centre of Lyell street to the sewer now in process of construction in State street. Adopted.

The Surveyor submitted such estimate.

By Ald. Shelton—Resolved, That the following improvement is expedient, namely:

The construction of a sewer of Ohio Tile, one foot in diameter, in Lyell street, from a point one hundred and seventy-five feet east of the north-east corner of Frank and Lyell streets, through the centre of Lyell street to the sewer in process of construction 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 \$631.00, which estimate is hereby approved.

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

"One tier of lots and all the land on each side of Lyell street, from a point one hundred and seventy-five feet east of the north-east corner of Lyell and Frank streets, to a point one hundred feet west from the west line of State street.

And the Clerk is hereby directed to publish notice in pursuance of section 190 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 14th, 1859, at half-past seven o'clock, at the Common Council Hall, when allegations will be heard. Adopted without dissent.

IMPROVEMENT OF GREIG STREET.

Ald. Selye submitted the following:

AN ORDINANCE to improve Greig street.

The common council of the city of Rochester, having been requested by a petition signed by a majority of the owners of property to be assessed for the improvement hereinafter mentioned, do ordain and determine as follows: Greig street shall be improved: by setting a curb of Medina stone sixteen feet from the lines of the street, and paving with cobble stone seven feet wide on each side of said street, and constructing a suitable number of cross-walks.

And the whole expense thereof shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefitted 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 five hundred and eighty-six Dollars, which estimate was and is hereby approved. The sum of one thousand five hundred and eighty-six 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 benefitted by said improvement is described as follows:

One tier of lots and all the land on each side of Greig street from Glasgow street to Clarissa street.

On which above described portion of the city, the said sum of one thousand five hundred and eighty-six dollars is hereby ordered to be assessed. And David McKay, Francis Dana and Jared Coleman, the assessors of said city, not

interested in any of the property so benefitted, 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 Friday, the 10th day of June, 1859, at nine o'clock in the forenoon, at the office of the city Clerk.

Passed by the following vote—Ald. Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billinghurst—19.
Noes—None.

EXTENDING FALLS STREET.

By Ald. Knapp—Resolved, That the common council of the city of Rochester do determine and ordain that the following improvement is expedient and necessary for the public health, namely: the opening of a street from Falls street to the west bank of the Genesee river, and the following described territory is considered necessary for such improvement, namely:

Beginning at a point in the east line of Falls street and upon the west line of the property of George H. Mumford, and running thence northerly upon the said east line fifteen feet; thence easterly to the west bank of the Genesee river; thence southerly on the river shore thirty feet at right angles; thence westerly to the east line of Falls street; thence northerly upon said east line fifteen feet 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 \$250.00, which estimate is hereby approved.

Resolved, further, That as this improvement is for the benefit of the city at large, and for the public health, the whole expense thereof shall be paid out of the funds in charge of the Board of Health.

And Resolved, further, That the city Surveyor is hereby authorized and empowered to negotiate with the owners of said property, and ascertain upon what conditions the same can be purchased for the above purpose.

Adopted.

PAVED IN LYELL STREET FROM WEST STREET TO MOORE STREET.

Ald. Shelton offered the following second ordinance for a sewer in Lyell street, and moved its adoption.

Ald. Selye moved to amend the estimate by reducing it to \$280. Agreed to.

On motion of Ald. Shelton—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. Shelton submitted the following:

AN ORDINANCE, to construct a sewer in Lyell street, from a point opposite the centre of West street, to the Lyell street sewer at Moore street.

The common council of the city of Rochester do ordain and determine as follows:

A stone sewer eighteen inches by two feet in dimensions shall be constructed in Lyell street from a point opposite the centre of West street to the Lyell street sewer at Moore street.

And the whole expense thereof shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefitted 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 Eighty dollars, which estimate was and is hereby approved. The sum of Two Hundred and 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 benefitted by said improvement is described as follows:

One tier of lots on the north side of Lyell street from a point fifty feet west of the centre of West street to the Alley as laid down on Cornell's city map, between West and Bigelow streets, and one tier of lots on the south side of Lyell street from a point fifty feet west of the centre of West street to a point forty-three and a half feet west of the west line of Moore street.

On which above described portion of the city, the said sum of two hundred and eighty dollars is hereby ordered to be assessed.

And David McKay, Francis Dana and Jared Coleman, the Assessors of said city, not interested in any of the property so benefitted, 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 Friday, the 10th day of June, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:

Ayes—Ald. Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billinghamst—18.

Noes—None.

SEWER IN LYELL, ORCHARD AND LIME STREETS.

Ald. Shelton submitted the following:

AN ORDINANCE to construct a sewer in Lyell, Orchard and Lime streets.

The common council of the city of Rochester do ordain and determine as follows: A stone sewer twenty-four inches by twenty-four inches in dimensions, shall be constructed from the city line through Lyell street to the centre of Orchard street, thence through Orchard street to the centre of Lime street, thence through Lime street to the Saxton street sewer.

And the whole expense thereof 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 and fifty-four Dollars and 90-100, which estimate was and is hereby approved. The sum of three thousand fifty-four 90-100 dollars, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants of the portion of said city which said Common Council deem will be benefited by said improvement is described as follows:

One tier of lots and all the land on each side of Lyell street from the city line to Orchard street, and on the north side of Lyell street to the east side of Orchard-st.; also, one tier of lots on each side of Orchard street from Lyell to Lime streets; also, one tier of lots on each side of Lime street, from Orchard street to the west line of Saxton street. Also, for outlet and surface drainage the New York Central Railroad from Orchard street to the city line, and one tier of lots on each side of Whitney street, from Lyell street to the Central Railroad."

On which above described portion of the city, the said sum of three thousand and fifty-four and 90-100 dollars is hereby ordered to be assessed. And David McKay, Jared Coleman and Francis Dana, 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 Friday, the 10th day of June, 1859, at nine o'clock in the forenoon, at the office of the City Clerk.

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.

Passed by the following vote: Ayes—Ald. Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billinghamst—18.

Noes—None.

SEWER IN NEW YORK STREET.

Ald. Shelton presented the second ordinance for a sewer in New York street, through East Maple street to Canal street sewer, and after hearing allegations against the same, the ordinance was lost. Ayes 3—Ald. Knapp, Selye and Mason. Nays 14.

SEWER IN EDINBURGH STREET.

On motion of Ald. Butler, allegations were again heard upon the ordinance for a sewer in Edinburg street, and the ordinance was postponed one week.

IMPROVING JONES' SQUARE.

On motion of Ald. Butler, 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. Butler submitted the following:

AN ORDINANCE, to erect a Fence around Jones' Square and to improve the Square.

The common council of the city of Rochester do ordain and determine as follows:

A substantial post and board fence shall be constructed around Jones' Square, and the said Square shall be improved by grading, the removal of decayed trees, and the planting of shade trees therein.

And the whole expense thereof 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 seven hundred dollars, which estimate was and is hereby approved. The sum of seven hundred dollars, being the whole amount of the estimate aforesaid, shall be assessed upon 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:

That portion of the city included within the boundaries of the Ninth Ward of the said city.

On which above described portion of the city, the said sum of seven hundred dollars is hereby ordered to be assessed. And David McKay, Francis Dana and Jared Coleman, 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 Friday, the 10th day of June, 1859, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote:

Ayes—Ald. Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billinghamst—18.

Noes—None.

IMPROVEMENT OF PLATT STREET.

Ald Selye presented the second ordinance for the improvement of Platt street and moved to amend the clause describing the taxable territory, so that it shall read as follows: One tier of lots on each side of Platt street, from Brown's raceway to Broad street, (including the New York Central Railroad); one tier of lots on the east side of Broad street to Hill street; one tier of lots and all the land on the west side of Broad street to the south line of Hill street, and one tier of lots on the east side of Hill street to the east line of lot No. 62 in the Canal Tract, including all water lots on the east side of Brown's race, to the Genesee river. Agreed to. The ordinance was then postponed one week.

IMPROVEMENT OF EAST AVENUE.

Ald. Selye submitted the following:

AN ORDINANCE, to improve East Avenue from New Main street to the east line of the city.

The common council of the city of Rochester having been requested by a petition signed by a majority of the owners of the property to be assessed for the improvement hereinafter mentioned, hereby determine and ordain that East Avenue shall be improved:

From New Main street to the east line of the city, by setting a curb of Medina stone fifteen feet from the lines of the street, by paving with cobble stone to within ten feet of the centre of the street and McAdamizing a roadway twenty feet wide; constructing a suitable number of walks across the avenue and the intersecting streets, and building a sufficient number of lateral sewers.

And the whole expense thereof 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 Fourteen Thousand One Hundred and Fifteen dollars, which estimate was and is hereby approved. The sum of Fourteen thousand one hundred and fifteen 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 and all the land on each side of East Avenue from New Main street to the city line, including one tier of lots upon each side of the private and public parks leading into the avenue.

On which above described portion of the city, the said sum of fourteen thousand one hundred and fifteen dollars is hereby ordered to be assessed.

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 David McKay, Francis Dana and Jared Coleman, 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 Friday, the 10th day of June, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote: Yeas—Ald. Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Batur, Mason, Billinghurst—19.
Nays—None

IMPROVEMENT OF FRANKLIN STREET.

Ald. Selye moved that the second ordinance for the improvement of Franklin street, be postponed one week. Carried.

WIDENING EXCHANGE PLACE.

By Ald. Selye—Whereas, The common council of the city of Rochester has declared it expedient and necessary to widen Exchange Place upon the north side between State street and Bank 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 twelve thousand two hundred and forty dollars, which estimate is hereby approved;

Resolved, That the following described premises are hereby determined to be necessary for said improvement, namely:

Beginning at a point thirty-two and two hundred and eighty-seven thousandths feet north from the north-west corner of the face of the stone pier of Gould's Block, on the east side of State-street, said distance to be measured on the east line of State-street; thence easterly, to Bank alley, in a direct line to intersect the southerly face of the south-west pier or pier of the Athenaeum building; thence southerly along the west line of Bank alley to the present north line of Exchange Place; thence westerly along the present north line of Exchange Place to the west line of State street; thence northerly along the east line of State street to the place of beginning; and

Resolved, further, That the portion of said city deemed benefited by said improvement, and proper to be assessed therefor, is all the houses and lands included within the following limits, namely:

Beginning on the east line of State-st., at the south-west corner of Jacob Gould's land, running thence easterly on the south line thereof to the west line of lot No. 23 of the 100 acre tract, thence across lots 23, 24 and part of 25 to the north-west corner of William Pitkin's land, thence along the north line of said Pitkin's land to Avery alley, thence across Avery alley to the south-west corner of lot No. 6 in the Graves tract, thence along the south line of said lot No. 6 to Front-st., thence across Front-st. to the centre of the Genesee river, thence northerly along the centre of the river 200 feet, thence westerly across Front-st. and along the north line of William Simpson's land to Mill-st., thence across Mill-st. to the south-east corner of Owen Gaffney's land, thence along the south line thereof to State street, thence along the east line of State-st. to the place of beginning.

And the clerk is hereby directed to publish notice in pursuance of section 190 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 14th, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard. Adopted.

EXTENDING ATWATER STREET.

Ald. Selye offered the second ordinance for the extension of Atwater street.

Ald. Reynolds moved to amend, so as to include in the territory to be assessed for the improvement all the land on both sides of Front street, from the Central Railroad depot to Mumford street. Carried.

The ordinance was then postponed till the next meeting of the Board.

WOODEN WATER PIPES.

Ald. Lewis offered the second ordinance for the laying of wooden water pipes in Exchange and State streets, and presented the petition of the tax-payers to be assessed in favor of wooden pipes. The ordinance was then amended, as respects the allotment of the expense to different sections of the assessable territory, and the ordinance was postponed one week.

WIDENING PUBLIC SQUARE OR PINDALL ALLEY.

By Ald. Selye—

Whereas, The common council has declared it expedient and necessary to widen Public Square or Pindall Alley from the south line of Buffalo street to the Erie canal by the addition of twenty-five feet to the west side thereof.

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 \$10,200.

Resolved, That the following described premises are hereby determined to be necessary for said improvement, to wit:

Beginning at the point where the west line of Public Square or Pindall Alley intersects with the south line of Buffalo street, and running thence westerly upon the said south line twenty-five feet, thence southerly parallel with said west line and twenty-five feet distant therefrom to the north line of the Erie canal, thence easterly along the Erie canal to the west line of said Alley, thence northerly along said west line to the place of beginning; and that the following portion of said city is hereby deemed benefited and proper to be assessed for the whole expense thereof, namely:

All the territory between Buffalo street and the Erie canal that is bounded on the east by Exchange street, and upon the west by Fitzburgh street.

And the Clerk is hereby directed to publish notice in pursuance of section 190 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 14th, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard. Adopted.

CONTINUATION OF FALLS STREET.

On motion of Ald. Shelton, action upon the ordinances for Sewers in North St. Paul street, East Avenue, Edinburg street, Otsego street, Allen and Warehouse streets, were postponed one week.

WIDENING GREEN STREET.

Ald. Hebard called up the first ordinance for the widening of Green st., laid on the table at the previous meeting, and discussion ensued.

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

Ald. Jones moved to amend, by inserting Thursday instead of to-morrow. Carried; ayes 11, noes eight.

The motion to adjourn was lost; ayes 8, noes 11.

Ald. Erickson moved that all proceedings heretofore had on the subject of Widening Green street be rescinded. Carried.

UNFINISHED BUSINESS.

The resolution directing the Superintendent to erect two pounds, one on each side of the river, came up as unfinished business of the previous meeting.

Ald. Jones moved to postpone its consideration one week further. Lost.

The resolution was adopted; ayes 14, noes 2—Ald. Jones and Mason.

Ald. Lewis then moved the adoption of the resolution directing the Superintendent to enforce Section 20 of the ordinances prohibiting cattle from running at large.

Ald. Selye, by unanimous consent, moved to amend the Section by striking out "four," and inserting "one," and striking out so much as relates to one-half the penalty being paid to the informer, Carried.

The Section as amended reads 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 be at large in any of the public streets, lanes or alleys of said city, under the penalty of one dollar for each offence.

Ald. Stone moved to amend, by adding to the instructions the enforcement of the ordinances forbidding firemen from running on the sidewalks; merchants from blocking up the same; horses remaining unhitched in the streets; the N. Y. Central Railroad from running their trains faster than

eight miles an hour through the city; fast men from racing on any of the avenues; and the ordinance to regulate the breadth of tires upon the wheels of wagons, carts, &c. Carried.

Ald. Jones moved to amend the resolution by excepting cows running at large between the hours of 5 A. M. and 7 P. M. Objected to, and ruled out of order.

Ald. Hebard moved to postpone the whole subject until the next regular meeting. Carried—ayes 7, noes 6.

Ald. Selye moved that when the Board adjourns it adjourn until Thursday afternoon at 4 o'clock, for the purpose of then electing four Directors of the Genesee Valley Railroad. Carried.

MISCELLANEOUS BUSINESS.

By Ald. Jones—Resolved, That the Superintendent notify all persons owning lands upon Ward's alley (running from Main street to Riley street) to remove all obstructions, filth and nuisances from said alley immediately, or that legal steps will be taken to compel them to do so. Adopted.

By Ald. Jones—Resolved, That the City Superintendent notify the owners of houses and lots on Stillson street, from Main street to Riley street, to immediately repair their sidewalks, or that legal measures will be taken to compel the same to be done. Adopted.

By Ald. Selye—Resolved, That Ald. Erickson be added to the Improvement Committee. Adopted.

By Ald. Butler—Resolved, That the City Superintendent cause the stone walls on the west side of Frank street to be made to conform to the west line of the street. Adopted.

By Ald. Butler—Resolved, That the City Superintendent cause owners of property on west side of Jones street, from Center street to Platt street, to repair their side-walks within ten days from this notice. Adopted.

By Ald. Butler—Resolved, That the Fire Department Committee be directed to introduce an ordinance for the construction of one reservoir, corner of Jay and Frank streets, one reservoir corner of Jay and State streets, with wood or iron pipes leading from Erie canal to supply said reservoirs.

Ald. Jones moved to lay on the Table. Lost.

The resolution was adopted.

By Ald. Hollister—Resolved: That the Superintendent be directed to notify the owners of property on the south side of Edinburgh street, to repair their side walks within ten days. Adopted.

By Ald. Reynolds—Resolved: That the room on the first floor of the City Hall, heretofore occupied by the City Superintendent and known as the Superintendent's office, be and the same is hereby appropriated for the joint use and occupation of the City Superintendent and the City Assessors, until otherwise ordered by this Board. Adopted.

By Ald. Reynolds—Resolved: That all persons who have not paid their assessments for the improvement of State street from the New York Central Railroad to Platt street, have the privilege of paying their assessments with interest at the rate of 7 per cent. instead of 12 as provided by the City Charter, together with 2 per cent. for contingent expenses, provided they pay the same within ten days, and not otherwise. Adopted.

Ald. Stone moved that the communication of Hiram Banker, late Overseer of the Poor, asking for extra compensation, presented to the Board April 26, be referred to the Poor Committee.—Agreed to.

Ald. Reynolds moved that the Clerk advertise

that allegations will be heard upon the ordinance for the improvement of State street at the next regular meeting. Carried.

The Board then adjourned. FR. S. REW, Clerk.

In Common Council, June 9, 1859.

SPECIAL MEETING.

Present—The Mayor, Ald. Mudgett, Butler, Reynolds, Hollister, Lewis, Hebard, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Shelton, Bauer, Mason, Billingshurst.

Absent—Ald. Holmes, G. W. Perry, Twitchell, Bradstreet, Jones, Cushing.

GENESEE VALLEY RAILROAD—ELECTION OF DIRECTORS.

The Mayor announced that the Board was convened for the purpose of electing four Directors of the Genesee Valley Railroad, to represent the city.

Ald. Lewis presented the following report of the city Directors elected last year, which was ordered to be filed and published:

To the Honorable the Mayor and Common Council of the City of Rochester:

The undersigned, Directors of the Rochester and Genesee Valley Railroad Company, so appointed by the Common Council in behalf of the city, respectfully report to your honorable body, that the following is a condensed statement of the affairs of the Company, as obtained from the Secretary and Treasurer of the Company:

The nett earnings of the Railroad for the year ending May 1st last, amounts to.....	\$19,209 01
The Floating Debt of the Company existing at the same time, is as follows:	
Mortgage to John Biden.....	4,000 00
Due Mr. Pease, Land Damages.....	1,500 00
For Interest dividend due to original subscribers of stock in the Company, calculated up to the time the Road was in running order, according to the time of payment made by each stockholder.....	6,511 00
Due for taxes about.....	2,000 00
Representative of Chamberlain & Bradley.....	4,500 00
Mr. Wadsworth.....	2,575 00
Note to Mr. Bremer.....	1,751 00
Three several notes to Mr. Wadsworth.....	2,600 00
Other items.....	900 00
Total amount of Floating Debt.....	\$26,077 00
First and only Mortgage Bonds.....	\$150,000 00

This Road like all other Roads in the country, continues to suffer from the general prostration of business, resulting from the crisis of 1857, the receipts the past year showing a decrease compared with the year ending May 1, 1857, of over fifty per cent. The nett earnings for that year being \$29,020 49. Had the receipts continued in the same proportion to the present time, the floating debt as above exhibited would have been entirely liquidated. Should the country be blessed with good crops, and a return of business consequent therefrom, the stockholders and friends of the Road may fairly believe and expect, that the time is not far distant when a yearly dividend will be paid from the regular earnings of the Road.

Respectfully submitted,

C. H. CLARK,
THOMAS PARSONS,
H. S. FAIRCHILD.

On motion of Ald. Lewis, the Board proceeded to ballot for a Director of the Genesee Valley Railroad, in place of C. H. Clark.

On the first ballot, S. W. D. Moore received 14 votes—the whole number cast—and was declared duly elected.

On motion, the Board proceeded to ballot for a Director, in place of John Fowler.

Five ballots were had, as follows:

	1st	2d	3d	4th	5th
W. Churchill.....	7	7	6	6	0
W. Mudgett, Jr.....	6	7	7	9	15
A. Erickson.....	1	0	0	0	0

After the fifth ballot, Wm. Mudgett, Jr., was declared duly elected.

On motion of Ald. Stone, the Board proceeded to elect a Director in place of H. S. Fairchild.

Three ballots were had, as follows:

	1st	2d	3d
H. S. Fairchild.....	11	12	12
Wm. Churchill.....	6	5	5

Ald. Erickson moved that further balloting be adjourned until the next regular meeting. Lost, as follows:

Yeas—Ald. Reynolds, Hollister, Hebard, Erickson, Moore, Knapp, Stone—7.

Nays—Ald. Mudgett, Butler, Lewis, Nash, Lutes, Shelton, Bauer, Mason, Billingham—9.

The Board then, on motion of Ald. Lewis, proceeded to another ballot, and H. S. Fairchild had 11 votes, Wm. Churchill 5 votes. No choice.

Five other ballots were then had, as follows:

	1st	2d	3d	4th	5th
H. S. Fairchild.....	9	9	8	8	7
Wm. Churchill.....	5	8	8	9	7
T. Parsons.....	0	0	0	0	3
I. R. Elwood.....	0	0	0	0	2
E. Pond.....	0	0	0	0	1

Ald. Reynolds moved that the Board proceed to the consideration of miscellaneous business. Lost, as follows:

Yeas—Ald. Mudgett, Reynolds, Erickson, Stone, Selye, Lutes, Bauer, Billingham—8.

Nays—Ald. Butler, Hollister, Lewis, Hebard, Nash, Moore, Knapp, Shelton, Mason—9.

Ald. Knapp moved the Board adjourn until tomorrow (Friday) evening, at half past 7 o'clock.

Ald. Hebard moved to amend, to adjourn until Tuesday evening next. Lost.

The motion to adjourn was lost. Ayes 8, noes 9.

On motion of Ald. Mudgett, the Board proceeded to the consideration of

MISCELLANEOUS BUSINESS.

Ald. Selye submitted a profile of the grade of East Avenue, made by the City Surveyor, and moved its adoption. Agreed to.

By Ald. Selye—Resolved, That his Honor, the Mayor, be authorised to execute such a contract for the improvement of East Avenue, as may be agreed upon by the Improvement Committee.—Adopted.

By Ald. Shelton—Resolved, That the Finance Committee be, and they are hereby instructed, hereafter to submit their regular budget under the order of Reports of Committees. Adopted—ayes 10, noes 5.

Ald. Shelton presented the account of M. Newhart, for use of rooms at Special Election in the 10th Ward. Referred to Contingent Expense Committee.

The Board then adjourned. F. S. Rew, Clerk.

In Common Council, June 14, 1859.

REGULAR MEETING.

Present—The Mayor, Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Cushing.

Absent—Ald. G. W. Perry, Twitchell and Billingham.

The minutes of the previous meetings were approved as published.

PETITIONS AND CLAIMS.

By Ald. Hollister—Petition of John Howe for leave to erect a wood building on Gorham street. Of W. W. Shepherd to erect a wood addition corner Chestnut and Court streets. Committee on Wood Buildings. Of Wm. Babcock and James Munroe, relative to the business of City Scavengers. Committee on Public Health.

By Ald. Reynolds—Communication of William Keyel in relation to city orders. Finance Committee.

A communication from Finance Committee in relation to sundry city orders. Table.

By Ald. Lewis—Accounts of Stewart & McBurney, J. F. Rothgangle, John Tunbridge, W. Hollister & Co., Orrin Harris and I. S. Waring; Fire Department Committee. Of D. Wagner for laying walk on Stone street; Improvement Committee.—Proceedings of Engine Companies Nos. 2, 3 and 6, and Hook & Ladder No. 1. Fire Department Committee.

By Ald. Nash—Petition of Adolphe Nolte, for remuneration for publishing proceedings of the Board; Contingent Expense Committee. Of A. Himmel and others, in relation to the closing of a public alley; Committee on Opening Streets. Of M. Decker and others, to be refunded surplus of tax for plank walk on West street. Improvement Committee.

By Ald. Erickson—Petition of Charles L. Flint, for relief from an assessment on personal property. Table.

By Ald. Knapp—Accounts of the Health Inspectors; of Jno. McMullen, William Babcock, S. M. Luckey, J. A. Meyer, John Wright, J. Van Auker, Thomas Burns, Thomas Woodbeck, Robert Langtree, W. H. Briggs. Referred to Finance Committee for payment.

By Ald. Stone—Account of Wm. S. Main. Poor Committee.

By Ald. Lutes—Account of D. Wyckoff and J. Terry & Co.; Contingent Expense Committee. Of C. J. Ryan and others against opening Varnum st.; Committee on Opening streets.

By Ald. Jones—Of A. Morse and others for improvement of North st. Improvement Committee.

By Ald. Shelton—Petition of A. J. Brackett and others for a sewer in Front st. Remonstrance of E. Eccleston and four others, against a sewer in Warehouse st. Sewer Com. Of L. A. Ward, for leave to remove wood building. Com. on Wood Buildings.

By Ald. Mason—Bill of D. W. Wyckoff for white-washing Fish Market. Of George Moody, for leave to erect a wood building on Jones st. Com. on Wood Buildings.

By Ald. Hebard—Of John Scheffler, for leave to erect a wood building corner of Court and South St. Paul sts. Com. on Wood Buildings. Com. of D. Wood relative to assessment for Wood st. plank-walk. Finance Com. Account of R. Green, for painting in Treasurer's Office. Contingent Expense Com.

REPORTS OF COMMITTEES.

By Ald. Lewis, from the Fire Dep't. Com.—Favorably on the following bills: Norman Aylesworth, for repairs to fire apparatus; A. J. Brackett, for furniture in Hose Depot; John VanZandt, use of hydrant; R. E. & J. Sherlock, gas fitting. Finance Com.

Also, in favor of confirming proceedings of fire Co. No. 5, and Hose Co. No. 1. Agreed to.

By Ald. Stone, from the Poor Com.—Favorably on accts. of Wm. S. Main. Finance Com. Also, favorably on bill of Dr. H. F. Montgomery for medical services at Police Office. Same reference.

By Ald. Reynolds, from the Improvement Com.—Favorably on the following bills: W. S. Grantsyn, services as Inspector of plankwalks; J. Van Auken, hack hire; and F. Bullard, for assessing.—Referred to Finance Com.

By Ald. Hollister, from Com. on Wood Buildings—favorably on Petitions of W. W. Shepherd & John House, for leave to erect wood buildings. Table.

By Ald. Hebard, from Contingent Expense Com. favorably on the following bills: John Kingsbury, for repairs at Police Office; M. Newhart, use of room at special election. Finance Com.

By Ald. Nash, from the Law Com.—Asking that the committee have further time to consider the question of the East Line of Front st. Leave granted.

By Ald. Bradstreet, from the Grievance Com.—Favorably on petition of Geo. Ruby, to be exempted from tax on \$500. Table. Also on bill of H. F. Montgomery, for medical services to a pound-keeper last year. Finance Com.

By Ald. Lutes, favorably on bill of D. W. Wyckoff, for whitewashing at police office and watch-house; also, on Jas. Terry & Co.'s bill for articles furnished at police office: Finance Committee.

By Ald. Hebard, from the Contingent Expense Committee, a verbal report on the petition of S. Cornell, publisher of city map, and asking further time. Granted.

By Ald. Mason, from the Market Committee, favorably on D. W. Wyckoff's bill for whitewashing fish market. Finance Committee.

By Ald. Reynolds—Resolved, That the Treasurer pay:—

Rochester Gas Light co., gas in city hall.....	\$75 42
Inspectors of Election 10th ward, bill for special election.....	15 00
F. H. Marshall, bill for blank books, binding, &c.....	56 75
Inspectors of election 12th ward, special election.....	15 00
D. W. Wyckoff, whitewashing, cordis market.....	13 00
W. Roach, bill sealing weights and measures.....	4 90
F. Roth, bill for room for special election in 12th ward, allowed in full at.....	10 00
and charge the same to Contingent fund.....	
Rochester Gas Light co., gas in hose depot.....	4 50
W. C. Udell, repairs to Engine House No. 6.....	20 75
Charles Helmes, repairs to Engine House No. 4.....	7 50
and charge Fire Department fund.....	
Jacob Howe, acct. for bread.....	25 75
J. H. Child, acct. for disbursements for Poormaster.....	26 31
Frost & Schlier, bill for salt pork.....	20 10
Smith, Perkins & Co., bill sugar and codfish.....	26 78
Henry Wray, bill for 15 bu. potatoes.....	6 00
John McDowell, team work, hauling wood, &c.....	37 50
R. P. Banker, 1/2 mo salary, in poor store.....	31 25
Moore & Cole, bill goods for poor store.....	58 61
and charge Poor Fund.....	
The accounts severally, of John McDowell, R. P. Banker, and Moore & Cole, to have the requisite affidavits first attached, and that of Moore & Cole to be amended to specify the items furnished.	
Rochester Gas Light co., bill for gas for street lamps and lighting.....	2,460 24
and charge Lamp Fund.....	
Rathbun & Whitmore—	
One order dated Oct. 20, 1857, drawn by city clerk on the Treasurer, chargeable to Front street improvement from Mumford street to railroad.....	354 00
One order dated Dec. 28, 1858, drawn by same on same, chargeable to State street improvement, from railroad to Platt street.....	660 22
One order dated Feb. 8, 1859, drawn by same on same, for balance due on settlement for State street improvement from railroad to Platt st.....	225 99
F. Bullard—assessing—chargeable as follows:	
State street sewer, from Clay to White street....	3 00
State street plank walk, Ambrose st. to Cliff st....	2 00
W. S. Grantsyn, bill for services and Plank Walk Inspector, chargeable as follows:	
West street plank walk.....	8 00
Washington street plank walk.....	5 00

Frances street plank walk.....	12 00
John Van Auken, bill hack hire, chargeable to Deep Hollow Fund.....	2 00
Wm. Keyel, an order drawn by city clerk on the Treasurer, dated October 19th, 1858, chargeable to Meigs street improvement.....	50 00

Adopted, ayes 21, as follows:

Ayes—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Cushing—21. Noes—0.

REPORTS OF EXECUTIVE OFFICERS.

The Clerk presented the report of the Superintendent of Mt. Hope Cemetery for May. Number of interments, 53. Filed.

The City Surveyor submitted the following report:

To the Honorable the Common Council:

The undersigned asks leave to report that the proprietors of land required to open a street from Falls street to the river, will convey the same to the city for such purpose for the sum of two hundred dollars, and also that Mr. Fisher Bullard, one of the proprietors, will grade the same for twenty-five dollars. Respectfully submitted,

CHARLES R. BABBITT, City Surveyor.

ROCHESTER, June 14, 1859.

ACTION UPON ORDINANCES.

LAYING WOODEN WATER PIPES.

On motion of Ald. Lewis, the Board proceeded to hear allegations in relation the improvement described below: After hearing such allegations from all the persons appearing, the Board has submitted the following:

AN ORDINANCE, to provide for laying Wooden Water Pipes from Child's Basin through Exchange and State streets to Ann street Reservoir.

The common council of the city of Rochester do ordain and determine as follows:

Wooden Water Pipes, six inches in diameter, shall be laid from Child's Basin through Basin street to Exchange street; through Exchange street and across Buffalo street to State street; thence in State street to Ann street; and in Ann street to the Ann street Reservoir; and five new Reservoirs, ten feet wide, twenty feet long and ten feet deep shall be constructed between Buffalo street and Ann street, and the reservoirs at the corner of Exchange and Buffalo streets, and in Ann street, shall be properly repaired.

And the whole expense thereof 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 \$3,141 00, which estimate was and is hereby approved. The sum of \$3,141 00, 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 Exchange street from the Erie Canal to Buffalo street; one tier of lots on each side of State street from Buffalo street to the New York Central Railroad; one tier of lots on the south side of Ann street from State street to Fitzhugh street; and one tier of lots on the north side of Ann street from State street to Frankfort Alley.

On which above described portion of the city, the said sum of \$3,141 00, is hereby ordered to be assessed.

And David McKay, Francis Dana, and Jared Coleman, 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 derived by the making of said improvement; and the said Assessors are hereby notified to meet for this purpose on Friday, the 17th day of June, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

The ordinance was lost. Ayes 15, noes 9.

Ald. Hebard moved a reconsideration of the above vote. Carried.

Ald. Nash then moved that the above ordinance be adopted.

The vote was taken, and resulted as follows:

Ayes—Ald. Mudgett, Holmes, Butler, Reynolds, Hebard, Bradstreet, Nash, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Cushing—17.

Nays—Ald. Hollister, Lewis, D. W. Perry, Erickson—4.

The Mayor decided that the ordinance was lost, the petition of a majority of tax payers only conditionally asking for the improvement.

Ald. Stone appealed from the decision of the Chair, and the decision was NOT SUSTAINED, as follows:

Ayes—Ald. Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Erickson, Moore, Lutes—9.

Nays—Ald. Mudgett, Holmes, Butler, Nash, Knapp, Stone, Selye, Jones, Shelton, Bauer, Mason, Cushing—12.

And the Chair decided that the ordinance is PASSED.

SEWER IN HILL STREET.

By Ald. Shelton—Resolved, That the city Surveyor ascertain and report to this Board the expense of constructing a stone sewer eighteen inches square in Hill street, from a point twelve feet east of the east line of lot No 70 in the canal tract, eight feet deep with brick bottom, to the Platt street sewer in Broad street. Adopted.

The Surveyor submitted such estimate.

By Ald. Shelton—Resolved, That the following improvement is expedient, namely:

The construction of a stone sewer eighteen inches square in Hill street from a point twelve feet east of the east line of lot No 70, in the canal tract, to the Platt street sewer in Broad 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 \$679, 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, namely:

One tier of lots on each side of Hill street from a point twelve feet east of the east line of lot No 70 in the canal tract, to Broad street.

And the Clerk is hereby directed to publish notice in pursuance of section 190 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 21st, 1859, at half-past seven o'clock, at the Common Council Hall, when allegations will be heard.

Adopted—all ayes.

SEWER IN EDINBURG STREET.

Ald. Shelton moved the adoption of the final ordinance for a sewer in Edinburg-st.

Ald. Butler moved that it be postponed one week. Agreed to.

SEWER IN EAST AVENUE.

Ald. Shelton moved the adoption of the final ordinance for a sewer in East Avenue from New Main-st. to Chestnut-st. The ordinance was put upon its passage, and LOST. Ayes 11, Noes 9.

SEWER IN OTSEGO STREET.

Ald. Shelton moved the adoption of the following final ordinance for a sewer in Otsego-st.:

SEWER IN OTSEGO STREET.

AN ORDINANCE to construct a sewer in Otsego street, from a point sixty feet north of Centre street, to Platt-st. sewer.

The common council of the city of Rochester do ordain and determine that a stone sewer shall be constructed in Otsego street, eighteen inches square and seven feet deep, from a point sixty feet north of Centre street, to Platt-st. sewer.

And the whole expense thereof 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 \$606.18, which estimate was and is hereby approved; the sum of six hundred and six 18-100 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 Otsego-st., from a point sixty feet north of the north line of Centre-st., to a point within sixty-six feet of Platt-st. On which above described

portion of the city the said sum of six hundred and six 18-100 dollars hereby ordered to be assessed.

And David McKay, Francis Dana and Jared Coleman, 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 Friday, the 17th day of June, 1859, at 9 o'clock in the forenoon, at the office of the city clerk.

Ald. Butler moved to postpone the same one week.

Ald. Holmes moved to postpone indefinitely. LOST.

The motion to postpone for one week was lost.

The ordinance was passed, as follows:

Ayes—Ald. Mudgett, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Cushing—20.

Noes—Ald. Holmes—1.

SEWER IN NORTH ST. PAUL STREET.

Ald. Shelton moved the adoption of the final ordinance for a sewer in North St. Paul street.

Allegations were heard from Henry Sargent, A. G. Melvin, and others, against the sewer and O. H. Palmer was heard in favor of the same.

Ald. Stone moved to postpone the further consideration of the ordinance until the next meeting of the Board. Carried. Ayes 19, noes 1—Ald. Lewis.

SEWER IN ALLEN AND WAREHOUSE STREETS.

Ald. Shelton moved that the consideration of the second ordinance for a sewer in Allen and Warehouse streets be postponed one week. Agreed to.

SEWER IN LYELL STREET FROM FRANK STREET TO STATE STREET.

On motion of Ald. Shelton, 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. Shelton submitted the following:

AN ORDINANCE, to construct a sewer in Lyell street, from Frank street to State street.

The common council of the city of Rochester, do ordain and determine as follows:

A sewer of Ohio Tile, one foot in diameter, shall be constructed in Lyell street, from a point one hundred and seventy-five feet east of the north-east corner of Lyell and Frank streets, through the centre of Lyell street to the sewer in process of construction in State 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 \$631 00, 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 and all the land on each side of Lyell street, from a point one hundred and seventy-five feet east of the north-east corner of Lyell and Frank streets, to a point one hundred feet west from the west line of State street.

On which above described portion of the city, the said sum of \$631 00 is hereby ordered to be assessed.

And David McKay, Francis Dana and Jared Coleman, 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 Friday, the 17th day of June, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Adopted by the following vote:

Ayes—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, and Cushing—21.

Noes—None.

IMPROVEMENT OF LYELL STREET.

By Ald. Selye—Resolved, That the city Surveyor ascertain and report to this Board the expense of improving Lyell street, from the west line of State street to the west line of the city, by setting a curb of Medina stone fifteen feet from the lines of the street, paving eight feet on each side with cobble stone, and McAdamizing a roadway twenty feet wide in the centre, and constructing a suitable number of walks across the street and the intersecting streets. Adopted.

The surveyor submitted such estimate.
By Ald. Selye—The common council of the city of Rochester, having been requested by a petition signed by a majority of the owners of the property to be assessed for the improvement hereinafter mentioned, do hereby declare that the following improvement is expedient, namely:

The improving of Lyell street, from the west line of State street to the west line of the city, by setting a curb of Medina stone fifteen feet from the lines of the street, paving eight feet wide on each side with cobble stone, and McAdamizing a roadway twenty feet wide in the centre, and constructing a suitable number of cross walks and a sufficient number of lateral sewers and grates.

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 \$14,950, which estimate is hereby approved;

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

One tier of lots on each side of Lyell street, from the west line of State street to the east line of the city. 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 190 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 21st, 1859, at half-past seven o'clock, at the Common Council Hall, when allegations will be heard. Adopted unanimously.

IMPROVEMENT OF NORTH CLINTON STREET.

By Ald. Selye—Resolved, That the city Surveyor ascertain and report to this Board an estimate of the expense of improving North Clinton street, from Main to Andrews street, by re-setting the present curb stone so that the roadway may be thirty-seven feet wide; paving eight feet upon each side with cobble-stone, and McAdamizing the centre; and also by constructing new sidewalks of flagging four feet wide in the centre, and brick upon each side to the curb stone and the lines of the street, and laying cross walks at Main, Division, Mortimer and Pleasant streets. Adopted.

The surveyor submitted such estimate.
By Ald. Selye—The common council of the city of Rochester having been requested by a majority of the owners of property to be assessed for the improvement hereinafter mentioned, do hereby declare that the following improvement is expedient, namely:

The improvement of North Clinton street, from Main to Andrews-st. by re-setting the present curb stone so that the roadway may be thirty-seven feet wide; paving eight feet upon each side with cobble-stone, and McAdamizing the centre; and also by constructing new side walks of flagging four feet wide in the centre and brick upon each side to the curb stone and the line of the street, and laying cross walks at Main, Division, Mortimer and Pleasant streets, and a suitable number of lateral sewers and grates; and that the material at present upon the street shall be used as far as suitable for the completion of the improvement.

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 \$4,066, which estimate is hereby approved;

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

One tier of lots upon each side of North Clinton street, from Main 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 190 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 21st, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard. Adopted.

IMPROVEMENT OF FRANKLIN STREET.

On motion of Ald. Selye, the Board proceeded to hear allegations in relation to the improvement of Franklin street, as described in the ordinance below:

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

AN ORDINANCE, to improve Franklin street, from Andrews street to North St. Paul street.

The common council of the city of Rochester do ordain and determine as follows:

Franklin street shall be improved from Andrews street to North St. Paul street, by setting a curb of Medina stone fourteen feet from the lines of the street, making a gravel sidewalk, with flagging four feet wide, in two courses, laid in the centre; paving with cobble stone eight feet wide upon each side of the street, and constructing a McAdam roadway in the centre.

And the whole expense thereof 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 \$3,606 00 which estimate was and is hereby approved. The sum of \$3,606 00, 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 benefitted by said improvement is described as follows:

One tier of lots upon each side of Franklin street, from Andrews street to North St. Paul street.

On which above described portion of the city, the said sum of \$3,606 00 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, Francis Dana, and Jared Coleman, the assessors of said city, not interested in any of the property so benefitted, 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 Friday, the 27th day of June, 1859, at 9 o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:
Ayes—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Erickson, Moore, Knapp Stone Selye, Lutes, Shelton, Bauer, Mason and Cushing—19.
Noes—None

IMPROVEMENT OF STATE STREET.

Ald. Selye moved that the consideration of the final ordinance for the improvement of State street be postponed one week. Carried.

IMPROVING FRANCES STREET.

By Ald. Selye—Resolved, That the city Surveyor ascertain and report to this Board the expense of improving Frances street from Hunter street to Strong street, by grading the same and laying Plank Walks four feet eight inches wide, and constructing a suitable number of cross walks. Adopted.

The Surveyor submitted such estimate.
By Ald. Selye—Resolved, That the following improvement is expedient, namely:

The improvement of Frances street from Hunter street to Strong street, by grading the same, and building plank side walks upon each side of the street, four feet and eight inches wide, and constructing a suitable number of 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 \$1,418 00, which estimate is hereby approved.

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

“One tier of lots and all the land to the depth of one tier of lots upon each side of Frances street from Hunter street to Strong street.

And the clerk is hereby directed to publish notice in pursuance of section 190 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 21st, 1859, at half past seven o'clock, at common council hall, when allegations will be heard.
Adopted unanimously.

WIDENING EXCHANGE PLACE.

On motion of Ald. Mudgett, 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. Mudgett submitted the following:
AN ORDINANCE to Widen Exchange Place from State street to Bank Alley.

The common council of the city of Rochester do ordain and determine as follows: Exchange Place shall be widened upon the north side thereof between State street and Bank alley, and the following described premises are hereby determined to be necessary for said improvement, namely:

Beginning at a point thirty-two and two hundred and eighty-seven thousandths of a foot north from the north-west corner of the face of the stone pier of Gould's Block, on the east side of State street, said distance to be measured on the east line of State street; thence easterly, to Bank alley, in a direct line to intersect the southerly face of the south-west pilaster or pier of the Athenaeum building; thence southerly along the west line of Bank alley to the present north line of Exchange Place; thence westerly along the present north line of Exchange Place to the west line of State street; thence northerly along the east line of State 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, is having the estimate of the expense, and reported the same at \$12,240, which estimate was and is hereby approved; the sum of \$12,240, being the whole amount of the estimate aforesaid, shall be assessed upon 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 included within the following limits, namely:

Beginning on the east line of State street, at the south-west corner of Jacob Gould's land, running thence easterly on the south line thereof to the west line of lot No. 23 of the 100 acre tract; thence across lots 23, 24 and a part of 25, to the north-west corner of William Pitkin's land; thence along the north line of said Pitkin's land, to Avery alley; thence across Avery alley, to the south-west corner of lot No. 6 in the Graves tract; thence along the south line of said lot No. 6, to Front street; thence across Front street, to the centre of the Genesee river; thence northerly along the centre of the river 200 feet; thence westerly, across Front street, and along the north line of William Simpson's land, to Mill street; thence across Mill street, to the south-east corner of Owen Gaffney's land; thence along the south line thereof, to State street; thence along the east line of State street, to the place of beginning. On which above described premises the said sum of \$12,240 is ordered to be assessed.

And David McKay, Francis Dana and Jared Coleman, the Assessors of said city, not interested in any of the property so benefitted, and not of kin to any person so interested, are hereby designated and directed to make an assessment upon all 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 the said Assessors are hereby notified to meet for this purpose on Friday, the 17th day of June, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote: Ayes—Ald. Mudgett, Holmes, Butler, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Stone, Knapp, Selye, Lutes, Jones, Shelton, Bauer, Mason, Cushing—20.
Noes—None.

WIDENING PINDALL ALLEY.

Ald. Mudgett presented the following ordinance for the widening of Pindall alley:

WIDENING PUBLIC SQUARE OR PINDALL ALLEY.

An ordinance to widen Public Square or Pindall Alley from the south line of Buffalo street to the Erie canal, by the addition of twenty-five feet to the west side thereof.

The common council of the city of Rochester do ordain and determine that the alley commonly called Public Square or Pindall Alley, be widened from the south line of Buffalo street to the Erie canal, by the addition of twenty-five feet to the west side of said alley between said south line of Buffalo street and said canal.

That the land necessary to be taken for said improvement is described as follows: beginning at a point where the west line of Public Square or Pindall alley intersects with the south line of Buffalo street, and running thence westerly upon the said south line twenty-five feet, thence southerly parallel with said west line and twenty-five feet

distant therefrom to the north line of the Erie canal, thence easterly along the Erie canal to the west line of said alley, thence northerly along said west line to the place of beginning.

That the estimated expense of such improvement is ten thousand two hundred dollars, and that the portion of said city which said common council deem will be benefited by said improvement and proper to be assessed therefor, is described as follows, viz.: "All the territory between Buffalo street and the Erie canal, that is bounded on the east by Exchange street and upon the west by Fitzhugh street." And that the city attorney publish the notice required by law that application will be made to the county court of the county of Monroe, at the court house in the city of Rochester, on Wednesday, the twenty-ninth day of June, 1859, at 10 o'clock in the forenoon, for the appointment of commissioners to inquire into and determine what damages and compensation the owner or owners of such lands to be taken will be entitled to for the same, and that he serve such notices as required by law.

Ald. Lewis moved to postpone its consideration till the next meeting of the Board.

Ald. Butler moved to postpone half an hour.—Lost.

The motion to postpone till the next meeting was lost—ayes 6, noes 11.

Yeas—Ald. Reynolds, Hollister, Lewis, Hebard, Erickson, Lutes—6.

Nays—Ald. Mudgett, Holmes, Butler, D. W. Perry, Moore, Knapp, Stone, Selye, Jones, Shelton, Bauer, Mason, Cushing—13.

The ordinance was then adopted as follows:

Adopted, by the following vote: Ayes—Ald. Mudgett, Holmes, Butler, Reynolds, Hebard, Bradstreet, D. W. Perry, Knapp, Stone, Selye, Jones, Shelton, Bauer, Mason, Cushing—15.

Noes—Ald. Hollister, Lewis, Erickson, Moore, Lutes—5.

EXTENSION OF ATWATER STREET.

Ald. Mudgett moved that the consideration of the ordinance for the extension of Atwater street, be postponed one week. Agreed to.

ASSESSMENTS.

Ald. Shelton moved that the assessment roll for the sewer in Asylum street be re-committed to the Assessors for amendment. Carried.

Ald. Selye presented the assessment roll for East Avenue Improvement, and moved that appeals be heard thereon, at the next regular meeting. Carried.

On motion of Ald. Shelton, the appeals were heard upon the assessment roll for a sewer in Smith street.

After hearing Mr. Crombie and others, on motion of Ald. Holmes, the same was re-committed to the assessors for amendment.

Ald. Shelton presented the assessment roll for a sewer in Lyell, Orchard and Lime streets, and moved that appeals be heard thereon at the next regular meeting. Carried.

Ald. Shelton moved that appeals be heard upon the assessment roll for the sewer in La Fayette and Fitzhugh streets.

Ald. Reynolds offered the following:

Resolved, That \$6.16 be deducted from the assessment of Henry S. Potter on the assessment roll for Lafayette and Fitzhugh streets sewer, and the amount added to the assessment therein of W. A. Reynolds—said Potter having an arrangement for outlet purposes northward into the sewer in Fitzhugh street to Spring street. Lost. Ayes 2, noes 16.

The roll was then confirmed. Ayes 21.

Ald. Shelton moved that the assessment rolls for the sewers in Atwater street, Bowery street, East Avenue, and Frank street, be confirmed.

Opportunity having been given for appeals thereon, they were severally confirmed by the following vote upon each:

Ayes—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry,

Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Cushing—21.

Noes—0.

Ald. Selye moved that appeals be heard on the assessment rolls for Lowell street improvement, and plank walk in State street, from Ambrose street to Vincent Park. No one appearing to appeal therefrom, the same were severally confirmed by the following vote:

Ayes—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Cushing—20.

Noes—0.

The Clerk reported that Jared Coleman was disqualified from serving as an Assessor for the improvement of Jones Square.

Ald. Butler offered the following:

Whereas, Jared Coleman was appointed, June 7th, to act with David McKay and Francis Dana, in making an assessment for the improvement of Jones Square, and said Coleman being disqualified from serving as such Assessor; therefore,

Resolved, That Randolph Dinsmore, who is not interested in any of the premises described in the ordinance for said improvement, nor of kin to any person so interested, is hereby appointed a commissioner to act with David McKay and Francis Dana in making said assessment, and said Dinsmore is hereby directed to appear at the City Clerk's office on Friday, the 17th day of June, 1859, and take and subscribe the oath as required by the city charter. Adopted.

Ald. Nash moved to adjourn till to-morrow evening. Lost.

UNFINISHED BUSINESS.

Ald. Lewis called up the resolution directing the Street Superintendent to enforce Sec. 20 of an ordinance relating to nuisances, (the cow and hog ordinance.)

Ald. Stone moved to postpone one week. Lost, vote as follows:

Ayes—Ald. Butler, Hebard, Knapp, Stone, Selye, Jones, Mason—7.

Nays—Ald. Mudgett, Holmes, Reynolds, Hollister, Lewis, Bradstreet, D. W. Perry, Erickson, Moore, Lutes, Shelton, Bauer—12.

Ald. Lewis moved the previous question. The Board refused to order the main question to be put—Ayes 8; Nays 11.

Ald. Erickson moved the following as a substitute:

Resolved, That it is the duty of the Mayor and the other executive officers of the city to see that all ordinances of the city are enforced. And if, in the discharge of their duty, they find the enforcement of any ordinance impracticable, it is their further duty to report the same promptly to this Board, that such defective ordinance may be amended or repealed.

Ald. Lewis moved to lay the substitute on the table. Lost.

The motion to substitute was carried.

The resolution, as thus amended, was adopted, ayes 12, nays 7—Ald. Mudgett, Holmes, Lewis, Bradstreet, Lutes, Jones, Bauer.

MISCELLANEOUS BUSINESS.

By Ald. Reynolds—Resolved, That the following sums of money be, and are hereby directed to be raised, and are hereby assessed on all 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 returned by the Assessors and filed in the

office of the City Clerk, in pursuance of Section 104 and the other provisions of the City Charter, and Amendments thereof; which sums are necessary to defray the contingent and other expenses of said city, namely:

For lighting the city.....	\$11,000 00
For the police department.....	13,000 00
For general contingent expenses.....	10,000 00
For the expenses of fire engines, engine houses, preventing and extinguishing fires.....	10,000 00
For deficiency of fire department fund as per act of April 13th, 1859.....	5,000 00
For the construction and repair of highways, streets, lanes, wells, bridges, pumps, aqueducts and cisterns of water, public buildings and improvements belonging to the city.....	10,000 00
For the expenses of the board of health.....	2,500 00
For the sinking fund provided for the funded debt.....	3,560 00
For interest on the principal of the bonds due Nov. 1, 1859, issued for the construction and completion of Main street bridge and Suspension bridge across the Genesee river.....	3,000 00
For the payment of one bond, issued for the Rochester and Genesee Valley railroad stock, due January 1, 1859.....	2,000 00
For interest on \$12,000 7 per cent. bonds issued for Main street and Suspension bridges, due and paid May 1, 1859.....	\$420 00
For interest on same, due and payable Nov. 1, 1859.....	420 00
For interest on \$57,000 bonds issued for floating debt, Deep Hollow and Andrew street improvement.....	1,995 00
For 6 mos. interest on same due Nov. 1, 1859.....	1,995 00
For 6 months interest on \$268,000 6 per cent. bonds issued for Genesee Valley railroad, due July 1, 1859.....	8,040 00
For 6 months interest on \$20,000 6 per cent. bonds for Main street bridge, due July 1, 1859.....	600 00
For 6 months interest on \$10,000 6 per cent. bonds funded debt, due July 1, 1859.....	300 00
For 6 months interest on \$5,000 6 per cent. bonds to renew, due July 1, 1859.....	150 00
For 6 months interest on \$40,000 6 per cent. bonds city stock, due July 1, 1859.....	1,200 00
For 6 months interest on \$30,000 6 per cent. bonds, city hall, due July 1, 1859.....	900 00
For 6 months interest on \$30,000 7 per cent. bridge bonds, due July 1, 1859.....	1,750 00
For 6 months interest due on \$8,000 7 per cent. bonds Centre Market, due July 1, 1859.....	280 00
For 6 months interest on \$25,000 7 per cent. bonds Alms House, due July 1, 1859.....	875 00
For 6 months interest on \$4,000 7 per cent. bonds Mt. Hope cemetery, due July 1, 1859.....	140 00
For 6 months interest on above bonds due Jan. 1, 1860.....	\$19,065 00
For deficiency of interest 1858.....	428 93
For 6 months interest on \$13,000 7 per cent. bonds loan of 1859, for Deep Hollow improvement, due Nov. 15, 1859.....	455 00
For general city taxes of 1858, erroneously assessed.....	33,893 93
For the purpose of keeping in repair the following Avenues, as per act of Legislature, passed April 13th, 1859:	774 03
East avenue, from Main street to the city line.....	360 00
West avenue, from the Erie canal to the city line, Lake avenue, from Ambrose st. to McCracken st.	300 00
For the support of common schools, as follows:	300 00
To lease, improve, alter and repair school houses.....	\$3,000 00
For teachers' wages and contingent expenses.....	28,189 00
To purchase and improve sites and build school houses.....	5,000 00
	36,189 00

By Ald. Lewis—Resolved, That the City Clerk issue certificates of discharge as Exempt Firemen to the following named persons, they having served the necessary time to entitle them thereto: Edward V. B. Hatch, James White, John B. White, Charles D. Cooper, John Costello, Nathaniel A. Sherman, Richard Gilbert, Abram Karnes, John Cowles, Mortimer F. Stillwell and Peter Heughes. Adopted.

By Ald. Shelton—Resolved, That the City Treasurer pay David Wagner four hundred dollars on his contract for building a sewer on State street, and charge the same to proper fund, when there is money in the Treasury for that purpose. Referred to Finance Committee.

By Ald. Shelton—Resolved, That all proceedings had, heretofore in the matter of a box-sewer in the Twelfth Ward, be and are hereby rescinded. Carried.

By Ald. Jones—Resolved, That the Street Superintendent be instructed to cleanse, deepen and cover Finney street sewer, from its opening at Ontario street to Hiram Davis' land, as the same is very filthy and unhealthy to the inhabitants in the neighborhood. Referred to Sewer Committee.

By Ald. Jones—Resolved, That the Street Superintendent be, and he is hereby authorized to notify the inhabitants residing on both ends of Kirk street, and on the east side of North street, from brick walk to Riley street, to repair their side walks and put the same in good condition; also, to remove certain obstructions and filth in said street within ten days, or legal measures will be taken to enforce the same. Adopted.

By Ald. Hebard—Resolved, That the Health Officers be required to render their Medical attendance to the sick, at the Hospital, free of expense to the city. Laid on the table.

By Ald. Hebard—Resolved, That the sum of \$138 12 ordered to be paid Bradford F. Crandall, May 24, 1859, and charged to the Highway Fund, be credited to said fund, and the same be charged to the Contingent Fund. Adopted.

By Ald. Bradstreet—Resolved, That the Treasurer pay George Ruby six dollars and thirty-six cents, being a reimbursement of Military tax for 1858, and that the same be charged to Erroneous assessments. Adopted.

By Ald. Bradstreet—Resolved, That the Treasurer pay Dr. H. F. Montgomery ten dollars in full for medical services rendered S. S. Wellman in June 1858, said Wellman having been disabled in attempting to protect the property of the city, and in enforcing a city ordinance under the direction of the City Superintendent, and that the same be charged to the Highway Fund.

Ald. Holmes moved to refer to Finance Committee. Carried.

By Ald. Lewis—Resolved, That the Treasurer be directed to pay the following bills, and charge Fire Department Fund:

George B. Harris, for disbursements,.....	\$54 60
A. J. Brackett, for furniture for Hose Depot,....	5 50
Norman Aylesworth, repairs to Fire Apparatus, ..	26 10
R. E. & J. Sherlock, Gas Fitting—Fire Depart....	9 96
John J. VanZandt, use of Hydrant at Fires,.....	40 00
Ruled out of order.	

By Ald. Mudgett—Resolved, That his Honor the Mayor be requested to take a Deed of Conveyance from George H. Mumford and Fisher Bullard of the land required for the opening of a street, from Falls street to the Genesee river, and that an order be drawn upon the Treasurer for the sum of two hundred dollars, the price agreed upon for the purchase of the land necessary for the opening of said street, and that the Treasurer charge the same to Board of Health Fund. Adopted, ayes 19.

By Ald. Stone—Resolved, That the sum of one hundred dollars for the firing of a National Salute, and the additional sum of fifty dollars for a Band of Music, and the further sum of three hundred and fifty dollars, for a public display of Fire Works, on the approaching Anniversary of our National Independence, be, and the same is hereby appropriated; and that the Chairmen of the Finance, Con-

tingent Expense and City Property Committees be a Committee to carry out the intent of this resolution—the said sum of \$500 to be charged to the Contingent Fund. Laid on the table.

By Ald. Butler—Resolved, That the Improvement Committee be authorized to dispose of the cobble stone now being removed on State street, from Buffalo street to Ann street, to the best advantage, and report such sale to this Board—to the end that the proceeds may be credited to said street. Adopted.

By Ald. Hollister—Resolved, That W. W. Shepherd and John House have leave to erect Wood Buildings, according to the several prayers of their petitions, under the direction of the Chief Engineer. Adopted.

By Ald. Reynolds—Resolved, That the Treasurer pay James Conway, contractor for the culvert at Deep Hollow, two thousand dollars on his contract for the same, and in pursuance of an estimate made by the City Surveyor, dated June 14, 1859.—Adopted, ayes 19.

By Ald. Shelton—Resolved, That for the time being, and until the further order of this Board, the Treasurer be directed to receive from the taxpayers, for the construction of sewer on the west side of State street, from Buffalo street to Ann street, seventy-five per cent of the amount of their respective assessments. Adopted.

The Board adjourned for one week.

F. S. Rew, Clerk.

In Common Council, June 21, 1859.

ADJOURNED MEETING.

Present—The Mayor, Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, J. Billingshurst, Cushing.

Absent—Ald. G. W. Perry, Twitchell, Bradstreet, The minutes of the previous meeting were approved.

PETITIONS AND CLAIMS.

By Ald. Mudgett—Of Augustus Himmel and others. Law Committee. Communication of J. H. Child. Committee on Streets and Bridges.

By Ald. Hollister—Of Hayden & Bromley, to erect a wood building, corner of Otsego and Platt streets; of L. A. Ward, to remove a wood building. Committee on Wood Buildings. Of J. Thompson, to be appointed Scavenger. Committee on Public Health.

By Ald. Reynolds—Account of John Dalton for building plank walks; of H. Gates, for the same.—Improvement Committee. Of J. Barhydt, for Surveyor's stakes. Contingent Expense Committee.

By Ald. Lewis—Accounts of Jesse Howland, J. E. Tunbridge, J. F. Rothgangle, Law S. Gibson, and D. R. Barton. Fire Department Committee. Petition of W. Gibbons, for payment of moneys received by the city from the Board of Supervisors, for copying assessment rolls. Law Committee.

By Ald. Hebard—Account of C. W. Hebard, for printing; of J. C. Moore, for binding. Contingent Expense Committee. Of S. Aldrich, for Ice. Finance Committee.

By Ald. Butler—Bill of H. A. Perry for charcoal. Contingent Expense Committee.

By Ald. Stone—Of B. P. Robinson and others, against the improvement of North Clinton street. Table.

By Ald. Jones—Of John Schwinger, for leave to build a barn in rear of Delavan street. Committee on Wood Buildings.

By Ald. Shelton—Of R. Hutchinson and others, against erection of a wood building on corner of New Main and Asylum streets. Committee on Wood Buildings. Of H. F. Lewis and others, for a sewer in Asylum street. Sewer Committee.

By Ald. Nash—Of J. G. Johnston and others, against improvement of Lyell street. Table.

By Ald. Lutes—Account of H. S. & G. Weldon for paper-hangings. Contingent Expense Committee.

By Ald. Selye—Bill of Perrine & Stewart, for hand-cart for City Sealer. Contingent Expense Committee.

REPORTS OF COMMITTEES.

By Ald. Lewis—Favorably on the following bills: Of J. F. Rothgangle, W. Hollister & Co., O. Harris, J. Tunbridge. Finance Com.

Also favorably on proceedings of Engine Cos. No. 3 and 6, and Hook and Ladder No. 1, and that the same be confirmed. Agreed to.

By Ald. Reynolds, from the Improvement Com.—Favorably on bills of J. Dalton and H. Gates. Finance Com.

By Ald. Hollister, from Com. on Wood Buildings—Favorably on petitions of L. A. Ward, Hayden & Bromley, and Geo. Mac'key. Table.

By Ald. Selye, from the Improvement Com.—The following report, which, on motion, was adopted:

The Improvement Committee report that the following bids were received for the improvement of Greig and Franklin streets, viz:

FRANKLIN STREET, INCLUDING SIDEWALKS.

John Crammond, per lineal foot.....	\$4 92
Allen & Stewart, " ".....	4 20
Wm. McConnell, " ".....	4 70
C. H. Butler, " ".....	4 30
John Crammond, 2d bid, " ".....	4 97
Stroup & McConnell, per lineal foot.....	5 16
John Quinn, " ".....	5 12
Rathbun & Whitmore, " ".....	4 80

GREIG STREET.

Rathbun & Whitmore, per lineal foot.....	\$1 08
David W. McConnell, " ".....	1 08
Allen & Stewart, " ".....	1 45

The Committee recommend that his Honor the Mayor be requested to execute a contract to Allen & Stewart for the improvement of Franklin st., at \$4.20 per lineal foot, that being the lowest bid for said improvement; and the Committee further recommend that the contract for the improvement of Greig st., be awarded to Messrs. Rathbun & Whitmore, at their bid, \$1.08; said bid being one of the two lowest bids for said improvement.

By Ald. Stone, from the Poor Committee.—The following bids for supplying wood for the poor department:

Harmon Taylor.....	\$3 20
A. D. Phillips,.....	3 50
Chas. Barrett,.....	3 45
Chas. H. Lewis,.....	3 37
Cyrus Phillips,.....	3 50
Geo. Underhill,.....	3 30
E. B. Collins,.....	3 40

By Ald. Reynolds, from the Finance Com.—The following budget:

FINANCE BUDGET.

By Ald. Reynolds—Resolved, That the Treasurer pay as follows:

A. Richardson, services as Health Inspector to June 6.....	\$45 00
S. M. Lucky, services as Health Inspector to June 6.....	45 00
John A. Meyer, " " " " " " " ".....	45 00
J. Hammer, " " " " " " " ".....	45 00

W. H. Briggs, bill for vaccinating 1273 persons, at 25c each.....	318 25
Thomas Burns, bill for care of Pest House and board of patients.....	34 15
John Van Auker, hack hire by Board of Health.....	1 00
J. A. Meyer, for burying five dead animals.....	1 75
James McMullen, carting dead animal.....	2 00
William Babcock, removing five dead animals from Recd.....	2 00
Robert Langtree, carting dead horse.....	3 00
Thomas Woodbeck, burying 3 dogs.....	1 50
John Wright, " 2 " and 1 cat.....	1 75
S. M. Luckey, " 1 " and 4 cats.....	1 75
and charge Board of Health.....	
Norman Aylesworth, repairs to Fire Apparatus.....	26 10
A. J. Brackett, furniture for Hose Depot.....	5 50
J. J. Van Zandt, for use of Hydrant.....	40 00
R. E. & J. H. Sherlock, gas fitting.....	9 96
Stewart & McBirney, repairs to Engine Houses &c.....	35 48
George B. Harris, disbursements as Chief Engineer, and charge Fire Department Fund.....	54 60
M. Newhart, use of room for election 10th ward.....	10 00
John Kislingsbury, acct. for papering, &c., at Police Office.....	19 62
City Assessor, to M. F. Reynolds.....	5 00
D. W. Wyckoff, whitewashing Fish Market.....	5 00
and charge contingent fund.....	
James Terry & Co., bill of articles for Police Office.....	7 25
D. W. Wyckoff, whitewashing " ".....	6 58
and charge Police Fund.....	
H. F. Montgomery, surgical services at Police Office.....	5 00
W. S. Mat, repairs to Poor Store.....	25 75
and charge Poor Fund.....	
R. D. Howell, Street Superintendent, for disbursements for May, 1859.....	576 66
Dr. H. F. Montgomery, services to S. S. Wellman in June, 1858—injury as Pound Keeper.....	10 00
and charge Highway Fund.....	
John Dalton, in full for building plank side-walk in West street, per bill.....	74 43
and charge that fund.....	
John Dalton, in full for building plank side-walks in Washington street, per bill.....	54 81
and charge that fund.....	
John Tunbridge, painting Engine Houses 4 and 6.....	43 44
Orrin Harris, work on Engine House No. 3.....	49 04
W. Hollister & Co., lumber for Engine House No. 3.....	32 39
J. F. Rothgangle, oil for hose.....	18 00
and charge Fire Department Fund.....	
David Wagner, on his contract for building sewer in State street, from Jay street to White-st.....	400 00
and charge that fund.....	
H. Gates, for building plank side-walks on Phelps Avenue, per contract and bill.....	232 30
Less amount agreed to be paid by Trustees of House of Refuge.....	100 00
	\$132 30

Adopted—As follows:
Ayes—Ald. Mudgett, Butler, Reynolds, Hollister, Lewis, Hebard, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billingshurst, Cushing—20.
Noes—0.

By Ald. Nash, from the Law Com.—That on account of the absence of Hon. H. R. Selden, who was consulted as counsel in regard to the east line of Front st., the committee could not make a report on that subject this evening. Further time was granted.

Ald. Holmes from the Committee on Public Health, submitted the following Report, which was agreed to:

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

Your Committee on Public Health, to whom was referred the Petition of Jas. Monroe and Wm. Babcock, asking to be appointed City Scavengers, would report: That, in their opinion the matter is of considerable importance, but your Committee deem the prayer of the petitioners a subject that legitimately belongs to the Board of Health to arrange, as they have in charge all measures for the preservation of the public health, and have employed a large number of Health Inspectors, whose duty it is to report to them all nuisances in order that they may be removed by order of said Board. Your Committee are of opinion that the City Scavengers, be they more or less in number, should be under the immediate supervision of the Board of Health.

We therefore, ask leave to refer the petition aforesaid, to the Board of Health.

Respectfully submitted. W. F. HOLMES, Ch'n.
W. T. CUSHING,
GEO. SHELTON.

June 21, 1859.

HIMMELL ALLEY.

Ald. Mudgett, from the Committee on Opening Streets, reported on the petition of Augustus Himmell and others, against the closing of Brown's (now Himmell's) Alley, from Atwater street to the Railroad, that a question of law was involved in the matter, and asked that it be referred to the Law Committee. Agreed to:

Ald. Nash, from the Law Committee, at a subsequent stage of the meeting submitted the following Report, which was agreed to.

To the Honorable the Mayor and Common Council of the City of Rochester:

The Law Committee, to whom was referred the Petition of Augustus Himmell and others, asking the Common Council to take such measures as may be necessary to keep open and dedicate the Alley, known as Himmell Alley, leading from Atwater street to the New York Central Railroad, between Clinton and Joiner streets: Respectfully Report,

That the territory included in said Alley, has been opened and used as a public alley for some eighteen years; and that the same has never been dedicated as a public alley,—and that the fee of said alley and of the territory to be included for that purpose, is held by Walter Miller, George Goetzman, Augustus Himmell, and others: that there are some four (buildings) dwelling houses on said Alley, occupied by families, and two barns, used as stables; that Sylvester H. Brown was one of the original proprietors of a portion of said alley; that he executed a mortgage on a portion of said alley, together with other lands, and which has been foreclosed and all the land sold and bid in by O. H. Palmer, Esq., as one parcel, in one bid, with the understanding that certain lands, including the alley mentioned, should be sold in the inverse order of alienation, in order to protect the rights and interests of all persons holding property subject to said mortgage, excepting the property lying south of Atwater street, and between North St. Paul street and the Genesee river; and that said Miller's lot on north side of Atwater street, including some sixty or one hundred feet of said alley, opening into Atwater street, which was bid in by said Palmer, at said sale, worth some six or eight hundred dollars, was conveyed by said Palmer to said Miller, in consideration of the sum of twenty-five dollars; that said Palmer informs your Committee, that he was not aware at the time of the conveyance to Miller that any portion of said alley was conveyed to said Miller; that had he known all the facts of the case, he should not have made the conveyance of any part of said alley, but have indicated the same as a street; that since such conveyance, said Miller has closed up a portion of said alley, by constructing a close fence across the same, shutting up all the houses and buildings on said alley, except one dwelling house owned by him; that there is no carriage way to said buildings or egress by the inhabitants resident on said alley. Your Committee seeing the necessity of such alley or street being opened and dedicated as a highway, would recommend that the Committee on Opening Streets be requested to introduce an Ordinance for that purpose, with as little delay as possible, to the end that justice may be done to all persons, interested or aggrieved, by the action of said Miller.

J. C. NASH, Ch'n.

June 21, 1859.

REPORTS FROM EXECUTIVE OFFICERS.

CITY SURVEYOR'S OFFICE, }
June 21, 1859. }

Honorable the Mayor and Common Council:

The undersigned reports that he has conferred with the owners of the property required for altering the south line of Buffalo and Main streets, and submits the following as the result:

Mr. Frederic Starr.....	\$7,000
Mr. H. N. Curtis.....	10,000—\$17,000

The proprietors decline fixing any lower valuation for the contemplated improvement than the above.

Respectfully,

Your obedient servant,

CHARLES R. BABBITT.

CITY SURVEYOR'S OFFICE, }
June 21, 1859. }

Honorable the Mayor and Common Council:

The undersigned reports that the proprietor of the land required for the opening of Varnum street is adverse at present to fixing any valuation upon it. The land is under a lease to a nursery firm, and is planted to trees and shrubs, and a delay of two or three years in opening the street will materially lessen the expense, as undoubtedly the proprietor will throw the land into market at the termination of the lease.

Respectfully,

Your obedient servant,

CHARLES R. BABBITT.

ACTION UPON ORDINANCES.

SEWER IN NORTH ST. PAUL STREET.

By Ald. Shelton—Resolved, That the city Surveyor ascertain and report to this Board, an estimate of the expense of constructing a stone sewer in North St. Paul street, from a point 210 feet south of the south line of Marietta street to Scrantom street, to discharge over the high bank of the river. The sewer to be two feet square to Lowell street, and from thence two feet by two feet and a half, and of sufficient depth for outlet purposes.

Adopted.

The Surveyor submitted such estimate. By Ald. Shelton—Resolved, That the following improvement is expedient, namely:

Constructing a stone sewer in North St. Paul street, commencing at a point 210 feet south of the south line of Marietta street, and running thence north about ten feet deep, two feet wide and two feet high to Lowell street, thence to be two feet wide and two and a half feet high to Scrantom street, and discharge into the river over the high bank.

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 \$7,325, 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, namely:

"One tier of lots and all the land to the depth of one tier of lots on each side of North St. Paul street from a point two hundred and ten feet south of the south line of Marietta street to Scrantom street, and for an outlet and surface drainage, one tier of lots on each side of Ward street to the east line of lots 52 and 37, also one tier of lots on each side of Emmet street to Hand street, including all the land between Emmet street and the east line of the tier of lots fronting on St. Paul street, also one tier of lots on the south side of Hand street to Clinton street, also one tier of lots and all the land to the depth of two hundred feet on the east side of Clinton street from a point opposite the south-east corner of the lot at the corner of Clinton street and Summit Park to a point opposite the south line of lot No. 23 in the "Lee tract," also all the lands within the following described territory: bounded on the north by the south line of lot No. 23 in the Lee tract, extended from Clinton street to Scrantom street on the east by Clinton street, on the south by the south line of lands heretofore described on Summit Park and Hand street, and on the west by the east line of the tier of lots fronting on North St. Paul street.

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 190 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 28th, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard. Adopted.

SEWER IN EDINBURG STREET.

Ald. Shelton presented the final ordinance for a sewer in Edinburg street, and it being put upon its passage it was lost, ayes 4—Ald. Mudgett, Reynolds, D. W. Pery and Mason; nays 15.

SEWER IN HILL STREET.

Ald. Shelton presented the final ordinance for a sewer in Hill street, and moved to amend the description by commencing the sewer from a point twelve feet east of the west line of lot No. 70 in the Canal Tract, and that the Clerk publish notice that allegations will be heard at the next meeting.—Agreed to.

SEWER IN ALLEN AND WAREHOUSE STREETS.

Ald. Shelton presented the final ordinance for a sewer in Allen and Warehouse streets, and moved that it be amended by striking out so much as relates to the taxation of lots on Ford street for outlet and drainage purposes, and that the Clerk publish notice that allegations will be heard at the next meeting of the Board. Agreed to.

WIDENING PINDALL ALLEY.

By Ald. Mudgett—Resolved, That all proceedings heretofore had in reference to the widening of Pindall or Public Square alley, so called, be and the same are hereby rescinded. Adopted.

By Ald. Mudgett—Resolved, That the following improvement is deemed expedient, viz: That Public Square or Pindall alley be widened from the south line of Buffalo street to the Erie canal, by the addition of twenty-five feet to the west line of said alley, between said south line of Buffalo street and said canal, and that the City Surveyor be and he is hereby directed to ascertain and report to the Common Council an estimate of the whole expense of said improvement. Adopted.

Whereupon the City Surveyor, under said resolution so adopted, reported in writing that he had made an estimate of whole expense of said improvement at \$10,200, which report was thereupon accepted and approved.

The City Surveyor presented an estimate of the value of the property required for the widening of Public Square or Pindall Alley, as follows:—\$10,200.

By Ald. Mudgett—Whereas, The City Surveyor, under the direction of this Board has made an estimate of the whole expense of the improvement in widening Public Square or Pindall Alley, and reported the same at \$10,200, which estimate is hereby approved:

Resolved, That the following described premises are hereby determined to be necessary for said improvement, to wit:

Beginning at the point where the west line of Public Square or Pindall Alley intersects with the south line of Buffalo street, and running thence westerly upon the said south line twenty-five feet, thence southerly parallel with said west line and twenty-five feet distant therefrom to the north line of the Erie canal, thence easterly along the Erie canal to the west line of said alley, thence northerly along said west line to the place of beginning, and that the following portion of said city is hereby deemed benefited and proper to be assessed for the whole expense thereof, namely:

All the territory between Buffalo street and the Erie canal, that is bounded on the east by Exchange street, and upon the west by Fitzhugh street.

And the clerk is hereby directed to publish notice in pursuance of section 190 of the city charter, in the daily newspaper published in the city of Rochester, called the Rochester Daily Democrat and American, that all persons interested in the subject matter of said improvement are required to attend the common council on Tuesday evening, June the 28th, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard.

Ald. Nash moved to amend by excepting from property to be taken for the improvement, the ses-

sion-house of the First Presbyterian Church and four feet of land in front of the same. Lost: ayes 2—Ald. Nash and Jones; nays 19.

The resolution was adopted: ayes 20; nay 1—Ald. Erickson.

EXTENDING ATWATER STREET.

Ald. Mudgett presented the final ordinance for the extension of Atwater street, and moved that its consideration be further postponed until the next meeting. Agreed to.

IMPROVING FRANCES STREET.

Ald. Selye presented the final ordinance for the improvement of Frances street, and moved that the same be amended by stopping the improvement at Bartlet street, and that the consideration of the same be postponed until the next meeting of the Board. Agreed to.

IMPROVEMENT OF PLATT STREET.

Ald. Selye presented the final ordinance for the improvement of Platt street, and moved that it be indefinitely postponed. Agreed to.

STATE STREET IMPROVEMENT—BUFFALO STREET TO THE RAILROAD.

On motion of Ald. Selye—The Board proceeded to hear allegations in relation to improving State street, from Buffalo street to the north line of the New York Central Railroad.

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

AN ORDINANCE to improve State street, from Buffalo street to the North line of the New York Central Railroad.

The common council of the city of Rochester do ordain and determine as follows:

That State street from Buffalo street to the north line of the New York Central Railroad, shall be improved as follows: By setting curb of Medina stone in line with, and in the same place of the present curb stones, so as to leave the side walks the same width as at present, paving the roadway from curb to curb with Medina stone, and constructing a suitable number of cross-walks; and the whole expense thereof 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 ten thousand five hundred and seventy dollars, which estimate was and is hereby approved. The sum of ten thousand five 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 State street, from Buffalo street to the north line of the New York Central Railroad, and including said Railroad, on which above described portion of the city, the sum of ten thousand five hundred and seventy 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, Francis Dana and Jared Coleman, 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 Friday, the 24th day of June, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:
Yeas—Ald. Mudgett, Butler, Reynolds, Hollister, Lewis, Hebard, D. W. Pery, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billinghurst, Cushing—20.
Nay—Ald. Holmes—1.

IMPROVEMENT OF NORTH CLINTON STREET.

Ald. Selye presented the final ordinance for the improvement of North Clinton street, and after

hearing allegations thereon, moved that the same be postponed till the next meeting. Carried.

By Ald. Mudgett—Resolved: That the City Surveyor ascertain and report to this Board the expense of opening a street from Union to Alexander street in accordance with the prayer of the petition of Jason W. Seward and others. Adopted.

By Ald. Mudgett—Resolved: That the City Surveyor ascertain and report to this Board the expense of continuing Finney street from Tappan to Kirk street. Adopted.

ASSESSMENTS.

Ald. Selye presented the following assessment rolls:

For the improvement of Franklin street, for the improvement of Greig street, and the improvement of East Avenue, and moved that appeals be heard thereon at the next regular meeting. Carried.

Also, the roll for plank walk in South st. which was confirmed. Ayes 21.

Ald. Shelton presented the following rolls, and moved that appeals be heard thereon at the next regular meeting:—Sewer in Asylum street, sewer in Smith street, sewer in Lyell street, from West to Moore street, sewer in Lyell, Orchard and Lime streets, sewer in New Main street. Also, the rolls for a sewer in Lyell street, from Frank to State st., and in Otsego street, and moved that appeals be heard at the first regular meeting in July. Carried.

PENAL ORDINANCES

The Mayor gave notice that the ordinance relating to nuisances expired by limitation on the 19th inst., and requested action by the Board in relation thereto.

Several amendments and additions proposed to be made in the said ordinance were read by the Clerk.

Ald. Holmes moved that the ordinance relating to Nuisances, passed June 19, 1856, be revived and maintained in full force and effect for the space of one week, and until further action thereon by this Board; and that all other penal ordinances which may expire previous to the next regular meeting of this Board, be maintained in like manner, by virtue of this resolution; and that meantime the proposed amendments be referred to the Committee on Ordinances and Rules. Carried.

UNFINISHED BUSINESS.

CELEBRATION OF THE FOURTH OF JULY.

The resolution offered by Ald. Stone at the previous meeting, to appropriate \$500 for the celebration of the National Anniversary, was called up, and Ald. Stone moved its adoption.

Ald. Hebard moved that the appropriation be charged to the Poor fund. Lost. Ayes, 2—Ald. Lewis and Holmes; Noes, 19.

Ald. Reynolds moved to postpone the consideration of the resolution till the second week in July. Lost. Ayes, Ald. Holmes, Reynolds, Lewis, Hebard, D. W. Perry and Erickson—6; Noes 15.

Ald. Reynolds moved to amend so as to give the appointment of the Committee to the Chair. Carried.

Ald. Shelton moved to reduce the sum appropriated to \$350. Lost.

Ald. Stone's resolution, as amended on Ald. Reynolds's motion, was adopted, as follows:

Ayes—Ald. Mudgett, Butler, Hollister, Nash, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billingshurst, Cushing—14.

Nays—Ald. Holmes, Reynolds, Lewis, Hebard, D. W. Perry, Erickson, Moore—7.

The resolution is as follows:

Resolved, That the sum of one hundred dollars for the firing of a national salute; and the additional sum of fifty dollars for a Band of Music; and the further sum of three hundred and fifty dollars for a public display of Fire Works, on the approaching anniversary of our National Independence, be and the same are hereby appropriated, said sums to be charged to the contingent fund, and that the Mayor appoint a committee to carry out the intent of this resolution.

HOSPITAL ATTENDANCE BY HEALTH OFFICERS.

The resolution of Ald. Hebard, that the Health Officers be requested to render medical services at the Hospital free of charge, was taken from the table. Adopted.

THE STREET SUPERINTENDENT'S REPORTS.

The preamble and resolution relating to specific monthly reports from the Street Superintendent, stating where and how the highway fund has been expended, was taken from the table, and Ald. Selye moved its adoption.

Ald. Stone moved to amend so as to require that these reports be made once in three months, instead of monthly. Lost.

Ald. Hebard moved the previous question, which was seconded.

The main question was ordered to be put and the resolution passed; Ayes 16; noes 4—Ald. Hollister, Hebard, Billingshurst and Cushing.

TAX UPON THE HOSPITAL LOTS.

The preamble and resolution offered by Ald. Knapp, for rescinding a resolution cancelling a tax on lots Nos. 111 and 11 and 12 on Genesee street, were called up and Ald. Knapp moved they be postponed one week. Carried.

EXECUTIVE BUSINESS.

ELECTION OF ENGINEERS OF FIRE DEPARTMENT.

Ald. Lewis moved that the Board now proceed to the election of Chief and Assistant Engineers of the Fire Department.

Ald. Shelton moved that this proceeding be postponed till the next meeting of the Board. Lost.—Ayes 3,—Ald. Jones, Shelton and Cushing; noes 17.

Ald. Lewis' motion prevailed, and the Board proceeded to ballot for a Chief Engineer.

George B. Harris received.....	16 votes
R. Rickkon "	2 "
J. McMullen "	1 "
H. S. Fairchild "	1 "

20

Geo. B. Harris was declared duly elected Chief Engineer.

On motion of Ald. Lewis the Board proceeded to elect a first Assistant Engineer.

John McMullen received.....	17 votes
R. Rickkon "	2 "
N. A. Sherman "	1 "

20

John McMullen was declared to be duly elected First Assistant Engineer.

On motion of Ald. Lewis, the Board proceeded to ballot for a Second Assistant Engineer, and Jeremiah Twaige received 15 votes; Joseph Conular, 2 votes; Jo Ruggs, 1 vote. Total 18.

Jeremiah Twaige was declared to be duly elected.

On motion of Ald. Lewis, the Board proceeded to the election of a Third Assistant Engineer, and Friend W. Hine received 18 votes, and was declared to be duly elected.

On motion of Ald. Lewis, the Board proceeded to the election of a Fourth Assistant Engineer, and

Samuel M. Stewart received 19 votes, and was declared duly elected.

Ald. Lewis moved that the salaries of the Engineers be fixed at the same sums paid last year, as follows: Chief Engineer, \$1,200; 1st Assistant, \$300; Second do., \$200; Third and Fourth do., \$100 each.

Ald. Jones moved to lay this motion on the table. Lost: Ayes 4—Ald. Holmes, Jones, Mason and Billingham; Noes 15.

Ald. Holmes moved to amend by adding to the salary of each of the Assistant Engineers \$100. Lost: Ayes 5; noes 12.

The resolution of Ald. Lewis was adopted.

STREET COMMISSIONERS.

Ald. Selye moved that the Board now proceed to appoint a Commissioner for Lake Avenue to expend the \$300 to be annually raised for maintaining that street. Carried.

On the first ballot, Reuben P. Benton received 9 votes; Lewis Selye, 6 votes. No choice.

On the second ballot, Reuben P. Benton received 13 votes; Lewis Selye, 3 votes. Reuben P. Benton was declared elected.

Ald. Stone moved that the Board proceed to elect a Commissioner for West Avenue. Carried.

On the first ballot, Henry B. Knapp received 12 votes; H. L. Fish, 6 votes. No choice.

On the second ballot, Henry B. Knapp received 13 votes, and H. L. Fish 4 votes. Henry B. Knapp was declared to be duly elected.

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

On the first ballot, Belden R. McAlpine received 13 votes, and A. Erickson 5 votes. B. R. McAlpine was declared duly elected.

Ald. Lewis resigned the chairmanship of the Committee on Amendments of the Charter.

The Mayor appointed Ald. Jones to fill the vacancy; and also appointed Ald. Jones upon the Committee on Ordinances and Rules.

Ald. Mason moved that the Board now proceed to elect a member of the Board of Health, in place of John Crombie. Carried.

On the first ballot, W. H. Groot received 10 votes, Henry Harrison 7, H. L. Fish 1. No choice.

On motion of Ald. Hebard, further balloting was postponed one week.

Ald. Mason moved that the Board proceed to appoint a Commissioner of Deeds in place of B. Schœffel, deceased. Motion laid on the table.

MISCELLANEOUS BUSINESS.

By Ald. Mudgett—Resolved, That further action in the matter of opening "Varnum street" is at present inexpedient. Adopted.

By Ald. Mudgett—Resolved, That the City Superintendent is hereby directed to remove the obstructions from the street running north from Allen street, and next west of the Erie Canal, and known on Perkins and Schemerhorn's map as Front street. Adopted.

By Ald. Butler—Resolved, That the Aldermen from the Ninth Ward be added to the Committee on City Property, so far as the fencing and improving of Jones Square is concerned. Adopted.

By Ald. Hollister—Resolved, That Geo. McKay, Hayden & Bromley and L. A. Ward have leave to erect and remove wood buildings, according to the several prayers of their petitions, under the direction of the Chief Engineer.

By Ald. Reynolds—Resolved, That the Treasurer be authorized to receive of all persons assessed for plank sidewalks on the street on the south side of Washington Square, (now designated as Wood st.)

two per cent. in full of their several assessments—the parties so assessed having all built their own walks, in pursuance of a resolution of the Common Council, permitting them to do so. Adopted.

By Ald. Shelton—Resolved, That his Honor the Mayor be instructed to enter into contract on the part of the city, with the following named individuals for the completion of the improvements set opposite their names:

Stroup & McConnell—Lyell, Orchard and Lime st. Sewer.

Stroup & McConnell—Frank st. sewer.

Eliphalet Watson—New Main st. sewer.

do do Asylum st. sewer.

R. R. Harris—Atwater st. sewer.

Patrick Quinn—Bowery st. sewer.

James Campbell—Smith st. sewer.

Charles H. Butler—Lyell st sewer from West to Moore sts.

John Quinn—Fitzhugh and Lafayette sts. sewer

David Wagner—sewer in East Avenue from

Prince st. to City Line. Adopted.

By Ald. Reynolds—Resolved: That the Treasurer be directed to credit return taxes \$6,72, the balance of Charlotte M. Brown's assessment for State street brick walk from Platt to Jay streets, and charge that improvement with the amount.—Adopted.

By Ald. Lewis—Resolved: That Lewis Moore have the privilege of digging a well under the sidewalk in front of his store 138 Main street, under the direction of the City Superintendent.—Adopted.

By Ald. Nash—Resolved: That the alley heretofore known as Himmel Alley, leading from Atwater street to the Central Rail Road, be opened and dedicated as a public alley or highway, and that an ordinance be introduced by the Committee on Opening Streets at the next meeting of this Board for that purpose. Adopted.

By Ald. Stone—Resolved: That his Excellency Gov. Morgan be invited to accept the hospitalities of this city on his return from the city of Buffalo, and that his Honor the Mayor be requested to communicate the action of this Board to him and request his compliance. Adopted.

By Ald. Stone—Resolved, That the City Attorney be directed to dray up a suitable contract on behalf of the city for the use of the Poor Committee, and that they be empowered to contract for not exceeding 1,000 cords of wood, on such terms as they may deem best for the interests of the city.

Ald. Holmes moved to amend so as to require the Committee to report the contracts to the Board before executing them. Carried.

The resolution as amended was adopted.

By Ald. Mason—Resolved, That the Superintendent be directed to build a fence on Magne st. north of the railroad bridge, for the protection of the children and neighbors passing on said st., or to cause the same to be done; there being a stagnant pool of water upon the premises, accessible to and used by the children, which is dangerous,—said pool being upon the premises of Robt. Murray.—Lost.

Ald Holmes moved to adjourn. Lost—ayes 5, noes 12.

DIRECTORS OF THE VALLEY RAILROAD.

On motion of Ald. Lewis, the Board proceeded to vote for a Director of the Genesee Valley Railroad, in place of H. S. Fairchild.

On the first ballot, Harrison S. Fairchild received 12 votes, Wm. Churchill 4, W. F. Holmes 2.—No choice.

On the second ballot, H. S. Fairchild received 13 votes; I. R. Elwood, 3; W. F. Holmes, 2. H. S. Fairchild was declared duly elected.

On motion of Ald. Lewis, the Board proceeded to elect a Director in place of Thomas Parsons.

On the first ballot Thos. Parsons received 8 votes; William Churchill, 7 votes; W. F. Holmes, 3 votes. No choice.

On the second ballot Thomas Parsons received 8 votes; William Churchill, 8 votes; W. F. Holmes, 2. No choice.

The Board then adjourned. F. S. REW, Clerk.

In Common Council, June 28, 1859.

REGULAR MEETING.

PRESENT—The Mayor, and Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Bauer, Mason, Billinghamst, Cushing.

ABSENT—Ald. Mudgett, G. W. Perry, Twitchell, and Shelton.

The proceedings of the previous meeting were approved.

PETITIONS AND CLAIMS.

By Ald. Hollister—Of Wm. Churchill and others for a stone instead of tile sewer in Fitzhugh and Lafayette streets. Sewer Committee.

By Ald. Butler—Bill of J. B. and G. W. Aldridge. Contingent Expense Committee.

By Ald. Reynolds—Of Henry Snyder, for compensation for damages in falling into the Canal.—Grievance Committee.

Bill of W. S. Grantsynn. Improvement Committee.

By Ald. Lewis—Bills of A. Strong & Co., A. Barum, Henry D. Shove, Jas. H. Williams, M. O'Conner, Burke, Fitzsimons, Hone & Co. Fire Department Committee.

Three bills of C. Harper. Improvement, Sewer and Street Committees.

By Ald. Hebard—Bills of Alex. Allen, Francis Lockhart, A. Strong & Co., and accounts of the Assessors for salaries. Cont. Expense Committee.

By Ald. Nash—Of Levi Palmer, to be refunded a tax. Grievance Committee.

By Ald. Erickson—Of P. C. Viele, in relation to land in the 12th Ward. Law Committee.

By Ald. Knapp—Petition of Wm. Simpson, to be relieved from a judgment. Law Committee.

By Ald. Stone—Of Curtiss, Butts & Co., asking the City to subscribe for fifty copies of their City Directory. Table.

By Ald. Jones—Of Thomas Havill and 150 others, relative to the territory to be assessed for St. Paul Street Sewer. Sewer Committee.

Of James D. Johnson and others, against Improvement of Lyell street. Improvement Committee.

REPORTS OF COMMITTEES.

By Ald. Lewis—From the Fire Department Committee, favorably on the following bills: Jesse Howland, J. E. Tunbridge, D. R. Barton, Law S. Gibson. Finance Committee.

By Ald. Knapp—From the street Committee, favorably on the bill of W. B. Morse, for lumber. Finance Committee.

By Ald. Hebard—From the Contingent Expense Committee, in favor of subscribing for thirty additional copies of Cornell's City Map. Table.—Also, favorably on bills of C. W. Hebard, H. A.

Perry, Russell Green, H. S. & G. Welden, D. McKay, Francis Dana, and Jared Coleman. Finance Committee. Also, adversely on the bill of D. Perry.

By Ald. Hollister—From the Committee on Wood Buildings, in favor of petition of John Schwinger, to erect an addition to his barn. Table.

By Ald. Bradstreet—From the Grievance Committee, favorably on the petition of Cornwell & Moulson, to be repaid a tax. Table.

By Ald. Reynolds—From the Improvement Committee, favorably on bills of R. W. Underhill, and John Dalton. Finance Committee. Also, that Rathbun & Whitmore be paid \$1,000 on their contract for improving Mill street. Finance Committee.

By Ald. Nash—From the Law Committee, on the subject of the contract for Nelson street Improvement, the following report:

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

The Law Committee to whom was referred the Contract of John McConnell & Son, for improvement of Nelson street, in the year 1854,

Report:—That the said contract has not been fulfilled, in all the covenants therein expressed—there being a balance of the work yet unfinished, which will require the sum of \$200 to finish the job. The whole amount of the assessment for said improvement has been paid, and the tax-payers and inhabitants of that neighborhood are not only very much incommoded, but are suffering from the condition of the street, part of which is a pond of stagnant water, which has been declared a nuisance, as your Committee are informed. Your Committee would, therefore, recommend the passage of a resolution, requiring the Superintendent to complete said improvement, leaving the question of damages on said contract, for further consideration.

June 28, 1859.

J. C. NASH, Ch'n.

Also, asking further time on the subject of the East line of Front street. Granted.

By Ald. Reynolds, from the Finance Committee, the following

FINANCE BUDGET.

By Ald. Reynolds—Resolved, That the Treasurer pay as follows:

S. Aldrich, bill for ice for Common Council chamber and city offices, 1 year, to 23d April, 1859.....	\$ 20 00
S. W. D. Moore, 1 qrs. salary as Mayor to July 5th, 1859.....	375 00
W. E. Lathrop, 1 qrs. salary as Treasurer, to do.....	550 00
F. S. Rew, " " City Clerk, do.....	225 00
C. R. Babbitt, " " City Surveyor, do.....	425 00
J. Van Voorhis, " " City Attorney, do.....	125 00
H. A. Perry, " " Messenger of Common Council, to July 5th, 1859.....	125 00
C. T. Amsden, 1 qrs. salary as City Comptroller, to July 5, 1859.....	50 00
F. Alexander, 1 qrs salary as Clerk of Market.....	100 00
David McKay, 1 month's salary as Assessor.....	83 33
Jared Coleman, " " " assigned.....	83 33
Francis Dana, " " " assigned.....	83 33
to H. W. Jones.....	83 33
and charge contingent fund.....	
H. B. Sherman, 1 qrs salary as City Physician....	62 50
T. B. Collins, " " " ".....	62 50
Azel Backus, " " " ".....	62 50
T. F. Hall, " " " ".....	62 50
F. Reichenbach, " " " ".....	62 50
G. Arink, " " " ".....	62 50
and charge Poor Fund.....	
R. D. Howell, 1 qrs salary as City Superintendent..	250 00
and charge Highway Fund.....	
Jonathan Child, 1 qrs salary as Overseer of Poor..	275 00
and charge Poor Fund.....	
George W. Avery's bill for vaccinating 1135 persons, at 25c each.....	283 75
and charge Board of Health.....	
Rathbun & Whitmore, on their contract for the improvement of Mill street.....	1000 00
and charge that fund.....	
John Dalton, on his contract for the construction of sidewalks in Smith street.....	300 00

Wm. Hollister & Co., for R. W. Underhill, in full for his contract for constructing plank sidewalk on State street, from Amrose st. to Vincent Park.....	199 19
Jesse Howland, bell ringing, (payable when his affidavit is properly filed).....	7 50
J. E. Tunbridge, painting Engine House.....	4 50
D. R. Barton, iron work for Fitzhugh-st. pipe.....	2 00
Law S. Gibson, repairs to Engine House No. 3.....	93 87
George B. Harris, Chief Engineer, qr. salary.....	300 00
John McMullen, 1st Asst. do.....	75 00
Jeremiah Twaige, 2d do do.....	50 00
Friend W. Hine, 3d do do.....	25 00
J. H. Rochester & Bro., for S. M. Stewart, 4th Asst. Engineer, qr salary.....	25 00
Engine Companies Nos. 1, 2, 3, 4, 6, 7, quarterly appropriation, \$87.50 each.....	525 00
Hook and Ladder Co's. Nos. 1 and 2, quarterly appropriation, \$62.50 each.....	125 06
Hose Co. No. 1, quarterly appropriation.....	37 50
Sack and Bucket Co. No. 1 do.....	37 50
Edmund Lyon, 1 qrs rent Hose Depot.....	87 50
Richard Gilbert, 1 month's salary, superintendent of Hose Depot.....	41 67
Wm. A. Reynolds, 1 qrs rent, Alert Hose Co.....	50 00
do do Sack and Bucket Co.....	50 00
and charge Fire Department Fund.....	

Ald. Mason moved that the item allowing John Dalton \$300 be postponed. Lost.

The report of the Finance Committee was adopted, as follows:

Ayes—Ald. Butler, Reynolds, Hollister, Lewis, Hebard, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Cushing—14.

Nays—Ald. D. W. Perry, Bauer, Mason—3.

COMMUNICATIONS.

Ald. Bradstreet presented the following:
To the Honorable the Common Council of the City of Rochester:

I hereby do resign my office as Commissioner of Deeds for the Fifth Ward.

Respectfully, &c., yours,
J. R. GALEN.
June 28, 1859.

On motion of Ald. Lewis, the above resignation was accepted.

ACTION UPON ORDINANCES.

WATER PIPES IN EXCHANGE AND STATE STREETS.

Ald. Lewis moved that all proceedings heretofore had with reference to laying wooden water-pipes in Exchange and State streets be rescinded. Carried.

Ald. Lewis presented an ordinance to provide for laying iron water-pipes in Exchange and State streets, from Child's Basin to Mumford street.

Ald. Stone moved that the ordinance be indefinitely postponed. Lost, as follows:

Ayes—Ald. Holmes, Butler, Stone, Jones, Mason, Cushing—6.

Nays—Ald. Reynolds, Hollister, Lewis, Hebard, D. W. Perry, Nash, Erickson, Moore, Knapp, Selye, Lutes, Bauer, Billingham—13.

Ald. Holmes moved to postpone the ordinance till the next meeting of the Board. Carried, ayes 11, nays 8.

IMPROVEMENT OF NORTH STREET.

By Ald. Selye—Resolved, That the city Surveyor ascertain and report to this Board an estimate of the expense of improving North street from Riley street to the New York Central Railroad, as follows: By setting a curb of Medina stone fifteen feet from the lines of the street, making gravel side walks with plank five feet wide laid in the centre, paving with cobble stone eight feet wide upon each side of the street, constructing a McAdam roadway in the centre, and constructing a suitable number of flag stone cross walks. Adopted.

The surveyor submitted such estimate.

By Ald. Selye—Resolved, That the following improvement is expedient, namely:
Improving North street from Riley street to the New York Central Railroad, as follows: By setting a curb of Medina stone, fifteen feet from the lines of the street, making gravel sidewalk with plank five feet wide laid in the centre, paving with cobble stone eight feet wide upon each side of the street, constructing a McAdam roadway in the centre, and constructing a suitable number of flag stone 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 \$9,381, which estimate is hereby approved.

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

One tier of lots on each side of North street from Riley street to the New York Central Railroad.

And the Clerk is hereby directed to publish notice in pursuance of section 190 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 5th, 1859, at half-past seven o'clock, at the Common Council Hall, when allegations will be heard.

Adopted—all ayes.

SEWER IN HILL STREET.

Ald. Nash, of the Sewer Committee, presented the final ordinance for a sewer in Hill street.

Ald. Knapp presented the remonstrance of J. E. Congdon, T. Kempshall, Sarah Barbydt and others, against constructing the sewer this year.

J. F. Bush was heard in opposition to the sewer, and Mr. Pritchard in favor of the same.

The ordinance is as follows:

SEWER IN HILL STREET.

On motion of Ald. Nash, 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. Nash submitted the following:

AN ORDINANCE, to construct a sewer in Hill street, from a point twelve feet east of the west line of lot No. 70 in the canal tract, to the Platt street sewer in Broad street.

The common council of the city of Rochester, do ordain and determine as follows:
A stone sewer eighteen inches square and eight feet deep, with a brick bottom, shall be constructed in Hill street, from a point twelve feet east of the west line of lot No. 70, in the canal tract, to the Platt street sewer in Broad street.

And the whole expense thereof shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefitted thereby, and the city surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at \$679 00, which estimate was and is hereby approved: The sum of \$679 00, 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 benefitted by said improvement is described as follows:

One tier of lots on each side of Hill street from a point twelve feet east of the west line of lot No. 70, in the canal tract, to Broad street.

On which above described portion of the city, the said sum of \$679 00 is hereby ordered to be assessed.

And David McKay, Francis Dana and Jared Coleman, the assessors of said city, not interested in any of the property so benefitted, 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 Friday, the 1st day of July, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Adopted by the following vote—

Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Bauer, Mason, and Cushing—19.

Nays—Ald. Jones.

SEWER IN NORTH ST. PAUL STREET.

Ald. Nash presented the final ordinance for a sewer in North St. Paul st.

A remonstrance signed by 150 persons was read, and

On motion of Ald. Nash, the further consideration of the ordinance was postponed until the next meeting of this Board.

Ald. Lewis moved that the Clerk be directed to advertise that allegations will then be heard. Carried.

NORTH CLINTON STREET IMPROVEMENT.

Ald. Jones moved that all further action in reference to the improvement of North Clinton st. be indefinitely postponed. Carried.

SEWER IN ALLEN AND WAREHOUSE STREETS.

On motion of Ald. Nash, 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. Nash submitted the following:

AN ORDINANCE to construct a sewer in Allen street, and Warehouse street to the sewer in Platt street.

The common council of the city of Rochester do ordain and determine as follows:

A stone sewer shall be constructed eighteen inches by two feet in dimensions in Allen street from the New York Central Railroad through Allen street to Warehouse street, and through Warehouse street to the Platt street sewer, said sewer to be seven feet deep at its commencement, and to be continued upon a regular grade to the Platt street sewer.

And the whole expense thereof 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 \$1,063 00 which estimate was and is hereby approved. The sum of \$1,063 00, 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 Allen street from a point 90 feet west of the west line of Elizabeth street to a point sixty-three feet east of the east line of Broad street, and one tier of lots on the north side of Allen street from the west line of lot No nine to the centre of lot No 78 in the Canal tract, and one tier of lots on each side of Warehouse street from Allen to Platt street.

On which above described portion of the city, the said sum of \$1,063 00 is hereby ordered to be assessed.

And David McKay, Francis Dana, and Jared Coleman, 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 Friday, the 1st day of July, 1859, at 9 o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote—

Ayes—Ald. Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Bauer, Mason, Billingshurst and Cushing—18.

Noes—None.

ASSESSMENTS.

Ald. Nash presented for confirmation the following assessment rolls: For a sewer in Smith st. from Frank st. to State st.; for a sewer in New Main st. from Gibbs st. to the sewer in Alexander st.; and for a sewer from 25 feet east of the southwest corner of Asylum st. and New Main st. to the sewer in Alexander st., and the same were severally confirmed by the following votes:

Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Bauer, Mason, Billingshurst, Cushing, 20.

Ald. Nash presented the assessment roll for a sewer in Lyell st., from a point opposite the centre of West st. to the Lyell st. sewer in Moore st.

Ald. Holmes moved that it be recommitted to the Assessors for revision. Carried.

Ald. Nash presented the assessment roll for a sewer in Lyell, Orchard and Lime sts. to the Saxton st. sewer, and after hearing appeals, the same was confirmed; ayes 20, noes 0—same as above.

Ald. Selye presented the assessment rolls for widening Exchange Place, and improvement of State st., and moved that appeals thereon be heard at the next regular meeting. Carried.

Ald. Selye presented the assessment roll for the improvement of East Avenue, and the same was confirmed; ayes 20, noes 0—same as above.

IMPROVING NEW MAIN STREET.

By Ald. Selye—Resolved, That the city Surveyor ascertain and report to this Board the expense of improving New Main street from its western termination to the east line of Gibbs street, by setting a curb of Medina stone 25 feet from the lines of the street, paving between with Me-

dina stone, and constructing a side walk upon each side of the street of flagging, four feet wide, with a suitable width of gravel.

By Ald. Selye—Resolved, That the following improvement is expedient, namely:

The improvement of New Main street from its western termination to the east line of Gibbs street, by setting a curb of Medina stone 25 feet from the lines of the street, and paving between the same with Medina stone, also constructing a side walk upon each side of the street, of flagging four feet wide, with a suitable width of gravel.

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 \$4,982, 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, namely:

One tier of lots and all the land on each side of New Main street from its western termination to the east line of Gibbs street.

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 the Clerk is hereby directed to publish notice in pursuance of section 190 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 5th, 1859, at half past seven o'clock, at the Common Council Hall, when allegations will be heard.

Adopted unanimously.

IMPROVING FRANCES STREET.

On motion of Ald. Selye, 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. Selye submitted the following:

AN ORDINANCE to improve Frances street from Hunter street to Bartlett street.

The common council of the city of Rochester do ordain and determine as follows:

Frances street shall be improved from Hunter street to Bartlett street, by grading the same, and building plank side walks upon each side of the street, four feet and eight inches wide, and constructing a suitable number of cross walks.

And the whole expense thereof 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 \$1,143 00, which estimate was and is hereby approved; the sum of one thousand hundred and forty-three 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 and all the land to the depth of one tier of lots upon each side of Frances street from Hunter street to Bartlett street.

On which above described portion of the city, the said sum of \$1,143 00, is hereby ordered to be assessed.

And David McKay, Francis Dana, and Jared Coleman, 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 the said Assessors are hereby notified to meet for this purpose on Friday, the 1st day of July, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:

Ayes—Ald. Holmes, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Bauer, Mason, Billingshurst, Cushing—18.

Nays—Ald. Butler.

FLAG WALK IN CANAL STREET.

By Ald. Selye—Resolved, That the city Surveyor ascertain and report to this Board the expense of constructing a flag side walk six feet wide on the west side of Canal street from the north line of E. F. Smith's property to East Maple street, and setting a curb of Medina stone 14 feet from the line of the street. Adopted.

The surveyor submitted such estimate.

By Ald. Selye—Resolved, That the following improvement is expedient, namely:

The constructing of a flag side walk six feet wide on the west side of Canal street from the north line of E. F.

Smith's property to East Maple street, and setting a curb of Medina stone fourteen feet from the line of the 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 \$370 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, namely:

One tier of lots on the west side of Canal street from the north line of Elijah F. Smith's property to the south line of East Maple street.

And the clerk is hereby directed to publish notice in pursuance of section 190 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 5th, 1859, at half past seven o'clock, at common council hall, when allegations will be heard.

Adopted unanimously.

IMPROVEMENT OF LYELL STREET.

Ald Selye presented the final ordinance for the improvement of Lyell street, and moved that the same be postponed till the next meeting. Agreed to.

WIDENING PINDALL ALLEY.

Ald. Selye presented the second ordinance for the widening of Pindall Alley.

Ald. Holmes presented a remonstrance in behalf of the Trustees of the First Presbyterian Church, against the proposed improvement. Mr. S. H. Terry was heard in opposition to the same, when

On motion of Ald. Selye, the further consideration of the ordinance was postponed till the next meeting of the Board.

Ald. Selye moved that the final ordinance for the extension of Atwater st. be postponed till the next meeting of the Board. Agreed to.

UNFINISHED BUSINESS.

Ald. Erickson moved the adoption of the following resolution, laid on the table May 17th:

Resolved, That the City Superintendent be and he is directed to complete the unfinished contract of J. McConnell & Son, made in 1854, for grading and improving Nelson st., and report the expense of the same to this Board.

Ald. Selye moved that the whole matter be referred to the Street Committee, with instructions to advertise for proposals to complete the work, and report the same to this Board; and that meantime the Committee notify Messrs. McConnell & Son, and their bail, that unless they proceed immediately to complete the work, the City will do the same and hold the said contractors responsible for the expense thereof.

Ald. Lewis moved that the words "Street Committee" be stricken out, and the "Improvement Committee" inserted. Carried.

The motion to refer with instructions, was then carried.

EXECUTIVE BUSINESS.

Ald. Lewis moved that the Board proceed to the appointment of a Commissioner of Deeds in place of J. R. Galen, resigned. Lost.

MISCELLANEOUS BUSINESS.

By Ald. Mason—Resolved That a lease be continued to James McIntosh, of the stalls in Centre Market, now occupied by him, for one year from the first of July next, upon the same conditions as have heretofore existed. Adopted.

Resolved, That the following persons be granted licenses to sell fresh meats, at their respective out-stalls, for one year from the first of July, 1859, at the rate of seventy-five dollars per annum, payable quarterly, in advance: Joseph H. Pool, William Law, William Daggis, John Nagel, Christian Schaeffer, George Bentel, Chooley D. Gifford, Man-will C. Shelton, Richard Peart, Wolf Steger, Michael Steger, J. Segewitz, A. J. Shaw, Frost &

Schleier, B. Haag, John Zimmer, Simeon Pilger, John Erig, Fred. Morehardt, John Frey, Thomas Peart, Geib & Co., George Stoltz, John Hahn, Geo. Zimmerman & Co., Geo. Hertzberger, — Grandel, Gifford & Cooley, Adam Stober, Geo. Zimmer, M. Block, Andrew Fagel, Wm. Zimmer, Frederick Zimmer, George Brown.

Ald. Butler moved [Ald. Jones having previously made and withdrawn a motion to reduce the fee to \$25,] that the words "seventy-five dollars" be stricken out, and "fifty dollars" inserted. Lost.

Ald. Mason's resolution was adopted.

By Ald. Mason—Resolved, That the Treasurer be and hereby is directed to collect 60 per cent on the assessment roll for Smith street sewer, and no more, until the further order of this Board.—Adopted.

By Ald. Jones—Resolved, That the Mayor instruct one of the Policemen to attend at the junction of Main and Franklin streets, for the purpose of compelling persons in the wood deal upon wagons to the stand designated for them by the ordinance adopted in 1858. Adopted.

By Ald. Selye—Resolved, That the subject-matter of the assessment against lots 11 and 12 on the south side of Buffalo street, for the improvement of said street, be referred to the Law Committee, and that said Committee be requested to report as to the legality of said assessment at the next meeting of this Board. Adopted.

By Ald. Stone—Resolved, That his Honor the Mayor be, and he is hereby authorised to subscribe for fifty copies of the Rochester Daily Union City Directory for the year 1859.

Ald. Reynolds moved that the above resolution be referred to the Contingent Expense Committee. Carried.

By Ald. Stone—Resolved, That J. B. Bennett, Esq., have permission to build a plank-walk in front of his premises on the west side of Frances street, between Clifton and Bartlett streets, under the direction of the Street Superintendent and City Surveyor, said walk to conform to the new walk between Clifton street and West avenue.—Adopted.

By Ald. Stone—Resolved, That the Treasurer pay to the Select Committee appointed by the Mayor the sum of five hundred dollars, appropriated by resolution of this Board, for the celebration of our National Anniversary, and that they report to this Board at its next regular meeting their disbursements, with the proper vouchers.—Adopted. Ayes 18. Nay—Ald. Holmes.

The Mayor announced that the Committee are Ald. Stone, Lewis and Hebard.

By Ald. Nash—Resolved, That the Rev. Martin Lauer, a minister of the gospel, and the owner of a dwelling house and lot, No. 8 Achilles street, in the 10th ward, who is assessed upon the sum of \$400 for the present year, be exempt from said assessment, and that the same be charged to erroneous assessments of said ward. Referred to the Grievance Committee.

By Ald. Bradstreet—Resolved, That the Treasurer pay Messrs. Cornwell and Moulson fifteen dollars and fifty-nine cents, being a partial reimbursement of tax paid by them in 1858 on their property lying in the north-east part of the city, adjoining the ridge, in Irondequoit, and charge erroneous assessments. Adopted—ayes 19, noes 0.

By Ald. Bradstreet—Resolved, That the Treasurer pay the very Rev. Daniel Moore fifty-two dollars and ninety-four cents, being the amount of taxes paid in the years 1857 and '58 on south part of lot 7 west side of South street, said lot being

occupied by an incorporated "Benevolent and Scientific School" since May 21st, 1857, and that the same be charged to erroneous assessments. Carried: Ayes 19.

By Ald. Lewis—Resolved, That the Clerk be and he is hereby authorised to procure one hundred copies, in pamphlet form, of the law "to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage, and to prevent fraudulent voting," and that he cause one copy to be furnished to each inspector of election. Adopted.

By Ald. Hollister—Resolved, That John Schwingle have leave to erect wood building on the alley in the rear of Delevan street, according to the prayer of his petition, under the direction of the Chief Engineer. Adopted.

By Ald. Reynolds—Resolved, That Henry Plummer have permission to construct a lateral sewer from his dwelling on Greig street into the Greig street sewer, under the direction and to the acceptance of the City Superintendent. Adopted.

By Ald. Reynolds—Resolved, That the Treasurer make the city's note for fifteen thousand dollars, payable at the Monroe County Bank, two months after date, and get the same discounted at the Monroe County Bank, and charge the discount to Contingent Fund. Adopted—ayes 18, noes 0.

By Ald. Butler—Resolved, That the Mayor be authorized to subscribe for thirty (30) copies of Cornell's City Map, chargeable to the Contingent Fund, provided the cost does not exceed five dollars per copy, and that the Mayor be requested to send copies to the principal cities of this and other States, at his discretion. Adopted—ayes 19.

By Ald. Butler—Resolved, That the Committee on the opening and alteration of streets be instructed to introduce an ordinance widening Frank street, on the west side, from the north line of Dean street to the south line of Frank Hamilton's property, in such manner that the west line of Frank street from Centre to Platt street, may be in a continuous straight line. Adopted.

By Ald. Butler—Resolved, That the Committee upon City Property be authorised to receive propositions for the purchase, or negotiate for the sale of the Market and Market property upon Front street, and report to this Board what sum can be obtained for the same. Adopted.

Ald. Holmes moved to adjourn. Lost, ayes 7, noes 9.

Ald. Reynolds moved that when the Board adjourns it adjourn until Tuesday evening, July 5.—Carried.

The Board then adjourned. Fr. S. Rew, Clerk.

In Common Council, July 5, 1859.

ADJOURNED MEETING.

Present—The Mayor, Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billingshurst, Cushing.

Absent—Ald. Mudgett, G. W. Perry, Twitchell and D. W. Perry.

The minutes of the previous meeting were approved.

PETITIONS AND CLAIMS.

By Ald. Reynolds—Account of Patrick Quin for grading and sidewalks on Frances street; of John Dalton, do., on Smith street, with Surveyor's estimates. Improvement Committee.

By Ald. Holmes—Of John Steele for leave to erect a carriage house. Committee on Wood Buildings.

By Ald. Hollister—Of M. H. Jennings for leave to erect wood building on North Chatham street. Committee on Wood Buildings.

By Ald. Lewis—Bills of J. H. Halliday, J. Hyne, and Alexander Flory. Petition of citizens of East side of the river to organize a Hose Company.—Proceedings of Hook and Ladder Company No. 2; Fire Department Committee. Of Peter Sheridan and others against the confirmation of assessment for Frances street improvement; Improvement Committee.

By Ald. Hebard—Bills of Curtis, Butts & Co. and C. T. Amsden. Contingent Expense Committee.

By Ald. Nash—Account of City Attorney for disbursements; Law Committee. Of E. McDonough for relief. Of Thomas Garretsey for relief.—Grievance Committee.

By Ald. Knapp—Bill of Street Superintendent for disbursements; Street Committee.

By Ald. Lutes—Of Chief of Police and policemen. Of J. Stryker and E. A. Bardwell; Police Committee. Of R. P. Benton; Lamp Committee.

By Ald. Jones—Bill of L. M. Blakeslee. Fire Department Committee.

By Ald. Shelton—Of Henry Butts, to be relieved from a tax. Sewer Com.

By Ald. Shelton—Of Henry Munger, to be relieved from a tax for sewer in Smith st. Sewer Com.

By Ald. Bradstreet—Of Chas. Thiem and others, for continuation of Hawkins st. Com. on Opening Streets.

By Ald. Selye—Of John K. Anderson and others, against the construction of a sewer in Lyell street from Frank to State st. Sewer Com.

REPORTS OF COMMITTEES.

By Ald. Lewis, from the Fire Department Com.—Favorably on the following bills: H. D. Shove, D. McConnell, Jos. H. Williams, M. O'Conner, A. Strong & Co., and A. Barnum. Finance Com.

By Ald. Nash, from the Law Com.—Favorably on the bill of the City Attorney, for disbursements: Table.

Asking further time on the subject of the East Line of Front st., on account of the non-preparation of Mr. Selden's opinion. Granted.

By Ald. Hebard, from the Contingent Expense Com.—Favorably on bills of Curtis, Butts & Co., A. Nolte, B. A. Hall, J. Barhydt, Alex. Allen, and F. Lockhart. Finance Com.

By Ald. Reynolds, from the Improvement Com.—Favorably on the account of John Dalton, to the amount of \$400, and on the account of P. Quin, \$300. Finance Com.

By Ald. Lutes, from the Police Com.—Favorably on bills of Chief of Police and Policemen, and on Jacob Stryker's account. Finance Com.

By Ald. Shelton, from the Sewer Com.—Favorably on accounts of C. Harper and Wm. Willet. Finance Com.; also upon petition of Henry Butts.—Table.

By Ald. Knapp, from the Street Com.—Favorably on the bill of Street Superintendent; also on the bill of C. Harper. Finance Com.

By Ald. Reynolds, from the Finance Committee, the following

FINANCE BUDGET.

Resolved, That the Treasurer pay	
H S & G Welden, bill for paper hangings at the Police Office	\$ 16 13
Russell Green, painting in Treasurer's office	5 00
C W Hebard, printing blanks for assessors and attorney	7 00
H A Perry, for charcoal	9 00
A Nolte, publishing proceedings	75 00
Curtis, Butts & Co do	175 00
	\$287 13
And charge contingent fund.	
W B Morse & Co, lumber	32 98
And charge highway fund,	
John Dalton, on his contract for Smith street side walks	400 00
When there are funds applicable thereto, and charge that fund.	
Patrick Quinn, on his contract for Francis street grading and side walks	300 00
When there are funds applicable thereto, and charge that fund.	
E Ocuppaugh, for H D Shove, cleaning and filling reservoir No 3	8 00
B D McAlpine, for D McConnell, repairing side-walks and street for engine houses	25 16
Jos H Williams, papering and painting engine house No 8	24 93
M O'Connor, plastering engine house No 8	23 50
A Strong & Co, printing certificates, &c.	19 25
A Barnum, painting H & L truck No 2	20 00
And charge fire department fund.	
Francis Lockhart, services as watchman at City Hall	114 00
And charge contingent fund.	
E A Bardwell,	
Carrying Homer Platner to the House for Idle and Truant Children	1 00
do Thomas McGulpin do do	1 00
do Patrick McCabe to the Western House of Refuge	1 00
do James McCabe to the House for Idle and Truant Children	1 00
do Andrew Houser do do	1 00
	\$5 00
E. J. Keeney, services as Chief of Police, 1 month ..	66 66
J. Montgomery, services as Policeman, 1 month ..	44 00
R. W. Goodrich, " " " " ..	44 00
Seymour Cooley, " " " " ..	44 00
J. Dresser, " " " " ..	44 00
H. Jordan, " " " " ..	44 00
A Kingsbury, " " " " ..	44 00
P. B. Wilder, " " " " ..	44 00
G. C. Pease, " " " " ..	44 00
J. C. Hagle, " " " " ..	44 00
L. Johnson, " " " " ..	44 00
B. B. Leap, " " " " ..	44 00
Wm. Coughlin, " " " " ..	44 00
A. Brownell, " " " " ..	44 00
J. G. Laner, " " " " ..	44 00
John Dans, " " " " ..	44 00
Paul Gilman, " " " " ..	44 00
Alvah Rice, " " " " ..	44 00
Thomas Campbell, " " " " ..	44 00
Thomas Callister, " " " " ..	44 00
John S. Stott, " " " " ..	44 00
A. Wagner, " " " " ..	44 00
H. McQuatters, " " " " ..	44 00
Bernard Horcheler, " " " " ..	44 00
Peter Koons, " " " " ..	44 00
Alex McLane, police services,	15 00
John Parshall, half month's salary,	22 00
H. V. Steller, three days as policeman,	6 00
C H Higgins, one day do do	2 00
A Foster, do do do	2 00
S M Sherman, quarter's salary,	30 00
E J Keeney, Chief of Police, expenses to Buffalo of prisoner,	3 00
Expenses to Syracuse and bringing prisoner to court ..	5 50
Expenses to Adams Basin, do do do ..	1 25
Expenses to Syracuse, do do do ..	5 25
Expenses to Niagara Falls and Canada do do ..	7 37
Cash for two brooms,	40
Cash for coal,	1 40
Soap to clean station house,	1 50
Fixing stove and chair,	40
Expenses to Buffalo and bringing prisoner to court ..	6 38
Horse and buggy to Henrietta after witnesses,	1 13
Cash for two barrels for water,	4 00
Paid for hack to bring two prisoners from House of Refuge,	1 00
Paid for carting drunkard,	50
Expenses to Victor, Palmyra and other places after Clapp's horse,	5 13
Cash paid A Rice for sundries,	1 00
	\$45 82

Adopted, by the following vote:
Ayes—Ald. Holmes, Butler, Reynolds, Hollister,

10

Lewis, Hebard, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Shelton, Bauer, Mason, Billingshurst, Cushing—18; noes 0.

COMMUNICATIONS FROM CITY OFFICERS.

Ald. Stone presented the Report of the Overseer of the Poor for June. No. of families relieved 162; whole amount of fund expended, \$232 74.—Less for county and town poor, \$21 40. Filed.

The Clerk presented the Report of the Police Justice for June. Amount of fines received, \$131 84.

Also, the Report of the Keeper of Mount Hope Cemetery, for June. No. of interments 52.

Also, the following communications from the City Surveyor:

Hon. the Mayor and Common Council:

The undersigned asks leave to report the expense of opening a street from Union to Alexander street, in accordance with the petition of Jason W. Seward and others, as follows:

Cost of land	\$1,100 00
Grading	120 00
Contingencies	25 00
	\$1,245 00

Respectfully, your ob't servant,
CHARLES R. BABBITT.
City Surveyor's Office, July 5, 1859.

Hon. the Mayor and Common Council:

The undersigned submits the within communication from M. G. Warner, Jr., Esq., Clerk of the Board of Supervisors of Monroe County, setting forth the action of the Board in relation to the proposition on the part of the city to purchase a portion of the Court House Square, for the purpose of widening Public Square or Pindall alley.

Respectfully, your ob't servant,
CHARLES R. BABBITT.
City Surveyor's Office, July 5, 1859.

MONROE CO. SUPERVISORS CLERK'S OFFICE, }
Rochester, July 5, 1859. }

CH. R. BABBITT, Esq., City Surveyor—Sir: The Board of Supervisors of Monroe County, at their meeting on the 24th ult., adopted the report of their Committee to whom had been referred your communication of the 14th in regard to the sale of County property, for the widening of Pindall alley. Which report was adverse to the sale of the County property for the purpose designated in your communication.

Respectfully yours,
M. G. WARNER, Jr., Clerk.

GIFT FROM THE CITY OF HAMILTON.

His Honor the Mayor presented the following communication from the City of Hamilton, C. W.:

HAMILTON, C. W., June 20, 1859.

Sir:—I have the honor, by the direction of the Municipal Council of the City of Hamilton, to transmit a Map of this City, accompanied with a Reference Book, and to request the acceptance thereof, by your Council.

I have the honor to be, Sir,
Your obed't servant
THOS. BEASLEY, City Clerk.

To His Honor, the Mayor of Rochester.

Ald. Stone moved that the above communication be filed and published, and that it be properly acknowledged by His Honor the Mayor. Carried.

The Mayor also presented a communication from the Secretary of the Washington National Monument Association, enclosing Circulars of the Association, asking pecuniary aid to the Monument. Ordered filed.

WATER-WORKS FOR THE CITY.

Also, the following communication from Hon. Elisha Johnson, relating to supplying the city with water; which was, on motion of Ald. Shelton, referred to a Select Committee, and ordered published:

S. W. D. MOORE, Esq.:—I herewith send a copy of my Report made in 1838 in reference to city improvements. Your daily papers and several visits has continued an interest in the progress and enterprise since 1815. In 1854 I was there three months, and had an opportunity of seeing your rapid growth and increase of wealth, as well as valuable improvements of a public character, and general private enterprise.

I reviewed my speculations in reference to City Water Supply, and noticed many objections to the plan to meet the enlarged views of a growing and important city, and particularly the difficulty of using the Genesee River or its tributaries, when fully occupied in low water (a time the city would use a full supply) by the mills and machinery of the city, as well as on all of its tributaries, and when the Southern Lakes are used as Reservoirs. The claims of the Erie and Genesee Valley Canals also add to the difficulty. The machinery for elevating water requiring an annual expense independent of outlay, which in effect adds so much capital as such annual expense would pay interest, and particularly applicable to any plan of raising water from Lake Ontario, which first impressions would desire if practicable with the revenue of a limited population.

The inquiry, when would it be expedient for the city to undertake so important a work, although possessing many advantages by the passage of the Genesee River and Erie Canal through the centre of the city, with falls, mill races, springs and wells penetrating a rock formation underlying it. These advantages not generally possessed by a large population, but existing, has delayed, but leaving the claims and necessity set forth in my Report of 1838.

The present City Debt is such as to warn the authorities not to embark in any enterprise that will not provide the interest and sinking fund to pay the principal. Any plan of supply requiring a long length of aqueduct (at \$25,000 per mile,) years of expenditure before available for revenue, interference too far with private rights, embracing expensive mechanical structures, as will subject to risks in results, would exceed the revenue and beyond the power of the city to undertake, or that prudence would dictate.

You have a city upon a high rock terrace, bounded by Lake Ontario and the Ironquoit Valley, on the North and East and South East, the Valley of the River and Big Black Creek cutting off a connection with the high table of country South, renders it impracticable to approach the city with an aqueduct of masonry at a necessary level or head of water for the Fire Department and general use. There remaining only one point that the city can be approached at a sufficient high level. I made some preliminary examinations in 1854, and introduced some instrumental tests at particular points, but was prevented by leaving for the South unexpectedly with my family—thus deferring the subject. My general knowledge of the Topography of the county by previous surveys enabled me to come to a definite conclusion that the only source of supply must come from the West, and that a level could be sustained fifty feet above the level of the Erie Canal to a point within the city,

without obstruction, and at the cheapest possible cost.

By a reference to a sketch herewith enclosed, you will see that a western supply of water can be directed in any form desired by about six miles of aqueduct or canal with common excavation, and through natural channels to a basin on the south-west side of the city. The dam at Churchville is four feet higher than the Little Black Creek Basin, and by following the line of the Railroad it would have a descent of six inches per mile by following the line of Railroad eight miles. A short ditch or surface level connects Oak Orchard Creek, and head waters of Sandy Creek into the Valley of Black Creek, giving ample supply of spring water for an aqueduct, or the use of natural channels and canal for any extent of supply required.

My own opinion (and plan I propose) is, that any extended and distant supply is not necessary, and that a more limited and cautious plan should be adopted; that is, to use all the facilities nature has placed before us: To adopt a plan of Reservoirs and the Rain Sheds near at hand where expenditure and revenue balance annually as the work of supply and distribution progresses, until the whole net work is completed; reserving the extended source of supply for future contingencies incident to an old country, crowded population, and supplies, wealth, influence, more extended outlay.

I have to trouble you with some detail to illustrate my position. In tracing the high-table land westerly from the south-west part of the city we cross a shallow basin of Little Black Creek, between the two Chili roads. The general level of this basin is fifty-eight feet above the Erie canal. This basin on the north is bounded by a terrace of rock, dipping southerly one foot in eighty, passing under said basin. The southern boundary is drift sand and gravel, resting on the rock formation, and of wide area—dividing Little and Big Black Creeks. The valley is closed on the west by continuation of sand hills, except a low pass through which the railroad is located, said sand hills forming the northern boundary of Big Black Creek Valley. On the east, by the aforesaid terrace of rock and sand hills, forming the western boundary of River Valley, except a gap through which Little Black Creek passes south-easterly, to the Genesee river. This basin is surrounded by springs, supplied by the rain shed of slope, and is the only soft water basin in the vicinity of Rochester, as no supplies reach it from the lime-stone formation. The railroad engines get here their supply of soft water. The western boundary is ten miles from the city, and the eastern three miles, leaving a basin seven miles in length and two to three miles wide.

The drainage of this basin mostly passes off in floods during the rainy season. In the dry season there is a limited supply of water held by the drift and soil, covering the valley. The name of Black Creek was taken from the dark color of the water caused by a Tamarac Swamp and other low grounds. These have been drained by the line of railroad, and now improving as grass and garden lands, and soon will be a highly cultivated surface. With drains from the Springs to the main channel, no swamp would exist, and the creek, in an improved channel, would be a clear spring brook of soft water.

To illustrate a supply by Reservoir, I give a few facts: Each family of six persons is supposed to use, directly and indirectly, (including public objects) 150 gallons per day, or 54,750 gallons per year.—Such family having a roof to house and out-houses equal to 52½ feet square, would collect that amount

of water, allowing 30 inches for the rain gauge.—To have on hand a year's supply in advance, would require a cistern, 20 feet square and 18½ feet deep,—say one-third less would hold the supply deducting the daily use. For 1,000 families 54,750,000 gallons required, and thirty-five acres of Reservoir six feet deep; or 10,000 families (or 60,000 inhabitants) 303 60-100 acres of Reservoir for a year supply in advance. The area of water shed to supply it would be 683 1-10 acres at 30 inch rain-gauge, allowing receipt of Reservoir equal to evaporation.

The above described valley or basin lying adjoining the city, as near as it could be located for convenience and suitable level, contains at 2½ by 7 miles—12,200 acres—the rain shed of which would supply 1,000,000 of inhabitants; allow half for evaporation, 500,000; or if one-quarter is saved, 250,000. Thus it would appear that this basin is ample for all city purposes, by aid of reservoirs to hold so much of the flood or surplus water as is necessary.

In the detail of execution, I propose to reduce it to the most simple form for illustration. Assuming that the water station at Little Black Creek is 58 feet above the Erie Canal, there may be 8 feet less at the mill-pond at the South Chili road, which I assume as the level for city use (50 feet). Erect a dam about quarter of a mile below the Chili road to the level of mill-pond, with gate at bottom and wasteweirs. Remove mill-dam and alluvial deposit so far as necessary to complete a basin, say of 20 acres, with clean gravel sides, and no place less than 6 feet in depth. Carry the level on the slope of creek and river valley to a point say in rear of lots on the Bull's-head and Rapids road. There erect necessary basins on a rock floor—the two basins connected by an open canal of suitable size to receive an aqueduct when required, of four feet in diameter, of brick made for the purpose, or of stone—this canal to have a descent of 4 inches per mile, about two miles in length.

This earthwork, with improvement of water courses in basin, to constitute the first outlay, except to lay wooden pipe to accommodate the high level of the west part of the city, for rents to cover the first year's outlay, and limited to \$10,000 expenditure. A similar expenditure may be made the second year in earthwork, enlarging upon the first year. This would test the power of the basin for supply, and give opportunity to mature designs for permanent work in constructing reservoirs within the basin for supply during the dry season, on a level six feet higher than the standard level. The necessary area supposed to be about 75 acres, and at different locations the most favorable. Thus revenue and expenditure, supply and distribution, would annually be increased, until the whole outwork was completed, resting at any point of expenditure. Estimates, or work specified, evaporation and leakage, area of reservoirs and sundry details must depend upon a survey and location as well as the state of the work to be executed. The great outline of expenditure for supply is earthwork, where a great work can be executed at small cost. The distribution is a known class of expenditure that is limited to actual demand and certainty of revenue to cover it.

Your long acquaintance with the city and pursuits of that character, as well as ability to investigate a city interest of this kind, induces me to address you, trusting that with the aid of your efficient and experienced Common Council, that you can settle a vexed question, that has at some pe-

riods alarmed the public mind by the magnitude of the estimates. I am, with great respect, yours,
ELISHA JOHNSON.

LETTER OF REPLY FROM GOV. MORGAN.

Also, the following letter from his Excellency, the Governor of New York, which the Clerk was directed to file:

STATE OF NEW YORK,
EXECUTIVE DEPARTMENT,
ALBANY, June 29th, 1859. }

DEAR SIR:—I have been unable till now to reply to the kind invitation of the Common Council of Rochester, to visit that city, further than to inform you by telegraph that I could not accept it at the time suggested.

My engagements were such that it was impossible for me to stop at Rochester on my return from Buffalo. I hope, however, to be able at some future time to visit your enterprising city, and become better acquainted with it and its citizens.

Thanking you for the kind expression with which you accompanied the invitation,

I remain your obedient serv't.,

E. D. MORGAN.

To Hon. S. W. D. MOORE, Mayor of Rochester, New York.

ACTION UPON ORDINANCES.

LAYING IRON WATER PIPES IN EXCHANGE AND STATE STREETS.

By Ald. Lewis—Resolved, That the City Surveyor ascertain and report to this Board, the expense of laying Iron Water Pipes from Childs' Basin to Mumford street, constructing three new reservoirs and repairing the two old ones in Exchange and Ann streets. Adopted.

The Surveyor submitted such estimate.

By Ald. Lewis—Resolved, That the following improvement is expedient, namely:

The laying of iron water pipes from Childs' Basin to Mumford street, constructing three new reservoirs 8 by 16 feet in the clear and 14 feet below the level of the street, and repairing those in Exchange and Ann 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 \$2,384, which estimate is hereby approved.

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

One tier of lots on each side of Exchange street from the Erie canal to Buffalo street, one tier of lots on each side of State street from Buffalo street to the New York Central Railroad, one tier of lots on the south side of Ann street from State street to Fitzhugh street, one tier of lots on the north side of Ann street from State street to Frankfort Alley.

And the clerk is hereby directed to publish notice in pursuance of section 190 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 12th, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard.

Adopted—Ayes 15, noes 4, Ald. Holmes, Bradstreet, Stone and Cushing.

SEWER IN NORTH ST., PAUL STREET.

Ald. Shelton presented the final ordinance for a sewer in North St. Paul st., from near Marietta st. to Scramton st.

After hearing John Clancy in opposition thereto, and the reading of a remonstrance from 144 residents of Clinton st., Judge Palmer was heard in favor of the ordinance, and debate ensued, when,

On motion of Ald. Shelton, the further consideration of the ordinance was postponed one week.

IMPROVING NEW MAIN STREET.

On motion of Ald. Selye, the Board proceeded to hear allegations in relation to the improvement of New Main street, as described in the ordinance below:

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

AN ORDINANCE, to improve New Main street, from its western termination to the east line of Gibbs street.

The common council of the city of Rochester do ordain and determine as follows:

New Main street shall be improved from its western termination to the east line of Gibbs street, by setting a curb of Medina stone 25 feet from the lines of the street, and paving between the same with Medina stone, also constructing a side walk upon each side of the street, of flagging four feet wide, with a suitable width of gravel.

And the whole expense thereof 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 \$4,982 00, which estimate was and is hereby approved. The sum of \$4,982 00, 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 and all the land on each side of New Main street from its western termination to the east line of Gibbs street.

On which above described portion of the city, the said sum of four thousand nine hundred and eighty-two 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, Francis Dana and Jared Coleman, 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 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 the said Assessors are hereby notified to meet for this purpose on Friday, the 8th day of July, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:

Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Bradstreet, Nash, Erickson, Moore, Stone, Knapp, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billingham, Cushing—19.

Noes—None.

On motion of Ald. Selye, the consideration of the following ordinances was postponed one week:

Widening Pindall alley.

Flag walk in Canal street.

Improvement of Lyell street.

On motion of Ald. Selye, the consideration of the ordinance for the extension of Atwater street was postponed three weeks, until July 26th, allegation then to be heard thereon.

WALK AROUND BROWN'S SQUARE.

By Ald. Butler—Resolved, That the City Surveyor ascertain and report to this Board, the expense of constructing a stone side walk around Brown's Square, five feet wide, grading a width of fifteen feet, constructing an oak railing and setting a row of trees upon the outer line of the walk. Adopted.

The Surveyor submitted such estimate.

By Ald. Butler—Resolved, That the following improvement is expedient, namely:

The construction of a flag side walk five feet wide around Brown's Square, grading to a width of fifteen feet, setting one row of trees and building an oak railing at the outer line of the walk.

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 \$2,000, 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, namely:

One tier of lots and all the land to the depth of one tier of lots on the north side of Jay street from the Erie canal to the Genesee river, and all the territory in the Say cord Ward lying south of the centre of Jay street and north of a line drawn through the centre of Dean street east to the Genesee river and west to the Erie canal.

And the clerk is hereby directed to publish notice in pursuance of section 190 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 12th, 1859, at half past seven o'clock, at the common council hall, when allegations will be heard: Adopted.

IMPROVEMENT OF NORTH STREET.

Ald. Selye presented the final ordinance for the improvement of North street.

Ald. Holmes presented a remonstrance, signed by thirty residents of North street, against the passage of the ordinance, and

The consideration of the ordinance was then postponed one week.

ASSESSMENTS.

Ald. Shelton presented for confirmation the assessment roll for a sewer in Otsego street, from a point 60 feet north of Centre street to Platt street sewer, and no one appearing to appeal therefrom, the same was confirmed—ayes 18, noes 0. Absent—Ald. Mudgett, G. W. Perry, Twitchell, D. W. Perry, Hebard and Cushing.

Ald. Shelton presented for confirmation the assessment roll for a sewer in Lyell street, from Frank street to State street.

Ald. Holmes moved to postpone action until the next meeting. Lost.

The question being taken on the confirmation of the roll, it was carried in the negative, as follows, not a majority of the whole Board voting aye:

Ayes—Ald. Butler, Hollister, Lewis, Bradstreet, Nash, Selye, Shelton, Bauer, Mason, Billingham, Cushing—11.

Nays—Ald. Holmes, Reynolds, Erickson, Moore, Knapp, Stone, Lutes, Jones—8.

Ald. Shelton presented the following assessment rolls, and moved that appeals be heard therefrom at the meeting of this Board July 19, which was agreed to:

Sewer in Lyell street, from West to Moore street.

Sewer in Hill street, from Ford to Broad street.

Sewer in Allen street, from the railroad to Platt street.

Ald. Selye presented for confirmation the assessment roll for the improvement of Franklin street, and the same was confirmed, by the following vote:

Yeas—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Bradstreet, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billingham, Cushing—19. Noes 0.

Ald. Selye moved that the assessment roll for the improvement of Greig street be recommitted to the Assessors for revision and correction. Carried.

Ald. Butler presented the assessment roll for the improvement of Jones Square, and moved that appeals be heard therefrom on July 19. Carried.

MISCELLANEOUS BUSINESS.

By Ald. Butler—Resolved, That the Improvement Committee be requested to introduce an ordinance for the construction of a plank walk on Oak street from Allen street to Jay street, in accordance with the petition of John Hines and others, presented May 31, 1859. Adopted.

By Ald. Hollister—Whereas, The penal ordinance passed March 31, 1857, requiring the use of broad tire on vehicles carrying 2000 pounds, has now been in force for nearly two years, and whereas the same has not been enforced according to the spirit and intent thereof, and whereas it is deemed impracticable to enforce such ordinance without doing great injustice to those affected thereby, and especially to the poor teamster, notwithstanding the aid the city has already rendered a portion of them by paying, in certain cases, \$30 toward supplying them each with broad-tired wheels, contrary to the power vested in this Council, and whereas it is better that all ordinances that do not operate fairly and equally upon the

body politic, and in consequence are to a great extent a dead enactment, ought to be repealed, therefore

Resolved, That the ordinance above referred to be and is hereby repealed. Laid on the table.

By Ald. Lewis—Resolved, That the Sewer Committee be directed to present to this Board at its next meeting, an ordinance for a sewer in North St. Paul street, not exceeding eight feet in depth. Lost: ayes 3—Ald. Hollister, Lewis and Shelton; noes 15.

By Ald. Hebard—Resolved, That the Surveyor be and is hereby directed to establish the proper grade for the sidewalk in front of the residence of Simon L. Brewster, on South Clinton street, immediately. Adopted.

By Ald. Nash—Resolved, That the Treasurer pay to J. Van Voorhis, City Attorney, the sum of twenty-four dollars and seventy cents, being for disbursements advanced by him in the trial and hearing of causes, in which the city is a party interested, in pursuance of a report adopted at this meeting of the Board, and charge Contingent Fund. Adopted; ayes 18.

By Ald. Nash—Resolved, That the Committee on Opening Streets be requested to introduce an ordinance for widening Pindall Alley to within six feet of the First Church Session House. Lost, as follows:

Ayes—Ald. Butler, Bradstreet, Nash, Selye, Lutes, Jones, Bauer, Cushing—8.

Nays—Ald. Holmes, Hollister, Lewis, Erickson, Moore, Knapp, Stone, Shelton, Mason, Billinghurst, —10.

By Ald. Knapp—Resolved, That the City Surveyor be, and is hereby directed to establish and mark the lines of West Alley. Adopted.

By Ald. Jones—Resolved, That the thanks of the Mayor and Common Council of the city of Rochester be and they are hereby tendered to the Municipal Council of the city of Hamilton, for the excellent and handsome map of their city which has been forwarded here, to be deposited in a department of the city government.

Resolved, That the map of the city of Hamilton be hung in the office of the Mayor, and that the Mayor is hereby requested to forward to the Mayor of the city of Hamilton a copy of Cornell's map of the city of Rochester, together with a copy of these resolutions. Adopted.

By Ald. Shelton—Resolved, That the Street Superintendent notify Mr. C. Mulford to put a sidewalk of wood in front of his vacant lot on Gibbs street, to conform to those now laid, the same to be done within thirty days of said notice; and on his neglect or refusal to do the same, to so report to this Board. Adopted.

By Ald. Shelton—Resolved, That the Treasurer pay R. R. Harris two hundred dollars on his contract for building the sewer in Atwater st., when there are funds in the treasury applicable to that purpose. Adopted. Ayes 18, nays 0.

By Ald. Shelton—Resolved, That his Honor the Mayor be and is hereby instructed to sign contracts in behalf of the city, with Norman Aylsworth for a sewer in Otsego st., and with Buel and Purcell for a sewer in Lyell st. to State st. Adopted.

By Ald. Shelton—Resolved, That the Treasurer pay Henry Butts, (assignee) \$43 08 on the surrender of a city order for that amount, made to E. Gordon for fees as collector of the taxes; for making the Court and William street sewer, the said order bearing date on or about November 26th, 1855, and that the same be charged to — Fund.

Ald. Erickson moved to refer the above to the Finance Committee. Carried; ayes 12, nays 6.

By Ald. Mason—Resolved, That the Street Superintendent be, and is hereby requested to remove an obstruction now in Magna street, near the railroad. Adopted.

Board adjourned. F. S. Rew, Clerk.

In Common Council, July 12, 1859.

REGULAR MEETING.

PRESENT—The Mayor and Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billinghurst.

ABSENT—Ald. Mudgett, G. W. Perry, Twitchell and Cushing.

The minutes of the previous meeting were approved.

PETITIONS AND CLAIMS.

By Ald. Holmes—Of E. T. Oatley, M. S. Newton and others, a majority petition, for the improvement of Allen street. Improvement Committee.

By Ald. Lewis—The following: Proceedings of H. & L. Co. Nos. 1 and 2, and Engine Co. No. 5; bill of J. McConnell, J., for laying tile drain at Hose depot; N. Aylsworth, for repairs; A. G. Cooper, for filling reservoir. Fire Department Committee.

By Ald. Hebard—Bill of Geo. Watson, for draining Nelson street; C. T. Amsden, W. F. Holmes, for insuring Centre Market; Brewster & Fenn, for furniture for Mayor's room; of J. Terry & Co., for filter for City Hall. Contingent Expense Committee.

By Ald. Knapp—Bill of Peter Springstead, for work done on streets. Street Committee.

Remonstrance against a flag walk in Canal st.—Table.

Petition for plank walk in Canal street. Improvement Committee.

By Ald. Shelton—Bills of Stroup & McConnell, for Frank street sewer; R. R. Harris, for Atwater street sewer. Table.

By Ald. Mason—Petition of Thos. McLaughlin, for a butcher's license. Market Committee.

Of John K. Anderson and others, for a stone sewer in Lyell street, from Frank to State streets.—Sewer Committee.

By Ald. D. W. Perry—Proceedings of Fire Co. No. 2; R. R. Harris' claim for damages. Fire Department Committee.

Wm. Kidd & Co., bill for lamp posts. Lamp Committee.

By Ald. Baur—Petition of James Flood, to erect an addition to his dwelling. Committee on Wood Buildings.

Bills of M. Kramer, for publishing proceedings and advertising. Contingent Expense Committee.

REPORTS OF COMMITTEES.

By Ald. Lewis, from the Fire Department Committee, favorably on bills of A. Flory, Burke, Fitzsimons, Hone & Co., L. M. Blakeslee and John H. Halliday. Finance Com.

To confirm proceedings of H. & L. Co., No. 2. Adversely on petition of citizens of the east side of the river to form a Hose Co.

By Ald. Hollister, from Committee on Wooden Buildings, favorably on petitions of W. H. Jennings and John Steele, and adversely to that of John Shaefner. Table.

By Ald. Hebard, from the Contingent Expense Committee, favorably on bills of J. B. & G. W. Aldridge, Jacob Strecker, A. Strong & Co., and Curtis, Butts & Co. Finance Committee.

By Ald. Stone, from the Poor Committee, favorably on the bills of J. E. Butterfield, S. S. Pellet, J. Terry & Co., Wm. Alling, J. M. Whitney & Co., J. B. Ward & Co., A. Strong & Co., Frost & Schleier, J. J. Van Zandt, John McDowell, G. Gould & Co., Riley & Hughes, Moore & Cole, Brewster & Smith, C. V. Jeffries, W. S. Main, B. Minges, John Crombie, J. Howe, D. W. Allen, N. G. Hawley, T. H. Hopwood, H. Bender & Co., T. Bellamy, G. A. Wilkins. Finance Committee.

EXPENSES OF THE POOR DEPARTMENT.

Also, the following:—

The Poor Committee report the amount to the credit of Poor Fund March 15th.....	\$11,319 54
The whole amount to the debit of same to July 1st, 1859, is.....	2,700 95
Of which amount the sum of \$1,381.92 was for responsibilities incurred previous to the First of April last, leaving the expenditure of the present com. as follows:	
For salary of Overseer.....	\$275
Clerk.....	56 25
Physicians.....	375
For Groceries.....	193 22
Flour and Meal.....	56
Bread, &c.....	46 60
Drawing Wood.....	128 75
Rent.....	25
Sundries.....	157 21

There are still outstanding claims which have been presented to this Board, but not paid, viz:	\$1,316 03
For Burial of Paupers.....	\$242
Groceries.....	65 32
Flour.....	29 47
Transportation of Paupers.....	48 39
Sundries.....	155 72
Clerk hire.....	25
Rent.....	62 50

628 40

\$1,944 43

By Ald. Marsh, from the Law Committee, that a report on the east line of Front street cannot be made at this meeting. Further time granted.

Ald. Holmes moved that the opinion of Gov. Selden on this subject be published. Carried.

By Ald. D. W. Perry, from the Lamp Committee, favorably on bill of Wm. Kidd & Co. Finance Committee.

By Ald. Jones, from Committee on Ordinances and Rules, the PENAL ORDINANCES, with various amendments. Report adopted.

By Ald. Reynolds from the Finance Committee, the following:

FINANCE BUDGET.

By Ald. Reynolds—Resolved, That the Treasurer pay as follows:	
Alexander Allen, 1 qrs salary and work on clocks.....	\$53 43
Jacob Barchyd, bill for surveyor's stakes.....	22 10
R. A. Hall, bill repairing St. Paul's church, after falling of clock weight.....	8 00
and charge contingent fund.....	
R. D. Howell, bill of disbursements.....	768 72
C. Harper, hack hire, street com.....	2 00
and charge Highway Fund.....	
Jacob Strecker, salary at police office.....	37 50
and charge Police Fund.....	
James Conway, on his contract for constructing culvert at Deep Hollow.....	2000 00
and charge that fund.....	
B. Bardwell, 1 qrs salary as Police Justice, to 1st inst—subject to any monies in his hands belonging to the city.....	400 00
and charge Police Fund.....	
A. Strong & Co., bill for advertising and publishing proceedings for ending July 5th.....	212 50
and charge contingent fund.....	
W. S. Grantsynn, bill for services as plank walk inspector.....	8 00
and charge State-st sidewalk from Ambrose-st to Vincent Park.....	
Curtis, Butts & Co., for printing.....	87 50
Jacob Strecker, for work done in Centre Market.....	10 00

J. B. & G. W. Aldridge, for work done and materials furnished in Treasurer's and Surveyor's offices.....	11 88
and charge contingent fund.....	
M. F. Stillwell, for John H. Halliday, repairs to Engine No. 7.....	4 50
Burke, Fitz Simons, Hone & Co., damages.....	17 00
L. M. Blakeslee, ringing alarm bells.....	15 00
Jacob Hyne, ".....	17 50
Alex. Flory, ".....	11 25
and charge Fire Department Fund.....	
William Willett, bill for hack hire.....	2 50
and charge equally to Frank-st, Lysle and Orchard-st, New Main and State-st sewers.....	
S. M. Lucky, one month's salary as Health Inspector.....	45 00
Do burying dead carcasses.....	1 00
A. Richardson, one month's salary as Health Inspector.....	45 00
H. Scrantom, do.....	45 00
John A. Meyer, do.....	45 00
Do do abating nuisances, &c.....	1 75
W. H. Briggs, one qrs salary as Health Officer.....	62 50
George W. Avery, do do.....	62 50
W. Babcock, burying carcasses.....	62 50
John Wright, ".....	1 50
Henry Johnson, ".....	50
and charge Board of Health Fund.....	
R. P. Benton, bill for fluid, and care of lamps at Deep Hollow, for 14 weeks, from March 29th to July 5th.....	18 37

Adopted by the following vote:

Yeas, Ald. Holmes, Reynolds, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billingham. Total 17. Nays 0.

By Ald. Stone from the Select Committee, to expend the fund for celebrating the 4th of July, a schedule of disbursements, showing a balance of \$15,20 in the hands of the Committee.

COMMUNICATION.

The clerk read the following communication from Daniel Marsh, relating to the SUPPLY OF PURE WATER for the CITY—
To the Honorable the Common Council of the City of Rochester:

The importance of an abundant supply of pure water for the safety of property and for the convenience and health of our citizens will justify me in addressing your Honorable Body on this subject.

From the general concurrence of our citizens on the necessity of introducing a supply of water from sources beyond the limits of the city, and from a conviction that the enterprise may be made a self-supporting one, I have been induced to commence a survey, in the hope that public opinion might be concentrated on the most feasible plan, and produce united action.

Recent engagements on our State canals have rendered me familiar with the topography of Rochester and its vicinity, and with most of the sources from which water could be obtained to supply this city and will facilitate the examinations, and enable me to complete them within a reasonable period.

I have been for some time engaged in this matter and have now nearly completed the plan of a system of *Distribution* for the City, embracing the extent of street pipe, together with the number and a classification of the probable water takers on each street, which is designed to be the basis of an estimate both of the cost of distributing water through the city and the probable income to be derived from the same.

The printed circular a copy of which accompanies this communication, has been forwarded to the officers of all the Water Works companies in the United States, from which I am now receiving replies containing a great variety of valuable information.

Towards the expense of the surveys which may be necessary to ascertain the best source of sup-

ply and the most feasible plan of conveying the water to the city, I respectfully solicit the aid of the Common Council.

This examination may embrace Conesus and Hemlock Lakes and the Mendon Ponds. Also the plan recently proposed to the Common Council by Mr. Elisha Johnson and others, if advisable.

DANIEL MARSH.

Ald. Hebard moved that the above be referred to the Select Committee having under consideration the communication of the Hon. Elisha Johnson on the same subject. Carried.

The Mayor appointed the following Aldermen to constitute the Committee: Ald. Shelton, Nash and Bradstreet.

ACTION UPON ORDINANCES.

LAYING IRON WATER PIPES IN EXCHANGE AND STATE STREETS.

On motion of Ald. Lewis, 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. Lewis submitted the following:

AN ORDINANCE to provide for laying down iron water pipes in Exchange and State streets.

The common council of the city of Rochester, having been requested by a petition signed by a majority of the owners of property to be assessed for the improvement hereinafter mentioned, do ordain and determine as follows:

Iron water pipes shall be laid down from Childs' Basin to Mumford street, through Exchange and State streets; three new reservoirs shall be constructed, 8 feet by 16 in the clear and 14 feet below the level of the street, and the reservoirs in Exchange and Ann streets shall be repaired.

And the whole expense thereof shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefitted thereby; and the city Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at \$2,384 00, which estimate was and is hereby approved; the sum of two thousand three hundred and eighty-four 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 benefitted by said improvement is described as follows:

One tier of lots on each side of Exchange street from the Erie canal to Buffalo street, one tier of lots on each side of State street from Buffalo street to the New York Central Railroad, one tier of lots on the south side of Ann street from State street to Fitzhugh street, one tier of lots on the north side of Ann street from State street to Frankfort Alley.

On which above described portion of the city, the said sum of \$2384 00, is hereby ordered to be assessed.

And David McKay, Francis Dana, and Jared Coleman, the Assessors of said city, not interested in any of the property so benefitted, 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 the said Assessors are hereby notified to meet for this purpose on Friday, the 15th day of July, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:

Ayes—Ald. Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billingshurst—17.
Nays—Ald. Holmes, Stone—2.

IMPROVING STATE STREET FROM JAY TO SMITH STREET.

By Ald. Selye—Resolved, That the city Surveyor ascertain and report to this Board the expense of improving State street from the south line of Jay street to the south line of Smith street, by setting a curb of Medina stone twenty-one feet from the lines of the street, paving with cobble stone eighteen feet upon each side and McAdamizing the centre, and constructing a suitable number of cross walks. Adopted.

The surveyor submitted such estimate.

By Ald. Selye—Resolved, That the following improvement is expedient, namely:
The improvement of State street from the south line of Jay street to the south line of Smith street, by setting a curb of Medina stone twenty-one feet from the lines of the street, paving eighteen feet on each side, McAdamizing the centre and constructing a suitable number of 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 \$3,042, which estimate is hereby approved.

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

One tier of lots on each side of State street from the south line of Jay street to the south line of Smith street.

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 the clerk is hereby directed to publish notice in pursuance of section 190 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 19th, 1859, at half past seven o'clock, at common council hall, when allegations will be heard.

Adopted unanimously.

PLANK WALK IN OAK STREET.

By Ald. Selye—Resolved, That the city Surveyor ascertain and report to this Board an estimate of the expense of constructing a plank side walk six feet wide on the west side of Oak street from Allen street to Jay street, and constructing a suitable number of cross-walks. Adopted.

The surveyor submitted such estimate.

By Ald. Selye—Resolved, That the following improvement is expedient, namely:

Constructing a plank side walk six feet wide on the west side of Oak street from Allen street to Jay street, and constructing a suitable number of 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 \$434, which estimate is hereby approved.

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

One tier of lots on the west side of Oak street from Allen street to Jay street.

And the clerk is hereby directed to publish notice in pursuance of section 190 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 19th, 1859, at half-past seven o'clock, at the Common Council Hall, when allegations will be heard.

Adopted—all ayes.

IMPROVING HUDSON STREET.

By Ald. Selye—Resolved, That the city Surveyor ascertain and report to this Board the expense of improving Hudson street from North street to the north line of Bardwell street, by grading the same and laying plank side walks five feet four inches wide upon each side of the street, and constructing a suitable number of cross-walks. Adopted.

The Surveyor submitted such estimate.

By Ald. Selye—Resolved, That the following improvement is expedient, namely:

Improving Hudson street from North street to the north line of Bardwell street, by grading the same and laying plank side walks five feet four inches wide upon each side of the street and constructing a suitable number of 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 \$2,464, which estimate is hereby approved;

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

One tier of lots and all the land on each side of Hudson street from North street to the north line of Bardwell street.

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 the clerk is hereby directed to publish notice in pursuance of section 190 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 19th, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard.

Adopted—all ayes.

BRICK WALK IN SOUTH ST. PAUL STREET.

By Ald. Hebard—Resolved, That the City Surveyor ascertain and report to this Board, an estimate of the expense of constructing a brick side walk on the east side of South St. Paul street, in front of the following lots, viz: Lots number 35 and 36 in the Wadsworth tract, and lots number 8, 15, 18 and the south part of lot number 10 in section N, and lots number 17, 18, and lots 1, 2, 3 and 4 in the subdivision of lot number 13 in section K, in the Johnson and Seymour tract, and construct a suitable number of cross-walks. Adopted.

The Surveyor submitted such estimate.

By Ald. Hebard—Resolved, That the following improvement is expedient, namely:

Constructing a brick side walk on the east side of South St. Paul street in front of the following lots, viz: Lots number 35 and 36 in the Wadsworth tract, and lots numbers 8, 15, 18, and the south part of lot numbers 10 in section N, and lots number 17, 18, and lots number 1, 2, 3 and 4 in the subdivision of lot number 13 in section K, in Johnson and Seymour's tract, and constructing a suitable number of 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 \$554, which estimate is hereby approved.

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

Lots numbers 35 and 36 in the Wadsworth tract, lots numbers 8, 15, 18 and the south part (49 feet) of lot number 10 in section N, lots numbers 17 and 18, and lots number 1, 2, 3 and 4 in the subdivision of lot number 13 in section K, in the Johnson and Seymour tract.

And the clerk is hereby directed to publish notice in pursuance of section 190 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 19th, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard.

Adopted unanimously.

ORDINANCES POSTPONED.

Ald. Selye moved that the consideration of the following ordinances be postponed until the next meeting of this Board:

For Improving North street.

For Improving Lyell street.

For Flag Walk in Canal street. Agreed to.

Ald. Butler moved that the consideration of the ordinance for a walk around Brown's Square be postponed for two weeks. Carried.

SEWER IN NORTH ST. PAUL STREET.

Ald. Shelton moved that the ordinance for a sewer in North St. Paul street be postponed one week. Agreed to.

WIDENING PINDALL ALLEY.

Ald. Selye presented the ordinance for the widening of Pindall Alley, and the question being taken upon the final passage thereof, it was lost; ayes 15, noes 5, as follows:

Ayes—Ald. Holmes, Butler, Reynolds, Lewis, Bradstreet, D. W. Perry, Moore, Knapp, Stone, Selye, Lutes, Shelton, Bauer, Mason, Billinghamurst—15.

Nays—Ald. Hollister, Hebard, Nash, Erickson, Jones—5.

A NEW ORDINANCE FOR WIDENING PINDALL ALLEY.

WIDENING PUBLIC SQUARE OR PINDALL ALLEY.

By Ald. Selye—Resolved, That the following improvement is deemed expedient, viz: That Public Square or Pindall Alley be widened from the south line of Buffalo street, by the addition of twenty-five feet to the west side of said alley between said south line of Buffalo street and a point six feet north of the session room building belonging the First Presbyterian Society, and the city surveyor be directed to ascertain and report to this common council an estimate of the whole expense of said improvement. Adopted.

The Surveyor submitted such estimate.

By Ald. Selye—Whereas, The City Surveyor, under the direction of this Board, has made an estimate of the whole expense of widening Public Square or Pindall Alley, and reported the same at \$3,160, which estimate is hereby approved.

Resolved, That the following described premises are hereby determined to be necessary for such improvement: Beginning at the point where the west line of Public Square or Pindall Alley intersects with the south line of Buffalo street, and running thence westerly upon the said

south line twenty-five feet, thence southerly parallel with said west line and twenty-five feet distant therefrom to a point six feet north of the session room building of the First Presbyterian Society, thence easterly and parallel with the south line of Buffalo street to the west line of said Alley, northerly and along said west line to the place of beginning.

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

All the territory between Buffalo street and the Erie canal, that is bounded on the east by Exchange street, and upon the west by Fitzhugh street.

And the clerk is hereby directed to publish notice in pursuance of section 190 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 19th, 1859, at half past seven o'clock, at the common council hall, when allegations will be heard:

Passed by the following vote—

Ayes—Ald. Holmes, Butler, Reynolds, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billinghamurst—15.

Noes—Ald. Hollister, Erickson—2.

ASSESSMENTS.

Ald. Selye presented the Assessment roll for the widening of Exchange Place, and moved that the Assessment upon Owen Gaffney, \$125, be stricken from the roll, and that the said sum be assessed upon the other property assessed, pro rata. Carried, as follows:

Ayes—Ald. Butler, Lewis, Hebard, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Shelton, Billinghamurst—13.

Nays—Ald. Holmes, Bradstreet, Jones, Bauer, Mason—5.

Ald. Holmes moved that the above roll be re-committed to the Assessors for amendment. Carried.

Ald. Selye presented the Assessment rolls for New Main street Improvement, Greig street Improvement, and Frances street Improvement, and moved that appeals be heard thereon at the next regular meeting. Carried.

Ald. Selye presented the Assessment roll for the Improvement of State street, and after an opportunity for appeals had been given, Ald. Selye moved that action upon the same be postponed until the first regular meeting in September next.—Carried.

PENAL ORDINANCES.

Ald. Jones moved the adoption of the following ordinance:

AN ORDINANCE RELATING TO NUISANCES.

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

SEC. 1. No person shall make, aid, countenance, or assist in making any noise, disturbance or improper diversion in any of the streets, public squares, lanes or alleys of the city of Rochester, nor shall any assemblage or crowd of persons collect in any such street, squares, lanes or alleys or any of the public squares or bridges, to the annoyance or disturbance of any of the citizens or others, under a penalty of ten dollars for each offence.—No person shall ring any gong in the street, upon any sidewalk, or upon any piazza, steps or platform immediately adjoining any sidewalk in the city of Rochester, under a penalty of ten dollars for each offence. No tenant or occupant of any dwelling shall suffer any gong to be rung, as a call or signal, upon any street or sidewalk, or upon any piazza, steps or platform immediately adjoining any sidewalk in said city, under a penalty of ten dollars for each offence.

SEC. 2. No person shall drive or ride, or cause or suffer to be rode or driven, any horse, mare, gelding or other animal in or through any public street, lane or alley of this city, at a speed greater than six miles to the hour, under a penalty of ten dollars for each offence.

SEC. 3. No person or persons shall ride, drive or ride, or cause to be rode or driven, any horse, mare, or gelding upon or over any of the bridges within the city of Rochester, except the Buffalo and Main street bridge or over the crosswalk at any corner, at a rate faster than a walk, under a penalty of five dollars for each offence.

SEC. 4. No person shall leave any horse, mare, gelding or other animal standing in any public street or alley within said city, without being well secured, tied or fastened, under a penalty of five dollars for each offence.

SEC. 3. No person or persons shall ride, drive or ride, or cause to be rode or driven, any horse, mare, or gelding upon or over any of the bridges within the city of Rochester, except the Buffalo and Main street bridges, or over the crosswalk at any corner, at a gait faster than a walk, under a penalty of five dollars for each offence.

SEC. 4. No person shall leave any horse, mare, gelding or other animal standing in any public street or alley within said city, without being well secured, tied or fastened, under a penalty of five dollars for each offence.

SEC. 5. No person shall throw the contents of any bed, or any straw, shavings, lime, ashes, or refuse coal, or of any scraps, slaps, dirt or rubbish, of any description, into any street, lane or alley in the said city, under a penalty of two dollars for each offence.

SEC. 6. No person shall deposit, or cause to be deposited, any dead animal, fish, or putrid meat, entrails, shells of oysters or clams, decayed fruit or vegetables, or any other filthy or offensive substance, in or upon any public street, lane or alley, or on the surface of the ground in any lot, or in any canal, or any basin attached thereto, or in the Genesee river, except as hereinafter provided, or in any mill race or on any bank thereof in said city, or suffer or permit any stagnation or filth or water, or putrid or unwholesome meat, or decayed fruits or vegetables, or other filthy or offensive substance, to remain on his or her lot, or in his or her house, or other building or cellar, or in or upon any boat in any canal or in the Genesee river, within the limits of this city, under a penalty of ten dollars for each offence, and the expense and charge which the said corporation shall be put to in removing or abating such nuisance. And the mayor or any alderman or police justice, with any person in aid of him, may, at any time, enter into or upon any house, cellar, boat, lot or other place, and remove or abate such nuisance in such manner as shall be judged best. And any person obstructing or hindering such mayor, alderman or police justice, or any person in aid of him in the execution of his duty, shall forfeit and pay a penalty of twenty-five dollars for each offence.

SEC. 7. No person shall fly any kite within the said city, under a penalty of two dollars for each offence.

SEC. 8. No person shall, under a penalty of twenty-five dollars for each offence, sell, or keep, or expose for sale, any gunpowder, or India or China, or other fire crackers, rockets, or other preparations from gunpowder, without license therefor from the Common Council. And the Mayor of said city, or any Alderman, or the City Superintendent, is hereby authorized to enter upon the premises where the same are kept, and to seize and destroy or otherwise dispose of the same.

SEC. 9. No person shall fire or set off any gunpowder, cracker, squib or rocket, or fire-work, or fire any pistol, gun or cannon, or throw any fire ball, or make any bonfire, or aid or abet therein, in any part of the said city, under a penalty of five dollars for each offence. But this section may be suspended in any particular and as to any person in the discretion of the Mayor.

SEC. 10. No person shall cast or throw any hide or skin, tanned or not tanned, out of any door or window of any building, above the first story, fronting on any street, or cause any such untanned hide to be suspended from, or laid on any post or elsewhere, in any street of said city, under a penalty of two dollars for each offence.

SEC. 11. No person shall bathe or swim, in any canal, basin, mill race, or river, within the limits of said city, between the hours of six in the morning and eight in the evening, nor at any time, between the upper dam and Clarissa street bridge, under a penalty of two dollars for each offence.

SEC. 12. No person shall keep a nine pin or bowling alley, or billiard table, within said city, without a license therefor from the Common Council, under a penalty of ten dollars for each and every day the same shall be so kept.

SEC. 13. No person keeping an alley commonly called a nine pin alley, or a billiard table, within the city shall permit any game to be played thereon, after ten o'clock in the evening, or before eight o'clock in the morning; nor shall any such person suffer or permit any minor, or apprentice to play at said alley or table at any time whatever, under a penalty of five dollars for each offence.

SEC. 14. Any person who shall keep a disorderly house, or a gaming house or room, within this city, shall, upon conviction thereof, pay a penalty of not less than fifty dollars. Any person who shall have, keep, or permit to be used in any building or place in the city, and occupied or controlled by such person, any e. o. table, keeno table, faro bank, shuffle board, bagatelle, playing cards, or any instrument, device or thing, used for gambling whereon, or with which money, liquor, or other articles shall in any manner be played for, may be subjected to a fine of not less than fifty dollars. Any owner or keeper, or any person within such disorderly house, or gambling house, or room, who shall refuse to permit the mayor, any alderman, the police justice, chief of police, or any policeman, to enter the same, or shall obstruct or resist the aforesaid officers (or persons summoned by them to assist), in entering such place, or in the destruction of the instruments or devices employed in gambling in such places, shall be subject to a fine of not less than ten nor more than one hundred dollars.

SEC. 15. No person shall cut, injure, deface or tarnish, any public building, or any property belonging to the corporation, of any well, pump, fence, tree, awning or any useful or ornamental improvements, or public work in said city, nor aid, abet or assist therein, under a penalty of ten dollars for each offence.

SEC. 16. No boat bell shall be rung, nor shall any signal horn, trumpet or other instrument be blown or played for a signal, within said city, on Sunday; nor shall any bell connected with or used for any railroad depot, be rung within said city on Sunday, under a penalty of five dollars for each offence.

SEC. 17. No person shall stick any bill or card, or advertisement on any building in said city, without leave from the owner or occupant, under a penalty of two dollars for each offence.

SEC. 18. No person shall solicit alms within said city, without written permission from the Mayor or Common Council, which shall be presented and shown at the time of soliciting, under a penalty of two dollars for the first offence and five dollars for every subsequent offence.

SEC. 19. No runner or stage driver or other person shall solicit passengers, travelers, or other persons, in any of the public streets, railroad depots, or public places, or on any wharf, or board of any boat or stage, within said city, for any railroad car, boat, stage or carriage, or for any public inn or tavern, under a penalty of five dollars for each offence.

SEC. 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 be at large in any of the public streets, lanes or alleys within said city, under the penalty of one dollar for each offence.

SEC. 21. No owner or possessor of any goose or geese, ducks, or other fowls, shall suffer any such fowl to run or 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 offence.

SEC. 22. No dog shall be permitted to go abroad in any of the streets, squares, lanes, alleys, or public places in this city, without being led and securely confined by a chain or string, under the penalty of ten dollars for each offence, to be recovered against the owner or possessor of such dog, or the person who harbored such dog within two days previous to the time of such dog being found so going abroad. And it shall be lawful for any person duly authorized by the Mayor, to seize or shoot, or otherwise kill any dog so running at large without being led or securely confined as aforesaid.

SEC. 23. No person shall hinder or molest any person or persons who may be engaged in seizing, shooting, or killing any dog going abroad as aforesaid, or in removing the carcass thereof, under the penalty of fifty dollars.

SEC. 24. No person or company of persons shall exhibit or perform, for gain or profit, any theatrical or circus representations or exhibitions, or any paintings, animal or animals, or other natural or artificial curiosity, or any puppet show, wire or rope dance, or any other theatrical show, acts or feats which common showmen, mountebanks, or jugglers, usually practice or perform, or not being residents of the said city, any concert, musical entertainment, or exhibition, or series of lectures for private emolument or gain, without having obtained a license for the same, from the Common Council of said city; and no owner or occupant of any house, or house, yard, or other place, shall furnish or allow the same to be used for the accommodation of such exhibition or performance, unless such license be obtained as aforesaid, under a penalty of fifty dollars for each offence.

SEC. 25. The Mayor, or other officer for the time being, exercising the duties of the office of Mayor, may, whenever an application cannot in the first instance be made to the Common Council, grant licenses for public shows and exhibitions, on the payment into the treasury of such sums as the Mayor or said officer shall direct; such license to be valid until the next ensuing meeting of the Common Council.

SEC. 26. No person shall construct or cause to be constructed, within the said city, any vault, to be used for the purpose of a privy, without special permission from the Board of Health, Mayor, or Health Physician, under a penalty of fifty dollars for each offence.

SEC. 27. Every resident, owner of every inhabited lot in said city, and the occupant of every such lot, where the owner thereof is a non-resident, shall provide and keep upon such lot a convenient privy, with a vault at least six feet deep, under a penalty of five dollars for every twenty-four hours any violation of this ordinance shall be continued.

SEC. 28. All owners and keepers of hotels, taverns, boarding houses, factories, arcades, warehouses and restaurants where more than ten persons are habitually gathered or employed, within the said city, shall cause to be constructed on their respective premises, one or more strong wooden boxes, slides or drawers, of suitable dimensions, provided with a convenient handle at each end, and with movable lids which may be fitted thereto perfectly tight; and shall cause such boxes to be placed under the seats of the respective premises, as a substitute for vaults now in use; and shall cause such boxes to be carried away and emptied by licensed scavengers into places, to be designated by the Mayor or Board of Health, and washed

out perfectly clean, and again replaced at least once in each week, from the first day of May, to the first day of October in each year, or oftener, as the Board of Health shall direct, under the penalty of fifty dollars for each offence.

Sec. 29. No tub, box, or other receptacle, nor the contents thereof, shall be removed from any privy within the city, except between the hours of eleven at night and three in the morning, from the first day of May to the first day of October, under a penalty of twenty-five dollars for each offence; nor shall any person, under a like penalty, empty or deposit the contents of any such tub or receptacle out of any privy into any street, alley, canal, or public square, or into the river, except at places designated therefor by the Mayor or Board of Health, under a penalty of fifty dollars for each offence.

Sec. 30. No person shall build, or cause to be built, a privy on or near the bank of any canal, or on or near the bank of any basin or slip, within said city, in such a manner as that the same shall communicate with said canal, basin or slip; and all owners and occupants of privies already built in such manner, shall not use such privies except with boxes, slides or drawers, as described in the twenty-eighth section of this ordinance, under a penalty of fifty dollars for each offence.

Nothing herein contained shall apply in any manner to any privy, the contents of which are carried into any sewer of ample dimensions, and washed out by a suitable supply of water.

Sec. 31. It shall be the duty of the City Superintendent, or such other person as may be specially authorized for that purpose by the Board of Health, (and such Superintendent or person so authorized, shall have power,) to enter into and upon, and examine any lot, yard, building, cellar, alley, basin, slip, sink, drain, vault or privy, or any other place within the limits of the said city of Rochester, and if the same shall be found to be foul, incumbered with rubbish, damp, sunken, or ill-constructed, or to contain any filth or other offensive substance or nuisance, to direct the removal of all such nuisance, filth or other offensive substance, or the cleansing or repairing of any drain, vault or privy, upon any such lot of ground or premises, by the lessor, lessee or occupant of the same, within twenty-four hours after such directions, from such Superintendent or other person. Any person, who shall refuse or neglect to comply with such directions, after such notice as aforesaid, shall forfeit and pay a penalty of twenty-five dollars for each offence.

Sec. 32. No person shall place or post, or cause or permit to be placed or posted, in any street, or on any bridge in said city, any handbill or advertisement giving notice that any person has, or professes to have, skill in the treatment or curing of any disorder or disease, or giving notice of the sale or exposure to sale of any nostrum or medicine, under the penalty of ten dollars for each offence.

Sec. 33. Every execution issued upon a judgment recovered for a violation of any of the provisions of this ordinance, shall command the amount to be made of the property of the defendant, if a defendant, can be found, and if not, then to commit the defendant to the county jail or work house for the period of thirty days.

Sec. 34. The Mayor may from time to time license such and so many persons as he shall deem proper, who shall be the scavengers of said city, whose licenses shall expire on the first day of July next after the same shall be granted.

Such scavengers shall execute a bond to the city of Rochester, in the penalty of two hundred and fifty dollars, conditioned for the faithful performance of their duty.

They shall, when called upon by any health officer, owner or occupant of any premises, as soon as practicable, take, carry away and empty in a proper place, the contents of any privy, vault, box or sewer, according to the provisions of this ordinance, and cleanse the same; under a penalty of five dollars for each offence.

No person shall exercise or offer to perform the duties of scavenger within the said city, who has not been duly licensed for that purpose, under a penalty of five dollars or each offence.

Sec. 35. Any person who shall be guilty of keeping or maintaining, or shall be an inmate of, or in any way connected with, or in any way contribute to the support of any disorderly house, or house of ill-fame, or place for the practice of fornication, or knowingly own, or be interested as proprietor or landlord of any such house, shall on conviction for the same, be liable to imprisonment in the penitentiary for three months, or to be fined in a sum not exceeding one hundred dollars, and in the further sum of fifty dollars for every twenty-four hours the said house shall be continued for such purposes after the first conviction.

Sec. 36. Any female who shall be convicted of being an inmate of any house of ill-fame, or place for the practice of fornication, or shall be found loitering or strolling about the streets of the city, by day or night, without any regular lawful business, or who shall be convicted of being a prostitute, shall be subject to a penalty in a sum of money not less than ten nor more than fifty dollars, and to imprisonment in the penitentiary for a term not exceeding three months.

Sec. 37. The Mayor, Police Justice, Chief of Police, any

Alderman or Policeman, or persons summoned by them, or by any of them, to aid them, may enter any disorderly house, house of ill-fame, house of prostitution or assignation, or gambling house or room, and arrest, with or without warrant, any suspicious persons found therein, and destroy any instruments or devices employed in gaming in such places; and if admission be refused, may enter by force, by breaking the doors or otherwise.

Sec. 38.—Any person who shall, within the city, appear in a state of nudity, or in a dress not belonging to his or her sex, or in an indecent or lewd dress, or make an indecent exposure of his or her person, or shall sell, or offer to sell, any indecent or lewd book, picture or other thing, or shall exhibit or perform any indecent or immoral play, or other representation, shall be subject to a fine of not less than fifteen dollars, and to such term of imprisonment, not exceeding three months, as the magistrate shall deem proper.

Sec. 39. Any person who shall be drunk, or shall be in a state of intoxication, in any highway, street, alley, or public place in the city, or in any private house or place, to the annoyance of any person, or citizens, shall be liable to a fine not exceeding ten dollars, and to imprisonment in the penitentiary not exceeding ten days.

Adopted, by the following vote: Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Oldbard, Adams, D. W. Perry, Mash, Brisson, Moore, Knapp, Stone, Selye, Jones, Shelton, Bauer, Mason, Billingshurst—19. Nays—None.

Ald. Jones moved the adoption of the following Ordinance:

AN ORDINANCE RELATING TO CARTMEN AND PORTERS.

The Common Council do ordain as follows:

Sec. 1. The Mayor may from time to time license such and so many cartmen and public porters within the said city as he shall deem proper, upon such cartmen paying to the Treasurer the sum of eight dollars, provided that if the same person has once paid the full sum of eight dollars, his license may be renewed for one year, and such 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 license be granted to any person, except 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.

§ 2. No person shall be licensed by the Mayor as a cartman unless he be either a native born citizen or a naturalized citizen, or shall have taken the preliminary measures prescribed by law to become a naturalized citizen; nor unless he has resided in the city of Rochester six months; nor unless he be twenty-one years of age, and shall own, keep, and use a good horse, cart and harness.

§ 3. Before granting license to any person as a cartman, such applicant shall be required to give a bond in the penal sum of two hundred and fifty dollars to the city of Rochester, with one or more sureties, to be approved by the Mayor, conditioned for the faithful discharge of his duty as such cartman, and for the payment of all damages to which he shall become liable to any person as such cartman.

§ 4. The Mayor, before granting a license to any cartman, shall be satisfied by the affidavit of the applicant that he has the requisite qualifications, which affidavit shall be filed with the city clerk.

§ 5. No person shall use or cause to be used, any cart, or other vehicle for the carriage of goods and merchandise, or other property, as a public or common cart or vehicle, or act as a porter, in said city, without having obtained a license therefor, as herein provided, under a penalty of five dollars for each offence.

§ 6. No cart or other vehicle shall be used as a common or public cart or vehicle, as aforesaid, without having painted thereon in a conspicuous place, in plain and durable letters, the name of the owner of such cart or vehicle, and the number designated in the license which shall be given for using the same, under a penalty of five dollars for each offence.

§ 7. Such common or public carts or vehicles, with the consent of the owners of property adjacent, shall be permitted to stand waiting for employment in any of the public streets in said city, except South St., Paul street, and no such cart or vehicle shall be allowed to stand within forty feet of any other cart, or ten feet from any cross-walk, or so as in any manner to obstruct the entrance to any street or alley, or so as in any manner to obstruct the access to any tavern by horses, stages, or other carriages.—Each cart or vehicle shall stand with the rear end thereof to the sidewalk, as near the same as can be placed to such sidewalk. Any person violating the provisions of this section, or either of them, shall forfeit and pay a penalty of five dollars for each offence.

§ 8. No driver of any such cart or vehicle, while waiting for employment in any place in said city, shall snap of flourish his whip, or congregate with others, or scuffle or play upon the sidewalk; nor stand nor sit in the doorway or upon the platform of any building, or in any manner, or at any time, obstruct the free ingress or egress of any

store, shop, or office, under a penalty of five dollars for each offence.

§ 9. Whenever any merchant or other person shall desire to load or unload any goods or other property in front of any store or other building, and any cartman shall be standing with his cart or other vehicle at the time in front of any such store or building, such cartman shall, at the request of such merchant or other person, immediately remove his cart or vehicle from such place, so as to give free access to such store or other building for the purpose aforesaid, under a penalty of five dollars for each offence.

§ 10. Cartmen shall be allowed fees for their services, at and after the following rates, viz:

For carrying any article to any place within the following described territory, bounded as follows:

Commencing on Buffalo street at the intersection of Madison street, thence northerly on Madison street to East Maple street, including one tier of lots on the west side of Madison street; thence across Brown street till it intersects a line running south from Grape street; thence northerly along the centre of Grape street to Magne street; thence north in a straight line to Lyell street; thence easterly on Lyell street to Schuyler street; thence northerly on Schuyler street to Ward street; thence easterly on the west side of Schuyler street, to Ambrose street; thence easterly on Ambrose street to the west bank of the Genesee river; thence southerly along the west bank of the Genesee river to a point in range with the south line of the "Gorham tract," thence east across the Genesee river and along said south line to North St. Paul street; thence across St. Paul street to Ward street; thence easterly on Ward street to North Clinton street, including one tier of lots on the north side of Ward street; thence southerly along the centre of Clinton street to Atwater street, including one tier of lots on the east side of Clinton st.; thence easterly along Atwater street to North street, including one tier of lots on the north side of Atwater street; thence easterly to Tappan street; thence easterly along Tappan street to Scio street; thence easterly along Scio street to Riley street; thence easterly on Riley street to Union street; thence southerly along Union street to Court street; thence westerly along Court street to Manhattan street; thence southerly along Manhattan street to Monroe street; thence westerly along Howell street to South St. Paul street; thence southerly on South St. Paul street to Mt. Hope Avenue, including one tier of lots on the east side of said St. Paul street; thence southerly along Mount Hope Avenue to Clarissa street, including one tier of lots on the east side of Mount Hope Avenue; thence westerly along Clarissa street to the east bank of the Genesee Valley canal; thence northerly along the east bank of the canal to Adams street; thence westerly along Adams street to Reynolds street, including one tier of lots on the south side of Adams street; thence northerly along Reynolds street, including one tier of lots on the west side of Reynolds street, to the place of beginning, shall be denominated first rate; without said described territory aforesaid, and not over one and a half miles, and within the limits of the city, second rate; over one and a half miles, and within the limits of the city, third rate.

For carrying every load of household furniture, loading and housing the same,

first rate.....\$0 31¼
second rate..... 37½
third rate..... 44

For every load of boards and lumber,

first rate..... 25
second rate..... 30
third rate..... 40

For every hogshead of molasses or cask of over 90 gallons,

first rate..... 50
second rate..... 56¼
third rate..... 62½

For every pipe or hogshead of liquor under 90 gallons,

first rate..... 25
second rate..... 31¼
third rate..... 37½

If the same contain 90 gallons or more,

first rate..... 37½
second rate..... 44
third rate..... 50

For every cask of sugar of 10 cwt. or more,

first rate..... 25
second rate..... 31¼
third rate..... 37½

For every load of loose stones, earthen ware or hollow ware,

first rate..... 25
second rate..... 30
third rate..... 40

For every load of gunpowder,

first rate..... 44
second rate..... 50
third rate..... 50

All other goods and things shall be deemed and taken as promiscuous loading, and shall be carried at the following rates, viz:

First rate..... 20
Second rate..... 37½
Third rate..... 44

Provided any cartman shall be detained at the time of loading or unloading for more than fifteen minutes, he shall be entitled to the sum of thirty-six cents for each ad-

ditional hour, and after that rate for any shorter detention; and be provided any load shall be of greater weight than one thousand pounds, a cartman shall be entitled to receive greater proportional fees after the same rate.

If any cartman, or driver, or owner of any cart or other vehicle shall demand or receive any other or greater compensation for the service herein specified than is herein provided, the owner of such cart or vehicle shall forfeit and pay a penalty of five dollars for each offence.

§ 11. It shall be the duty of every cartman, when applied to by any person whatever, while standing waiting for employment, and upon being paid or tendered the compensation allowed him in this ordinance for the services required, to go to any part of the city, and to carry and transport any load, if not more than one thousand pounds in weight, which such person shall require to be carried and transported by such cartman.

§ 12. It shall be the duty of any cartman and the driver of every cart or other vehicle, in case of an alarm of fire, and when thereto required by the Mayor, or any Alderman or any Fire Warden, or by the Chief Engineer, or any Assistant Engineer of the Fire Department, or by any Foreman or Assistant Foreman, or Secretary of any Fire, or Hook and Ladder or Hose Company, or by any two Firemen, or Hook and Ladder or Hose Company, or Engine or Tender, or Hook and Ladder or Hose Carriage, from any place in said city to such fire; or when required by the Mayor or any Alderman, or Chief or Assistant Engineer, from such fire to any other place in said city, or to the place where such Engine, Tender, Hook and Ladder or Hose Carriage is usually kept. And such cartman, or the owner of any other vehicle, employed in such service, shall be allowed for drawing such Engine or Tender, Hook and Ladder or Hose Carriage, to any fire, or to any other place where the same is usually kept, within the limits of the Lamp and Watch District, forty cents; and without those limits sixty cents; which shall be audited by the Common Council, and paid out of the city treasury. If any cartman, or the driver of any cart or vehicle shall violate the provisions of this section, or either of them, such cartman, or owner of such cart or vehicle, shall forfeit and pay a penalty of five dollars for each offence.

§ 13. No person shall exercise the employment of a common porter, or porter for any public house, without having obtained a license therefor, as hereinbefore provided. Every porter licensed as above, shall wear in some conspicuous place, on his hat or cap, painted or printed, in a plain, legible manner, his name, the name of the public house for which he acts as porter, and the number of his license. Any person who shall violate the provisions of this section, shall forfeit and pay a penalty of five dollars for each offence.

§ 14. The following fees shall be allowed to public porters for services in this section specified.—For carrying any trunk, or box, or any single article of baggage or goods, from any place in said city, to any other place in said city, twelve and a half cents. For any additional trunk or box or other article of baggage or goods, six cents. If any porter shall demand or receive any greater compensation for the services herein specified, than is herein provided, he shall forfeit and pay a penalty of five dollars for each offence.

§ 15. The Mayor, before granting any license to any cartman, or public porter, by virtue of this ordinance, shall require that such cartman or public porter pay into the city treasury the sum as provided for in section first of this ordinance.

§ 16. Any license hereafter granted under this ordinance may at any time be revoked by the Mayor, such revocation to be reduced to writing and filed with the city clerk, and reported to the Common Council at its next meeting. After such revocation said license shall be of no further force and effect.

§ 17. Every cartman shall keep, and immediately produce when called for, a certified copy of section ten of this ordinance, under a penalty of two dollars for each offence.

§ 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 county jail or workhouse, for the period of ten days.

Passed, by the following vote:

Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Billinghurst—19.

A true copy from the minutes.

F. S. Rew, Clerk.

Ald. Jones moved the adoption of the following Ordinance:

AN ORDINANCE RELATING TO STREETS,

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

Sec. 1. No person shall place, or cause to be placed, any stones, bricks, boards, plank, timber, lumber, or other materials for building, in or upon any street, alley, or public square, within the city, without permission in writing from the Mayor, or City Superintendent, under a penalty

of five dollars for each offence, and the further penalty of five dollars for every twenty-four hours the same shall remain in any such street, alley or public square, without permission as aforesaid.

§ 2. The Mayor or the City Superintendent may grant any person permission to place and keep any building materials in any of the streets or alleys of the city; such permission, however, shall not be for a longer period than three months, nor authorize the obstruction of any part of the sidewalk, nor more than one-half of the carriage way of the street, opposite the lot or place where the building is proposed to be erected. Any such permission may be revoked by the Common Council at any time. Any person to whom permission is granted as aforesaid, shall cause all such building materials, and all the rubbish arising therefrom, to be removed from the street by the expiration of the time limited in such permission, under the penalty of five dollars for every twenty-four hours the same shall remain in such street after the expiration of the time aforesaid.

§ 4. No person shall suffer his or her carriage, wagon, cart or sleigh without horses or oxen, to remain or stand in any street, alley, or public square, in this city, for more than one hour at a time, under a penalty of one dollar for each offence.

§ 5. No person shall fasten any horse or other animal in any street, so that such horse or other animal, or the vehicle to which he is attached, or the harness, reins, or lines with which the horse or animal is fastened, shall obstruct the free passage of persons on any part of any sidewalk, under a penalty of two dollars for each offence.

§ 6. No person shall move any building, or frame of a building, into or upon any of the public streets or squares of the city, or cause the same to be done, or otherwise obstruct any part of such street, without written permission from the Mayor or Street Superintendent, under a penalty of five dollars for each offence.

§ 7. No person shall place, or cause to be placed, or keep, or suffer to remain, any log, timber, box, cask, stone, planks, boards, or other articles, in any street or alley, so as to incommode or obstruct the free passage or use thereof; nor shall any person place any cask, box, plank, board, or other articles on any sidewalk within the city, or any goods, wares, merchandise, or other articles, in front of any store, shop or other building, further than two feet into the street, under a penalty of five dollars for each offence; but nothing contained in this section shall prohibit merchants and others from placing goods and merchandise, household furniture and other commodities on the sidewalk, for the purpose of loading and unloading the same, providing the same be removed without any unreasonable delay, and not to exceed six hours.

§ 8. No owner or occupant of any store or other building in Buffalo, State, Exchange, Front, Main, or St. Paul streets, or other persons, shall place or erect, or suffer to be placed or erected, any sign post, awning post, or fixtures of any kind in such street, or any sign, board, or more than two feet from such store or building into any such street, or over any sidewalk therein, under a penalty of ten dollars for each offence. Nothing contained in this section shall prohibit the erection of awnings of cloth upon iron frames in front of stores or shops on the streets herein mentioned; but all awning frames shall be of a uniform length and be constructed in a uniform manner. The frames shall be of iron or constructed and attached to the buildings as to be self-supporting, and shall extend from the building ten feet; no curtain or sign shall be attached to the sides of such awning, or suspended from such frames so as to extend in any manner across the sidewalk.

§ 9. No bow window or other windows, shall be constructed so as to extend into any street more than fourteen inches; and no porch, stoop or steps, cellar door, cellar way, or platform, in any of the streets in said city, shall extend into such street, including the sidewalk, more than three feet, without permission of the Common Council. Every cellar way leading into any cellar, from any street or sidewalk, shall have trap doors so constructed as to be on a level with the sidewalk, or the platform, if any, in front of the building under which such cellar is situated; and so as to be entirely secure for passengers in such streets, or such sidewalks or platform, to pass over the same with safety; or shall have a substantial railing on the side thereof at least two and a half feet high. Any person violating the provisions of this section, or either of them, shall forfeit and pay a penalty of three dollars for each offence.

§ 10. No person shall saw, cut or split any firewood upon any side or cross walk in the said city; nor shall the owner or occupant of any building cause or permit any firewood to be sawed, cut or split, or be placed or remain on any side or cross walk opposite to or adjoining his lot, nor shall he suffer the same to be placed or remain in the street opposite his lot further than five feet from the outer edge of the sidewalk, and then only for the purpose of being sawed or cut, and not to remain more than two days, under the penalty of five dollars for each offence.

§ 11. No person shall draw or propel any wheelbarrow, hand cart, sleigh, or other carriage or vehicle, or lead, ride or drive any horse, beast or burthen, or any cattle or swine, over or upon any sidewalk, except in passing into or from any lot, where payments shall be constructed for that purpose, under the penalty of five dollars for each offence.

§ 12. All ornamental shade trees hereafter to be set out in any street, shall be inside, and within one foot of the outer edge of the sidewalk in such street. Any person violating the provisions of this section, shall forfeit and pay a penalty of five dollars for each offence; and in case any person shall neglect or refuse to set out such trees, where otherwise placed, on being required so to do by the City Superintendent, it shall be lawful for such Superintendent to remove the same, at the expense of the owner of the lot in front of which such trees shall be placed, recoverable of such owner in the name of the city of Rochester, in an action, with cost.

§ 13. Every owner or occupant of any house or other building, and every owner of any vacant lot, shall, during the winter season, and during the time snow shall continue on the ground, keep the sidewalk in front of such house or other building, or vacant lot, free from snow, ice, and all dirt, filth, or other obstruction or incumbrance, under a penalty of three dollars for each offence.

§ 14. If any owner or occupant of any lot or house shall neglect or refuse to comply with any one or either of the requirements of the last two preceding sections, within twenty-four hours, it shall be the duty of the City Superintendent to cause the foregoing regulations to be enforced, under the provisions of section 227 of the Statute, entitled "An act to amend and consolidate the several acts relating to the city of Rochester," passed April 10, 1855.

§ 15. No person shall, with a cart, wagon or other carriage, pass over any pavement which has not been completed, or is not well settled, under the penalty of ten dollars for each offence; but no person shall be liable to such penalty, unless there shall be placed at the end of such pavement a fence or other obstruction, indicating that the same is not yet finished and ready for use.

§ 16. No person shall injure or tear up any pavement, side or cross walk, drain or sewer, or any part thereof, or dig any hole or drain in any street, or remove any earth or stone therefrom, without authority from the City Superintendent or the Common Council, or hinder or obstruct the making or repairing any pavement, side or cross walk, drain or sewer, which shall be constructed or repaired, in accordance with any law or resolution of the Common Council, or who shall hinder or obstruct the City Superintendent, or any person employed by him, in cleaning any street, or in constructing or repairing any street, or any public work or improvement directed by the Common Council, shall forfeit and pay a penalty of twenty-five dollars for each offence.

§ 17. No person shall cast or deposit any wood or stones, or other substance, into any of the drains or sewers within the city, or cause the same to be done, or cause any obstruction or injury in or to the same, under a penalty of ten dollars for each offence.

§ 18. No person shall cause or suffer his horse or oxen, wagon or other carriage, to stand on any cross walk within the city, or upon any of the streets of said city, under a penalty of five dollars for each offence.

§ 19. Every owner or occupant of any house or building, and every owner of any vacant lot upon Buffalo street from Main street bridge to the Erie canal, Market street from Front street to State street, Main street from Front street to East Avenue, T. Paul street from Andrews street to Gay street, City street from Andrews street to Monroe street, Fitzhugh street from Troy street to Ann street, Sophia street from Atkinson street to Ann street, Washington street from Spring street to Ann street, Frank street from Centre street to Platt street, Front street from Buffalo street to Mumford street, Mumford street from Andrews street bridge to State street, State street from Buffalo street to the Railroad, Exchange street from Erie canal bridge to Buffalo street, Mill street from Mumford street to Fish street, (except lots on which buildings are erecting, on in front of which materials for building are laid,) shall, between the hours of four and nine o'clock in the morning of Thursday or Friday in each week, between the first days of April and November in each year, cause the street or alley in front of any such house, building or vacant lot, to the middle thereof, to be scraped and swept, and the dirt and manure to be collected into heaps convenient for carting away; and where any such house, or building or lot shall be situated on the corner formed by the intersection of an alley with any such street, the owner or occupant of any such house or building, or the owner of any such vacant lot, shall, in like manner, scrape and sweep the street in front of any such alley one-half the width of such alley, and to the centre of such street. Previous to the scraping and sweeping of any such street, the owner or occupant, whose duty it shall be to scrape and sweep the same, shall cause the same to be well sprinkled with water, to prevent the dust from rising. Any person who shall violate the provisions of this section, shall forfeit and pay a penalty of three dollars for each offence.

§ 20. No person shall construct any drain or sewer from his cellar or lot to any common sewer, without permission in writing from the City Superintendent; and every such drain or sewer shall be constructed under the direction of the Committee on Streets, or City Superintendent, and in such a manner that the foul air cannot escape from the sewer into the building. Any person who shall construct any drain or sewer contrary to the provisions

ions of this section, shall forfeit and pay a penalty of five dollars; and the Common Council may also direct that such drain or sewer shall be destroyed, filled up, or altered, at the expense of the person who constructed the same.

§ 21. No person shall expose for sale any fruit, nuts, vegetables, or confectionaries, upon any sidewalk, or in any street of the city, without permission from the Common Council, under the penalty of three dollars for each offence. This section shall not apply to any farmer or other person, not being a resident of the city, selling fruit or vegetables in the carriage way of the street, nor to any person offering or selling nuts, fruit or confectionaries from a basket or other vessel, carried by him or her, of a size that will contain more than the half of one bushel, provided no street or sidewalk shall be obstructed thereby.

§ 22. No person shall offer or expose for sale on Exchange street bridge, or any sidewalk, or in the public streets, at any place within three rods of said bridge, any fruit, nuts, candy, or any other articles of merchandise, under a penalty of five dollars for each offence. But this section shall not prohibit the sale of fruit or other articles from wagons, within the limits aforesaid, nor the offering or exposing for sale by store-keepers, or grocers, or the keepers of fruit stores or shops, of the articles aforesaid in front of their stores or shops.

§ 23. No auctioneer shall, by himself or agent, sell or expose for sale, any real estate, or any articles of merchandise, upon any sidewalk, or in any street, alley, highway, or public place in the city, under the penalty of ten dollars for each offence, to be sued for and recovered of the seller or auctioneer, or his agent, severally and respectively; but this section shall not extend to the sale of household furniture, or of horses and carriages, in the carriage way of an street.

§ 24. It shall be the duty of the City Superintendent to cause all the requirements of the charter and ordinances in relation to repairs of streets, alleys, sidewalks, public squares and parks in the city and the removal of obstructions therefrom, to be enforced, and to report to the city attorney every infraction of the charter or of the ordinances of the common council in relation to streets and parks, and to the city clerk, in every month, a true account of the amount of labor bestowed by him, and by the persons employed by him, on oath, and the names of such persons, and an account of the money expended by him, and of the place and manner in which the same has been expended, and to whom paid.

The city superintendent of the city of Rochester shall not be directly or indirectly, or personally interested in any team or teams employed in the work of said city, nor in the wages earned by such team or teams, or by any laborer or laborers so employed, or in contracting for any materials furnished.

§ 26. No person shall throw or deposit straw, hay or grass, or feed any horse or other animal therewith, or otherwise, on any street in the city, under a penalty of three dollars for each offence.

§ 27. No person shall remove, displace, or destroy timbers or stones laid by the city superintendent, or by his direction, on any Macadamized street in the city, for the purpose of turning or directing the travel on any particular part of such street, under the penalty of five dollars.

Whenever any improvement shall be made in the city of Rochester, by which any embankment or filling up shall be made in any street or alley of the depth of one and a half feet, and over that, then, and in that case, all owners and occupants of lots and houses on each side of such street or alley, opposite and adjoining to such embankment or filling up, shall cause a sufficient stone wall to be erected on the line of said lots, of the length of the sidewalks adjacent thereto, or shall cause their said lots to be filled up with earth, stone or sand, to the level of said sidewalks, and such filling up shall extend back on the upper surface thereof at least one and a half feet from the line of said lots, with a suitable slope; such filling up shall be made, or such stone wall shall be erected under the direction of the city superintendent.

§ 29. In case the owner or occupant of such lot or house shall refuse or neglect to comply with the requirements of the last section, within twenty days after being thereunto required by the city superintendent, it shall be the duty of said superintendent, to cause this regulation to be enforced under the provisions of section 327 of the statute referred to in section fifteen of this ordinance.

§ 30. If the owner or occupant of such lot or house, or hereafter be erected within the city of Rochester, and which shall extend into, or in any manner encroach upon or obstruct, any highway, street, alley, or public square, shall not remove the same from off the said highway, street, alley, or public square, within forty days after being required so to do by a written notice from the city superintendent, to which notice shall specify the location and extent of said encroachment, said owner shall be subject to a penalty of five dollars for every day thereafter, until said building shall be removed from off such highway, street, alley or public square.

§ 31. In case of the recovery of any penalty for the violation of the last foregoing section, if the person against whom such recovery shall have been had, shall not, with-

in twenty days thereafter, remove the said building from off the said highway, street, alley, or public square, so encroached upon, the said superintendent may remove the same, under the direction of the common council, at the expense of the said owner, who shall be liable to pay the same, with interest at the rate of ten per cent per annum, as provided by section 227 of the statute referred to in section fifteen of this ordinance.

§ 32. The owner or occupant of every house or lot within the city, shall keep the pavement, or sidewalk in front of such house or lot, and also the pavement in front of such house or lot, to the centre of the street free from grass, weeds, or rubbish, and keep such pavement, and sidewalk in repair, and also repair all lateral sewers, to such house or lot, under a penalty of fifty dollars for each offence.

§ 33. The notice required by section 228 of the city charter, as amended April 7th, 1856, shall be given by the city superintendent or the chairman of the street committee of the common council, and shall be a written notice of not less than twenty-four hours, nor more than three days, to be served either personally on the owner of the premises adjoining the sidewalk or pavement, or left at his residence or with some person on the premises adjoining the sidewalk or pavement, or posted on such premises.

Upon a failure to comply with said section, in pursuance of such notice, the superintendent of streets shall cause the necessary repairs to be made, and shall remove and clear away all ice, snow, or other obstructions from the sidewalk, as the case may be, at the expense of the city, not exceeding fifty dollars on any lot or piece of land in any year, and the amount of such expense shall be reported to the city clerk, to be added to the general tax on such land, in pursuance of said section 228 of the city charter.

Such expense, when paid by the city treasurer, shall be charged to account of special taxes, and each charge shall contain a brief designation of the lot in relation to which the expense was made, and the street and ward wherein the lot is situated; and immediately after the resolution of the common council levying the annual city taxes shall be passed in each year, it shall be the duty of the city treasurer to deliver to the city clerk a certified transcript of such accounts of special taxes.

§ 34. All platforms shall be constructed on a level with the sidewalks, and at the same inclination, except where the superintendent shall otherwise direct; and every cellar constructed or used for storing, shall have good and substantial cellar doors or gratings, even with the platform, and those used or constructed for melting stores and clear, and that require open steps, shall be properly and securely railed in, so as to secure the safety of passengers at all times. None of the above mentioned erections or constructions shall be made without the written consent and direction of the Mayor, or the superintendent, specifying the location, form, dimensions and materials of such erection or construction. Any person violating any provision of this section shall be liable to a fine of five dollars for each offence, and one dollar for each day that the owner or occupant of the premises on which any such construction or erection may be made, shall neglect or refuse to comply with the said provisions or requirements, after notice from the said superintendent.

§ 35. No person shall play at any game of ball, or any sport with a ball, by throwing, bounding and catching or knocking the same, in any street or alley, or upon any sidewalk within the lamp and watch district, or upon any improved squares or parks, or upon or within the square upon which the court house stands, under the penalty of two dollars for each offence.

§ 36. No person shall cart, carry or transport sand, gravel, dirt, or any other loose material, across, or over any paved, Macadamized, or graveled street within the city of Rochester, in any cart, wagon or other vehicle, in such a manner that any portion of such sand, dirt, rubbish, or other loose material, shall be scattered or thrown therefrom upon any such street, under the penalty of five dollars for each offence.

§ 37. No person shall remove, or do any damage or injury to any ornamental shade trees, planted or growing in any street, square, or park, in the city of Rochester, nor shall any person tie or fasten any horse, mare, gelding, or other animal, to or near to, or permit his horse, mare, gelding or other animal, to be tied or fastened to or near to any such tree or trees, or to any lamp post, under a penalty of five dollars for each offence.

§ 38. No person shall remove the covering from any reservoir within the city, except for the purpose of procuring water therefrom, in case of fire, under a penalty of twenty-five dollars for each offence.

§ 39. If any owner or occupant of any building or tenement within the said city shall omit, for the space of ten days and he shall have been required so to do by the city superintendent to cause the building or tenement owned or occupied by him to be numbered or re-numbered, every such owner or occupant shall forfeit and pay a penalty of one dollar for every day thereafter until the said building or tenement shall be numbered or re-numbered as aforesaid.

§ 40. No owner, tenant, or occupant of any house or lot

shall construct or cause to be constructed, continue, or suffer to remain, any gate, so that the said gate shall extend or swing outward from his said house or lot, over or upon any sidewalk, in such a manner as to obstruct the free use or passage thereof, under a penalty of five dollars.

§ 41. Every execution issued upon a judgment recovered for a violation of any of the provisions 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 workhouse for the period of thirty days.

Passed by the following vote:
Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billinghamst—20.

A true copy from the minutes. Fr. S. REW, City Clerk.

Ald. Jones moved the adoption of the following Ordinance:

AN ORDINANCE RELATING TO HACKNEY COACHES AND CARRIAGES.

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

§ 1. The Mayor of the city of Rochester, or other officer exercising the duties of Mayor, for the time being, may from time to time issue license to any person or persons to keep hackney coaches, cabs and carriages for hire in the said city.

§ 2. No person shall be licensed as aforesaid, who has not been a resident of the city for twelve months last preceding the date of such license, and is not of the age of twenty-one years and upwards.

§ 3. All licenses to the owners of hackney coaches, cabs and carriages shall expire on the first day of July next after the date thereof.

§ 4. Every person who may be licensed as aforesaid, shall pay to the City Treasurer, for the use of the city, for each hackney coach, cab or carriage, which such person shall keep for hire, the sum of five dollars.

§ 5. No person shall keep or drive any hackney coach or carriage for hire in the city of Rochester, without first being licensed as aforesaid, under a penalty of five dollars for each offence.

§ 6. Hackney coaches, cabs or carriages, may stand waiting for employment at all times, Sundays excepted, on the south side of Buffalo street from Fitzhugh street to Montgomery alley, and from Fitzhugh street to Findall alley, with the horses' heads towards the east, or at any other place or places as the Mayor or City Superintendent, under the direction of the Common Council, may designate, and not elsewhere, under the penalty of five dollars for each offence, to be sued for and recovered from the owner or driver thereof, severally and respectively. No hackney coach, cab or carriage, while upon, at, or near said stand, shall stand abreast or along side of any other coach, cab or carriage, under the penalty of five dollars for each offence, to be sued for and recovered from the owner and driver thereof, severally and respectively. And no such hackney coach, cab or carriage, or other vehicle for the carriage of passengers, or cart, shall at any time stand upon the ground between the railroad tracks and the Central Railroad, in said city of Rochester, under the penalty of ten dollars for each offence, to be sued for and recovered from the owner or driver thereof, severally and respectively.

§ 7. The driver of every hackney coach, cab or carriage, whilst the same is on the stand, shall be seated on the box of his coach or carriage, or shall stand at his horses' heads, and shall keep his coach, cab or carriage as near as may be, to the carriage, cab or coach immediately before him, under a penalty of three dollars for each offence, to be sued for and recovered from such driver, or the owner of the hackney coach, cab or carriage which he may drive, severally and respectively.

§ 8. The prices or rates of fare to be taken or paid to the owners or drivers of hackney coaches, cabs or carriages, shall be as follows, to wit:

1. For conveying a passenger from the stand to any point within the following district, two shillings, and the same for returning with a passenger, and one shilling for each additional passenger going or returning, which charge shall include a detention of not more than fifteen minutes; said district is bounded, to-wit: commencing at a point where Jay street continued easterly would strike the Genesee river; thence along Jay street to Magnie or Whitney street; thence along said street to Brown street; thence along the west side of the canal to Canal street; thence along Canal street to Buffalo street; thence down Buffalo street to Townbridge street; thence south along Townbridge street on a continuing line to Adams street; thence through Adams street to the Genesee river; thence across said river to the bridge over the canal in South St. Paul street; thence in a straight line to William street; thence through William street to Scio street; thence through Scio street to Henrietta street; thence through Henrietta street to Awwater street; thence through Awwater street to the Genesee river; and the same fee for driving to and from the Orphan Asylum.

2. For conveying a passenger from the stand, or any other point within said city, to any part of the city not included in the foregoing limits, and not exceeding one mile and a half in distance, thirty-seven and a half cents; for conveying two or more passengers, twenty-five cents for each passenger, and the same for returning with a passenger or passengers, which charges shall include for a detention of not more than fifteen minutes.

3. For conveying a passenger from the stand, or any other point within said city, to any part of the city, one mile and a half miles, and not exceeding two and a half miles in distance, fifty cents, and the same for returning, for conveying two or more passengers within said district, thirty-seven and a half cents each, and the same for returning; which charges shall include for a detention of not more than twenty minutes.

4. For conveying passengers from place to place where more than two stoppages of ten minutes each shall be made, and the time of such conveyance and stoppage shall exceed half an hour, the price shall be estimated by the hour and quarter parts thereof, at the rate of seventy-five cents for the first hour, and fifty cents for each succeeding hour.

5. For children between two and ten years of age, half price only is to be charged, and for children under two years of age, no charge is to be made.

6. For attending a funeral with passengers, including charges for necessary detention and returning with passengers, two dollars.

7. For actually attending, pursuant to directions, for the purposes of any passenger or passengers, the same compensation as if one passenger had been conveyed from the stand to the place of such attendance.

8. For conveying one or more passengers from any point within the following described territory, bounded as follows:

Commencing on Buffalo street at the intersection of Madison street; thence northerly on Madison street to East Maple street, including one tier of lots on the west side of Madison street; thence westerly on East Maple street to Brown street; thence across Brown street till it intersects a line running south from Grape street; thence northerly along the centre of Grape street to Magnie street; thence north in a straight line to Lyell street; thence easterly on Lyell street to Schuyler street; thence northerly on Schuyler street, including one tier of lots on the west side of Schuyler street, to Ambrose street; thence easterly on Ambrose street to the west bank of the Genesee river; thence southerly along the west bank of the Genesee river to a point in range with the south line of the "Gorham tract," thence east across the Genesee river and along said south line to North St. Paul street; thence across St. Paul street to Ward street; thence easterly on Ward street to North Clinton street, including one tier of lots on the north side of Ward street; thence southerly along the centre of Clinton street to Awwater street, including one tier of lots on the east side of Clinton street; thence easterly along Awwater street to North Street, including one tier of lots on the north side of Awwater street; thence easterly to Tappan street; thence easterly along Tappan street to Scio street; thence southerly along Scio street to Riley street; thence easterly along Riley street to Union street; thence southerly along Union street to Court street; thence westerly along Court street to Canham street; thence easterly on Canham street to Lyell street; thence westerly along Lyell street to Monroe street; thence westerly along Howell street to South St. Paul street; thence southerly along South St. Paul street to Mount Hope Avenue, including one tier of lots on the east side of said St. Paul street; thence southerly along Mount Hope Avenue to Clarissa street, including one tier of lots on the east side of Mount Hope Avenue; thence westerly along Clarissa street to the east bank of the Genesee Valley canal; thence northerly along the east bank of the canal to Adams street; thence westerly along Adams street to Reynolds street, including one tier of lots on the south side of Adams street; thence northerly along Reynolds street, and including one tier of lots on the west side of Reynolds street, to the place of beginning; to Mount Hope fifty cents, and the same for returning with one or more passengers, which charge shall include the conveyance of such passenger or passengers through the avenues and grounds of Mount Hope for thirty minutes; and for any additional detention, at the rate of fifty cents for every thirty minutes.

9. No owner or driver of any hackney coach, cab or carriage in the city of Rochester, shall ask, demand or receive any larger sum than he or they may be entitled to receive as aforesaid, under the penalty of five dollars for every such offence, to be sued for and recovered from the owner or owners, or the driver of any such coaches, cabs or carriages, severally and respectively. And no such owner or driver shall demand or receive from any such person or passenger an extra compensation, or any sum whatever, for carrying or transporting with such person or passenger in or upon any such hackney coach, cab or carriage, any ordinary luggage belonging to any such person or passenger, to or from any of the points or distances above named.

10. The number of the license of every hackney coach, cab or carriage, shall be painted in legible characters on the outside thereof, or on the lamps, and a printed copy of

section eight of this ordinance shall be posted up in some conspicuous place in the inside of such coach, cab or carriage, under a penalty of five dollars for each offence, to be sued for and recovered from the owner or driver of such hackney coach, cab or carriage severally and respectively.

§ 11. If the owner of any hackney coach, cab or carriage, who may have received a license, shall sell or dispose of such coach before the expiration of such license, such licensed owner shall, within ten days after such sale, report the same to the Mayor, who shall be authorized to transfer such license to the purchaser of such hackney coach, cab or carriage, on the payment of the Mayor's fee; and every owner of a hackney coach who shall neglect or fail to report such sale to the Mayor within the time aforesaid, shall forfeit and pay the sum of five dollars.

§ 12. No owner or driver of any hackney coach, cab or carriage, while on the stand heretofore designated, or whilst waiting for employment at any place other than the house or stable of the owner thereof, between the hours of sunrise and nine o'clock in the evening, shall refuse or neglect to convey any person or persons to any place or places within the city, upon being applied to for that purpose, and upon being tendered the fare for the same, under a penalty of five dollars for every such refusal or neglect, to be sued for and recovered of the owner or driver of any such hackney coach, cab or carriage, severally and respectively.

§ 13. Any license hereafter granted under this ordinance may at any time be revoked by the Mayor—such revocation to be reduced to writing and filed with the City Clerk and reported to the Common Council at its next meeting; after such revocation said license shall be of no further force and effect.

§ 14. It shall be the duty of the City Superintendent, as often as once every month, to visit the public stand, and all places where hackney coaches, cabs and carriages are permitted to stand, and to see that all the provisions of this ordinance are in every respect complied with.

§ 15. Every execution issued upon a judgment recovered for a violation of any of the provisions 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 county jail or workhouse for a period of fifteen days.

Passed by the following vote:

Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billingshurst—20.

A true copy from the minutes.

FR. S. REW, City Clerk.

Ald. Jones moved the adoption of the following Ordinance:

AN ORDINANCE RELATING TO RAILROADS.

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

§ 1. No Railroad company or any other person shall direct, cause or suffer any engine, railroad car, or trains of cars, to be driven, drawn or propelled upon any railway in said city, west of North street, and east of Brown street, on the road leading to Batavia, and east of Jay street, on the road leading to Niagara Falls, at any greater rate of speed than eight miles per hour, under a penalty of fifty dollars for each offence.

§ 2. No whistle connected with any railway engine shall be sounded or used within the city limits, except as a signal to apply the brakes in cases of immediate and impending danger, under a penalty of fifty dollars for each offence.

§ 3. No railway company, or any persons in their employ, shall use or occupy any portion of any street, lane, alley or square, within said city, for the purpose of making up a train of cars, or switching off or switching on any car or cars, under a penalty of fifty dollars for each offence.

§ 4. No railway company, or any person in their employ, shall use any portion of any street, lane, alley or square, for the purpose, or during the process of loading, or unloading any car, under a penalty of fifty dollars for each offence.

§ 5. No railway company, or any person in its employ, shall leave or station any car used for the transportation of horses, cattle or other animals, within the limits of said city, or direct, cause or suffer the same to be done, unless such car shall be thoroughly cleansed, under a penalty of fifty dollars.

§ 6. Every ordinance of this Board in conflict with this ordinance, is hereby repealed.

Passed by the following vote:

Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billingshurst—20.

A true copy from the minutes.

FR. S. REW, City Clerk.

Ald. Jones moved the adoption of the following Ordinance:

AN ORDINANCE RELATING TO MARKETS.

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

§ 1. No person other than lessees of stalls in Centre Market on Front street, and such other persons as may from time to time be authorized by the common council to sell meat, &c., from out-stalls, shall sell any fresh meat in any quantity less than the quarter, within the city, (venison, wild game, poultry, excepted); and also excepting offals of hogs, consisting of fat, ears, snouts, and spare ribs, sold by persons being packers of pork, under a penalty of ten dollars for each offence.

§ 2. No butcher, or other person, except as hereinafter provided, shall, by himself, his agent or servant, sell or expose for sale in the city, any lamb, mutton, veal, beef, or other meats, (venison, pork in the hog, wild game, poultry, dried, smoked, and other cured meats and meat in the quarter excepted), at any other place than the market-house, or at such other place as the common council shall designate; and any person who shall violate the prohibitions in this section, shall forfeit and pay a penalty of ten dollars for each offence; provided that no person shall in offering meat for sale, stand with his team or carriage in which such meat shall be contained, at any one place in any of the streets of said city for a longer period than thirty minutes.

§ 3. Every license granted under this ordinance shall expire on the first day of July next after the license shall be granted.

§ 4. No meat shall be exposed or offered for sale in or at any market-house or out-stall after one o'clock in the afternoon of any day except Saturday, during the months of June, July, August and September, under a penalty of ten dollars for each offence.

§ 5. Every tenant of a stall in any market, and every person licensed to sell fresh meat as aforesaid, shall furnish his stall every day (except Sundays) with a plentiful supply of good and wholesome meat; and in case any person shall neglect so to do, he shall forfeit and pay a penalty of ten dollars for the first offence, and for every subsequent offence twenty-five dollars.

§ 6. No butcher shall cut or expose in market any meat but at his own stall or standing, under the penalty of three dollars for the first offence, and for every subsequent offence five dollars.

§ 7. No person shall sell or expose for sale in the market-house or elsewhere in the city of Rochester, any unwholesome, stale, emaciated, blown, stuffed, tainted, putrid or measly meat, poultry or other provisions, nor any live or slaughtered calf or calves, nor the veal or flesh of any calf or calves unless such calf or calves, if alive, shall be at least four weeks old, or if slaughtered, shall have been at least four weeks old before having been so slaughtered, under the penalty of fifty dollars for each offence; and the meat, poultry, veal and other provisions so exposed for sale, and herein prohibited, may by the clerk of the Market be seized and destroyed; and it shall be the duty of such clerk of the Market so to seize and destroy the same, and to report the name of any person violating the provisions of this section for prosecution.

§ 8. All meats sold at the market, except lambs, pigs, shanks, heads and plucks, shall be previously weighed by weights previously and within three months sealed by the city sealer, under the penalty of five dollars for each offence.

§ 9. Every butcher shall keep the inside of his locker, and the table of his stall or standing, and the place where his meats may lie, clean and free from filth and dirt, and shall also keep clean the floor of his stall and in the market-house the hall opposite thereto, under the penalty of five dollars for each offence.

§ 10. Every butcher, victualler, or fish monger, in Centre Market, shall keep his cellar, and that portion of the hall opposite thereto, and the bins which are or may hereafter be provided for the reception and keeping of small live stock in the market, in a neat and sweet state, under a penalty of five dollars; and the clerk of the Market shall have access at all times to said cellar, or to any of them, under the penalty of five dollars to be paid by any butcher, victualler, fishmonger, or other person who shall refuse such access.

§ 11. No butcher or other person shall wantonly or wilfully cast or throw any meat, bones, pluck, garbage, fish, fruit or vegetables, or other thing in either of the markets in said city, or in the river, or grounds adjoining the market, or make or assist in making any noise, disturbance or improper diversion in either of the markets in said city, under the penalty of five dollars for each offence.

§ 12. No butcher or other person shall, for a longer space of time than ten minutes, expose or suffer or cause to be exposed or remain in any street, or upon any sidewalk, road or alley, or in front of any market in the city of Rochester, any lamb, sheep, calf, or any other animal, without its limbs being tied or fastened together, so as to prevent its standing erect; nor with its limbs so tied or fastened for a longer space of time than thirty minutes, under a penalty of five dollars for each offence.

§ 13. No person who shall lease any vegetable stall or stand in or adjoining the market house, shall sell the same

to any person without the permission of the clerk of the Market, nor without such permission suffer or permit any other person to use, occupy, or enjoy such vegetable stall or stand, for any purpose whatever, under a penalty of five dollars for each offence.

§ 14. No person having cattle, meat, vegetables, or other articles for sale, shall be permitted to stand or remain in any part of Front or Market street, or River alley, or in any place contiguous to the market; except such as has been duly licensed for that purpose by the common council, with or without any cart, wagon, or basket, for any longer period than fifteen minutes, under the penalty of five dollars for each offence.

But nothing herein contained shall prohibit any person not having a stall resorting to the market-house with garden vegetables for sale, from placing or keeping his wagon or cart on the westerly side of the centre of Front street, and on the northerly side of the centre of Market street in such a position as shall be required by the clerk of the Market.

§ 15. No person shall build, make or use, or cause or permit to be built, made or used, any private slaughter house, or private stall, within said city, without permission from the common council, under a penalty of fifty dollars for each offence.

§ 16. No person shall break, cut down, or take away, or wantonly injure any stall, standing on any part of any market, under a penalty of fifty dollars for each offence.

§ 17. There shall be appointed annually, by the common council, a suitable person as clerk of the Market, who shall, before entering upon the duties of his office, execute a bond, with one good and sufficient surety, in the penal sum of one thousand dollars, to be approved by the Mayor, signified by his endorsement thereon, and payable to the city of Rochester, conditioned for the faithful performance of his duties.

§ 18. He shall be provided with a market bell, and cause the same to be rung five minutes previously to the closing of said market, and every butcher or other person attending such market with articles for sale, who shall remain within the market after the ringing of the bell, after the bell shall have been rung as aforesaid, for the purpose of selling or exposing for sale any article or thing, shall forfeit and pay five dollars for each offence.

§ 19. The clerk of the Market shall have the general charge and superintendence of Centre Market, and it shall be his duty to collect, receive and pay over to the treasurer all moneys payable by law for the use or rent of the vegetable stalls in or adjoining the market, and to keep an account of the same, which shall be kept open to the inspection of any member of the common council, and to report the first Tuesday in each month to the common council the amount of money received and paid by him to the treasurer during such time; and also regularly to attend at the market to the performance of his duties every morning from at least one hour before sunrise till the time of closing the market in the afternoon, except on Saturdays, when he shall attend from one hour before sunrise till twelve o'clock at noon, and from two o'clock till the time of closing the same in the afternoon. He shall also have power, and it shall be his duty to keep the market house and grounds in good repair, clean and free, and to keep the streets adjacent to it clean and free from all obstructions, and to give the necessary directions to the butchers for that purpose. It shall also be the duty of the clerk of the Market to report to the common council from time to time any violation of the regulations and ordinances relating to the market, and the selling of meat and vegetables.

§ 20. Copies of this ordinance shall, as often as requisite, be fastened up in conspicuous places in and about the Centre Market; and any person who shall intentionally deface, destroy, or take down any of the said copies, shall forfeit and pay a penalty of ten dollars.

§ 21. The Mayor, upon the recommendation of the market committee, may lease from time to time, on such terms as they shall think proper, for the sale of fish and vegetables, such portions of the market as are not already leased, and the vacant ground adjacent.

§ 22. The chairman of the market committee shall, at the first meeting of the common council in January, April, July, and October, render to the common council a report of the number of outstanding leases and licenses for the sale of meat, the persons to whom granted, or then holding the same, the amount of rent raised therein, and due thereon, the amount reserved during the previous quarter, and also the like account in relation to vegetable and fish stalls.

§ 23. The stands for the sale of hay, straw and wood shall be designated and appointed by the Mayor and the committee on streets. Such designation and appointment shall be made by a notice to be published in one of the newspapers of said city for three successive days. No person shall stand or wait with any wagon, sled, or other vehicle loaded with hay, straw or wood, at any other place in said city than the stands so designated, under a penalty of five dollars for each offence.

The city superintendent shall have the regulation and control of such stands, and all persons having charge of teams thereon shall place the same in such position as he shall direct, under a penalty of three dollars for each offence.

§ 24. No person shall sell or expose for sale any fresh meat at any place within the limits of said city, except at the Centre Market and the several outstalls where the same is authorized to be sold, under a penalty of ten dollars for each offence; provided, however, that nothing herein contained shall impair the right of any farmer to sell meat by the quarter, of such stock as he may have raised on his own farm.

Passed by the following vote:
Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billingshurst—21.

A true copy from the minutes.
Fr. S. REW, City Clerk.

Ald. Jones moved the adoption of the following Ordinance:

AN ORDINANCE RELATING TO THE ERECTION AND REMOVAL OF BUILDINGS.

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

§ 1. No building shall hereafter be erected, nor shall any addition be made to any building already erected, within the following limits:—Commencing on Buffalo street at the intersection of Madison street, thence northerly on Madison street to East Maple street, including one tier of lots on the west side of Madison street; thence westerly on East Maple street to Brown street; thence across Brown street till it intersects a line running south from Grape street; thence northerly along the centre of Grape street to Magne street; thence north in a straight line to Lyell street; thence easterly on Lyell street to Schuyler street; thence northerly on Schuyler street, including one tier of lots on the west side of Schuyler street to Ambrose street; thence easterly on Ambrose street to the west bank of the Genesee river; thence southerly along the west bank of the Genesee river to a point in range with the south line of the "Gorham tract," thence east across the Genesee river and along said south line to St. Paul street; thence across St. Paul street to Ward street; thence easterly on Ward street to North Clinton street, including one tier of lots on the north side of Ward street; thence southerly along the centre of Clinton street to Atwater street, including one tier of lots on the east side of Clinton street; thence easterly along Atwater street to North street, including one tier of lots on the north side of Atwater street; thence easterly to Tappan street; thence easterly along Tappan street to Scio street; thence southerly along Scio street to Riley street; thence easterly on Riley street to Union street; thence southerly along Union street to Court street; thence westerly along Court street to Manhattan street; thence southerly along Manhattan street to Monroe street; thence westerly along Howell street to South St. Paul street; thence southerly on South St. Paul street to Mount Hope Avenue, including one tier of lots on the east side of said St. Paul street; thence southerly along Mount Hope Avenue to Clarissa street, including one tier of lots on the east side of Mount Hope Avenue; thence westerly along Clarissa street to the east bank of the Genesee river, including one tier of lots on the east bank of the canal to Adams street; thence westerly along Adams street to Reynolds street, including one tier of lots on the south side of Adams street; thence northerly along Reynolds street, and including one tier of lots on the west side of Reynolds street to the place of beginning, without the permission of the common council, unless the outside wall thereof shall be constructed of brick or stone or some metallic or incombustible material, except such portions thereof as are usually constructed of wood in brick and stone buildings.

§ 2. No building to be erected within the limits described in the preceding section, shall be built with cornices of wood, unless by special permission of the common council.

§ 3. Every building or part of a building made, constructed or placed within the limits or territory described in the first section of this ordinance, shall be built of iron, or stone, or brick, and when such building or part of a building is built of stone or brick, and is more than one and a half stories in height, the outer walls of all but the upper stories shall be at least twelve inches in thickness; and when more than three stories in height, the outer walls of all but the upper stories shall be at least sixteen inches in thickness; and every building between the basement and third story thereof, which is to be divided into two or more stories, or tenements, or dwellings, fronting on a street or alley, shall be so divided by stone or brick partition walls, running from the front of such building to the rear, at least one foot in thickness, and extending from the bottom of the cellar or basement upward to the roof of such building. And the ends of any and all joists resting in, on or upon any wall or partition, shall be at least four inches apart in each direction; and any space or places intervening between the ends of such joist shall be filled with brick and mortar, and the wall of all chimneys in any building shall be at least four inches in thickness, and the sides of such chimney upon the inside thereof shall be properly plastered. And if any building, or part or portion of any building, not made and constructed according to the provisions of the aforesaid section, shall b

erected or placed within the prescribed fire-limits in section one, the owner or owners, builder or builders thereof, person or persons directing the same, shall severally forfeit the penalty of one hundred dollars for each and every violation of the aforesaid section; and also a further penalty of twenty-five dollars for each and every week such building or part of building shall so remain within the limits named in section one aforesaid.

§ 4. Every building of two stories or more in height, shall have a scuttle in the roof, and a suitable stairway or ladder leading to the same, so as to afford convenient access to the roof thereof; and any person neglecting to comply with the requisition of this section, shall forfeit and pay a penalty of twenty-five dollars.

§ 5. The owner of every building upon which a new roof shall hereafter be constructed within the limits described in section first of this ordinance, shall cause the roof thereof to be covered with tile, slate, or metal, or have the shingles thereof laid in lime mortar at least one half an inch in thickness.

§ 6. No person or persons shall use or erect any building for the purpose of drying lumber by fire heat, within the city of Rochester.

§ 7. The owner or occupant of any blacksmith shop, or other shop in which charcoal is used in mechanical operations, shall cause to be fixed on the chimney of such shop, a cap-piece, or screw, made of wire or sheet iron, so as to prevent the sparks from escaping, under a penalty of ten dollars.

§ 8. No person shall hereafter erect, within the city of Rochester, any chimney upon a wooden foundation, unless the bottom thereof is two feet in thickness of brick, we laid in lime mortar, under a penalty of three dollars.

§ 9. Every chimney which shall hereafter be erected within the limits described in section first of this ordinance, shall be plastered on the inside; the aperture or top of such chimney shall be at least three feet above the highest part of the roof from which it issues; and every person violating the provisions of this section shall forfeit and pay a penalty of twenty-five dollars.

§ 10. Every applicant for the erection or removal of any wooden building within the limits described in section first of this ordinance, is required to give a reasonable notice of his intended application, and the time of such application, to every owner or occupant of houses and lots within the distance of two hundred feet from the place where the building is to be erected, or to which it is to be removed; and shall furnish to the common council satisfactory proof of the service of such notice.

§ 11. Every applicant for the removal of any wooden building shall be required to set forth in his petition the street or streets through which he designs to pass said buildings; and such applicant shall present to the common council with said petition the written consent of two-thirds of the owners or occupants of buildings on each side and every street through which said applicant designs to pass said building, as set forth in the petition asking the privilege of such removal.

§ 12. All stoves erected or used in said city shall be placed at a distance of at least one foot from any wall, composed in whole or in part of wood, and shall stand upon a foundation of metal, brick or stone, subject to the direction and approval of the chief engineer; the pipe to all stoves shall be conducted into a chimney horizontally and not otherwise, and at a distance of at least two feet from any floor or roof; and when such pipe shall pass through any wooden partition, floor or roof, and when such pipe shall pass through any wooden partition, floor, or wooden wall, the same shall be well protected by a double or double tin, or guard of stone or earthenware, between which and such pipe shall be a space of at least one-half inch; every person violating any provision of this section, shall forfeit and pay the sum of two dollars for each offence.

§ 13. Any person or corporation who shall violate any of the provisions of sections 1, 2, 3, 5, 6, 10, and 12, of this ordinance, shall be liable to the penalties provided by section 230 of the Statute, entitled an act to amend and consolidate the several acts, relating to the city of Rochester, passed April 10, 1850.

§ 14. Every execution issued upon a judgment recovered for the violation of any of the provisions 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 county jail or workhouse for the period of twenty days.

Passed by the following vote:
Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billingshurst—20.

A true copy from the minutes.

FR. S. REW, City Clerk.

Ald. Jones moved the adoption of the following Ordinance:

AN ORDINANCE RELATING TO THE CUMBERING OF MILL STREET.

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

§ 1. No carriage, hackney coach or omnibus shall stand in Mill street, in the city of Rochester, between the north

line of Mumford street and the south line of Centre street, for the purpose of waiting the arrival of trains upon the New York Central Railroad, or to procure passengers from such trains, under the penalty of ten dollars for each violation of this ordinance, to be sued for and collected of the owner or driver of such carriage, coach or omnibus.

Passed by the following vote:
Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billingshurst—20.

A true copy from the minutes.

FR. S. REW, City Clerk.

Ald. Jones moved the adoption of the following Ordinance:

AN ORDINANCE PRESCRIBING THE BONDS AND SURETIES TO BE GIVEN BY THE CONSTABLES OF THE CITY OF ROCHESTER.

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

§ 1. Every person elected or appointed Constable, before any warrant for the collection of taxes or assessments is issued to him by the Treasurer of the city of Rochester, shall execute for the city of Rochester, and file with the Mayor, a bond, with two or more sureties, who shall be freeholders of the county of Monroe, approved by the Mayor, in such penalty as he shall direct, conditioned for the faithful execution of his duties as a collector of taxes and assessments, and that he will pay over the same, according to law.

§ 2. Before any warrant for the collection of taxes issued by the Treasurer of the county of Monroe, shall be delivered to any Constable of the city of Rochester, such Constable shall execute an additional bond to the Treasurer of the county, with two or more sureties, who shall be freeholders of the county of Monroe, and approved by such Treasurer, in a penalty of double the amount directed by such warrant, conditioned that he shall faithfully collect such taxes and pay over the same, according to law; which bond shall be filed with the Treasurer of the county, in his office.

Passed by the following vote:
Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billingshurst—20.

A true copy from the minutes.

FR. S. REW, City Clerk.

Ald. Jones moved the adoption of the following Ordinance:

AN ORDINANCE RELATING TO POUNDS.

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

§ 1. The City Superintendent shall provide two safe, secure and convenient places or yards, within the limits of this city, one upon each side of the Genesee river, which shall be the public Pounds, and shall be under the care of the Health Inspectors.

§ 2. Any animal prohibited from running at large in the public streets of said city, which shall be found so running at large, may, by any officer of the city, or any Health officer, be removed to and confined in the said Pounds.

§ 3. The person having charge of such Pound, shall cause notice to be given in the official paper of said city, for the space of five days, requiring the owner of such animal so confined, to pay the penalty incurred by reason of such animal so running at large, and the costs and expenses of securing and keeping said animals, within the period aforesaid; or that, in default thereof, such animals will be sold at public auction, at a time and place therein to be appointed, for the purpose of paying such penalty and expenses.

§ 4. The person having charge of such pound, shall, on the day and at the place appointed in such notice, sell the said animals at public auction, and after deducting the expenses of securing such animals, and of the said sale, and the penalties incurred, pay the avails of such sale to the owner of said animals, if claimed within thirty days; and in case the claim is not made in such time, then said Pound Master shall pay the same to the City Treasurer.

Passed by the following vote:
Ald. Holmes, Reynolds, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Selye, Lutes, Jones, Shelton, Bauer, Billingshurst—16.

Nays—Ald. Stone, Mason—2.

A true copy from the minutes.

FR. S. REW, City Clerk.

Ald. Jones moved the adoption of the following Ordinance:

AN ORDINANCE RELATING TO THE POLICE JUSTICE.

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

§ 1. The Police Justice of the city shall keep his office in the room now known as the police office, in the north part of the Centre Market.

§ 2. The Police Justice shall receive an annual salary of sixteen hundred dollars, to be paid quarterly in January, April, July and October of each year.

§ 3. Every suit prosecuted by any officer appointed by the Common Council, to recover for the violation of any of the ordinances of this city, or under the Statutes, concerning the internal police of this State, shall be prosecuted before the Police Justice, unless the Mayor, or in case of his absence or inability, the City Attorney shall direct such suit to be prosecuted before any other justice of the peace residing in the city of Rochester, or other court of competent authority.

Ald. Reynolds moved to strike out all relating to salary. Lost, as follows:

Ayes—Ald. Reynolds, Hebard, D. W. Perry, Nash, Erickson, Moore, Knapp, Billingshurst—8.

Nays—Ald. Holmes, Butler, Hollister, Lewis, Bradstreet, Stone, Lutes, Jones, Shelton, Bauer, Mason—11.

The ordinance was then adopted, by the following vote: Ayes—Ald. Holmes, Butler, Hollister, Lewis, Bradstreet, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Mason, Billingshurst—16.

Nays—Ald. Reynolds, Hebard, D. W. Perry, Bauer—4. A true copy from the minutes.

FR. S. REW, City Clerk.

Ald. Jones moved the adoption of the following Ordinance:

AN ORDINANCE RELATING TO UNDERTAKERS.

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

§ 1. The Mayor may, from time to time, license so many persons as he may deem proper, to exercise the vocation of Undertakers, upon the payment into the city treasury of the sum of ten dollars by each and every person asking a license for that purpose, and the execution of a bond, with one or more sureties, to be approved by the Mayor, in the penal sum of \$250, conditioned for the faithful performance of all the duties of an undertaker, and the payment of all damages to which he may become liable as such undertaker.

§ 2. Every license granted in pursuance of this ordinance, shall expire on the first day of July in each year hereafter.

§ 3. No person except such as are duly licensed therefore, as above herein provided, shall act as an undertaker within the city of Rochester, under a penalty of fifty dollars for each and every violation of this section.

§ 4. Upon the recovery of a judgment for the penalty provided by the 3d section of this ordinance, an execution shall issue to commit the defendant to the county jail of the county of Monroe for the period of thirty days, in default of property wherewith to satisfy such execution.

Passed by the following vote: Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Knapp, Stone, Jones, Shelton, Billingshurst—15.

A true copy from the minutes.

FR. S. REW, City Clerk.

Ald. Jones moved the adoption of the following Ordinance:

AN ORDINANCE RELATING TO PAWN BROKERS.

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

§ 1. The Mayor may, from time to time, license so many persons as he may deem proper, to exercise the vocation of Pawnbroker, upon the payment into the city treasury of the sum of twenty dollars, by each and every person asking license for that purpose, and the execution of a bond with one or more sureties, to be approved by the Mayor, in the penal sum of five hundred dollars, conditioned for the faithful performance of the duties of a pawnbroker, as prescribed by statute, and the payment of all damages to which he shall become liable to any person, as such pawnbroker.

§ 2. Every license granted in pursuance of this ordinance, shall designate the building in which the person thus licensed shall thereby be authorized to act as a pawnbroker, and shall expire on the first day of July next thereafter, unless sooner revoked by the Mayor.

§ 3. No person, except such as are duly licensed therefore, as above herein provided, shall act as a pawnbroker within the city of Rochester, under a penalty of fifty dollars for each and every violation of this section.

§ 4. Upon the recovery of a judgment for the penalty provided by the third section of this ordinance, an execution shall issue to commit the defendant to the county jail of the county of Monroe for the period of thirty days, in default of property wherewith to satisfy such execution.

Passed by the following vote: Ayes—Ald. Holmes, Reynolds, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billingshurst—18.

A true copy from the minutes.

FR. S. REW, City Clerk.

Ald. Jones moved the adoption of the following Ordinance:

AN ORDINANCE RELATING TO CLARISSA STREET, COURT STREET AND ANDREWS STREET BRIDGES.

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

§ 1. No person shall ride, drive or lead any animal or animals, or any carriage or carriages, or vehicle of any kind, upon or over the bridge in Clarissa street, the bridge in Court street, or the bridge in Andrews street, over the Genesee river in this city, faster than a walk, under a penalty of five dollars for each offence.

§ 2. One-half of all penalties recovered and collected for the violation of this ordinance, shall be paid to the informant in each case.

§ 3. Upon every recovery of any penalty or forfeiture for a violation of this ordinance an execution shall be issued directing the amount to be collected by levy and sale of the property of the defendant, if any such can be found, and if not, then to commit the defendant to the county jail for the period of five days.

Ald. Bradstreet moved to strike out all relating to Court street and Andrews street bridges. Carried, as follows:

Ayes—Ald. Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Bauer, Mason—15.

Nays—Ald. Holmes, Lutes, Jones, Shelton, Billingshurst—5.

Ordinance adopted as follows:

Ayes—Ald. Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Jones, Shelton, Bauer, Mason—17.

Nays—Ald. Holmes, Lutes, Billingshurst—3.

A true copy from the minutes.

FR. S. REW, City Clerk.

Ald. Jones moved the adoption of the following Ordinance:

AN ORDINANCE TO REGULATE AND PRESCRIBE THE BREADTH OF TIRES UPON THE WHEELS OF WAGONS, CARTS AND OTHER VEHICLES.

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

§ 1. No person shall use, cause, or suffer to be used, any wagon, cart, or other vehicle of heavy draught, upon any paved, Macadamized or improved streets or highways in said city, for the purpose of drawing bricks, sand, stones, wheat, flour, logs, lumber, iron or other materials, unless the tires upon the wheels of such wagon, cart or other vehicle be at least four inches in width, under a penalty of twenty-five dollars for each offence. But this ordinance shall not apply to vehicles used by farmers coming into the city with produce or fuel, nor to one-horse wagons or vehicles used generally for the purpose of common portage, or the purpose of conveying persons or passengers.

§ 2. Every execution issued upon a judgment recovered for a violation of any of the provisions 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 county jail for a period of thirty days.

Passed by the following vote:

Ayes—Ald. Holmes, Reynolds, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Billingshurst—17.

Nays—None—1.

A true copy from the minutes.

FR. S. REW, City Clerk.

Ald. Jones moved the adoption of the following Ordinance:

AN ORDINANCE RELATING TO THE POLICE.

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

§ 1. The City Police shall consist of one Chief of Police and so many Policemen as the common council shall from time to time determine.

§ 2. Every policeman shall, immediately after his appointment, take and subscribe an oath to the effect following: "I do solemnly swear (or affirm) that I will, well and faithfully discharge the duties of a Policeman of the city of Rochester according to the best of my ability;" which oath or affirmation shall be in writing and subscribed by the party making the same and filed with the city clerk.

§ 3. The Police shall perform such duty as the common council shall from time to time prescribe.

§ 4. It shall be the duty of the Chief of Police to report to the Mayor any misconduct, refusal to serve or neglect of duty of the Policemen or either of them; to make and return, each and every month, to the clerk of the city, a list of the names of the Policemen and the amount of service they have severally rendered since the last report; to report to the Mayor the names of all persons within the city who shall keep disorderly or gaming houses, and every infraction of the by-laws or ordinances of the city, or the laws of the State, which he shall discover or have information of. The several Policemen shall without delay, report to the Chief of Police the existence of any disorderly or gaming house, or the violation of any of the by-laws or ordinances of the city or of the laws of the State, within the city, which shall come to their knowledge.

§ 5. The Policemen shall have the power, and they are hereby required, to arrest all persons engaged in the commission of any crime or misdemeanor, or any breach of the peace, all vagrants, common prostitutes, drunkards and other disorderly persons found within the city, and

detain such persons in the station house, or some other secure place until duly discharged.

§ 6. No Policeman shall absent himself from duty during the hours prescribed for duty, or serve by substitute, without permission in writing from the Mayor, under a penalty of ten dollars.

§ 7. All persons apprehended by the Police shall be kept in some safe and comfortable place, and the sexes shall be kept apart.

§ 8. The Policemen shall, while on duty, wear such insignia as shall be provided for them by the common council.

§ 9. The Chief of Police and Policemen shall, for the purpose of preserving the peace and good government of the city, obey all orders given for that purpose by the Mayor, Police Justice or any Alderman of the said city, on pain of removal from office.

§ 10. The Chief of Police and the Policemen in the discharge of the duties imposed upon them by this ordinance shall be subject to the direction of the Mayor, and to such rules and regulations as the common council may from time to time prescribe.

§ 11. The city is hereby divided into police districts, as follows:

District No. 1 shall include the following portion of said city beginning at the intersection of Allen street with the Erie canal; thence along Allen street to State street; thence along State street to Centre street; thence along Centre street to the Genesee river; thence along the river to Andrews street bridge, and Andrews street to North Clinton street; thence along North and South Clinton streets to Court street; thence along Court street to Exchange street; thence along Exchange street to Tronp street; thence along Tronp street to High street; thence along High street to Buffalo street; thence along the eastern bank of the Erie canal to Allen street.

District No. 2 shall include all of the Third Ward not included in District No. 1.

District No. 3 shall include all of the Eighth Ward which lies south of Buffalo street.

District No. 4 shall be bounded on the west and north by the city limits, on the east by the Erie canal, and south by Buffalo street.

District No. 5 shall be bounded on the north by the city limits, on the east by the Genesee river, on the south by District No. 1, and on the west by the Erie canal.

District No. 6 shall include all of the Fifth and Sixth Wards not included in District No. 1.

District No. 7 shall include all that portion of the city east of Clinton street and District No. 6, and north of a line drawn from Clinton street through Court street and East Avenue to the city line.

District No. 8 shall include that portion of the city lying east of the Genesee river and south of Districts No. 1 and 7.

§ 12. One night Policeman shall be assigned to each of the said Districts except No. 1, and the residue of the Policemen shall be assigned to District No. 1.

Passed by the following vote:

Ayes—Ald. Holmes, Reynolds, Lewis, Hebard, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Jones, Shelton, Bauer, Mason, Billingham—16.

A true copy from the minutes.

Fr. S. REW, City Clerk.

Ald. Jones moved the adoption of the following Ordinance:

AN ORDINANCE RELATING TO THE ERIE CANAL FEEDER, THE BASINS ADJOINING THE SAME, AND THE GENESSEE RIVER.

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

§ 1. It shall be unlawful for the owner or owners of any saw log or logs, or timber or lumber of any kind, or for the agent or agents of any such owner or owners as aforesaid, to hereafter deposit or cause to be deposited (except as hereinafter provided), any saw log or logs, or any timber or lumber of any kind in the Erie Canal Feeder, or any private or public basin adjoining the same in the Seventh Ward of the city of Rochester.

§ 2. The owner or owners of any saw log or logs, or any timber or lumber of any kind, or the agent or agents of such owner or owners as aforesaid, who has any saw log or logs, or any timber or lumber of any kind now deposited in said Canal Feeder, or private or public basin adjoining thereto, in the Seventh Ward of this city, shall remove the same therefrom within six days after the passage of this ordinance.

§ 3. The owner or owners of any private basin situated on or adjoining the Erie Canal or Canal Feeder, in the Seventh Ward of the city of Rochester, who shall either by themselves or agents directly or indirectly permit any saw logs, timber or lumber of any kind to be hereafter deposited in his or their said basin, or suffer any such logs or lumber as aforesaid now deposited in said basin to remain therein for a longer space than six days after the passage of this ordinance, shall forfeit and pay a penalty of fifty dollars for each offence.

§ 4. Nothing contained in either section of this ordinance shall prevent any owner or owners of any saw logs, timber or lumber, or their agent or agents, from floating the same from the Erie Canal into said Canal Feeder, or

public or private basin adjoining the same for the purpose of the immediate removal of the same therefrom to his or their premises. But in no case shall the logs, timber or lumber of any kind, by this section permitted to be floated into said Feeder or basins by any one, owner or agent, as aforesaid, exceed twenty-five pieces in number; all of which said pieces shall be removed therefrom within six days after they shall have been deposited therein as aforesaid. And no other logs, piece or pieces of timber, or lumber of any kind, shall be permitted to be floated into said Feeder, basin or basins, until every log or piece of timber or lumber previously floated therein, by said owner or his agent, shall have been removed therefrom—so that in no case shall the number of logs remaining in said Feeder or basin or basins, and belonging to any one person as aforesaid, exceed twenty-five pieces in number.

§ 5. No person or persons, either by themselves or agent, shall hereafter deposit any stone, brick, dirt or rubbish of any kind in the Genesee River, within the limits of this city, without previously having obtained the written consent thereto of the Chairman of the Street Committee of the common council of the said city of Rochester.

§ 6. Every person who shall be guilty of violating either one or two, or three or four of the provisions of any provision therein contained, upon conviction thereof shall forfeit and pay a penalty of one hundred dollars for each offence. And upon conviction for a violation of any of the provisions of this ordinance, an execution shall be issued directing 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 county workhouse for the period of thirty days.

Passed by the following vote:

Ayes—Ald. Holmes, Reynolds, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Jones, Shelton, Bauer, Mason, Billingham—17.

A true copy from the minutes.

Fr. S. REW, City Clerk.

Ald. Jones moved the adoption of the following Ordinance:

AN ORDINANCE RELATING TO THE DUTIES OF CERTAIN OFFICERS MENTIONED THEREIN.

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

THE CITY CLERK.

§ 1. It shall be the duty of the City Clerk to attend all the meetings of the common council, and enter in a book provided for that purpose by them, accurately and correctly, all the proceedings of said common council, plainly and fairly written out at full length.

§ 2. To preserve and safely keep and methodically arrange all such books, vouchers, memorandums and papers, the property of the common council or city, or relating to their affairs, which shall come into his hands or possession, as the Clerk of the common council.

§ 3. To keep the common seal of the corporation and cause it to be affixed to all instruments in writing or otherwise, made or executed by order of the common council, or pursuant to the charter of the city or any law of the State.

§ 4. On the day succeeding the final passage of any ordinance or resolution, directing the payment of any sum of money out of the treasury, to deliver to the city Treasurer a certified copy of the same, and also, all references made to the said Treasurer by the common council, and statements of all subjects connected with the treasury department.

§ 5. To deliver without delay to all other officers of the corporation, or in the employ or under the direction of the common council, and to all committees of the Board of Aldermen, all such resolutions and communications as may be referred to them respectively by such Board.

§ 6. To record in a book provided for that purpose, all penal ordinances, passed by the common council, written out in full, with the time of the passage and first publication of each respective ordinance noted, and to certify the same.

§ 7. To keep a correct and accurate register of all lots sold on Mount Hope, in a book provided for that purpose; and to make out and countersign all deeds for lots, on the presentation of the Comptroller's receipt, which shall be his voucher for the same.

§ 8. To keep in a book provided for that purpose, a correct and accurate register of the names of members of the fire department, and he shall enter opposite each respective name, the time of such person's election, resignation or discharge, and to deliver to each fireman his certificate of election, resignation or discharge, as the common council from time shall direct.

§ 9. To draft all resolutions and ordinances for local improvements, when directed by the street committee or common council, and see that the notices of the same are duly published according to law.

§ 10. Immediately after any meeting of the common council, to prepare and abstract of the proceedings of such meeting, and cause the same, certified by him, to be published in the papers of the city selected for the purpose, and to perform any other duties prescribed for him in any Statute and not herein referred to.

§ 11. It shall be the duty of the city Clerk, whenever any unpaid judgments shall have been reported, by virtue of this ordinance to enter an account of the same in a proper book to be kept by him for that purpose, and when such judgment shall have been paid in whole or in part, or the same shall have been released, discharged, satisfied, or otherwise altered in its condition, the said account of said judgment shall be accordingly altered or explained by entry made opposite thereto or appended thereto.

THE OVERSEER OF THE POOR.

§ 1. The Overseer of the Poor shall procure a printed order or check book similar to the order or check book of the city Clerk, in which he shall enter and keep in the margin thereof, copies of all orders or checks drawn by him upon the treasurer, or any other person, and shall specify in said margin on what account and for what purpose each and every order or check may be drawn, the name of the person or persons in whose favor such order or check may be made, the amount to be paid on such order or check the date on which it was issued, and shall take a receipt from such person or persons for the same.

§ 2. The Overseer of the Poor shall also require of every person or persons of whom he shall purchase property of any kind as Overseer, a regular bill or invoice of the property or articles so purchased by him, which bill or invoice shall be certified by him to be correct and shall be audited by the common council before the Treasurer shall pay the same.

§ 3. The Overseer of the Poor may make orders or checks as herein provided, upon the Treasurer, for the payment of all sums expended by him for the support or relief of the poor whenever the same shall have been approved by the common council.

§ 4. He shall keep a separate account of all provisions or other articles which shall be furnished, and of all money or time expended for the paupers which are chargeable to the county of Monroe.

§ 5. The Overseer, before entering upon the duties of his office, shall give security by a bond, executed to the city of Rochester, in such penalty as shall be prescribed by the common council, with two sufficient sureties to be approved by the Mayor, conditioned for the faithful discharge of his duties, and to account for all moneys which may be received by him, and to pay over to the Treasurer of this Board at the expiration of his office, all such sums so received by him as shall remain in his hands.

§ 6. The Overseer shall be paid an annual salary in full compensation for all services rendered by him as such Overseer for the city.

§ 7. The Overseer of the Poor of the city of Rochester, shall, at the first regular meeting of the common council of said city, held on or next after the first day of each and every month, make a just and full report, verified by his affidavit, of the amount of all moneys, which he shall have received in his official capacity, from any source whatever, and the manner in which the same or any part thereof shall have been expended; together with all unpaid judgments or claims, existing in his favor, which shall have been obtained or procured by him in his official capacity; also the number of suits which he shall have commenced as such Overseer of the Poor, including proceedings in cases of bastardy; the names of the parties thereto, and the manner in which the same have been disposed of; and if any such suit or proceedings shall have been compromised or security taken therein, then he shall report the terms of such compromise and the extent and value of such security, so far as the same is practicable, under a penalty of fifty dollars for each violation of this section.

Passed by the following vote:

Ayes—Ald. Holmes, Reynolds, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billinghurst, —18.

A true copy from the minutes.

Fr. S. REW, City Clerk.

RELATING TO THE BURIAL OF THE DEAD AND MT. HOPE CEMETERY.

Ald. Jones moved the adoption of an ordinance relating to the Burial of the Dead, and the Protection of Mt. Hope Cemetery.

Ald. Nash moved that this ordinance be re-enacted for two weeks only; and that in the meantime, it be revised for final adoption. Carried.

Ald. Stone moved to strike out the penalty in section 20 of the ordinance relating to nuisances. Lost, as follows:

Ayes—Ald. Stone, Mason—2.

Nays—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Selye, Lutes, Jones, Shelton, Bauer, Billinghurst—18.

Ald. Mason moved to strike "one dollar," and insert "fifty cents." Lost.

FIRE DEPARTMENT.

Ald. Jones moved that the ordinance relating to Fires and the Fire Department, passed July 15, 1856, be continued in force, without amendment, for two weeks from the time of its expiry. Carried.

Also, that the following ordinances be re-enacted, without amendment:

Relating to hackney coaches and carriages; do the erection and removal of wood buildings; do streets; do railroads; do markets; relating to the Police Justice; do undertakers; do pounds; do Erie canal and feeder; do police; do certain city officers; do pawn brokers; to regulate wagon tires; relating to Clarissa street bridge; to prevent the cumbering of Mill street; to regulate weights and measures. Carried.

Ald. Reynolds moved that the Committee on Ordinances and rules be directed to prepare and introduce an ordinance prescribing the duties of the City Surveyor. Carried.

UNFINISHED BUSINESS.

Ald. Selye called up the resolution offered by Ald. Hollister at the previous meeting, repealing the ordinance regulating the breadth of tires of wagon wheels.

Ald. Hollister moved that it be laid on the table for two weeks. Lost, as follows:

Ayes—Ald. Hollister, Lewis, Hebard, Erickson, Knapp, Stone, Jones, Shelton, Mason—9.

Noes—Ald. Holmes, Butler, Reynolds, Bradstreet, D. W. Perry, Moore, Selye, Lutes, Bauer, Billinghurst—10.

Ald. Lewis moved to postpone for one week.—Carried—ayes 9, noes 8.

MISCELLANEOUS BUSINESS.

By Ald. Mason—Resolved, That the Market Committee be requested to bring in an ordinance to regulate the manner in which live stock shall be exposed for sale in our public streets, providing that all persons offering such animals as calves, sheep, lambs or poultry, shall confine them in a rack or cage suitable for such animals. Adopted.

By Ald. Mason—Resolved, That the Clerk or the Market be directed to prosecute all butchers, peddlers or farmers who shall violate section 12 of the ordinance regulating markets, and shall keep such animals bound longer than the time required by such ordinance. Adopted.

By Ald. Mason—Resolved, That the Street Superintendent be and is hereby directed by this Board to expend the sum of five hundred dollars in repairing Buffalo st. from Washington st. to State st. Referred to the Street Com.

By Ald. Mason—Resolved, That Thomas East have a market license to sell fresh meat on the north-east corner of Monroe and Chestnut sts., by paying the City Treasurer seventy-five dollars in quarterly payments.

Ald. Hebard moved to lay on the table for one week. Lost—Ayes 6; noes 12.

The resolution was adopted. Ayes 12; noes 6.

By Ald. Mason—Resolved, That the cellar under Centre Market occupied by Edward Forde, be closed, and not occupied until by further action of this Board, the same being complained of as a nuisance; and that the Treasurer be authorized to refund pro rata any moneys that the said Forde may have paid in advance for rent of said cellar.—Adopted.

Ald. Jones moved to reconsider the vote on the above resolution. Lost.

By Ald. Mason—Resolved, That a license be granted to Messrs. Woodhouse & Lloyd, at the rate of seventy-five dollars per annum, to sell fresh meat at a stall on the corner of Plymouth Avenue and Tremont sts. Adopted.

By Ald. Shelton—Resolved, That the Treasurer pay Mortimer F. Reynolds nine hundred and 50-100 dollars, for Tile for the Atwater street sewer, as per order of R. R. Harris. and charge the same to Atwater street sewer, when there is money in the treasury applicable to that purpose; also, that the Treasurer pay said M. F. Reynolds three hundred and twenty 20-100 dollars for Tile on Frank st., as per order of Stroup & McConnell, Jun., when there are funds in the treasury applicable to that purpose. Adopted—ayes 18.

By Ald. Shelton—Resolved, That the Treasurer pay E. Watson five hundred dollars, on his contract for the construction of a sewer in New Main street, in accordance with the certificate of the City Surveyor, when there is money in the treasury applicable to that purpose. Adopted—ayes 18.

By Ald. Shelton—Resolved, That the Treasurer pay Daniel McGarry five hundred dollars, on his contract for the construction of a sewer in State street, in accordance with the certificate of the City Surveyor, when there is money in the treasury applicable to that purpose. Adopted—ayes 18.

By Ald. Shelton—Resolved, That the Treasurer be authorized to receive from parties taxed for New Main street sewer 90 per cent. of the assessment, until further orders. Adopted.

By Ald. Shelton—Resolved, That the Treasurer be authorized to receive from parties taxed for Asylum street sewer 90 per cent. of the assessment, until further orders. Adopted.

By Ald. Shelton—Resolved, That A. Cram have permission to make a sewer in Allen street, from his house to Broad street sewer; the same to be done under the direction of the City Superintendent. Adopted.

By Ald. Shelton—Resolved, That Moses Chapin, Edward Dawson, John Connolly and their associates, inhabitants of the west end of Tremont street, be permitted to construct a tile sewer, under the direction of the City Superintendent, along the center of Tremont street, from a point against the lot on which School House No. 3 stands, or such other point as may be preferred, easterly to the sewer on Plymouth Avenue; and that side sewers may be connected therewith, also, under the direction of the City Superintendent. Adopted.

By Ald. Knapp—Resolved, That the Treasurer pay Peter Springsted one hundred and thirty-seven and 34-100 dollars, and charge Litchfield street improvement fund. Adopted—ayes 18.

By Ald. Stone—Resolved, That the Treasurer pay J. B. Bennett fifty dollars on account of rent for Poor Master's office; and Jonathan H. Child twenty-five dollars, one month's salary clerk; and charge the same to poor fund. Referred to Finance Committee.

By Ald. Stone—Resolved, That the Mayor be authorized to contract with Elihu B. Collins, to deliver in the wood yard on Ford street and the Erie canal, five hundred cords of beech wood, as described in the contract herewith presented, the price per cord to be as proposed, \$3 40-100 per cord; and with J. W. Phillips for fifty-two cords of soft wood, at \$2 50-100 per cord, delivered in the yard aforesaid. Laid on the table for one week.

By Ald. D. W. Perry—Resolved, That the alley leading from Atwater street to Himmel street, on the north side of Atwater street of the width of twelve feet, situate between North Clinton street and

Joiner street, laid out as such alley by Sylvester Brown over twenty years ago, while he was the owner of the land contained in said alley, be and the same is hereby declared to be a public avenue; and the Street Superintendent is hereby directed to remove all obstructions which are now in or across said alley, and to keep the same so removed therefrom. Adopted.

By Ald. D. W. Perry—Resolved, That the Lamp Committee be instructed to erect four gas lamps, on Greig street. Adopted.

By Ald. Bradstreet—That the Grievance Committee be discharged from the consideration of the petitions of Edward McDonough and Thomas Garrety, for relief, and that the same be referred to the Fire Department Committee. Agreed to.

By Ald. Bradstreet—Whereas, State street is nearly obstructed in consequence of the construction of a sewer therein, and will be further obstructed by other contemplated improvements.—Therefore:

Resolved, That the Committee on Hackney Coaches and Cabs are hereby directed to locate the cartmen on some other street; also to remove the Cartmen's stands from the vicinity of the corner of Buffalo, State and Exchange streets. Adopted.

By Ald. Lewis—Resolved, That Messrs. Whitby & Co. have leave to exhibit their Metropolitan Railroad Circus on the 19th and 20th inst., in this city, by paying into the Treasury the sum of fifty dollars, and that the said monies be placed to the credit of the contingent fund.

Ald. Holmes moved that the money be credited to the police fund. Lost—ayes 5, noes 11.

The resolution was adopted.

By Ald. Lewis—Resolved, That Wellington Meech be granted a theatre license for one year, by his paying into the City Treasury the sum of thirty dollars; and that the said monies be credited to the contingent fund.

Ald. Butler moved to strike out "thirty," and insert "twenty-five."

Ald. Lewis accepted the amendment.

Ald. Bradstreet moved to insert "seventy-five." Lost: ayes 2—Ald. Hebard and Bradstreet; nays 13.

Ald. Jones moved to insert "ten."

Ald. Holmes moved to insert "thirty." Carried.

The resolution was adopted.

By Ald. Lewis—Resolved, That the following named firemen, having served the full term of years required by law, be and they hereby are discharged from such service as exempt firemen, and the City Clerk is hereby directed to issue the necessary certificates:

Charles Helms, now of No. 4 Engine Co.

Henry McMahon, now of No. 1 Engine Co.

Frederick Whittlesey, now of No. 6 Engine Co.

Alexander Stockwell, late of No. 5 Engine Co.

William G. Stewart, now of No. 2 H. & L. Co.

Thomas Hawks, formerly Asst. Engineer, &c.

Adopted.

By Ald. Hollister—Resolved, That W. H. Jennings and John Steel have leave to erect Wood Buildings, according to the several prayers of their petitions, under the direction of the Chief Engineer. Adopted.

By Ald. Hollister—Resolved, That the petition of John Schafter, to erect wood building corner of Court and South St. Paul streets, be and the same is hereby denied. Adopted.

By Ald. Butler—Resolved, That His Honor the Mayor be instructed to enter into contract with

Harlow H. Mordoff for the grading of Jones Square, he being the lowest bidder for the same. Adopted.

By Ald. Butler—Resolved, That His Honor the Mayor be instructed to enter into contract with J. B. & G. W. Aldridge for the building of a fence around Jones Square, they being the lowest bidders for the same. Adopted.

By Ald. Holmes—Resolved, That the name of Ann street be, and the same is hereby changed, to Allen street. Adopted.

By Ald. Bradstreet—Resolved, That no license be granted to any Theatre in this city, until the proprietors shall have paid their license into the City Treasury. Adopted.

The Board adjourned till Tuesday evening, July 19th. F. S. Rew, Clerk.

In Common Council, July 19, 1859.

ADJOURNED MEETING.

Present—The Mayor, Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason.

Absent—Ald. Mudgett, G. W. Perry, Twitchell, D. W. Perry, Billingham, Cushing.

The minutes of the previous meeting were approved.

PETITIONS AND CLAIMS.

By Ald. Hollister—Petition of a majority of taxpayers, for the improvement of Edinburg street, by grading, &c. Improvement Committee.

Of N. T. Rochester, for leave to erect a wood building corner of Sycamore and Chestnut streets; of James Flood, for leave to erect a wood addition, on Spencer street. Committee on Wood Buildings.

Of many citizens, for the REPEAL of the WIDE TIRE ORDINANCE. Table. The petition is as follows:

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

The undersigned, teamsters and others interested in teaming, citizens of Rochester, would respectfully represent to your Hon. Board, that they feel sorely aggrieved by the ordinance passed in March, 1857, by the then Common Council, requiring them to use broad tire on their vehicles when carrying certain loads; that such enactment operates unjustly and unequally; that it is particularly oppressive upon the poor man who has no other dependence than his team and wagon, which are good for use as they are, but lack the broad tire required by your ordinance, and which in these straitened times he is unable to supply. Some may say that broad tires are better, and they prefer them; let such use them, then, none will object, and it certainly will not require the enforcement of a penal ordinance to compel them to do so. But the thing is patent to any observer that such is not the case; they are horse-killers. To tax teamsters to uphold your streets, by requiring them, in the use of the broad tire, to haul 500 to 600 pounds extra, every time they move, loaded or unloaded, is unjust, because it is in effect taxing a class for the benefit of other classes of society. The streets are public property for the purposes intended, and all classes are taxed more or less for their maintenance; hence the injustice of such enactments. Some may say, that taxes for improving streets are local.

This to a certain extent is true, but not to the extent that many imagine, if traced in its different bearings of increased value to property and increased rents consequent thereto. Who, then, in effect, pays the taxes? he who owns and rides in his light carriage, or he who rents and uses the streets for teaming in his business? Besides, the tax being local, if you choose, does not make the street exclusive; it still is public, and to be used by the public for the purposes of transit.

We have presented a few reasons, others will readily occur to you, why said ordinance operates so unfairly and oppressively; and we therefore most respectfully ask your Hon. Body to repeal the same, and restore to us our just, and, we claim, our legal rights.

Rochester, July 7, 1859.

E. H. Hollister, Amos Bronson, Joseph Frost, O. P. Chamberlin, John T. Lacey, Wm. Hollister & Co., H. W. Jones, Geo. N. Deming, J. Cochrane, J. A. Quackenbush, D. R. Barton, and 100 others.

By Ald. Selye—Petition of V. Sanders and others, for the opening of Himmel street. Committee on Opening Streets.

By Ald. Reynolds—Bill of Peter Springstead for Oak street Plank walk; of W. S. Grantsynn, for Inspecting Smith street walk—Improvement Committee.

By Ald. Lewis—Bills of N. Aylsworth, repairs to Fire Engines; Chas. Gilbert, E. Wray, J. Howland, J. Holliday, A. Strong & Co., McKindley & Phelps, Geo. B. Harris, R. E. & J. H. Sherlock, for articles furnished Fire Department—Fire Department Committee.

Of M. F. Reynolds, for Glass for Street Lamps—Lamp Committee.

R. E. & J. H. Sherlock, several bills, for gas fittings—severally referred.

By Ald. Hebard—Bills of A. Strong & Co., for printing; D. D. S. Brown, for recording; R. Dinsmore, assessor; J. C. Moore, binding; F. S. Rew, disbursements; Perine & Stewart, hand cart for sealer—Contingent Expense Committee.

Of Matthew Miller, against opening Himmel alley. Table.

By Ald. Lutes—Bill of William Alling, for stationery; of John Bell, repairs at Police office. Police Committee.

By Ald. Shelton—Accounts of A. H. Waterman, for services at Fitzhugh street sewer; bill and estimate, of John Quin; do. David Wagner; do. Stroup & McConnell. Table.

By Ald. Jones—Of Thomas Regan, claim for damages for injury to his hack. Grievance Committee.

By Ald. Butler—Bill of E. Wray, for repairs in City Hall. Contingent Expense Committee.

Rochester Transportation Company, for water lime. Street Committee.

By Ald. Bradstreet—Claim of Geo. McDermot, for use of lot on North St. Paul street. Street Committee.

By Ald. Nash—Of P. O'Brien, for payment of damages to his property by firemen. Fire Department Committee.

REPORTS OF COMMITTEES.

By Ald. Lewis, from the Fire Department Committee, favorably on bills of J. McConnell, jr., A. G. Cooper and N. Aylesworth. Finance Com.

Also, to confirm proceedings of Fire Companies No. 2 and 5, and Hook and Ladder Nos. 1 and 2. Agreed to.

By Ald. Reynolds, from the Improvement Committee, favorably on bill of Peter Springstead.—Finance Committee.

By Ald. Hebard, from the Contingent Expense Committee, favorably on bills of Brewster & Fenn, D. D. S. Brown, and James Terry & Co. Finance Committee.

EAST LINE OF FRONT STREET.

By Ald. Nash, from the Law Committee, a written report, accompanied by an opinion, by Hon. Henry R. Selden, relating to the east line of Front street. The report concludes with a resolution fixing the East line of the street as at present existing. The report was adopted, and ordered to be published with the Clerk's minutes. [The report will be published hereafter.]

By Ald. Mason, from the Market Committee, adversely to the petition of Thomas McLaughlin, for a market license. Report accepted.

By Ald. Hollister, from Committee on Wood Buildings, favorably on the petitions of James Flood and N. T. Rochester, for leave to erect wood buildings

By Ald. Shelton, from the Select Committee, asking further time for the consideration of the communications relating to City Water Works; and moved that the Committee be increased by the addition of his Honor, the Mayor, as Chairman, and two members of the Board. Agreed to.

The Mayor appointed Aids, Erickson and Lutes, upon the Committee.

By Ald. Reynolds, the following:

FINANCE BUDGET.

By Ald. Reynolds—Resolved, That the Treasurer pay as follows:

Wm Kidd & Co, for lamp posts, &c.....	\$52 50
and charge Lamp Fund.	
John McDowell, transporting paupers and hauling wood	34 75
T Bellamy, merchandise.....	12 00
and charge Poor Fund.	
Gas Light Co, gas in Centre Market	5 70
James Terry & Co, filter in City Hall.....	12 00
D D S Brown, recording certificates of tax sales.....	15 30
Brewster & Fenn, furniture in Mayor's office.....	72 00
and charge contingent fund.	
A H Waterman, bill as Inspector of La Fayette and Fitzhugh-st sewer.....	36 00
and charge that fund when there are funds for that purpose.	
John Bell, for repairs on Police Office and Market.....	11 66
and charge \$9.91 to Police Fund, and \$1.75 to Contingent Fund.	
N Aylsworth, repairs to Fire Apparatus.....	80 62
A G Cooper, cleaning and filling reservoir.....	8 00
J McConnell, jr., building the drain at Hose Depot.....	19 39
and charge Fire Department fund.	
Adopted—Ayes—Ald. Butler, Reynolds, Hollister, Lewis, Hebard, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason—16.	
Noes—None	

REPORTS OF EXECUTIVE OFFICERS.

The Clerk read the following from the City Surveyor:

CITY SURVEYOR'S OFFICE, }
July 19, 1859. }

To the Honorable Common Council:

The undersigned reports as the estimated expense of extending Finney st. from Tappan to Kirk street:

Land and damages.....	\$7,000
Expenses.....	140
	\$7,140

Respectfully your ob't sev't

CHARLES R. BABBITT.

ASSESSMENTS.

Ald. Shelton presented for confirmation, the assessment roll for the sewer in Allen and Warehouse sts.

P. B. Wilder appealed from the assessment against him.

Ald. Reynolds moved that \$8 of the assessment against Mr. Wilder be stricken from the roll, and that that amount be assessed pro rata upon the other property assessed. Carried.

The said roll was then confirmed as amended, as follows:

Ayes—Ald. Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason—17. Nays—0.

Ald. Shelton presented for appeals and confirmation, the assessment roll for a sewer in Lyell st. from West st. to Moore st.

J. F. Bush was heard in appeal from the assessment against him.

Ald. Bauer moved that the roll be re-committed to the assessors for further amendment. Carried; ayes 11, nays 7, as follows:

Ayes—Ald. Holmes, Reynolds, Lewis, Hebard, Bradstreet, Nash, Erickson, Moore, Knapp, Selye, Bauer—11.

Nays — Ald. Butler, Hollister, Stone, Lutes, Jones, Shelton, Mason—7.

Ald. Shelton submitted for appeals and confirmation the assessment roll for a sewer in Hill st. No one appearing to make appeals, the same was confirmed, by the following vote:

Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Nash, Erickson, Moore, Knapp, Stone, Selye, Jones, Shelton, Bauer, Mason,—17.

Ald. Butler submitted the assessment roll for the improvement of Jones Square, and no one appealing therefrom, the same was confirmed, by the following vote:

Ayes—Ald. Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason —17.

Ald. Lewis presented the assessment roll for the laying of water-pipes in Exchange and State sts., and moved that appeals be heard thereon on the 9th of August next. Agreed to.

Ald. Selye presented the amended roll for widening Exchange Place, and moved that appeals be heard thereon on the 9th of August next. Carried.

ACTION UPON ORDINANCES.

SEWER IN LYELL STREET, FROM FRANK TO STATE STREET.

Ald. Shelton moved a reconsideration of the resolution awarding the contract for a sewer in Lyell st. from Frank to State st., to Buell and Purcell. Carried.

Ald. Erickson moved that all proceedings heretofore had in relation to the sewer in Lyell st. from Frank to State st. be rescinded. Carried.

SEWER IN LYELL STREET FROM FRANK STREET TO STATE STREET.

By Ald. Shelton—Resolved, That the City Surveyor ascertain and report to this Board, an estimate of the expense of constructing a dry wall sewer in Lyell street, from a point one hundred and seventy-five feet east of the east line of Frank street to the sewer in State street. Adopted.

The surveyor submitted such estimate.

By Ald. Shelton—Resolved, That the following improvement is expedient, namely: The construction of a stone sewer laid dry with mortared covers from a point 175 feet east of the east line of Frank street in Lyell street to the State street sewer, to be 18 inches by 2 feet in dimensions, and of such depth as the sewer committee may direct.

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 \$650, which estimate is hereby approved;

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

One tier of lots on each side of Lyell street from a point 175 feet east of Frank street to a point 100 feet west from the west line of State street.

And the clerk is hereby directed to publish notice in pursuance of section 190 of the city charter, that all per-

sons interested in the subject matter of said improvement are required to attend the common council on Tuesday evening, July the 26th, 1859, at half past seven o'clock, at the common council hall, when allegations will be heard : Adopted.

SEWER IN NORTH ST. PAUL STREET.

By Ald. Bradstreet—Resolved, That should the pending ordinance for a sewer in North St. Paul st. be adopted, it is the sense of this Board that the Assessors should assess the property lying on said St. Paul st., liable to an assessment by said ordinance, so that the whole expense to the property holders thereon, shall not exceed forty-five cents per lineal foot, on either side of said street. Adopted:

Ayes—Ald. Holmes, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Erickson, Moore, Knapp, Stone, Selye, Lutes, Shelton, Bauer, Mason—15.

Nays—Ald. Nash, Jones—2.

ORDINANCES POSTPONED.

Ald. Shelton moved that the consideration of the final ordinance for a sewer in North St. Paul street be postponed until the next meeting of this Board. Carried.

Ald. Selye moved that the consideration of the following ordinances be postponed one week:

For widening Pindall alley.

For improving State street, from Jay to Smith street.

For flag-walk in Canal street.

For improving North street.

For plank walk in Oak street.

For improving Hudson street.

For improving Lyell street.

Carried.

Ald. Selye moved that all action and proceedings heretofore had in relation to the improvement of New Main street, be and the same are hereby rescinded. Carried.

BRICK WALK IN SOUTH ST. PAUL STREET.

On motion of Ald. Hebard, 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. Hebard submitted the following:

AN ORDINANCE to construct a brick side walk in South St. Paul street.
The common council of the city of Rochester do ordain and determine as follows :

A brick walk shall be made on the east side of South St. Paul street in front of the following lots, viz : Lots numbers 35 and 36 in the Wadsworth tract, and lots numbers 8, 15, 18, and the south part of lot number 10 in section N, and lots numbers 17, 18, and lots numbers 1, 2, 3 and 4 in the subdivision of lot number 13 in section K, in Johnson and Seymour's tract, and a suitable number of cross-walks shall be constructed within the above mentioned points.

And the whole expense thereof shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefitted 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 Fifty-four dollars, which estimate was and is hereby approved. The sum of Five Hundred and Fifty-four 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 benefitted by said improvement is described as follows :

Lots numbers 35 and 36 in the Wadsworth tract, lots numbers 8, 15, 18 and the south part (49 feet) of lot number 10 in section N, lots numbers 17 and 18, and lots numbers 1, 2, 3 and 4 in the subdivision of lot number 13 in section K, in the Johnson and Seymour tract.

On which above described portion of the city, the said sum of five hundred and fifty-four dollars is hereby ordered to be assessed.

And David McKay, Francis Dana and Jared Coleman, the Assessors of said city, not interested in any of the property so benefitted, 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 Friday, the 22d day of July, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:

Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason—15.
Noes—None.

IMPROVING NEW MAIN STREET.

By Ald. Selye—Resolved, That the city Surveyor ascertain and report to this Board the expense of improving New Main street from its western termination to the east line of Gibbs street, by setting a curb of Medina stone, 25 feet from the lines of the street, paving between with Medina stone, and constructing a side walk upon each side of the street of flagging four feet wide, with a suitable width of gravel. Adopted.

The surveyor submitted such estimate.

By Ald. Selye—Resolved, That the following improvement is expedient, namely:

The improvement of New Main street from its western termination to the west line of Gibbs street, by setting a curb of Medina stone 25 feet from the lines of the street, and paving between the same with Medina stone, also constructing a side walk upon each side of the street, of flagging four feet wide, with a suitable width of gravel.

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 \$5,902, which estimate is hereby approved.

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

One tier of lots and all the land on each side of New Main street from its western termination to the east line of Gibbs street.

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 the clerk is hereby directed to publish notice in pursuance of section 190 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 26th, 1859, at half past seven o'clock, at common council hall, when allegations will be heard. Adopted unanimously.

IMPROVEMENT OF ALLEN STREET.

By Ald. Selye—Resolved, That the city Surveyor ascertain and report to this Board an estimate of the expense of improving Allen street from the east line of Washington street to the Erie canal, by setting a curb of Medina stone 15 feet from the lines of the street, and paving between with Lockport or Medina stone, and also of constructing flag side walks 4 feet wide laid in two courses with a suitable width of gravel upon each side. Adopted.

The Surveyor submitted such estimate.

By Ald. Selye—Whereas, The common council have been requested by a petition signed by a majority of the owners of property to be assessed for the improvement hereinafter mentioned, therefore,

Resolved, That the following improvement is expedient, namely:

The improvement of Allen street from the east line of Washington street to the Erie canal, by setting a curb of Medina stone 15 feet from the lines of the street, and paving between with Medina or Lockport stone, and constructing a suitable number of cross-walks, and also that a flag side walk be laid upon each side of said street four feet wide, with a suitable width of gravel upon each side.

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 \$9,000, which estimate is hereby approved.

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

One tier of lots on each side of Allen street, (including the New York Central Railroad,) from the east line of Washington street to the Erie canal.

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 the clerk is hereby directed to publish notice in pursuance of section 190 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 26th, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard. Adopted unanimously.

SOUTHERN OUTLET SEWER.

By Ald. Reynolds—Whereas, The further consideration of an ordinance for an outlet sewer for the 4th, 7th and 12th wards was, on the 22d of March last, postponed to the first regular meeting in September next; and whereas the assessors have more leisure now than they will have at that time to make an assessment covering so large a territory and requiring so much deliberation, therefore

Resolved, That the resolution referred to be reconsidered, and the Clerk is hereby directed to republish the ordinance requiring all persons interested in said improvement to attend the Common Council Hall on Tuesday evening, August 9th, when allegations will be heard. Carried.

UNFINISHED BUSINESS.

Ald. Stone called up and moved the adoption of the resolution offered at the previous meeting, authorizing the Mayor to contract with E. B. Collins and J. W. Phillips for the delivery of wood for the poor department.

Ald. Selye moved that the whole matter be referred to the Poor Committee, with power to act. Carried: ayes 13; nays 3, Ald. Holmes, Bauer and Mason.

EXECUTIVE BUSINESS.

Ald. Bauer moved that the Board proceed to ballot for a Commissioner of Deeds for the Ninth Ward, in place of B. Schoeffel, deceased. Carried.

On the first ballot, George B. Harris had 13 votes, George Messner had 3 votes, and Joseph Rau 2. George B. Harris was declared elected.

On motion of Ald. Bauer, the Board proceeded to ballot for a Commissioner of Deeds in place of J. R. Galen, resigned. Carried.

On the first ballot, Joseph Rau had 13 votes, and was declared elected.

Ald. Lewis moved that the Board proceed to ballot for a member of the Board of Health.—Lost.

MISCELLANEOUS BUSINESS.

By Ald. Mason—Resolved, That the Superintendent of Streets be and he is hereby directed to repair the lateral sewer on the southwest corner of Smith and State streets, as there is great complaint by the tax-payers of having water in their cellars.

Ald. Holmes moved to refer the above to the Street Committee. Carried.

By Ald. Bauer—Whereas, The improvement now going forward in State st., reduces the roadway to a narrow passage, and produces inconvenience to those who have occasion to pass thereon with teams, therefore

Resolved, That from this time until the completion of those improvements, and until the further order of this Board, all cartmen, hackmen, porters and persons using teams for the transportation of passengers, wares or merchandise, be prohibited from standing with their hacks, carts and wagons, waiting for employment, in said street, between Market st. and Buffalo st.; and the City Superintendent is hereby directed to see to the enforcement of this order. Adopted.

By Ald. Jones—Resolved, That the Committee on Ordinances and Rules, together with the City Attorney and City Clerk, be and they are hereby instructed to revise for publication and engrossment, the Code of Penal Ordinances adopted by this Board July 12, 1859, and hereafter to be adopted, and the City Clerk is hereby directed to procure the publication, in pamphlet form, of—copies of the said Ordinances, for the use of the Common Council and City Officers.

Ald. Jones moved to fill the blank with 200.

Ald. Selye moved to fill the blank with 500.

Ald. Jones accepted the amendment, and it was carried, ayes 9 noes 7.

The resolution was then adopted.

By Ald. Shelton—Resolved, That for the present persons assessed for the sewer in Bowery st., may have the privilege of paying 90 per cent. of their assessment and that the Treasurer be authorized to receive and credit the same. Adopted.

By Ald. Shelton—Resolved, That his Honor the Mayor be requested to sign a contract, in behalf of the city, with Hugh H. Quin, for the construction of a sewer in Hill street; also with Joseph De Poe, for the construction of a sewer in Allen and Warehouse streets. Adopted—ayes 16.

By Ald. Shelton—Resolved, That the Treasurer pay David Wagner four hundred dollars, on his contract for the construction of a sewer in State street, in accordance with the certificate of the City Surveyor, when there is money in the Treasury applicable to that purpose, and charge that fund. Adopted—ayes 16.

By Ald. Shelton—Resolved, That the Treasurer pay Levi A. Ward, for John Quinn, four hundred dollars, on his contract for the construction of a sewer in Fitzhugh and Lafayette streets, according to the certificate of the City Surveyor, when there are funds in the Treasury applicable to that purpose, and charge that fund. Adopted—ayes 16, noes 0.

By Ald. Knapp—Resolved, That the City Surveyor be and is hereby directed to mark the lines of Magne street, from Smith to Lyell street, by sufficient stakes. Adopted.

By Ald. Knapp—Resolved, That the Improvement Committee be requested to bring in an ordinance for the improvement of Allen street, from State street to Washington street, to correspond with contemplated improvement west of Washington street. Adopted.

By Ald. Stone—Resolved, That the owners of property on the north side of Buffalo street, between the Erie Canal and the brick building formerly known as the "Western Hotel," immediately cause to be erected a suitable railing, on the wall between the points above named, and the unoccupied lands, south side of Buffalo street, between the Genesee Valley Canal and India street. Adopted.

By Ald. Erickson—Resolved, That the City Superintendent, with the advice of the City Attorney, be directed to remove any encroachments that may exist on East Avenue, between Main street and Chestnut street, and that the City Surveyor be directed to establish, and mark the lines of said street, for that purpose. Adopted.

By Ald. Nash—Resolved, That the east line of the south part of Front street be, and the same is hereby established, parallel to, and at the distance of sixty-six feet from the west line thereof, measuring on the line parallel to the north line of Buffalo street, as the said west line is established by the resolution of the Common Council of the 12th of April, 1836, from the corner of Works street, (now Exchange Place,) to the north line of land then owned by Nathaniel T. Rochester, and from the same line continued southerly to Buffalo street.

Ald. Hebard moved to lay on the table. Lost, ayes 6, noes 8.

The resolution was adopted.

By Ald. Nash—Resolved, That the Treasurer pay to H. R. Selden, Esq., one hundred and fifty dollars, for legal services to the Common Council in relation to the lines of Front street, and for his written

opinion thereon, submitted at this meeting, under the direction of the Law Committee, and charge Contingent Fund. Adopted, ayes 18, noes 0.

By Ald. Shelton—Resolved, That the Improvement Committee be requested to bring in an ordinance for the improvement of Main street, from the contemplated improvement of New Main street to Clinton street, and to be of the same kind of improvement as that of New Main st. Adopted.

By Ald. Lewis—Resolved, That a Circus license be granted to L. B. Lent, to perform on Falls Field on the 25th inst., by his paying into the city treasury the sum of twenty-five dollars, and that the said sum be credited to ——— Fund.

Ald. Stone moved to fill the blank with "Contingent Fund." Carried.

The resolution was then adopted.

By Ald. Hebard—Resolved, That the Street Superintendent be and is hereby directed to remove all obstructions from South St. Paul street, in front of the ruins of the Minerva buildings, immediately. Adopted.

By Ald. Hollister—Resolved, That N. T. Rochester and James Flood have leave to erect and repair wood buildings, according to the prayer of their several petitions, under the direction of the Chief Engineer of the Fire Department. Adopted. And the Board adjourned.

FR. S. REW, Clerk.

In Common Council, July 19, 1859.

THE EAST LINE OF FRONT STREET.

Report of the Law Committee on the question of the East Line of Front street.

Ald. Nash, from the Law Committee, to which was referred the petition of F. Starr and others, relating to the true east line of Front street, at Main street bridge, submitted the following Report, which the Clerk was directed to publish:

To the Honorable the Common Council:

The Law Committee, to whom was referred by resolution of this Board of the 2d of June last, the petition of Frederick Starr and others in relation to the east line of Front street and alleged encroachments thereon, beg leave respectfully to submit the following report:

Your Committee have consulted many of the original proprietors and occupants of lots on said street, familiar with the lines and improvements of the street, whose opinions are entitled to credit; also, the records of the corporation proceedings in relation thereto, from 1817 to the present time; also, all the maps, profiles, and records to be found going to establish the present lines of the street.

Your Committee were surprised to find that the lines of Front street have presented a question of almost ceaseless litigation and perplexity to property owners and to the municipal authorities since the year 1825. That the subject has engaged the services and talents of the most eminent of the legal profession, that all determinations and adjudications thereon have hitherto proved unsatisfactory to all concerned, and at this late day your Committee are embarrassed with the same question, which should have been permanently settled long ago, and before substantial improvements were made, necessarily involving the pecuniary interests of individuals, and of the city corporation in a large amount.

It appears, from the investigation made, that in 1811, Rochester, Carroll and Fitzhugh allotted the

hundred acre tract out into village lots, streets and alleys, with numbers and names to each, designated by lines distinctly marked, as laid down on a map thereof, including the territory then known as Mason street, afterwards as Market street, and now as Front street, and proceeded to sell and convey lots on both sides of said street, which, during the years 1812, 1813 and 1814 were built upon, occupied and improved by Gideon Cobb, Jacob Graves, Matthew Mead, Hervey Ely, Josiah Bissell, Ira West and others, many of whom are still living, who now well remember the lines of said street, as originally laid out and improved, and whose opinions have been consulted by your Committee as entitled to credit.

Gideon Cobb, who came to this place in 1812, says he purchased and used the lot where the market building now stands, on Front street, as a cattle, and hog yard in 1814. Ira West owned and used the lot next adjoining below as an ashery. Moses Dyer, in 1819, owned and occupied the lot next south of the market, on which was a chandlery, where McIntosh's brick building now stands. As early as 1813 and 1814, there was a frame building standing on the corner of Front and Market streets, which stood on the same wall foundation where "Market Cottage" now stands, on the west line of Mason street, which Cobb remembers from the fact that he was a resident boarder in the house at that time. The whole of Front street, until the freshet of 1817, he thinks was, in the ordinary stages of the water, dry ground; that trees of large size were standing on the bank of the river east of Front street, which were carried away by the freshet in 1818. That there was a high bank where Barton's building now stands, and east to the west pier of the bridge, known as the Island, covered with trees and underbrush, which was on a level with the pier, as Cobb recollects, from having seen a large tree resting horizontally on both.

There was a carriage-way on the low bank of the river, between the pier and abutment, under the bridge, which by deep ruts formed a current for the water in the freshet in 1817, when the overflow of the river carried away most of the high bank south of Buffalo street, including the slaughter house thereon, owned by Ruloff D. Hannabs; and some four or five feet of the surface of Front street and of the land adjoining the river, as far down as the market, which rendered the lots on the east side of Front street, mostly unfit for use except by walling the bank of the river and filling up.

Prior to the freshet, it is represented, that there was at least three quarters of an acre of high ground between the east line of Front street and the river, which was enclosed by a fence on the east line of the street as far south as Exchange Place, after which the river overflowed all of Front st., at its intersection with Buffalo street, at high water, and in ordinary stages of the water at least one half of the street at this point.

Matthew Mead says he worked in the blacksmith shop on the corner of Mason and Buffalo streets in 1813, and continued to occupy the shop until 1826. That Mason street when he first saw it, was dry ground, used as a road-way—that there were beech trees standing on the east side, on the river bank, near Buffalo-st.—that after the freshet in 1817, the street was liable to overflow at times of high water, which came up under the shop, washed away the underpinning, rendering it necessary to put posts under it for a foundation; that in 1816 he was a boarder in the house where the "Market Cottage" now stands.

Elisha Johnson, the proprietor of the soil on the east bank of the river, in excavating his race, now known as the mill race in Water street, threw the stone chips into the channel of the river at Main street, which was then along the east bank, causing the bed of the river at this point to be filled up, obstructing the current and diverting it from its natural channel to the centre of the river, and to the west bank, which was also forced in this direction by the erection of the lower dam at the falls, and of the deep cuttings and excavations in the bed of the river above, near the aqueduct.

In 1824, Johnson, who had the contract for building the river bridge, in excavating the earth for the western abutment, encroached upon the west bank, which being sand and alluvial soil, by ploughing and scraping, and by the action of high water was worn away, and the river bed was widened some twenty feet at this point, corresponding nearly to the number of feet encroached on the river at the east bank opposite.

Ralph Lester, who came here to reside in 1816, says that the west bank, when he first saw it, was sand made from the washing of the river—that it sloped gradually to the bed of the river, affording a convenient passage for watering horses; that Front street was not used at the time as a street, it being in a condition unfit for use, and business not requiring it; that land along Front street and the river was not deemed valuable; that Col. Rochester was not very particular in his measurements; and thinks the lines of the lots were never staked.

In April, 1825, Rochester, Carroll and Fitzhugh, in consideration of \$100, and also of making a stone wall on Mason street to protect the river bank, conveyed to John Mastic, by quit claim deed recorded August 14, 1838, "all their right, title and interest to the ground lying between the north side of the bridge on Buffalo street and where River alley (Exchange Place) intersects Mason street, being the same grounds on which Mason street is laid, as far north as River alley, and on that part of Buffalo street between the south end of Mason street and the bridge," with a reservation in said deed to the grantors "not in any case to be accountable for any measures which may be adopted by the village corporation, with respect to filling up and wharfing said streets, or in any case to be responsible, provided the said grantee or his assigns shall not be permitted to build on or over the said streets."

In May, 1826, Mastic conveyed the said premises to Charles H. Carroll, by quit claim deed, recorded in liber 44 of deeds, page 446, containing the same reservation mentioned in the deed to him, in consideration of \$260—\$160 being for stone wall built by Mastic on Front street.

Rochester and Fitzhugh also conveyed all their interest in the same premises to said Carroll, in consideration of his fulfilling the covenants entered into by Mastic, with a release to him of all their interest in the bed of the Genesee river east of the land so conveyed to Mastic.

In August, 1831, Carroll, by deed recorded in liber 28 of deeds, page 293, in consideration of \$476, conveyed to the trustees of the village of Rochester the lot bounded "on the west end by the wall on Mason street, and on the south by the north line of Buffalo street, extended towards the centre of the river, the lot to be forty feet wide, measured on the wall on Mason street, and to extend sixty feet eastwardly, of that width, towards the centre of the Genesee River from the south wall," in pursuance of a de-

creed of the Court of Chancery on bill filed by the Trustees of the Village of Rochester against Carroll, in which it is alleged that, "*more than one-half of Mason street lies in the bed of the Genesee River, extending several rods down.*"

In October, 1838, the City of Rochester executed a lease, recorded in Liber 16 of Deeds, page 157, to Parsons & Lyon of the last described premises, known as the Market Lot, for a term of years, at an annual rent of \$700. Shortly after, Aaron Erickson, as assignee under said lease, came into possession of said premises, and has held uninterrupted possession of the same ever since.

In July, 1854, the City of Rochester by deed recorded on the 7th of May, 1855, conveyed the same premises to Erickson, who now claims the fee to the lot, and is now erecting a building thereon, which the Petitioners allege is some eighteen feet in the street, west of the east line of Front street, as originally laid out.

On the 18th July, 1825, the Trustees of the Village of Rochester passed an Ordinance, which is the first recorded Corporation proceedings to be found in relation to said street, declaring Mason street a public street; also, authorizing Works & Graves to build a stone wall on Mason street, beginning at a point four feet west of the north-west corner of the abutment of the new bridge on Buffalo street, and running from thence to River Alley, to a point 27 feet east from the north east corner of the stone wall on the east side of the Tan Yard of the said Works & Graves—and that the said wall be built above high water mark, in a good substantial manner, for filling up and raising said street, with a gradual descent so that carriages can conveniently pass from Buffalo street on to Mason street, except in times of high water—and that the residue of said street shall be made with a gradual descent from Buffalo street so that teams may conveniently pass into and through the said street, except in times of high water; which was done at the expense of Works & Graves.

Works & Graves had a Tan Yard on the west side of the street, which street was rendered impassable for teams by the overflow of the river in times of high water. The improvement was made by them chiefly for their own accommodation, to make a road-way to their tannery.

On the 22d of April, 1828, the Trustees, by resolution directed, That a wall be erected on the east side of Mason street, in the Genesee River, so far as the east line of Mason street runs into the river, and that the said street be filled up within said wall, to the level of Dyer & Benton's soap and candle factory.

In 1836 and 1837, Front street was widened from Exchange Place to Buffalo street, to the present west line, by ordinance of the Common Council, at an expense of \$13,000 and upwards, by purchase of the Mead lot and part of the Graves' lot, which it will be seen were bounded by the west line of Front street.

On the 11th July, 1837, the Common Council by resolution directed, "that a wall be erected, extending from the western abutment of the new bridge as located northerly, the easterly side thereof to be 66 feet distant from the west line of Front street, and that that part of Front street embraced in the last described limits, be improved as a street: Provided, however, that the Common Council expressly reserve the right, at any time thereafter, to improve and occupy, all or any part of said street, lying easterly of the said proposed wall, as the same was originally laid out."

Elisha Johnson testifies on his examination in

suit of Starr vs. Child that, "the wall on Mason street at the bridge is altogether in Mason street, and so continues for more than 120 feet down the river. At the place where the wall on Mason street joins Buffalo street, more than one-half of Mason street is in the river, east of the wall."

The suit of the Trustees against Carroll, shows that the corporation regarded the east line of Front street as being some 18 feet east of the wall on Mason street, at the point alleged by the petitioners.

The only object of building the walls, made by Mastic, Graves & Carroll, since 1824, was to protect the street from the overflow of the river, the necessity for which did not exist prior to the freshet in 1817. It will be recollected that both Mead and Cobb state that prior to 1817, all of Front street was dry ground, and that the west bank was east of the east line of the street; while the corporation proceedings, the testimony of Johnson, Mead & Cobb, the map of Col. Rochester, and all the maps since, having reference to the period, since 1817, concur in showing that nearly one-half of Front street was in the river, from Exchange Place to Buffalo street, up to 1825. This discrepancy is to be attributed to the great freshets of 1817 and 1818, the effects of which, together with other controlling influences, on the part of the millers and property owners, interested on both sides of the river, have been the chief cause and source of all the trouble and litigation in relation to the lines of Front street for the past 35 years.

In 1837 the attention of the Common Council was called to the alleged encroachment on the east line of Front street by the erection of buildings by Judge Carroll, and the subject of the lines of the street being necessarily involved in the settlement of the question, it was referred to Judge Sampson, the City Attorney, and to J. R. Elwood, Esq., City Clerk, for investigation; and a survey and map, with accompanying notes, were made by S. Cornell, now in the City Surveyor's office, which were adopted by the Common Council, as establishing the true lines of Front street at that time.

From the report made by Messrs. Sampson and Elwood, on file with the City Clerk, they "find the original west line of Front street, from Works street to Buffalo street, to be on the east line of Jacob Graves' lot, as laid down on Cornell's map, shaded with green, and in a direct line to the south-east corner of the Mead building—said corner being 24 feet easterly on the north line of Buffalo street from the southeast corner of the store of J. B. Elwood. That the west line is ascertained by the actual location and occupancy of the different lots from Hart's corners to the said line, said occupancy having been continued and acquiesced in for more than 20 years, which is, of itself, sufficient to establish a boundary line beyond all dispute, and in ordinary cases to confer an absolute title. That the above are the correct boundary lines of said street as originally laid out, and that the same can be incontrovertibly established and maintained in any court of law, and that the buildings of Judge Carroll encroach to a very considerable extent upon Front street."

In pursuance of the action of the Common Council founded on said report, Judge Carroll caused, as your committee are informed, his buildings to be put back on the line of the street 66 feet from the said east line of Jacob Graves' lot, that being the west line of Front street, as laid down on said map, and recommended in said report.

In 1835, the Common Council instituted legal proceedings against Mead, Works & Graves, for encroachments on Front-st., alleging that their buildings were over the line in the street. The buildings were removed back on the line as required, and the same was established by the Common Council as the true west line, at that time, of Front-st., as shown by the green line on Cornell's map. The suit with Mead was settled, by his placing his building back on the line and conveying to the Trustees, the triangle piece of some six feet front on Buffalo-st., east of his building, as shown on said map.

It is alleged that the original west line of Front-st., was from 12 to 18 feet west of the present line. To substantiate this line, reference has been had to Col. Rochester's map, accompanying the Partition deed, recorded in Liber 2 of deeds, at page 129, showing the distances by the scale, to be the same between all the streets on the north line of Buffalo-street, from Front to Washington streets; and it is therefore urged that the distance was the same from Front st. to State st., originally, (prior to the change of the east line of Carroll street in 1822 west, made to conform to the lines of State street, near Mumford street, as laid out by Matthew Brown of the Frankfort Tract,) as the distances between all the streets west of State street to Washington street. This position is sustained by survey made by Bates, Hill, and Brown, in 1833, in relation to Works street, by which a line is found marked 19 feet west of the line of Front-street at Works street, as found by Cornell, and 14 feet west of the south east corner of Mead's building, accompanying which are the following notes: "Lines of Mason street according to record." Also, to deeds from Col. Rochester to Wm. Cobb, of the 9th of November 1819; and from Cobb to Frederick Starr of the 29th of May 1835, recorded in Liber 31 of deeds at page 448, conveying lot 12 on the south side of Buffalo street, where the Front part of Barton's building now stands, bounded west by the Mill-yard, thence extending eastwardly about 45 feet to the Genesee River, being the east end of the brick building occupied by Samuel Richardson, showing that the west bank of the river in 1819 must have come up to near the west line of Front street and that therefore the west line of Front street must have been some 18 feet further west. By the partition map taking the scale as a guide, it should be 345 feet from Hart's corner to Mason street, the line established by Brown in 1835, and by measurement made by Cornell in 1837, it is 365 feet and 3 inches.

The exact distance from State to Front street, on the line of Buffalo street, is nowhere to be found from the records and maps. The exact distance is given of all the lots, except lot 27, which "is bounded east by Mason street, more or less."

River alley, known as Mill street, originally extended through where Reynolds' Arcade now is, to Buffalo street. By reference to Col. Rochester's notes, it appears a verbal agreement was entered into between all the owners of lots adjoining to shut up that part of the alley from Exchange Place to Buffalo street, and to open an alley extending to Front street, 15 feet wide, to be taken off from the rear of lots 25, 26 and 27, fronting on Buffalo street, and that the lines of the lots, instead of running parallel with Carroll street, as originally laid out, should run at right angles with Buffalo street, and that the 15 feet alley shut up should be equally divided among said lots 25, 26 and 27, by adding five feet to each. As lots 21 and

22 gained considerably by this arrangement at their north ends, and lot 27 lost considerably at the north end, it was likewise agreed that lots 21 and 22 should relinquish 12 feet front on Buffalo street, and that it should be added to lot 27, and the agreement so made was finally consummated. It is apparent that if it was the original intention of Col. Rochester, in laying out this section, to make the distance between State and Front streets the same as between the streets west, as it would seem to indicate from his notes, that afterwards such intention was practically abandoned, and Front street has been crowded east, some fifteen feet at least, producing the excess of land mentioned between said streets.

But your Committee do not feel at liberty to adopt this hypothesis in establishing the present line of the street, as against known monuments and recorded evidences, recognized by repeated acts of the corporation authorities, and confirmed by reliable testimony of men who have been familiar with the lines of the street and improvements thereon ever since it was first opened.

Assuming the surveys as correct, made by B. H. Brown and others in 1835, and of S. Cornell in 1837, as shown on their maps, which have been adopted by the Common Council in establishing the west line of Front street, and by reference to original conveyances of lots bounded by that line, we find the following monuments, viz:

THE EAST LINE OF THE MEAD BUILDING, altered by order of the Trustees to conform to the west line of the street.

THE EAST LINE OF THE GRAVES LOT, bounded by the west line of Front street, ascertained by admeasurement.

THE SOUTHEAST CORNER OF SIMPSON'S BUILDING, recognized by the Common Council on the 12th of April, 1836, as being on the west line of the street.

THE EAST CORNER BETWEEN LOTS 30 AND 31; which is 66 feet distant, at right angles with the door sill of Dyer's Chandlery, the west front of McIntosh's building, where Brown found an original boundary line stake placed by Col. Rochester on the east line of Front street, being an excess of two feet and three inches in width of the street at that point.

THE CORNER BETWEEN LOTS 136 AND 137, which was known as the original corner, being on a straight line with the other points mentioned.

THE EAST FRONT OF THE "MARKET COTTAGE" BUILDING, on the south corner of Front and Market streets; all which correspond in forming a straight line, now known as the west line of Front street to Exchange Place, which continued in a straight line to Buffalo street, will show the west line as above indicated, subject to the change made in conformity with the Mead and Graves lots.

The change in the growth of the town since 1812, have all been gradual, and the memories of men differ in relation to existing facts of long standing, but still the location of streets and buildings with which they have been daily familiar, and more especially the lines of Front street, which have never suffered the memory of the oldest inhabitant to grow dim, must be fresh in the recollections of all. The concurring testimony of all, who have been consulted, establishes the present west line of Front street, as indicated by the monuments given.

Col. Rochester, familiar with the lines of the street from 1812 to 1830, acquiesced in establishing the west line, where it now is, north of Exchange Place to Market street.

The question may arise, *why*, if the east line of Front street is where your petitioners allege, was the street widened some 22 feet on the west side by the purchase of the Mead and Graves lots?

With the same propriety, it may be asked, *is it* to be presumed, that if the street had never been widened on the west side, that the east line would have been where it is now claimed by the sale of the market lot to Erickson?

The true answer is undoubtedly to be found in the condition of the street in 1825, when it was impassable for teams, and in 1835, when by the encroachment of the river on the street at its intersection with Buffalo street, and by the interference of the milling interests, it was deemed too contracted in its unimproved condition at the time, for the increasing business of the street, caused by the erection of the market building, and other contemplated improvements.

From all the facts of the case, as thus presented, your committee come to the conclusion, that the lines of Front street, as originally made, were straight lines—that the street was four rods wide—that the present lines of the street, north of Exchange Place, if not where they were originally designed and laid out, they are deemed to be the true lines of the street by your committee, as established, which continued in a straight course to Buffalo street, the west line will intersect the north line of Buffalo street some 32 feet east of the south east corner of the present brick building on the west corner of Buffalo and Front streets.

With regard to this line, your committee, without reference to its original position as laid out by Col. Rochester, have at no time entertained any doubt that its present location has been too long treated by the owners of lots and built upon as the true line, and too often recognised as such by the Common Council to be disturbed at this day. The east line, however, was not practically located at so early a date, and has not been so distinctly recognized by the Common Council. Its practical location contained an angle, which did not exist in the original dedication of the street, so that error must exist in some part of the line, and the correction of this error, if its correction should be found necessary, must involve as well the original position of the west as of the east line. This question then, involves the whole controversy, which has ever existed in regard to the street. The difficulty of determining that question, greatly embarrassed the Common Council and several of its committees near a quarter a century ago, so greatly, indeed, that after long investigation, it was left undetermined by them. Its solution has not become more easy by lapse of time. Some of your committee were inclined to believe that the acts and acquiescence of the city had been such that it could not now disturb the occupants of lots along the line as practically located for twenty years and upwards, wherever the true line may have been, and that it was especially so, in regard to Mr. Erickson holding under a warrantee deed from the city up to his present line. The whole question involved necessarily turning upon the legal construction of the facts of the case thus presented, the committee determined to submit the whole matter to counsel, in whose opinion they had entire confidence. Gov. Selden was employed by your committee for that purpose, whose opinion in writing has been obtained and is herewith submitted, in the conclusions of which your committee unanimously concur. Your committee are therefore of opinion, that the lots upon the east line of Mason street, as the same is practically lo-

cated from the angle in said line to Buffalo street, having been occupied for more than twenty years, and the Common Council having impliedly recognized such practical line as the line of the street by its resolutions and by its conveyance in fee, with covenant of warranty, of one lot up to that line, the occupants of the lots cannot now be disturbed; and in order that future controversy may be avoided, they recommend the adoption of the resolution at the foot of this report. This will secure to the street the full sixty-six feet in width, which it was designed to have thro' its whole length, and your Committee can see no occasion for greater width, at its southern extremity. There will be a slight angle in the street, but no public interest could now be secured by removing that angle, even if it could be done without great injury to individuals, which it could not.—We see no greater necessity for removing the angle in that street, than for removing the greater one in State street, which no one would think of attempting, and it is doubted if any regard it as an evil. It is claimed that there is a moral, if not a legal obligation on the part of the City to compel the removal of the buildings on the east side of the street at its southern extremity, back to the line of the northern part of the street continued to Buffalo street, so as to make the east line a straight line, or in default of doing so, to pay back to those who were assessed for widening the street on the west side, in 1836, the amount of their assessment. Your Committee are of opinion that there is no power in the Common Council to deplete the Treasury by returning the assessment; and if the opinion of counsel, which they have presented, is correct in its conclusions, they cannot remove the buildings, as asked, without compensating the owners for the damages which they would sustain, which would render an assessment necessary larger than that made in 1836. But, your Committee do not recognize either the legal or moral claim which is insisted upon. They believe that the Committee who recommended the widening of the street on the west side in 1836, did so because they believed it the cheapest, and most judicious way to give to the street the sixty-six feet of practical width which it needed, and your Committee have no doubt of the correctness of that conclusion. If that be so, those who were thus assessed have already obtained all the benefits which they had any reason to expect from the assessment, and more than they could then, or can now obtain, by attempting a practical widening of the street to the same extent on the other side, without a much larger assessment than was then made.

The resolution recommended by your Committee, is as follows:

Resolved, That the east line of the south part of Front street be and the same is hereby established, parallel to and at the distance of sixty-six feet from the west line thereof, measuring on the line parallel to the north line of Buffalo street, as the said west line is established by the resolution of the Common Council of the 12th of April, 1836, from the corner of Works street (now Exchange Place) to the north line of land then owned by Nathaniel T. Rochester, and from the same line continued southerly to Buffalo street.

All of which is respectfully submitted.

July 19, 1859.

JOHN C. NASH,
LEWIS SELYE.
S. W. D. MOORE,
J. VAN VOORHIS,
W. F. HOLMES.
F. S. REW, Clerk.

Opinion of Henry R. Selden.

A committee of the Common Council has requested of me an opinion in regard to the respective rights of the City and of Mr. Erickson, to the land on which he is now erecting a building at the corner of Buffalo and Front streets. I find upon investigation, that it is not entirely certain where the lines of Front street were originally located; at least those having, or believing themselves to have, adverse interests in the location, entertain opinions as adverse as their supposed interests, and as intense as is usual in such cases. It does not, however, seem to me necessary to decide this disputed point in disposing of the questions under consideration. Still, an outline of the evidence bearing upon the subject, (and even an outline cannot be brief), will at least show some of the difficulties which must attend the solution of that question, if, contrary to my present impression, it should be found indispensable to decide it.

It appears from the papers submitted to me, that the original plat by which the 100 acre tract (which embraces the greater portion of Front street,) was divided into streets, alleys, building and mill lots, was made by Col. Rochester, one of the three proprietors of the tract in 1811; but there is no authentic record of such division bearing an earlier date than August 1817, when the tract was partitioned between the proprietors, and a map containing such division, was annexed to the partition deed, which has been duly recorded.—The map itself does not furnish evidence of the width of Front (then called Mason) street; but from certain notes made by Col. Rochester, also recorded in connection with the partition deed, its width is shown to have been four rods. As laid down on that map, nearly three-quarters of the width of the street at its junction with Buffalo street, appears to have been located in the river, the west bank of the river crossing the north line of Buffalo street, about three rods west of the east line of Mason street, and running nearly in a direct course, crossing the east line of that street at a point a short distance north of the line of River alley, (now Exchange Place). It is claimed by some of the parties interested, that this location of the river bank is erroneous, or at least, that if the bank occupied that position at the date of the partition deed, it was not so prior to that year, and that when the street was originally laid out and dedicated to the public, it was laid entirely west of the river, which afterward encroached upon the bank to the extent indicated by the partition map. This subject was investigated, and the testimony bearing upon it collected in 1845, in a trial between *Starr and Child*, with a fullness, which, from the lapse of time, would be now impossible, and a careful examination of, that testimony has only led me to the conclusion, that it furnished no clear solution of the point in controversy.

From the time of the great freshet in 1817 and 1818, which swept away the bank of the river at the south end of Mason street, that street remained substantially inaccessible by carriages for several years, and there was scarcely any business upon it demanding its use. In April, 1825, John Mastick, probably believing that it would be ultimately abandoned as a street, and reduced to a narrow alley, obtained from Rochester, Carroll and Fitzhugh, for a small consideration, a quitclaim of their interest in the land between the north side of the bridge and the line where river alley intersected Mason street, being the ground on which Mason street was laid and that part of Buffalo

street, between the south end of Mason street and the bridge.

The deed contained a provision that the grantors were not to be accountable for any measures which the Village Corporation might adopt in respect to opening, filling up, or whaling the street, and not to be responsible in case the grantee should not be permitted to build over the street. Mastick at the same time executed to his grantors, a covenant that, he would within one year "open, improve and make travelable, on the west side of said piece of ground to river alley, an alley of sufficient width for the passing and repassing of teams from Buffalo street to said river alley, and that he would within the same time make a wharf and wall along the whole east side of the said piece of ground, from the bridge to said river alley, fully sufficient to prevent any damage being done by the waters from Genesee river, west of the east line of said piece of land, provided, that if he was prevented by the public from performing his covenants he should not be liable for damages."

Mastick, immediately after the conveyance, commenced the erection of the wall contemplated by his covenant, beginning at the south end of Mason street, and probably near the middle of the street as originally laid. After expending about \$160 upon the wall, he was threatened with prosecution if he continued it, and the work was therefore suspended. The village ordinance next mentioned, doubtless had some influence in arresting the progress of Mr. Mastick's work.

On the 18th of July, 1825, an ordinance was passed by the Trustees of the village, declaring Mason street a public street, and prescribing a penalty for placing any stone, earth, lumber, &c., in the street without the consent of the Trustees.—This is the earliest recognition of that street by the public authorities.

At the same time a resolution was passed, reciting, that "Works & Graves, having by their written proposition, dated the 5th day of May last, proposed to build a wall on the *East side of Mason street*, from and to certain points therein mentioned, and to fill up the same: It was resolved, that the President be authorized to contract with Works & Graves, to make a stone wall on the said street, beginning at a point four feet west of the northwest corner of the abutment of the new bridge on Buffalo street, and running thence to river alley, to a point 27 feet east from the north east corner of the stone wall on the east side of the tan yard of said Works & Graves, said wall to be built above high water mark, and properly fitted for filling up and raising said street. Also, to raise and fill up that part of said street lying between the wall so to be built, and the following bounds: beginning at the place where the wall so to be built is to intersect said alley, and from thence along said alley to the northeast corner of the stone wall of said tannery, thence along said last mentioned wall to the south end thereof, and the same course continued to the store of Matthew Mead, thence east along the said store to the north east corner thereof, thence along the east wall of said store to Buffalo street, thence around as the wall of said abutment runs, to the place of beginning. That part of the street lying south of a line to be drawn from the south end of the tannery wall, east, to the wall so to be built, shall be so raised and filled up on or before the first day of December, and shall have a gradual descent so that carriages can conveniently pass from Buffalo street to Mason street, except in times of high water, and the residue of said street so to be raised

and filled up, to be raised and filled up within two years from the 5th of May, and shall be made with a gradual descent from Buffalo street, so that teams may conveniently pass into and through the said street, except in times of high water." This resolution, not only shows the condition of the street at that time, but also the position of Mead's store with the projection of the north east corner in to the street, as hereinafter mentioned. I am informed that the tannery wall was built on a course similar to that of the east wall of Mead's store, and that at its north east corner it encroached in like manner upon the street.

The new bridge referred to in the resolution, had been built the previous year, and the west abutment carried six feet east of the east line of the trestle which had sustained the west end of the old bridge.

From the northeast corner of this new abutment, a curved wing wall had been built, extending almost to Mead's store, rendering access to Mason street very difficult.

The improvement contemplated by this resolution, was made by Works and Graves, in accordance with the resolution.

In May, 1826, John Mastick conveyed to Charles H. Carroll, the land covered by Mason street, and south of it to the bridge, conveyed to him by Rochester and others the previous year, and Carroll paid him \$160 for the wall built by him, and gave him an indemnity against his covenant to his grantors. At about the same time, Judge Carroll also obtained from Rochester and Fitzhugh, a conveyance of their interest in the land east of that conveyed to him by Mastick, to the centre of the Genesee river.

In August, 1826, the Trustees of the village applied to Mr. Carroll to purchase a site for a market, and obtained from him the following proposition:

"Charles H. Carroll offers to sell to the Trustees of the village of Rochester, 40 by 60 feet, *east of the wall on Mason street*, and north of the north line of Buffalo street, for \$200, or 80 by 60 feet far \$400, or 120 by 60 feet for \$600, for the purposes of a market, the trustees to pay for the wall built by Mastick, and to raise it above high-water mark. August 25, 1826."

The Trustees accepted the proposition, and shortly afterwards commenced the erection of a market, 40 by 60 or more feet, the west end of it resting upon the wall on Mason street, and the east end upon an extension to the north of the west pier of the bridge. The market was finished in the spring of 1827.

The distance between the wall and the pier of the bridge, instead of being only 60 feet, as understood by the village authorities when the bargain was made, was found considerably to exceed that distance, and as there was no way of supporting the east end of the building short of the line of such pier, without obstructing the river, the building was necessarily extended to the pier. This led to a chancery suit between the Trustees of the village and Mr. Carroll, which resulted in a decree, made July, 1831, directing the conveyance by the latter to the former, of the premises, described as follows:—"Bounded on the west end by the wall on Mason street, and on the south by the north line of Buffalo street, extended toward the centre of the river, the lot to be forty feet wide, measured on the wall on Mason street, and to extend sixty feet easterly of that width, towards the centre of the Genesee river from the said wall; and also the right of resting the timbers of the

present Market House, or any other building to be erected by them, on the pier on which the east end of the market now rests to the centre of the said pier, but not to use any part of the said premises beyond the said sixty feet for any other purpose," with the right of replacing and repairing the timbers when necessary.

On the 18th of August, 1831, Judge Carroll made the conveyance directed by said decree.

In April, 1828 a resolution was adopted by the Trustees, "that a wall be erected on the east side of *Mason street*, in the Genesee river, so far as the east line of Mason street runs in the river, and that said street be filled up within said wall to the level of Dyer & Barton's soap and candle factory." This was done, as I understand, by continuing the wall built by Works & Graves, to the point indicated in the resolution.

In 1831, complaints were made of encroachments on the west side of Mason street, and on the 18th of October, a resolution was passed by the trustees, directing suits to be commenced against Matthew Mead and Works & Graves, on account of such encroachments. Suits were accordingly commenced, and a somewhat protracted litigation took place, with what result I am not informed, beyond the fact that Mead cut off the north-east corner of his store to make it conform to the supposed west line of the street, and that Works & Graves did the same with the wall of their tannery. This proceeding accounts for the angle in the east wall of Mead's store, mentioned by Benjamin H. Brown in his survey in 1835, hereafter referred to.

On the 30th of October, 1834, Mr. Graves, then one of the aldermen of Rochester, (now arrived to the dignity of a city, and Mason, as it would seem having become Front street,) introduced the following resolution, which was passed:

"Whereas, much dispute and expensive litigation has occurred about the lines of Front street in the city of Rochester, and whereas, the engineer has reported in favor of establishing the west line of Front street in its present position, therefore, resolved, that the subject be referred to the law committee, and that said committee be instructed in concert with said engineer, to report their opinion, as to where the *east* line of said street shall be located from the west line, and the width of said street at each extreme, and that they introduce a resolution establishing permanent lines for said street."

On the 10th of February, 1835, in pursuance of the foregoing resolution, I presume, though it does not distinctly appear, a report was made by the Law Committee, of which Gen. Mathews was Chairman, which illustrates better than can otherwise be done, the uncertainty which existed in regard to the lines of this street. The Committee say, "that they find it impossible to perform their duties without the aid of sub-committees or other officers, they think it necessary that such a course under the resolution should be pursued as would involve an examination of the city records to the extent of ascertaining what lines were ever established, *if any*, what alterations have taken place, and when, and by what authority, where the present lines are, *if any*, and when and by what authority they were established. Also, to cause the present width of the road to be reported, and the variations, if any, and where such variations are accompanied with a profile of the street." They state that no law question was presented to them, and they ask to be discharged, and recommend that the duties referred to in the report be per-

formed under the direction of the Clerk and Superintendent.

The course recommended by the Law Committee was adopted, and the subject referred to the Clerk and Superintendent.

On the 24th of February, that Committee made a report, stating that they had "examined the records and profiles of said street as originally laid out, and had ascertained by the survey and admeasurement of Benjamin H. Brown, the true lines of Mason street, as they were first designated to be established, and find the west line of the street to be located as follows: said line commences five feet and nine inches easterly, on the line of Buffalo street, at its intersection with said street, from the basement of Matthew Mead's store, running thence northerly, along, or nearly so, of the line of buildings on Mason street to the south-east corner of William Simpson's yellow shop on the corner of Works street, thence to a stake at the north corner of Robert Wilson's shop, thence continued on the same line to the north line of the one hundred acre tract, being three hundred and sixty-four feet and nine inches at its intersection with Buffalo street from the point known as Hart's Corner on the corner of Buffalo and State streets, which line as designated, your Committee believe to be the true west line of Mason street, and would respectfully recommend that it be so altered and established as that the east line of Matthew Mead's store be the true line, reference being had to the line of buildings on a diagram made by D. S. Bates and C. G. Hill and B. H. Brown, on the 3d of July, 1833."

On the margin of the map made by Benjamin H. Brown at this time, is the following memorandum made by him. "I find the west line of Mason street to be as follows: Beginning at the south east corner of the stone store owned by Matthew Mead and occupied by Levi W. Sibley & Co., on Buffalo street, and on lot number twenty-seven of the 100 acre tract; thence northerly along the east side of said store, to the first angle in the east wall of said store, thence north thirty degrees west, eight hundred and seventy-five feet to the north line of the 100 acres tract. This line passes through the north east corner part of Works & Grave's floor near the corner of Work's street, and along the front of William Simpson's black smith and carriage shop. At the corner between lots 31 and 32, it is sixty-six feet distant at right angles from the door sill of Moses Dyer's Chandlery. At this last mentioned point, there was an original boundary stake placed by Col. Rochester. It also passes over a corner between lots numbers 136 and 137, which original corner was standing a year ago, but is now removed."

Final action was not taken upon the report last referred to, but the subject was again referred to the committee on streets.

There was then obtained from Elisha Johnson, (whether by that committee or otherwise is not shown,) the following certificate:

"I am of the opinion that the present location of Mason street is in equity right, reference being had to the original location on the west side of said street by Col. Rochester, which were two chains fifty feet in length. There has existed a question of 12 feet, but from all the circumstances of the case, (the particulars I am well acquainted with,) form the above opinion. The line, in that case, would be 5 chains and fifteen feet from the old line of Carroll street, and parallel thereto north of the alley back of the Arcade. From said alley to Buffalo street there is a slight variation to the

west, I believe $\frac{1}{2}$ of a degree. It might however be well to establish the line straight N. 30 west.

March 24, 1855. ELISHA JOHNSON."

On the 1st of June, 1845, the common council, on motion of the chairman of the committee on streets, adopted the following resolution: "That the west line of Mason street shall be and hereby is established and settled as follows: Beginning at the south east corner of the stone store owned by Matthew Mead on Buffalo street, and on lot number twenty-seven of the one hundred acre tract, thence northwardly along the east wall of said store, twenty-eight feet and six inches to the first angle in said wall, thence north thirty degrees west eight hundred and seventy-five feet, or thereabouts, to the north line of the hundred acre tract, according to the survey of Benjamin H. Brown, a map of which is on file with the clerk of the city.

On the 9th of the same month, Matthew Mead executed a deed to the city, which after reciting, that, "whereas, the Mayor and Common Council of the city of Rochester have, by an order entered in their minutes, established the west line of Mason street in said city, on the east line of a wall of the building owned by me on the corner of Mason and Buffalo streets," proceeds to convey to the city all his right and title to any land lying east of and adjoining his said building, and embraced in the limits of Mason street established as aforesaid.

In March, 1836, on the petition of Jacob Graves and others, a resolution was adopted by the common council, to the effect "that in the opinion of this board it is expedient to widen Mason street at its intersection with Buffalo street. That for this purpose the committee on streets be authorized to purchase of Matthew Mead his lot at the corner of Buffalo and State streets, at a price not exceeding \$8,000," and after providing for payment, if the purchase should be made, it was added, "That the committee on streets cause surveys and a map to be made and report to this board the plan of widening said Mason street that appears to them best."

On the 12th of April, the Common Council resolved as follows: "That Mason street be widened on the west side thereof, in manner following—that is to say, commencing on the south side of Buffalo street, at the south-east corner of the brick store of John B. Elwood, [this store adjoined that of Mathew Mead, on the west,] running thence northwardly along the east line of said store, and continuing in the same direction until it intersects the north line of land owned by Nathaniel T. Rochester, and thence in a straight line to the south-east corner of William Simpson's land, at the corner of Works and Mason streets. That a copy of this resolution be copied into the book on streets, together with a diagram copied from the map made by John McConnell, Surveyor, showing the line of the proposed improvements and the present situation of said Mason street."

In the course of the summer of 1836, the improvement contemplated by these resolutions was made; the triangle, in part described in the last resolution, was purchased and added to Mason street; and the expenses of the purchase (about \$13,000) assessed upon the owners of the property supposed to be benefitted, and paid by them.

I have not seen the report of the Committee on Streets, which preceded the adoption of the last-mentioned resolution; nor the map of Mr. McConnell, referred to in the close of that resolution.—They would probably throw some light upon the question, as to the object of the Common Council in making this improvement, whether it was re-

garded as the best method, in the actual condition of the street and the erections along it on both sides, of giving to it the sixty-six feet in width which it was originally designed to have, and which it actually had north of the point to which this enlargement extended; or whether it was designed to make a bell-muzzled street, as is now claimed.

In the spring of 1837, the rebuilding of the bridge over the Genesee river at Buffalo street being in contemplation, the controversy about the lines of Mason (then called Front) street was resumed, in connection with the location of the west abutment of the proposed bridge. Accordingly, in June of that year, the subject of the lines of Front street was referred to the attorney, clerk and committee on streets, and the subject of the location of the west abutment of the bridge and the improvement of Front street generally, was referred to the Committee on Streets and the Law Committee.

Under the direction of the former Committee, a careful survey was made by Mr. Cornell. Assuming—according to the interpretation which some persons have given to the notes of Col. Rochester, before mentioned, in connection with the map, (which, so far as distances can be determined by the scale, confirms that interpretation)—that the block between State and Front streets should have the same width as the blocks west of State street, he found the west line of Front street, as indicated by the buildings upon it, about 20 feet too far east at the south end on the line of Buffalo street, and about 12 feet too far east at the north end on the line of Mumford street. By examining the conveyances from Col. Rochester and his associates, of lots fronting on Buffalo street between State and Front streets, he was enabled to find the west line of Front street at the northeast corner of lot 27, (the lot bounded on the east by Front street from River alley to Buffalo street,) as located by the deeds, although the width of that lot on Buffalo street was not given, a small piece in the angle of the two streets having been conveyed, running to Mason street without any distance named. At that point, (the northeast corner of lot 27,) the line thus ascertained corresponded with the location of the structures on the west side of Front street, both south and north of river alley. A line from that point on the course of Front street, which corresponds with the course of the east line of said lot 27, as given in the deed, was found to intersect the north line of Buffalo street, only four inches west of the southeast corner of the store of Matthew Mead, so often mentioned, occupying the angle of Buffalo and Front streets as then located. Mr. Cornell expresses no opinion upon the subject of the true location of the street, although from the tenor of his report it is obvious that he regards the last mentioned line as that having the strongest evidence in its support. He refers to a map made in 1833, by David S. Bates and others, in regard to Works street, on which a red line is drawn which is noted as the "line of Mason street according to the record," which corresponds very nearly with the first mentioned line produced by his own survey, and which he concludes was obtained upon the same basis. And he adds, that "neither in that nor in the present survey have we deduced the premises from sufficient authority to establish the result. It therefore became necessary to proceed further;" and then he proceeds to ascertain the line by reference to the deeds.

The first named committee in their report say, that the result of their investigation and the sur-

vey of Mr. Cornell, is, "that the original west line of Front street, (formerly Mason street,) from Works street to Buffalo street, is that of the east line of Jacob Graves' lot, as laid down on a map made by said Cornell accompanying his survey and report, which are herewith presented, the said west line being represented on said map by the line shaded with green, a continuation thereof in a direct line to the south-east corner of the lot formerly owned by Matthew Mead, and recently purchased of him for the purpose of widening said street, said south-east corner being twenty-four feet easterly on the north line of Buffalo street, from the south-east corner of the store of John B. Elwood. The east line of Front street is four rods easterly from the said west line, measuring on the north line of Buffalo street, or on a line parallel therewith at any other point, Mason street having been originally laid out four rods wide, being measured on the course last above mentioned.

The data and facts by which your committee have arrived at the above result are so fully detailed and set forth in the report of Mr. Cornell, that we consider it unnecessary to reiterate them at length. The committee would state, however, in general, that the said west line is ascertained, first by the actual location and occupancy of the different lots from Hart's corner (so called) to the said line, said occupancy having been continued continued and acquiesced in for more than twenty years, which is, of itself, sufficient to establish a boundary line beyond dispute, and in ordinary cases even to confer an absolute title. This line is also ascertained by a deed of conveyance from the original proprietors to Jacob Graves, of the lot directly west of said street, which lot is described and precisely located by metes and bounds and by distances, and is bounded on the "east by Mason street." These boundaries have been acquiesced in, as well by the original proprietors, and by all persons claiming under them, as by the public and all persons concerned, for more than twenty years. Your committee express the most entire confidence, that the above are the correct boundary lines of the said street as originally laid, and that the same are incontrovertibly established, and can be maintained in any court of law or equity. The consequence is, that the buildings of Judge Carroll, referred to in the report of the City Superintendent, encroach to a very considerable extent upon Front street, and that he can be required to remove the same. As this subject however is intimately connected with the location of the western abutment of the bridge, which is proposed to be erected, and with the improvement of Front street generally, which subject was referred at the last meeting of this Board to the committee on streets and the law committee, and both committees have coincided in their views on the subject, we would refer to the report of the committee last named for further statements and recommendations." This report was dated July 11th, 1837, and signed by Judge Sampson, City Attorney, and Isaac R. Elwood, Clerk.

The report of the other Committee referred to, of which Judge Sampson was also Chairman, shows very clearly the design of the Committee recommending the resolutions which were adopted by the Common Council, and in accordance with which, the restless lines of this troublesome street were then practically established, and have ever since remained undisturbed.

The Committee state "that they are satisfied from statements and proofs which have been presented to them, as well as from other information,

that the western bank of the Genesee river was formerly considerably further east than the same now is. That from different causes, the westerly shore of the said river, at the bridge, as well as above and below, has been considerably washed away and the course of the river changed. That Mason street (now Front street,) was formerly mostly, if not wholly, dry land, whereas a considerable portion thereof, as originally located, is now in the bed of the river.

"It is insisted on the part of the individuals, or some of them, who made the communication referred to us, that the public interest would be promoted by locating the said abutment (west abutment of the bridge then about to be built,) considerably into the present bed of the river, and within a few feet of the easterly line of Mason street as originally laid. They also insist that the interest of the owners and proprietors of lots contiguous to, and in the vicinity of, the said street, would be thereby promoted, and the Common Council ought, in justice to those rights, and to those who have been assessed for the widening of Front street, to improve and occupy, either the whole, or nearly the whole, of the said street, up to the original east line thereof.

"On the other hand, it is insisted by some of the proprietors of mill lots and hydraulic privileges situated above the bridge, that such location of the abutment, and improvement and occupancy of the street, would seriously injure their privileges, and would jeopardize the property of others, by creating great danger of floods in consequence of attempting too much to contract the bed of the river.

"It is obvious that it must be extremely difficult precisely to define and settle the boundary line between such conflicting rights and interests.

"The Committee have endeavored, however, to exercise a due regard to the rights and interests of all, and those of the public. They are of the opinion, that under the circumstances of the case, the Common Council are not obliged to improve and occupy the whole width of the street, especially if in their judgment the public interest does not require it. It will be recollected that by the recent widening of Front street, the same is considerably wider at Buffalo street than it is further north, the west line thereof forming an angle at or near the northeast corner of the lot of Nathaniel T. Rochester. It is believed that the only reason for making that angle in the street, and thus making Front street so much wider at the south end thereof, was, that it was necessary for the Common Council to purchase the whole of the lot of Matthew Mead, and that there is no actual necessity for having the street so much wider at the south end.

"The Committee would therefore recommend that the west line of Front street be straightened by continuing the same in a straight line from Works street, to Buffalo street, and that the land contained in the triangle to be formed by the proposed alteration between the proposed west line and the lines of John B. Elwood and N. T. Rochester, be sold, and the proceeds refunded to the several persons who were assessed for the widening of Front street." [And they recommend the appointment of a Committee to make the sale.]

"The committee further report, that they recommend that the face of the eastern wall of the west abutment of the new bridge be located sixty-six feet easterly, measuring on the north line of Buf-

falo street, from the southwest corner of the proposed line of Front street, as herein recommended, and that a wall be continued therefrom northerly on a line parallel with the proposed west line of Front street, until it intersects a wall already erected; and that so much of the said street as lies within the said limits be improved.

"By adopting this plan the whole length of Front street, as the same shall be improved and occupied, will be four rods in width, and the city will still retain the right to improve and occupy the remaining part thereof at any time hereafter, if it shall be found expedient to do so."

On the presentation of these reports, a resolution was passed, "That the west line of Front street be so altered as to make a continuous straight line, by continuing the present west line thereof in a straight line from Works street to Buffalo street, if practicable to do so on reasonable terms, by negotiating with John B. Elwood, Nathaniel T. Rochester, and others interested therein." This resolution was designed to remove the first angle in the west line of the street, as recommended by the committee.

By another resolution, a committee was appointed to make the sale, but it was never accomplished, and the gore still remains a part of the street.

It was also resolved, "That the western abutment of the new bridge be so located, that the eastern wall thereof be sixty-six feet easterly from a point where the west line of Front street would intersect the north line of Buffalo street, by continuing the said west line of Front street in a direct line from Works street." Also, "That a wall be erected, extending from said abutment, northerly, the easterly side thereof to be sixty-six feet distant from the west line of Front street, as proposed in the foregoing resolution; and that the part of Front street embraced in the last described limits be improved as a street. *Provided, however,* that the Common Council expressly reserve the right at any time hereafter to improve and occupy all, or any part, of said street lying easterly of the said proposed wall, as the same was originally laid out."

On the 8th of August, 1837, the City Superintendent was advised under the direction of the Street Committee, to cause the wall to be built on Front street, on the line adopted by the Board, and to contract for the building of the west abutment of the bridge on Buffalo street; and the wall and abutment were built accordingly.

The buildings of Judge Carroll, referred to by the committee as encroaching on the street, were on the east side of Front street, north of the Market lot, and had been placed with their fronts on the wall built by Works & Graves, and corresponding to the front of the old Market built by the village authorities. After the action of the Common Council of 11th July, 1837, before given, Judge Carroll moved his buildings back, or removed their fronts, so as to make their position correspond with the action of the board, and they thus remain to the present time.

On the 10th of October, 1838, the Common Council leased to Ezra M. Parsons and Edmund Lyon, for the term of 15 years from that date, all of the old Market lot not included within the improved part of Front street, as specified in the resolution of July 11, 1837, the demised premises being described as follows: "so much of that piece or parcel of land, situate, lying and being in the city of Rochester, conveyed by Charles H. Carroll to the trustees of the village of Rochester, by indenture bearing date the 18th day of August, 1831, as lies east of the present wall of Front street, and

extending to within one foot of the stone pier east of Front street, together with the same right of resting timbers of any building erected upon said premises, on the pier in the Genesee river east of said Front street, to the centre of said pier, and the right of replacing and repairing said timbers from time to time when necessary, as is granted to the trustees of the village of Rochester, by said deed."

It was also declared, as follows:

"This lease is executed with the further privilege to the said parties of the second part, to rest any timbers for buildings to be erected upon said premises, twelve inches on the present east wall of Front street, and to replace and repair the same when necessary."

The lessees covenanted to pay \$700 per annum, rent, and that the west wall of any building to be erected by themselves or their legal representatives upon said premises, should be of brick.

This lease, after its date, was assigned to Mr. Erickson, who erected a building covering the premises, with a front according to the covenants of the lease, and occupied it and paid the prescribed rent for the term specified in the lease.

After the expiration of that lease, Mr. Erickson purchased from the Common Council the fee of the demised premises, for the sum of sixteen thousand dollars, and they were conveyed to him by the usual warranty deed, executed by the Mayor, under the corporate seal of the city, bearing date July 1, 1854; the premises conveyed being described in the deed as follows:

"All that tract or parcel of land, situate in the city of Rochester, bounded west by the east line of Front street, as now established, south by the north line of Buffalo street, extending toward the centre of the Genesee river, it being all that piece or parcel of land conveyed by Charles H. Carroll and wife to the trustees of the village of Rochester, by indenture bearing date the 18th day of August, 1831, and recorded in the Clerk's office of Monroe county, in liber 28, of deeds, at page 293, lying east of the east line of Front street, together with the right of resting the timbers of the present building now on said premises, or of any other building hereafter to be erected thereon, upon the pier in the Genesee river next east of the premises hereby conveyed, to the centre of said pier, and of replacing and repairing said timbers from time to time, when necessary, and all the rights and privileges granted and secured to the said party of the first part to these presents, by the said above-mentioned and described deed from Charles H. Carroll and wife to the trustees of the village of Rochester."

The purchase of the property by Mr. Erickson was at auction, he being the highest bidder.—Prior to the sale, at which he purchased the property, it had been advertised for sale by the Common Council, and some doubts existing in regard to the extent of the rights which the city proposed to sell, the following article, containing a resolution of the Common Council and the statement of the Mayor in pursuance of it, was published as therein directed, viz:

"Proceedings of Common Council, Special Meeting, March 9, 1852. By Ald. Baker.

Whereas, The old Market lot having been advertised for sale, and proposals having been made for it by several gentlemen, and it appearing to the Common Council that the rights of the city to said lot are not fully understood, it is therefore

"Resolved, That the Mayor be requested to publish in the three dailies of the city, for the period

of one week, a statement of the situation of said lot, and what rights and privileges the city propose to secure to the purchaser of said lot.

"MAYOR'S OFFICE,
"Rochester, March 10, 1852. }

"Agreeably to the foregoing resolution, I state, that the old market lot, situate on the corner of Buffalo and Front streets, was conveyed by Chas. H. Carroll to the village of Rochester by indenture dated Aug. 18, 1831. The lot with its privileges is described in said indenture as follows, viz: "All those premises situate, &c. [describing the premises as described above in the chancery decree.]

"The above mentioned wall on Mason street is now concealed, and is some 18 feet west of the present shore wall; so much of the original lot is embraced within the lines of Front street. The city will convey to the purchaser by a sufficient deed the lot as described in said indenture from said Carroll, with all the privileges and appurtenances therein mentioned, *excepting the part now covered by Front street, being some eighteen feet off the west end of the original lot.* The city will also grant to the purchaser the right to build from twelve to eighteen inches upon the present shore wall, and to keep up a stairway, similar to that now occupied by A. Erickson, Esq., at the west end of said lot. The premises are subject to a lease, the term in which expires October 10, 1853, and by which \$700 are secured to be paid to the city annually.

This lease will be transferred to the purchaser of the lot. The city does not own the building upon the premises. It is the property of said Erickson, but by the provisions of said lease the purchaser of the lot has the privilege to select a person, Mr. Erickson is bound to select another, and these persons are to appraise the improvements and erections upon said lot, which appraisal the purchaser is to pay, or allow the occupant to continue in possession by paying the \$700 annual rent.

"In case of a disagreement by said appraisers, they are to choose a third person to act with them. This appraisal will not affect the right of Mr. Erickson to occupy the building until the expiration of said lease.

"Should any further information be required it will be communicated at my office.

N. E. PAINE, Mayor."

After the publication of this article the purchase was made by Mr. Erickson, and the deed subsequently executed as above stated. Mr. Erickson occupied under his lease, paying the \$700 rent, until the term expired, and has since removed the old building, and is proceeding to erect another, covering the same ground. Prior to laying the foundation of his present building, Mr. Erickson called upon the city surveyor to point out the east line of Front street up to which he might build, and he did so, fixing the line a few inches west of the west front of the wall as laid.

Now it is insisted by Mr. Erickson, that the original west line of Mason street, as marked out on the map of the 100 acre tract and dedicated to the public as a street by the proprietors of that tract, was, at the southern extremity of the street, some 20 feet further west than it was finally established by the location of buildings on that side of the street, in other words, that there was an encroachment of 20 feet on that side of the street.

It is not disputed by him, if that assumption is correct, that the occupancy up to the present time has been acquiesced in so long, and recognized by the city authorities so often as rightful, that

the holders of property have obtained a perfect title up to the present line of occupancy, so that they cannot now be disturbed in their possession. But he insists, and the correctness of his position cannot be disputed, that if his assumption is correct, the east line of the street has not been changed by this usurpation on the west side,—and that if he only occupies up to the original east line of the street, his title is perfect, although the street might thus be reduced to 46 feet in width, instead of sixty-six.

The dispute upon this point is one of the main circumstances which has made this street as prolific in creating controversies as the hydra in the production of heads, and as a temporary quietus, seems to have been given to that subject, I hope, for the comfort of the public, it may not be necessary again to disturb it. Judging from my own experience, I am inclined to believe, that whoever may find it necessary to attempt, by reference to maps, deeds, surveys, records, reports, resolutions, and the uncertain memory of aged men, to find conclusive evidence upon this point, will, as I have done, without arriving at any satisfactory conclusion, regret having entered upon the investigation. There is, however, abundant ground to dispose of the questions now under consideration, without going back into that question, or the equally obscure one, of the original position of the west bank of the river.

Assuming that the resolution of July 11, 1837, which is the first and only one that expressly declares the location of the *east* line of the street,) gives that line correctly, according to the original dedication, there is still no doubt, in my judgment resting upon the title of Mr. Erickson to the land covered by the present walls of his building.

From the earliest history of this controversy to the present time, the village and city authorities have obviously been governed by *practical*, rather than *theoretical*, views, of the location of the east line of this street. Whatever speculation there may have been in regard to it, practically the question has been, where does the public interest require the line to be placed with reference to the actual condition of the river. Accordingly, when Works & Graves, in May, 1825, "proposed to build a wall on the east line of Mason street, from and to certain points therein mentioned, the proposition was accepted and the wall was built, occupying a position at least 20 feet west of the present front of Mr. Erickson's building.

When Mr. Carroll proposed to sell to the village "40 by 60 feet east of the wall on Mason street, the trustees make no objection to his right, but accept the proposition and make the purchase, covering the space with their market, and renting it until destroyed by fire.

In April, 1828, the trustees resolved, "that a wall be erected on the east side of Mason street in the Genesee river, so far as said east line runs in the river," and it was done by continuing the wall before mentioned.

In 1835, the Common Council, after careful investigation of the whole subject, established the west line in a position which left the front of the Market lot (the Market having before been burned,) west of the *centre* of the street, giving the street its full width of 4 rods.

In 1836, they proceeded to widen the street, by purchasing a triangle on the west side, in width and form nearly equal to the alleged encroachments on the east side. In 1837, they located the new bridge abutment, and a new wall, by a line 66 feet from the line of such purchase, rejecting a small gore not designed as part of the street.

This wall was built, cutting off 18 feet of the west end of the Market lot, and the city, in 1838, leased the residue of the lot for 15 years, requiring the lessees to build a brick wall as the west front of whatever building they might erect on the lot, resting one foot upon the before-mentioned wall.

All the buildings further north on the street were required to be moved, and were moved, back to the line of this wall.

At the expiration of the 15 years lease, the city authorities advertise the Market lot for sale, saying they will convey to the purchaser the original lot with all its privileges, "excepting the part now covered by Front street, being some 18 feet off the west end of the original lot," giving to the purchaser "the right to build from twelve to eighteen inches upon the present shore wall," and they convey to the purchaser accordingly, bounding him "West by the east line of Front street, as now established."

I regard these acts, taken together, as changing the east line of Front street, as well as the west line, so as to give the original width of 66 feet, and no more, through its whole length, making an angle at Exchange Place, instead of the straight lines by which the street was originally laid out.—No one would be likely to deny this proposition, at this day, were it not for the reservation of the right thereafter to improve and occupy that part of the street lying east of the contemplated wall, contained in the resolution of July 11, 1837. That reservation would undoubtedly have been sufficient to protect the rights of the city against encroachments upon the original line of the street, as declared by them, (assuming what I do not attempt to decide, that they declared it correctly,) if such rights had been asserted within a reasonable time, and if the city had done nothing since to bar those rights. But immediately following that resolution, we find the city leasing the lot of which it held the fee, for fifteen years, up to the 66 feet line—(the line of the wall,) requiring the erection of a brick wall thereon, and compelling the owners of the buildings north of that lot to withdraw to the same line, and that line of buildings has been uninterruptedly maintained for over twenty years.—At nearly the expiration of the twenty years they conveyed the lot in fee up to the same line, and covenanted to protect the purchaser and his heirs in the undisturbed possession forever.

It is not material that the Corporation has not expressly declared that a portion of the old street was abandoned. If the alterations made rendered its use as a street unnecessary, and the acts of the Corporation show a design to abandon its use as such, the easement is annihilated, and the absolute rights of the original proprietors, their heirs or grantees, are revived. [*Angel on Highways*, § 326. *Classon v. Hamblet*, 29, *Vermont R.* 28. 3 *Mass. R.* 506].

No more conclusive evidence could be shown of an intention to abandon what lay east of the wall of 1837, as a street, than the leasing, and the subsequent conveyance, of a part of it in fee. The power of the Corporation to make this change has been questioned, but without any sufficient reason. By the original charter of the city, (*Laws of 1834*, p. 313, *Sec. 1*.) the Common Council were made Commissioners of Highways for the city, and of course with the usual powers of Commissioners of Highways of towns. [*Graves vs. Otis*, 2 *Hill*, 466]. As such Commissioners, they had power "to alter such of the streets as they, or a majority of them, should deem inconvenient." [2 *R. S.* 501, *Sec. 1 Sub. 3*, 5th ed., vol. 2, p. 381]. Independent of this,

the charter gave them the express power "to regulate the roads, streets, lanes and alleys, and to alter such of them as they shall deem inconvenient, subject to the restrictions hereinafter contained." There are no restrictions which effect this question. They could not make alterations which required the taking of private property, without purchasing it, or having its value assessed as pointed out in the charter, and paying for it. Accordingly, when private property was required on the west side, for widening the street, they purchased it, but nothing of that kind was required to enable them to relinquish a part of the roadway, when they thought the use of it was unnecessary.

But aside from the questions of intention or of power, on the part of the corporate authorities, those who have occupied the land east of the wall uninterruptedly for twenty years, have gained a right by adverse possession.

However it may have been formerly doubted, it is now, as I think, settled, that the Statute of Limitation applies in such cases. [*Angel on Highways*, *Sec. 323*; 7 *Conn. R.* 125; 2 *Bay (S. C.) R.* 382; 11 *Ohio R.* 44; 8 *B. Mon.* 232, 259.] The case last cited was parallel to the present. A village plat had been made, in 1812, by the owner of land on the bank of the Ohio river, on which a street was laid out parallel to the river, with a line marking its boundary only upon the side furthest from the river, thus indicating, as the court held, that the street or the public ground, upon the river extended to the water. Persons holding as grantees from the proprietor, erected buildings upon the river bank, upon what was held to be a part of the street, or public ground, according to the original dedication, and occupied the grounds upwards of twenty years. The action was in behalf of the city corporation against such occupants. Ch. J. Marshall, delivering the opinion of the Court of Appeals of Kentucky, says: "The dedication was not to the use of the commonwealth, as a corporate being, and invested no title or interest in it. The maxim, *nullum tempus occurrit regi*, is therefore inapplicable. And there is nothing to exempt the right, which vested really in the town and its citizens to be upheld by them for the public, from the operation of the statute of limitations, or from the presumptions arising from adverse claim and possession, as they would apply in ordinary cases of private right or public easements."

The time of the limitation differs in different States, but in this, as in most others, where an absolute limitation has been fixed, it is 20 years. This principle was stated by the Law Committee of the Common Council, in their report quoted above, more than twenty years ago as applicable to the lines of this street, and it is not less applicable now than it was then—nor less to the east than to the west side of the street. Without the maintenance of a principle of this kind, society could hardly exist. It does not rest upon the doctrine, as has been sometimes argued, that time ever justifies the wrong, or converts it into right, but where, after the lapse of many years, new interests have clustered around the subject of wrong, so that its correction would produce other and greater wrongs, the law regarding the actual state of things when its aid is invoked, refuses to interfere. I think these considerations have operated with as much force in establishing what are termed rights acquired by adverse enjoyment, as that of the presumption of a grant, which is usually referred to as the basis of such rights; a presumption, which is often, indeed generally, unfounded in

fact. It is not often that a case is presented where the reason of the rule, as here suggested, would apply with greater force than to the present.

This point of adverse possession would not be available to Mr. Erickson, as he held during the greater part of the time as the tenant of the city, and while so holding his possession could not be adverse. He is, however, amply protected by his conveyance in fee. It has been insisted that the Corporation of a City has no right to sell its streets. This is unquestionably correct. The city however, having power to change the lines of streets, may, by the exercise of that power, withdraw the easement of a street from the lands, or a part of them, which the street covers. When that is done, whoever may own such lands, will own them absolutely, with the right to convert them to any use to which lands may lawfully be converted. The City holding the fee of the old market lot, a part of which was covered by the street, when the street was withdrawn from it, or from a part of it, had a right to sell such part, as it did, to Mr. Erickson.—It is not perceived how any doubt can rest upon his title.

Some of the persons who were assessed for the expenses of adding to the west side of the street, the triangle purchased for that purpose in 1836, complain that injustice has been done by the corporation in compelling them to pay for this widening of the street, and then allowing what they insist is an encroachment of equal width on the opposite side, so that, in fact, they have secured only a change of the course of the street, and not the increased width for which they paid. However just this complaint may be, it has no bearing upon the question as to the rights of Mr. Erickson and the other owners of lots on the east side of the street. Whether the Common Council has acted justly or unjustly, in making the change, does not affect its legality, provided they had the power to make it.

If those who were assessed really supposed it was the design of the Common Council to make this street at its south end ninety or more feet wide, and have it decrease in width from that point to sixty-six feet at Works street, they may perhaps have good reason to complain. It is not, however, readily perceived how such could have been the expectation. There was certainly no occasion for increasing the width of this street beyond the sixty-six feet which it was originally designed to have, and if there had been no difficulty in carrying the east line to the point which would give that width, without changing the west line, it was worse than an act of folly to make the change. No satisfactory reason can be assigned for the large expenditure which was required to accomplish this change, except that it was necessary to avoid as large an expenditure, if not larger, on the other side, to secure the 66 feet for practical use, which was needed for the street. That this was the view of the Common Council, is now apparent, and it could hardly have been less so at that time than it is now. All their acts, with the single exception of the reservation before mentioned, tend to confirm this view. That reservation was not made until more than a year after the property on the west side had been purchased, and the acts of the Common Council at the same meeting, in locating the bridge abutment, and the wall, show that it was a declaration never expected to be acted upon. If this view is sound, it subtracts somewhat from the supposed strong moral claim of those assessed for that improvement, which is urged upon the consideration of the Common Council.

Besides, it is by no means clear, that the assessments would not have been greater upon the same persons, if they had been called upon to defray the expense of placing the street upon its east line in such condition as to secure the same practical width for the street as has been secured through the enlargement upon the west side.

Rochester, July 11, 1859. H. R. SELDEN.

In Common Council, July 26, 1859.

REGULAR MEETING.

Present—The Mayor, Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billinghamurst, Cushing.

Absent—Ald. Mudgett, G. W. Perry, Twitchell and Stone.

The proceedings of the previous meeting were approved.

PETITIONS AND CLAIMS.

By Ald. Reynolds—Bill of D. M. Dewey, for Stationery. Contingent expense Com.

By Ald. Lewis—Bills of J. J. Vanzandt, Stewart & McBurney, H. L. Smith, S. Church, A. Cross, O. Harris, articles furnished and work done for Fire Department; proceedings of Engine Cos. Nos. 1 and 3. Fire Department Com.

By Ald. Erickson—Remonstrance of James Gleason and others, against a Plank walk on Oak street. Table.

By Ald. Knapp—Bill of Thomas Lynde, and J. F. Cram, for labor on West Avenue. Table.

By Ald. Lutes—Bill of Benton & Andrews, for printing for Police office; R. E. and J. Sherlock, gas fitting for do. Police Com.

By Ald. Shelton—Petition of J. Carbery, for removal of a slaughter house. Committee on Public Health.

Estimates of work done on New Main street and Atwater street sewers. Table. F. Massett, Hack hire. Sewer Com.

By Ald. Mason—of L. Barrow and others, for a Plank walk on the East side of Bolivar street. Improvement Com.

By Ald. Holmes—Communication from Committee of First Presbyterian Society, against widening Pindall Alley. Improvement Com.

By Ald. Hebard—Of E. K. Blyth and others to have the name of Galusha st. changed. Street Com. Of Thos. McLaughlin, for a Market License. Market Com.

REPORTS OF COMMITTEES.

By Ald. Lewis, from the Fire Department Com.—Favorably on bills of R. Holliday, R. E. & J. H. Sherlock, McKinley & Phelps, A. Strong & Co., R. Harris, E. Wray, N. Aylesworth, J. Howland, C. Gilbert, and Geo. B. Harris. Finance Com.

By Ald. Bradstreet, from the Grievance Com.—On the claim of Henry Snyder, for damages, the following report:

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

The Grievance Committee, to whom was referred the petition of Henry Snyder, respectfully submit the following report:

That on the evening of the 7th of March, 1859, as said Snyder was approaching the canal bridge on Alexander street, on the southerly side thereof, going westward, the sidewalk being unguarded,

and it being extremely dark, he made a misstep, and falling upon the slanting coping of the abutment to the bridge and thence on to the tow-path, broke his thigh bone. He has been attended by several physicians; the bone has been set and is healed so that the limb is nearly four inches shorter than the other. He is still confined to his couch, and is undoubtedly a cripple for life.

Said Snyder is a German by birth; is 58 years of age; has no family; is blind of one eye; has resided in the vicinity of the accident for the last three years, and in the city during seven years past. He has been a laboring man, and owns a house and lot valued at \$300, and has some money.

In regard to the condition of the street and bridge at the occurrence of the accident, it was precisely as at present. The State had completed the bridge in the winter of 1856. In the spring of 1857, E. Watson, Esq., contracted with the city to put the street and the sidewalks on each side of the bridge in proper order. The work was nearly completed by the contractor, when he was directed to suspend it. Meantime the contract was abstracted from file, and the work left in its present unfinished and unsafe and dangerous predicament, the sidewalks hardly extending the width of the bridge, neither guarded or lighted, exposing footmen and horsemen to loss of limb and life.

Your Committee have taken the sworn testimony of Mr. Snyder, also of the Physicians he employed, and of others whose evidence in the case is material. Drs. Hall and Avery at the request of the Committee have made a professional examination of Mr. Snyder, and their report together with the testimony above mentioned, is hereunto annexed.

Your Committee in conclusion beg leave to offer the following:

Resolved, That the foregoing report and accompanying testimony be referred to the Law Committee to report to this body the liability of the city in the premises, and the amount of damages sustained, if any, by said Snyder.

Resolved, That the Superintendent, under the direction of the Street Committee, is hereby directed to put strong and sufficient guards at every public Bridge in the Corporation, where needed.

N. C. BRADSTREET,
N. A. STONE,
GEO. SHELTON,

July 26, 1859. Committee.

By Ald. Bradstreet, from the same Com.—The following:

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

The Grievance Committee to whom was referred the petition of John Ingersoll for reimbursement of taxes, amounting to \$11.06, paid by him in the years 1855 to 1858, inclusive, on 12 feet of lot A, east side of State street, belonging to R. D. Howard, respectfully report:

That they can find no authority by which the Common Council can reimburse in such a case; but respectfully call the attention of the petitioner; and all others in similar circumstances, to section 221 of city charter, as follows: "When any such assessment shall be made upon or paid by any person, when by agreement, or by law, the same ought to be borne or paid by any other person, it shall be lawful for the one so paying to sue for, and recover of the person bound to pay the same, the amount so paid, with interest."

July 26, 1859.

N. C. BRADSTREET,
N. A. STONE,
GEO. SHELTON,

Committee.

By Ald. Bradstreet, from the same Com.—The following:

To the Honorable, the Mayor and Common Council:

The Grievance Committee to whom was referred the resolution of Ald. Nash, as follows:—

"Resolved, That the Rev. Martin Laur, a minister of the Gospel, and owner of a dwelling house and lot, No. 8 Achilles street, in the 10th Ward, who is assessed upon the sum of four hundred dollars for the present year, be exempt from said assessment, and that the same be charged to erroneous assessments of said Ward." Respectfully Report:—

That, inasmuch as said Laur has rented his premises to a tenant, he has waived the privilege of the Statute which exempts the property of clergymen from taxation only when "occupied" by them.

N. C. BRADSTREET,
N. A. STONE,

July 26, 1859. GEO. SHELTON, Committee.

By Ald. Knapp, from the Street Com.—The following report of the Street Superintendent:

Report of the City Superintendent.

To the Honorable the Common Council—

GENTLEMEN—The undersigned, City Superintendent, takes great pleasure in making and submitting the following Report. His duty as a public officer is in full accordance with his interests as a citizen and a tax payer, and both impelled him to perform the duty imposed by the resolution of your Honorable Board. On assuming the office which your partiality has assigned to him, he was desirous of understanding its duties and obligations fully, and one of his first endeavors was, to ascertain from some report or other record, satisfactory evidence respecting the manner in which and the places where the highway fund had been expended in former years. No such record being available, the undersigned resolved that all the accounts of his department should be kept in such a manner that any tax payer might possess such information upon an examination of the books of the Superintendent. The Board, in making it his duty to report specifically, has but seconded his own resolution.

The undersigned has not endeavored so much to save the highway fund as to expend it so as to effect the greatest possible benefit to the tax payers. In this design, the Street Committee, under whose direction the Superintendent acts, have fully coincided.

The remark has been made, that it is practicable to expend the highway fund in such a manner that all the streets shall constantly be in good repair, and every tax payer entirely satisfied. In the opinion of the undersigned, such a result would be impossible, and no person who has a practical knowledge of the subject would seriously make the statement.

It is unfortunate, in the opinion of the Superintendent, that any citizen, and more particularly one in the public service, should for a moment be influenced by considerations of locality, or by a jealousy toward a portion of the city on one side of the river as opposed to the interest of the people living on the opposite side. In executing the duties of his office, the Street Superintendent has lost sight of any such dividing line, and aimed to discharge his responsibilities without partiality or favor; and he believes that his books will evince such a disposition. Selfishness alone would dictate an injurious reflection upon a public officer, on account of the district or ward in which he happened to reside; and no person could be properly entrusted with an office which gave him the expenditure of the public money, who would be guilty of using it unequally for the purpose of beautifying that section in which he might reside or own property. Neither should an undue sensitiveness prevent him from taking proper care of that section—for the general interests are involved in the proper maintenance of all the avenues of the city.

The undersigned submits his report, in obedience to the resolution of the Board, believing that it will show that if he has been unjust to any portion of the city, it is that in which he himself resides.

This report includes the first quarter, from April till the 1st of July. Since the date of this report work has been done in the third, eighth, ninth, tenth, twelfth and first wards, which will be contained in the next statement.

R. D. HOWELL, Superintendent.

FIRST WARD.

1859.	Sophia Street.		
June 18—	For 11½ days work,	16s	\$23 00
"	10½ "	7s	9 19
"	13¾ "	6s	10 31
"	2¼ " team,	18s	5 07
"	9½ loads paving stone,		9 50
"	19 loads sand,		11 40
"	sharpening picks,		90
			\$ 69 37

Buffalo street, east end of Bridge.

May 23—	For 1 day's work picking up old Macadam, at	6s	75
"	4 loads Macadam, teams	1 0	1 25
24	5 " time		
			\$ 3 00

Buffalo street, well to sewer.

May 30—	For 1 day's work, at	6s	75
"	1 " "	10s	1 25
"	½ day, team,	18s	1 13
"	1 barrel water lime,	9s	1 13
"	1 load sand,	6s	63
31—	For 1 day, foreman,	16s	2 00
"	1 day's work,	6s	75
June 1—	For ¼ day, foreman,	18s	50
"	¼ day's work,	6s	19
"	¾ barrel water lime,	9s	56
"	Blacksmith bill on grating,		1 00
			\$ 9 53

May 28—	For 1 day's work digging test pit Elizabeth street sewer,		75
			75

State street sewer, south of Railroad

June 11—	For ¼ day's work,		94
13	4 feet of cover stone and placing them on sewer,		1 00
			1 94

Total amount First Ward, \$84 95

SECOND WARD.

Warehouse Street.

For hauling dirt from Brown's Alley to fill up street.

May 12—	For 6 day's work, at	6s	4 50
"	2 days team,	18s	4 50
"	1 day, foreman,	16s	2 00
18—	4 days work,	6s	3 00
"	2 days team,	18s	4 50
"	1 day foreman,	16s	2 00
19—	5 days work,	6s	3 75
"	2 days team,	18s	4 50
"	1 day foreman,	16s	2 00
20—	5 days work,	6s	3 75
"	2 days team,	18s	4 50
"	1 day foreman,	16s	2 00
25—	7 days work,	6s	5 25
"	3 days team,	18s	6 75
"	1 day foreman,	16s	2 00
			\$65 00

Platt Street Sewer.

May 20—	For 1 day work digging test pit at 6s		75
			75

Erie Street, Turnpiked.

May 26—	For 3 days work, at	6s	2 25
"	1 day team,	18s	2 25
27—	2 days work,	6s	1 50
31—	3¼ " "	6s	2 44
"	1 days team,	18s	2 25
"	¼ day foreman,	16s	50
			\$11 19

Oak Street, Turnpiked.

May 25—	For 3 days work, at	6s	2 25
"	1½ day team,	18s	3 38
26—	9 days work,	6s	6 75
"	2 days team,	18s	4 50
"	1 day foreman,	16s	2 00
27—	7½ days work,	6s	5 62
"	1½ day team,	18s	3 38
"	¾ day foreman,	16s	1 50
31—	3 days work,	6s	2 25
"	1½ day team,	18s	3 38
"	¾ day foreman,	16s	1 50
June 1—	For 7 days work,	6s	5 25
"	2 days team,	18s	4 50
"	1 day foreman,	16s	2 00
2—	3 days work,	6s	2 25
"	1 day team,	18s	2 25
"	½ day foreman,	16s	1 00
"	¾ bbl water lime for well to sewer cor Brown and Oak streets,		56
			\$64 32

Brown's Alley.

For hauling stone to corner Brown and Jones streets.

June 10—	For 1 days work, at	6s	75
"	¼ day team,	18s	1 13
"	¼ day,		50
			\$2 39

Total amount Second Ward, \$123 64

EIGHTH WARD.

Clifton Street, opening and digging ditches, building box sewers, &c.

April 29—	For 1 days work, at	6s	75
30—	2 " "	6s	1 50
May 1—	2 " "	6s	1 50
"	6 men half day each,	6s	2 25
"	2 teams "	18s	2 25
"	1 day foreman,	16s	1 00
"	635 feet 2 inch joists;		7 50
"	5 days work,	6s	3 75
"	2 days team,	18s	4 50
"	1 day foreman,	16s	2 00
6—	5 days work,	6s	3 75
"	2 days team,	18s	4 50
"	1 day foreman,	16s	2 00
10—	6 days work,	6s	4 50
"	2 days team,	18s	4 50
"	1 day foreman,	16s	2 00
6—	198 feet 2 inch joist,		1 98
"	15 lbs spikes,		75
			\$51 98

Received of Judge Lynch, 8 50 \$43 48

West Avenue.

June 27—	For 1½ days team, at	18s	3 37
			\$3 37

Reynolds Street.

May 10—	For 1½ days work, at	6s	1 13
"	1 " team,	18s	2 25
"	5 " work,	6s	3 75
"	2 " team,	18s	4 50
"	1 " foreman,	16s	2 00
13—	5 " work,	6s	3 75
"	2 " team,	18s	4 50
"	1 " foreman,	16s	2 00
16—	1 " work,	6s	1 13
"	3 " team,	18s	2 25
17—	3 " work,	6s	2 25
"	1½ " foreman,	18s	3 38
"	1 " foreman,	16s	2 00
			\$33 39

High Park Grading.

July 1—	For 7 days work, at	6s	5 25
"	2 " team,	18s	4 50
"	1 " foreman,	16s	2 00
			\$11 75

Canal Street.

June 25—	For labor, men and teams,		10 87
			\$10 87

Total amount Eighth Ward, \$102 86

NINTH WARD.

Oak Street Duck Pond.

April 27—	For 4 days work, at	6s	3 00
"	1 " team,	18s	2 25
"	1 " foreman,	16s	2 00
28—	5 " work,	6s	3 75
"	2 " team,	18s	4 50
"	1 " foreman,	16s	2 00
"	1 " work,	9s	1 13
"	2 loads sand,		58
"	50 lbs spikes,		2 50
"	1 bbl water lime,		1 25
"	742 feet 2 in plank for box sewer,		7 42
29—	6 days work, at	6s	4 50
"	2 " team,	18s	4 50
"	work,	9s	66
"	1½ " foreman,	16s	2 00
30—	1 " work,	6s	1 13
May 3—	7 " "	6s	5 25
"	2 " team,	18s	4 50
"	1 " foreman,	16s	2 00
3—	6 men ½ day each,	6s	2 25
"	2 teams "	18s	2 25
"	½ day foreman,	16s	1 00
"	1 grate for lateral sewer,		6 00
			\$66 61

State Street sewer near Mr. Jones.

May 4—	For 1 days work,		75
"	1 bbl water lime,	6s	1 25
"	trucking,		1 25
"	1 load sand,		63
"	1 days work from Ald. Lutes,		75
"	1 " "		75
			\$4 38

Backus Avenue and Varnum Street Cross Walks.

June 7—For work,	5	95	
“ 978 feet of oak,	14	67	
“ 500 feet of hemlock,	5	00	
“ 30 lbs spikes,	1	50	\$27 12

ELEVENTH WARD.

Magne Street Bridge.

Where sewer goes under the Canal.

April 9—For 2 days work, at	6s	1 50	
“ 1 “ foreman,	16s	2 00	
“ 500 feet 2 in joist and plank,	5	00	\$8 50

Magne Street from Brown to Lyell Street.

June 2—For 3½ days work, at	6s	2 63	
“ 1 “ team,	18s	2 25	
“ ½ “ foreman,	16s	1 00	
“ 3— ½ “ work,	6s	5 25	
“ 2 “ team,	18s	4 50	
“ 1 “ foreman,	16s	2 00	
“ 6— 3¼ “ work,	6s	2 81	
“ 1½ “ team,	18s	3 38	
“ ¼ “ foreman,	16s	1 50	
“ 7— ¼ “ work,	6s	5 25	
“ 2 “ team,	18s	4 50	
“ 1 “ foreman,	16s	2 00	
“ 325 feet joist } box sewers at	3	25	
“ 10 lbs spikes } Ro'yn & Orange sts	50		
“ 8— 7 days work,	6s	5 25	
“ 2 “ team,	18s	4 50	
“ 1 “ foreman,	16s	2 00	
“ 9— 7 “ work,	6s	5 25	
“ 2 “ team,	18s	4 50	
“ 1 “ foreman,	16s	2 00	
“ 14— 6¾ “ work,	6s	5 06	
“ 2¼ “ team,	18s	5 07	
“ ¼ “ foreman,	16s	1 50	
“ 10 “ work,	6s	7 50	
“ 3 “ team,	18s	6 75	
“ 1 “ foreman,	16s	2 00	
“ 16— 4½ “ work,	6s	3 19	
“ 1½ “ team,	18s	3 38	
“ ¾ “ foreman,	16s	1 50	
“ 8 “ work,	6s	6 00	
“ 2 “ team,	18s	4 50	
“ 1 “ foreman,	16s	2 00	
“ 20— 6 “ work,	6s	4 50	
“ 1 “ team,	18s	2 25	
“ ½ “ foreman,	16s	1 00	
“ 21— 6 “ work,	6s	4 50	
“ 1 “ team,	18s	2 25	
“ ½ “ foreman,	16s	1 00	
“ 22— 2 “ work,	6s	1 50	\$129 77

Grape Street.

June 20—For 192 feet 2 by 24 } for box sewers at 2 30			
“ 23— 704 feet 2 by 24 } Jay, Smith and			
“ 12 lbs spikes,	6s	8 45	
“ 29— 2 days work, at	6s	60	
“ ½ “ team,	18s	1 50	
“ ¼ “ foreman,	16s	1 12	
“ 30— 4 “ work,	6s	3 00	
“ 1 “ team,	18s	2 25	
“ ½ “ foreman,	16s	1 00	\$20 20

Opening Saxton street sewer, corner of Smith and building box sewer in Smith street,

April 26—For 1 days work, at	6s	75	
“ 27— 2 “ team,	6s	1 50	
“ 1 “ load sand,	9s	1 13	
“ 1 load stone,		63	
“ 1 bbl water lime,		1 00	
“ 3 days work,	6s	1 25	
“ 1 “ foreman,	16s	2 25	
“ 28— 1650 feet 2 in plank,	19	80	
“ 30 lbs spikes,	1	50	
“ 2 days work,	6s	1 20	\$33 31

Walnut street, for building two box sewers at Smith street,

June 20—For 384 feet 2 by 24 joist,	4	61	
“ 6 lbs spikes,	30		
“ 21— 2 days work,	6s	1 50	
“ 2 “ foreman,	6s	38	\$6 79

Jay street from Magne street to city line.

June 21—For 3 days work,	6s	2 25	
“ 1 “ team,	18s	2 25	
“ ½ “ foreman,	16s	1 00	
“ 22— 7 “ work,	6s	5 25	
“ 2 “ team,	18s	4 50	
“ 1 “ foreman,	16s	2 00	
“ 23— 8 “ work,	6s	6 00	
“ 3 “ team,	28s	6 75	
“ 1 “ foreman,	16s	2 00	
“ 24— 8 “ work,	6s	6 00	
“ 2 “ team,	18s	4 50	
“ 1 “ foreman,	16s	2 00	

“ 27— 7 “ work,	6s	5 25	
“ 2 “ team,	18s	4 50	
“ 1 “ foreman,	16s	2 00	
“ 28— 672 feet 2 in joist,	6s	6 72	
“ 8 days work,	18s	6 00	
“ 2 “ team,	18s	4 50	
“ 1 “ foreman,	16s	2 00	
“ 72 feet 2 in joist,		72	
“ 29— 6 days labor,	6s	4 50	
“ 1½ “ team,	18s	3 38	
“ 3 “ foreman,	16s	1 50	
“ 12 lbs spikes,		60	\$86 17

Clark street.

June 30—For 4 days work,	6s	3 00	
“ 1 “ team,	18s	2 25	
“ ½ “ foreman,	16s	1 00	
July 1— 1 “ work,	6s	75	\$7 00

Total amount Eleventh Ward,

FOURTH WARD.

Corner of Main and St. Paul streets.

April 14—For 61 8-12 ft bridge and flagging stone, at 20c,		12 34	
“ 1 days work,	11s	1 38	\$13 72

Corner of Williams and Monroe streets, for repairing sewer and Macadamizing.

April 24—For 3 loads sand,		1 88	
“ 5 days work,	6s	3 75	
“ ½ bbl water lime,		63	
“ 25— 3 days work,	6s	2 25	
“ 1 “ foreman,	16s	2 00	
“ 28— 1 “ team,	18s	2 25	
“ 3 “ work,	6s	2 25	
“ ½ “ foreman,	16s	1 00	

Jackson street, turnpiked.

May 9—For 8¼ days work,	6s	6 56	
“ 10— 2½ “ team,	18s	5 63	
“ 1¼ “ foreman,	16s	2 50	\$14 09

Court street at the bridge.

May 9—For ½ days work,	6s	38	
“ ¼ “ team,	18s	56	\$0 94

Deduct \$18 12 received of Gas company for repairing the sewer at the corner of Monroe and Williams street,

8 12

Total amount Fourth Ward,

\$37 24

FIFTH WARD.

Corner of St. Paul and Franklin streets, repairing sewer.

April 27—For 2 days work,	6s	1 50	
“ ½ bbl water lime,		63	
“ 1 load stone,		63	
“ 28— 2 loads sand,	60c	1 20	
“ 1 grate, 81 lbs,	10c	8 10	
“ 1½ days work,	6s	1 13	\$13 19

North Clinton street, turnpiked and repairing box sewers.

May 11—For 61 days work,	6s	47 75	
to “ 31— 9¼ “ team,	18s	43 31	
“ 7 “ foreman,	16s	14 00	\$103 06

Scrantom street, turnpiked.

June 14—For 42 days work,	6s	31 50	
to “ 21— 11½ “ team,	18s	25 88	
“ 7 “ foreman,	16s	14 00	\$ 71 38

Ward street, turnpiked.

June 22—For 14 days work,	6s	10 50	
“ 22— 4 “ team,	18s	9 00	
“ 2 “ foreman,	16s	4 00	\$23 50

Total amount Fifth Ward,

\$211 13

SIXTH WARD.

North Clinton street, turnpiked and repairing box sewers

May 11—For 61 days work,	6s	45 75	
to “ 31— 19¼ “ team,	18s	43 31	
“ 7 “ foreman,	16s	14 00	\$103 06

St. Joseph street, turnpiked.

June 1—For 10 days work,	6s	7 88	
“ 3 “ team,	18s	6 75	
“ ½ “ foreman,	16s	3 00	\$17 87

Baden street, turnpiked.

June 2—For 5½ days work,	6s	4 13	
“ 2 “ team,	18s	4 50	
“ ½ “ foreman,	16s	1 00	\$9 63

Kelly street, turnpiked and cross sewers.			
June 3—For 8 days work,	6s	6 00	
" " 1½ " team,	18s	2 81	
" " 1 " foreman,	16s	2 00	
" " 360 feet 2 inch plank, pine,		4 32	\$15 13
Chatham street, turnpiked.			
June 3—For 17½ days work,	6s	13 12	
to " 7— 5 " team,	18s	11 25	
" " 2½ " foreman,	16s	5 00	\$29 37
St. Joseph street.			
June 8—For 3½ days work,	6s	2 63	
" " 1 " team,	18s	2 25	
" " ½ " foreman,	16s	1 00	\$5 88
Herman street, turnpiked.			
June 9, 10—For 11 days work,	6s	8 25	
" " 3 " team,	18s	6 75	
" " 1½ " foreman,	16s	3 00	\$18 00
Total amount Sixth Ward,			
			\$198 70
SEVENTH WARD.			
Wadsworth Square, widening base.			
May 2—For 3½ days work,	12s	5 25	
" " 450 feet lumber,	\$12	5 40	
" " planing and sawing,		1 35	\$12 00
Howell street.			
May 2—For 198 feet side walk,	4c	7 92	
" " building walk across Green street,		2 00	\$9 92
Manhattan street, ploughing gutters.			
May 11—For 4 days work,	6s	3 00	
" " 1 " team,	18s	2 25	
" " ½ " foreman,	16s	1 00	\$6 25
Pearl and Alexander streets.			
May 11—For repairing box sewer, lumber,		29	
" " ¼ days work,	6s	18	47
South St. Paul street.			
July 2—For 2 days repairing cross walk, 6s		1 50	1 50
Total amount Seventh Ward,			
			\$30 14
TENTH WARD.			
Corner of East and Charlotte streets, building sewer.			
April 26—For 1¼ days mason,	10s	2 19	
" " 3 loads stone,	5s	1 89	
" " 1 load sand,	5s	63	
" " 4 days work,	6s	3 00	
" " 1 grate 144 lbs,	10c	14 40	\$22 11
Stillson street, corner of New Main.			
April 27—For repairing sewer,		2 38	2 38
Corner of Prince and New Main streets.			
June 25—For paid John Quinn for grading,			5 00
Total amount Tenth Ward,			
			\$29 49
TWELFTH WARD.			
Alexander and Cayuga streets, repairing sewer.			
April 25—For 2 days work,	6s	1 50	
" " 1 2 inch plank,		15	\$1 65
Gregory street, turnpiked at west end, and box sewer.			
May 5—For 15 days work,	6s	11 25	
" " 380 feet 2 inch plank,		4 56	
" " 30 lbs 4 inch spike,	5c	1 50	\$17 31
Building box sewer.			
May 5—For 6 days work,	6s	4 50	
" " 604 feet 2 inch plank,		7 25	
" " 10 lbs 4 inch spike,	5c	50	\$12 25
South Avenue, building cross sewer.			
May 5—For 3 days work,	6s	2 25	
" " 96 feet 2 inch plank,		96	
" " 1 day foreman,	16s	2 00	\$5 21
Alexander street, turnpiked.			
May 2—For 12 days work,	6s	9 00	
" " 5 " team,	18s	11 25	
" " 2 " foreman,	16s	4 00	\$24 25
Raising the embankment at the bridge.			
June 24—For 31 days work,	6s	23 25	
to July 1— 12 " team,	48s	27 00	
" " 6 " foreman,	16s	12 00	\$62 25
Total amount Twelfth Ward,			
			\$122 92

By Ald. Knapp—Favorably on the bill of Rochester Transportation Co. Finance Com.
 By Ald. Reynolds, from the Improvement Com.—Favorably on the bills of W. S. Grantsynn, and Geo. Watson. Finance Com.
 By Ald. D. W. Perry, from the Lamp Com.—Favorably on the bills of W. E. Hassan, and M. F. Reynolds. Finance Com.
 By Ald. Lutes, from the Police Com.—Favorably on bill of R. E. & J. H. Sherlock. Also, on bill of Wm. Alling. Finance Com.
 By Ald. Shelton, from Select Com.—Favorably on bills of Burke, Fitzsimmons, Hone & Co., for articles furnished at John Allen's funeral. Finance Com. From the Sewer Com.—Favorably on F. Massett's bill, for hack hire. Finance Com.
 By Ald. Hebard, from the Contingent Expense Com.—Favorably on bills of M. Cramer, R. Densmore, E. Wray, D. D. S. Brown, J. C. Moore. A. Strong & Co. Finance Com.
 By Ald. Reynolds, from the Finance Com.—The following Finance Budget:

FINANCE BUDGET.

By Ald. Reynolds—Resolved, That the Treasurer pay as follows:

J M Whitney & Co, bill flour.....	\$22 22
Jno Croub, pd orders.....	56 50
Brewster & Smith, grocer's bill.....	26 15
H Bender & Co, undertaker's bill.....	21 00
Frost & Schleier, 150 lbs pork.....	15 00
Moore & Cole, groceries.....	36 67
J E Butterfield, railroad fares.....	22 25
G Gould & Co, paid orders.....	24 75
S S Pellett, railroad fares.....	26 14
David W Allen, undertaker's bill.....	40 50
B Minges, ".....	59 50
J B Ward & Co, paid orders.....	3 75
J J Van Zant, bill coffee.....	8 40
Wm Alling, indexes.....	1 00
Riley & Hughes, undertaker's bill.....	41 00
W S Main, 1 bb extra flour.....	7 25
T H Hopwood, bill painting Poor Master's office.....	4 56
N G Hawley, bill for blank books.....	16 81
And charge Poor Fund.	
Geo Watson, for draining pond in Nelson street, per contract with Improvement Committee, payable to C M St. John, and chargeable to J McConnell & Son and their surety, for Nelson st. improvement.....	25 00
Peter Springsted, balance due him on his contract for Oak street sidewalks.....	99 08
And charge appropriate fund.	
William Alling, bill stationery for Police office.....	16 30
And charge Police Fund.	
Jacob Howe, bill bread, &c.....	15 95
A Strong & Co, printing bills.....	2 75
C V Jeffries, undertaker's bill.....	79 50
And charge Poor Fund.	
Rathbun & Whitmore, on contract for Mill street improvement when there are funds applicable thereto, and charge that fund.....	1,500 00
W S Grantsynn, bill for services as inspector of plank walk in Smith street, and charge that fund, when there are funds applicable thereto.....	20 00
A Strong & Co, bill printing, \$167, and charge as follows:—	
Highway Fund, 500 notices, "Sweep your Streets,".....	\$5 00
2,000 notices, "Repair your Sidewalks,".....	8 00
Contingent Fund, balance of account.....	154 00
	167 00
Randolph Dinsmore—	
Six days assessing, Jones Square.....	\$12 00
John C. Moore, binding, &c.....	53 87
M Kramer, 1 quarter's appropriation for publishing proceedings, per contract.....	75 00
Elijah Wray, bill locks and keys.....	8 78
D D S Brown, recording.....	1 50
	150 65
And charge Contingent Fund.	
Elijah Wray, locks and keys.....	45 69
Chas Gilbert, hose coupling, &c.....	121 43
Jesse Howland, bell ringing.....	15 00
John Holliday, repairs to engine.....	8 75
R E & J H Sherlock, gas-fitting.....	10 28
Geo B Harris, disbursements.....	16 69
N Aylsworth, repairs to fire apparatus.....	111 10
A Strong & Co, printing certificates.....	6 75
McKindley & Phelps, axes and hardware.....	20 09
R R Harris, tile broken by engines.....	26 00
And charge Fire Department Fund.	

Stroup & McCoconnell, balance due them on their contract, and in full for the construction of Frank st. sewer, and charge that fund when there are funds applicable thereto. 234 00

Frank Maseeth, bill hack hire by Sewer Committee, chargeable equally, as follows:
 Loyal and Oreol street sewer,
 Frank street sewer,
 State street sewer, Jay to White street,
 New Main street sewer. 3 50
 W F Hassan, lights in Oak street. 7 00
 M F Reynolds, bill glass. 71 68

And charge Lamp Fund.
 Adopted by the following vote:
 Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Shelton, Bauer, Mason, Billinghamurst, Cushing—20.
 Nays—None.

Also, in favor of paying an order of \$43.08 drawn in 1855 in favor of E. Jordan, (now held by Henry Butts), for collecting taxes for Court and Williams sts. Sewer. Table.

Also, in favor of paying Messrs. Rathbun & Whitmore \$1500 on their contract for Mill st. Improvement. Table.

By Ald. Hebard—That W. F. Holmes' and C. T. Amsden's bills for insuring Centre Market be referred to City Property Com. Agreed to.

By Ald. Hebard, from the Contingent Expense Committee, in favor of purchasing fifty copies of the City Directory published by Messrs. Curtiss, Butts & Co. Adopted—ayes 17, noes 0.

ACTION UPON ORDINANCES.

PLANK WALK IN GLASGOW STREET.

By Ald. Selye—Resolved, That the city Surveyor ascertain and report to this Board an estimate of the expense of constructing a plank sidewalk four feet six inches wide on the north side of Glasgow street, from High street to Exchange street, and constructing a suitable number of cross-walks—omitting the space between the curbstone on Plymouth Avenue at the south end of Caledonia Square. Adopted.

The Surveyor submitted such estimate.

By Ald. Selye—Resolved, That the following improvement is expedient, namely:

Constructing a plank sidewalk four feet six inches wide, on the north side of Glasgow street, from High street to Exchange street, and constructing a suitable number of cross-walks—omitting the space between the curbstone on Plymouth Avenue at the south end of Caledonia Square. 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 \$296,00, 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, namely:

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 \$147, 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, namely:
 One tier of lots on the north side of Glasgow street from the east line of High street to the west line of Exchange street.
 And the Clerk is hereby directed to publish notice in pursuance of section 190 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 2d, 1859, at half-past seven o'clock, at the Common Council Hall, when allegations will be heard.
 Adopted—all ayes.

IMPROVING EDINBURGH STREET.

By Ald. Selye—Resolved, That the city Surveyor ascertain and report to this Board an estimate of the expense of improving Edinburgh street by grading the same from Plymouth Avenue to Exchange street. Adopted.

The Surveyor submitted such estimate.

By Ald. Selye—Resolved, That the following improvement is expedient, namely:

The improvement of Edinburgh street by grading the same from Plymouth Avenue to Exchange 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 \$147, 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, namely:

One tier of lots on each side of Edinburgh street from the east line of Plymouth Avenue to the west line of Exchange street.

And the clerk is hereby directed to publish notice in pursuance of section 190 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 2d, 1859, at half past seven o'clock, at common council hall, when allegations will be heard.
 Adopted unanimously.

PLANK WALK IN EDINBURGH STREET.

By Ald. Selye—Resolved, That the city Surveyor ascertain and report to this Board the expense of constructing a plank side walk, four feet six inches wide on the north side of Edinburgh street from Plymouth Avenue to Exchange street. Adopted.

The surveyor submitted such estimate.

By Ald. Selye—Resolved, That the following improvement is expedient, namely:

Constructing a plank side walk four feet six inches wide on the north side of Edinburgh street, from Plymouth Avenue to Exchange 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 \$146, 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, namely:

One tier of lots on the north side of Edinburgh street from the east line of Plymouth Avenue to the west line of Exchange street.

And the clerk is hereby directed to publish notice in pursuance of section 190 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 2d, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard.
 Adopted unanimously.

IMPROVING HUDSON STREET.

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

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

AN ORDINANCE, To improve Hudson-st., from North street to the North line of Bardwell-st.

The common council of the city of Rochester do ordain and determine as follows:

Hudson street shall be graded and plank walks shall be laid upon each side thereof, five feet and four inches wide, from North Street to the north line of Bardwell street, and a suitable number of cross-walks shall be constructed in the same.

And the whole expense thereof 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 Four Hundred and Sixty-four Dollars, which estimate was and is hereby approved, the sum of Two Thousand Four Hundred and Sixty-four Dollars, being the whole amount of the estimate aforesaid, shall be assessed upon such owners and occupants. And the portion of said city which the said common council deem will be benefited by said improvement is described as follows:

One tier of lots and all the land on each side of Hudson street from North street to the north line of Bardwell street.

On which above described portion of the city the said sum of Two Thousand Four Hundred and Sixty-four 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, Francis Dana and Jared Coleman, 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 Friday, the 29th day of July, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:

Yays—Ald. Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billinghamurst, Cushing—19.

Nays—None

FLAG WALK IN CANAL STREET.

Ald. Selye submitted an ordinance for constructing a Flag Walk in Canal street, and allegations having been heard, the ordinance was

Lost by the following vote—
 Ayes—Ald. Butler, Reynolds, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Knapp, Selye, Shelton, Bauer, Mason—12.

Noes—Ald. Holmes, Hollister, Lewis, Moore, Lutes, Jones, Billinghamurst, Cushing—8.

SEWER IN MORTIMER STREET.

By Ald. Shelton—Resolved, That the City Surveyor ascertain and report to this Board, an estimate of the expense of constructing a stone sewer 18 inches by 18 inches, in Mortimer street, from a point one hundred and fifty feet from the west line of Clinton street to the sewer in St. Paul street, to be of such depth as the conformation of the ground will admit. Adopted.

The surveyor submitted the estimate.

By Ald. Shelton—Resolved, That the following improvement is expedient, namely :

The building a stone sewer eighteen inches square in Mortimer street, from a point one hundred and fifty feet west of the west line of Clinton street to the sewer in St. Paul street, to be of such depth as the conformation of the ground will admit.

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 \$650.00, which estimate is hereby approved.

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

One tier of lots on each side of Mortimer street from a point one hundred and fifty feet west of the west line of Clinton street to St. Paul street.

And the clerk is hereby directed to publish notice in pursuance of section 190 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 2d, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard. Adopted.

IMPROVEMENT OF LYELL STREET.

On motion of Ald. Selye, 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. Selye submitted the following :

AN ORDINANCE, To improve Lyell street, from the west line of State street to the west line of the city :

The common council of the city of Rochester having been requested by a petition signed by a majority of the owners of property to be assessed for the improvement hereinafter mentioned, do hereby ordain and determine as follows :

Lyell-st. shall be improved from the west line of State street to the west line of the city, by setting a curb of Medina stone fifteen feet from the lines of the street, paving eight feet wide on each side with cobble stone, and Macadamizing a roadway twenty feet wide in the centre, and constructing a suitable number of cross walks and a sufficient number of lateral sewers and grates.

And the whole expense thereof shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefitted thereby, and the city Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at Fourteen Thousand nine hundred and Fifty dollars, which estimate was and is hereby approved. The sum of Fourteen Thousand Nine 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 benefitted by said improvement is described as follows :

One tier of lots on each side of Lyell street, from the west line of State street to the west line of the city.

On which above described portion of the city, the said sum of Fourteen Thousand Nine 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, 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, Francis Dana and Jared Coleman, the assessors of said city, not interested in any of the property so benefitted, 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 Friday, the 29th day of July, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:

Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Selye, Knapp, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billingshurst, Cushing—20.

Noes—None.

WALK AROUND BROWN'S SQUARE.

On motion of Ald. Butler, 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. Butler submitted the following :

AN ORDINANCE, to construct side-walks around Brown's Square.

The common council of the city of Rochester do ordain and determine as follows :

A flag side walk five feet in width shall be constructed around Brown's Square, the walk shall be graded to a width of fifteen feet, one row of trees shall be planted on the outer edge thereof, and an oak railing shall be made outside of the line of trees.

And the whole expense thereof shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefitted thereby, and the city surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at \$2000 00, which estimate was and is hereby approved; The sum of \$2000 00, 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 benefitted by said improvement is described as follows :

One tier of lots and all the land to the depth of one tier of lots on the north side of Jay street from the Erie canal to the Genesee river, and all the territory in the Second Ward lying south of the centre of Jay street and north of a line drawn through the centre of Dean street east to the Genesee river and west to the Erie canal.

On which above described portion of the city, the said sum of two thousand dollars is hereby ordered to be assessed.

And David McKay, Francis Dana and Jared Coleman, the Assessors of said city, not interested in any of the property so benefitted, 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 Friday, the 29th day of July, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:

Ayes—Ald. Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billingshurst, Cushing—18.

Noes—Ald. Holmes—1.

PLANK WALK IN BROWN STREET.

By Ald. Selye—Resolved, That the city Surveyor ascertain and report to this Board an estimate of the expense of constructing a plank side walk six feet wide on the south side of Brown street from Warehouse street to East Maple street, and constructing a suitable number of cross-walks.

Adopted.

The surveyor submitted such estimate.

By Ald. Selye—Resolved, That the following improvement is expedient, namely :

Constructing a plank side walk six feet wide on the south side of Brown street from Warehouse street to East Maple street, and constructing a suitable number of 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 \$519 00, which estimate is hereby approved.

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

One tier of lots on the south side of Brown street from the west line of Warehouse street to the east line of East Maple street, including the New York Central Railroad.

And the Clerk is hereby directed to publish notice in pursuance of section 190 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 2d, 1859, at half-past seven o'clock, at the Common Council Hall, when allegations will be heard. Adopted unanimously.

WIDENING PUBLIC SQUARE OR PINDALL ALLEY.

By Ald. Selye—Whereas, The common council has declared it expedient and necessary to widen Public Square or Pindall Alley from the south line of Buffalo-st., southward, by the addition of twenty-five feet to the west side thereof;

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 \$8,166;

Resolved, That the following described premises are hereby determined to be necessary for said improvement, to wit :

Beginning at the point where the west line of Public Square or Pindall Alley intersects with the south line of Buffalo street, and running thence westerly upon the said

south line twenty-five feet, thence southerly parallel with said west line and twenty-five feet distant therefrom to the south line of the county property; thence easterly along the said south line to the west line of said Alley; thence northerly along said west line to the place of beginning; and that the following portion of said city is hereby deemed benefited and proper to be assessed for the whole expense thereof, namely:

All the territory between Buffalo street and the Erie canal, that is bounded on the east by Exchange street, and upon the west by Fitzhugh street, excepting the property owned by the First Presbyterian Church and Society.

And the clerk is hereby directed to publish notice in pursuance of section 190 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 2d, 1859, at half past seven o'clock, at the common council hall, when allegations will be heard Adopted.

SEWER IN NORTH ST. PAUL STREET.

Ald. Bradstreet offered the following:

Resolved, That the Sewer Committee, in case a sewer in North St. Paul street be authorized to be constructed, be and they are hereby requested not to contract said sewer at a sum of over \$1.37 per lineal foot. Adopted.

SEWER IN NORTH ST. PAUL STREET.

On motion of Ald. Shelton, 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. Shelton submitted the following:

AN ORDINANCE, to construct a sewer in North St. Paul street.

The common council of the city of Rochester, do ordain and determine as follows:

A stone sewer shall be constructed in North St. Paul st. commencing at point 21 feet south of the south line of Marietta st. and running therefrom north about ten feet deep, two feet wide and two feet high to Lowell street, thence to be two feet wide and two and a half feet high to Scramton street, and discharge into the river over the high bank.

And the whole expense thereof 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 \$7,385 00, which estimate was and is hereby approved. The sum of \$7,385 00, 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 and all the land to the depth of one tier of lots on each side of North St. Paul street, from a point two hundred and ten feet south of the south line of Marietta street to Scramton street, and for an outlet and surface drainage, one tier of lots on each side of Ward street to the east line of lots 32 and 37, also one tier of lots on each side of Emmet street to Hand street, including all the land between Emmet street and the east line of the tier of lots fronting on St. Paul street, also one tier of lots on the south side of Hand street to Clinton street, also one tier of lots and all the land to the depth of two hundred feet on the east side of Clinton street from a point opposite the south-east corner of the lot at the corner of Clinton street and Summit Park to a point opposite the south line of lot No. 23 in the "Lee tract," also all the lands within the following described territory: bounded on the north by the south line of lot No. 23 in the Lee tract, extended from Clinton street to Scramton street, on the east by Clinton street, on the south by the south line of lands heretofore described on Summit Park and Hand street, and on the west by the east line of the tier of lots fronting on North St. Paul street.

On which above described portion of the city, the said sum of \$7,385 00, 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, Francis Dana and Jared Coleman, 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 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 the said

Assessors are hereby notified to meet for this purpose on Friday, the 29th day of July, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:

Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Ferry, Erickson, Knapp, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billinghamurst, Cushing—18.

Nays—Ald. Nash, Moore—2.

IMPROVEMENT OF NORTH STREET.

Ald. Holmes moved that the Ordinance for the improvement of North street, be postponed until the next meeting of the Board. Lost.

IMPROVEMENT OF NORTH STREET.

On motion of Ald. Selye, 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. Selye submitted the following:

AN ORDINANCE, to improve North street from Riley street to the New York Central Railroad.

The common council of the city of Rochester do ordain and determine as follows:

North street shall be improved from Riley st. to the New York Central Railroad, as follows: By setting a curb of Medina stone fifteen feet from the lines of the street, making gravel sidewalks with plank five feet wide laid in the centre, paving with cobble stone eight feet wide upon each side of the street, constructing a McAdam roadway in the centre, and constructing a suitable number of flag stone cross walks.

And the whole expense thereof 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 \$9,381 00, which estimate was and is hereby approved; the sum of nine thousand three hundred and eighty-one 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 North street from Riley street to the New York Central Railroad

On which above described portion of the city, the said sum of nine thousand three hundred and eighty-one 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, Francis Dana, and Jared Coleman, 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 the said Assessors are hereby notified to meet for this purpose on Friday, the 29th day of July, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:

Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Ferry, Nash, Erickson, Moore, Knapp, Selye, Jones, Shelton, Bauer, Billinghamurst, Cushing—18.

Nays—Ald. Lutes, Mason—2.

IMPROVING STATE STREET FROM JAY TO SMITH STREET.

On motion of Ald. Selye, 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. Selye submitted the following:

AN ORDINANCE, to improve State street from Jay street to Smith street.

The common council of the city of Rochester do ordain and determine as follows:

State street shall be improved from the south line of Jay st. to the south line of Smith st., by setting a curb of Medina stone twenty-one feet from the lines of the street, paving eighteen feet on each side, McAdamizing the centre and constructing a suitable number of cross-walks.

And the whole expense thereof 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 \$3,402 00

which estimate was and is hereby approved. The sum of \$3,042 00, 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 benefitted by said improvement is described as follows:

One tier of lots on each side of State street from the south line of Jay street to the south line of Smith street, on which above described portion of the city, the said sum of \$3,042 00 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, Francis Dana the Assessors of said city, and David Hagerman, who is hereby appointed a commissioner to act with said assessors, and who is not interested in any of the property so benefitted, 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 Friday, the 29th day of June, 1859, at 9 o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote—

Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Erickson, Moore, Knapp, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billingshurst, Cushing—19.

Nays—None.

PLANK WALK IN OAK STREET.

On motion of Ald. Selye, 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. Selye submitted the following:

AN ORDINANCE, to construct a plank walk in Oak street from Allen street to Jay street.

The common council of the city of Rochester, do ordain as follows:

A plank side walk six feet in width shall be constructed on the west side of Oak street from Allen street to Jay street, and a suitable number of cross-walks shall be constructed therein.

And the whole expense shall be defrayed by an assessed upon the owners and occupants of houses and lands to be benefitted thereby, and the city Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at \$434 00, which estimate was and is hereby approved. The sum of \$434 00, 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 benefitted by said improvement is described as follows:

One tier of lots on the west side of Oak street from Allen street to Jay street.

On which above described portion of the city, the said sum of \$434 00 is hereby ordered to be assessed.

And David McKay, Francis Dana, and Jared Coleman, the assessors of said city, not interested in any of the property so benefitted, 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 Friday, the 29th day of July, 1859, at 9 o'clock in the forenoon at the office of the city clerk.

Passed by the following vote—

Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Erickson, Moore, Knapp, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billingshurst, Cushing—19

Noes—None.

SEWER IN LYLELL STREET FROM FRANK TO STATE STREET.

Ald. Shelton presented the first ordinance for a sewer in Lyell street, and the question being taken on the passage thereof, it was lost; aye—Ald. Seyle; noes 18.

IMPROVEMENT OF MAIN STREET.

Ald. Seyle presented a first ordinance for the improvement of New Main street.

Ald. Jones moved that the ordinance be recommended to the Improvement Committee, with instructions to introduce an ordinance including the territory from Clinton street to Riley street, to be similarly improved. Carried.

ASSESSMENTS.

Ald. Seyle presented the assessment roll for the improvement of Frances street, and the same was confirmed; no one appearing to make appeals, — ayes 15, noes 0.

Ald. Seyle presented the assessment roll for the improvement of Greig street, and moved that the hearing of appeals thereon be postponed till the regular meeting of the 9th August. Carried.

Ald. Hebard presented the assessment roll for the brick walk in South St. Paul street, and moved that appeals be heard thereon at the next regular meeting, August 9. Carried.

Ald. Shelton presented the amended assessment roll for the sewer in Lyell street, from Frank to Moore street, and moved that appeals be heard thereon at the next regular meeting, August 9. Carried.

PENAL ORDINANCES.

Ald. Jones presented and moved the adoption of the following:

[To be published hereafter.]

Ald. Holmes moved that the above ordinance be published in the minutes of the Clerk, and that action thereon be postponed. Carried.

Ald. Holmes moved that the ordinance relating to Fires and the Fire Department previously in existence, be continued in force for two weeks. Carried.

Ald. Jones moved that the ordinance relating to the Burial of the Dead, and for the protection of Mt. Hope Cemetery be continued in force for two weeks. Carried.

MISCELLANEOUS BUSINESS.

By Ald. Holmes.—The account of S. S. Haight, assignee of Robert Haight, late City Attorney, costs in suits brought by the city against S. Hamilton, and Geo. S. Riley, several years since, \$359 06.—Law. Com.

By Ald. Holmes.—Resolved, That his Honor the Mayor and the City Comptroller be and they are hereby authorized to make the conveyances and transfer of the Alms House property to the Trustees of the Rochester City Hospital, as contemplated in the resolution of this Board, passed May 10, upon receiving satisfactory evidence of the performance of the preliminary conditions on the part of said Trustees.

By Ald. Holmes.—Resolved, That the Superintendent of Streets be required to change the signs on the corners of Allen (formerly Ann) street, the name of the street having been changed to Allen by resolution of this Board. Adopted.

By Ald. Butler.—Resolved, That the City Superintendent, in connection with the City Attorney, be and are hereby instructed to remove or cause to be removed the obstructions upon the west side of Frank street, next north of Dean street. Adopted.

By Ald. Butler.—Resolved, That the Improvement Committee be requested to report to this Board, if in their opinion it is expedient to carry the protection walls of Deep Hollow culvert higher than was originally intended. Adopted.

By Ald. Butler.—Resolved, That the City Superintendent be directed to notify the owners of property on Platt street, from State to Warehouse streets, to repair their Plank walks within ten days. Adopted.

By Ald. Butler—Resolved, That the City Superintendent be directed to notify the owners of property on the north side of Jay street, from State street to the Erie canal, to repair their Plank walks within ten days. Adopted.

By Ald. Reynolds—Resolved, That the Treasurer pay an order for forty-three 8-100 dollars, dated Nov. 20th, 1855, in favor of E. Jordan, for fees on a warrant for collecting taxes on the Court and William streets sewer, and now owned by Henry Butts, be paid on presentation of said order duly assigned, and charge Floating debt. Adopted, ayes 14, noes 0.

By Ald. Reynolds—Resolved, That the Treasurer credit Messrs. Sage & Pancost on their assessment for Mill street improvement \$91.14, for 325½ feet of Lockport flag stone in their present sidewalk, at 28 cents per foot, and charge Messrs. Rathbun & Whitmore on their contract for said improvement, and in conformity to said contract. Adopted.

By Ald. Reynolds—Resolved, That the City Surveyor be and he is hereby directed to define and mark the lines of Edinburgh street from Plymouth Avenue to Exchange street, and to prepare and present to this Board at its next meeting, a diagram showing the true lines of said street, and designating thereon the encroachments, if any exist, in said street. Adopted.

By Ald. Lewis—Resolved, That the Treasurer pay W. D. Oviatt for R. B. Paine, \$1200, to apply upon said Paine's contract for leather for two thousand feet of hose, and charge Fire Department Fund. Adopted, ayes 16, noes 0.

By Ald. Lewis—Resolved, That the report of the Street Committee made to this Board on the 3d of May last, in reference to the claim of Michael Lester, be rescinded, and that his claim be referred back to the same Committee for further consideration. Adopted.

By Ald. Lewis—Resolved, That Joseph Corbin, Jr., be and is hereby discharged as an exempt fireman, and that the Clerk issue the necessary certificate. Adopted.

By Ald. Hebard—Resolved, That the Fire Department Committee be and is hereby directed to ascertain immediately the cost of two first class steam fire engines, and such other information relating to the same as they may be able to obtain, and report to this Board at their earliest convenience. Adopted.

By Ald. D. W. Perry—Resolved, That the Lamp Committee be and are hereby instructed to cause two additional gas street lamps to be erected on Greig street, and also one street lamp to be erected on the corner of Lyell and State streets. Adopted.

By Ald. D. W. Perry—Resolved, That the Treasurer pay R. R. Harris \$300 upon his contract for building Atwater street sewer, in accordance with the estimate of the City Surveyor, dated July 26, 1859, when there are funds applicable for that purpose. Adopted, ayes 15, noes 0.

By Ald. D. W. Perry—Resolved, That the Treasurer pay M. F. Reynolds for R. R. Harris \$49.50, and charge Atwater st. sewer fund, when there is money applicable for that purpose. Adopted; ayes 15, noes 0.

By Ald. D. W. Perry—Resolved, That the Treasurer pay E. Watson \$300 upon his contract for building New Main st. Sewer, in accordance with the estimate of the City Surveyor dated July 26, 1859, when there are funds applicable for the purpose. Adopted. Ayes 15, noes 0.

By Ald. D. W. Perry—Resolved, That the Treasurer be directed to receive from the tax payers on State st. Sewer from Jay to White st., for the

time being and until the further order of this Board, 64 per cent. on the amount of their respective assessments. Adopted.

By Ald. D. W. Perry—Resolved, That the bond attached to the contract with John Quin for building the sewer in Lafayette and Fitzhugh sts. be and is hereby cancelled, he having completed the work according to the contract and the specifications.

Ald. Lewis moved to refer the above resolution to the Mayor, with power. Carried.

By Ald. Knapp—Resolved, That the Treasurer pay to Thos. Lynch \$20.25; also, J. F. Cram \$4.50, and charge West Avenue Repair Fund. Adopted; ayes 14, noes 0.

By Ald. Selye—Resolved, That the Treasurer receive from Mrs. Charlotte H. Brown, the amount assessed to her on the north side of Smith st. plank walk, and that the amount assessed to said Brown on the south side of said Smith st. be remitted, in as much as no walk has been built on the said south side. Adopted.

By Ald. Selye—Resolved, That his Honor, the Mayor, be authorized to execute a contract with Richard Dransfield, for the improvement of Frances street, and with George W. Heberger, for the improvement of Lowell street. Adopted.

By Ald. Mason—Resolved, That the City Surveyor ascertain and report to this Board the expense of improving the side walk on the north west corner of Buffalo and Washington streets, by filling up the same with sand, and furnishing a suitable number of new bricks, so as to conform with the side walk on the north side of Buffalo street. Adopted.

By Ald. Lewis—Resolved, That the Treasurer pay R. Gilbert, forty-one dollars and sixty-six cts., for one month's salary, as Superintendent of Hose depot, and charge Fire Department Fund. Adopted; ayes 14.

By Ald. Bauer,
Resolved, That the City Superintendent be and he is hereby directed to procure one hundred and fifty placards, upon which shall be printed Section 8, of the Ordinance relating to *Hackney Coaches and Cabs*, and that he cause one copy thereof to be placed in each hackney coach, carriage, or cab used for the conveyance of persons and passengers in this city; also, that he cause the enforcement of the provision requiring each such hackney coach, carriage or cab to be conspicuously numbered, and that he report for prosecution all owners or drivers who neglect or refuse to obey the requirements of said ordinance, or neglect immediately to procure a license from the Mayor authorizing them to use such hackney coach, cab or carriage. Adopted.

By Ald. Jones,
Resolved, That the Treasurer pay John Crammond thirty-three dollars for labor and materials on Eagle, Front and Market streets, under and by the direction of the late Superintendent R. R. Harris in the year 1857.

Ald. Knapp moved that the above be referred to the Street Committee. Carried.

By Ald. Jones,
Resolved, That the Treasurer be instructed to receive from the Tax-payers for plank walk on Smith street, south-side, 75 per cent., and that he instruct the Collectors to collect as above, until further order of this board. Lost.

Ald. Jones moved that when the Board adjourns it adjourn till Tuesday evening, August 2nd. Carried.

The Board then adjourned.

F. S. REW, Clerk.

In Common Council, Aug. 2, 1859.

ADJOURNED MEETING.

Present—The Mayor, Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Billingham, Cushing.

Absent—Ald. Mudgett, G. W. Perry, Twitchell and Mason.

The proceedings of the previous meeting were approved.

PETITIONS AND CLAIMS.

By Ald. Hollister—Of A. C. Boorman and others for privilege of building their own side-walks on Edinburg st. Improvement Com.

By Ald. Reynolds—Of I. Ashley and others for the widening of Pindall Alley. Of a majority of tax-payers on Greig st. for side-walks. Improvement Com.

Ald. Lewis—Bills of Chas. Green; Bennett & Co.; proceedings of H. & L. No. 2. Fire Department Com.

By Ald. Hebard—Bills of A. Strong & Co., D. M. Dewey, C. M. St. John, H. A. Brewster, N. G. Hawley. Con. Expense Com.

By Ald. Bradstreet—Remonstrance of John Perham and others against construction of side-walks on Saxton st. Improvement Com.

By Ald. Erickson—Remonstrance of property owners, on State st., from Buffalo st. to the railroad, against improvement of that street the present season; of J. Craig and others, for side-walks on East Avenue. Improvement Com.

By Ald. Knapp—Account of City Superintendent's disbursements. Street Com.

By Ald. Stone—Bills of Home for the Friendless, E. J. Keeney, J. Cooley, J. McDowell. Poor Com.

By Ald. Selye—Estimates of work done by D. Wagner, on East avenue, and Stuart & Allen, on Franklin st.—Improvement Committee; petition of J. Davis, for leave to build wood addition; of Elizabeth Brown, for same—Committee on Wood Buildings.

By Ald. Lutes—Of mill-owners on South Water street, for removal of obstructions on said street—Street Committee; of H. D. Snow and others, for plank walk on Ambrose street—Improvement Committee; bills of Chief of Police and policemen, for July; of E. A. Bardwell—Police Committee; of Fire Co. No. 5—Fire Department Committee.

By Ald. Jones—Of Geo. W. Avery and others, against sale of oysters in June, July and August—Committee on Public Health.

By Ald. Shelton—Bills of John Carroll, for hack hire, of A. H. Waterman, for services as Inspector of sewer—Sewer Committee.

REPORTS OF COMMITTEES.

By Ald. Lewis, from the Fire Department Committee, favorably on the following bills: Edward McDonough, P. O'Brien, O. Harris, S. Church, H. L. Smith, A. Cross, Stewart & McBirney, Thos. Gartsy, N. Aylsworth, R. E. & J. H. Sherlock—Finance Committee; proceedings of Fire Cos. Nos. 1 and 3. Confirmed.

By Ald. Knapp, from the Street Committee, favorably on Superintendent's bill of disbursements. Finance Committee.

By Ald. Hollister, from Committee on Wood Buildings, favorably on the petition of Elizabeth Brown and Joseph Davis. Table.

By Ald. Reynolds, from the Finance Committee, the following:

To the Honorable the Mayor and Common Council:

The Finance Committee, in the matter of an order drawn on the Treasurer, March 29th, 1859, in favor of the Rochester Brick and Tile Manufacturing Co., for Allen & Stuart, on their contract for Andrews street improvement, payable when there were funds in his hands applicable thereto, report that the fund is already overdrawn a small amount, notwithstanding there has been a reassessment for deficiencies, and recommend payment of the order, chargeable to that fund, leaving the further disposition of the matter to the future action of the Common Council.

W. A. REYNOLDS,

Aug. 2.

AARON ERICKSON.

By Ald. Lutes, from the Police Committee, favorably on bills of Chief of Police and policemen; of E. A. Bardwell; of Benton & Andrews—Finance Committee.

By Ald. Shelton, from the Select Committee, asking further time for the consideration of the Water-works question. Granted.

By Ald. Reynolds, from the Finance Committee the Finance Budget. Adopted.

REPORTS OF EXECUTIVE OFFICERS.

The Clerk presented the report of the Overseer of the Poor for July.

Amount expended.....	\$191 08
Less for county and towns.....	18 57
No. of families, 140.	

Filed.

The Clerk presented the report of the Keeper of Mt. Hope Cemetery, for July. Number of interments, 45. Filed.

ACTION UPON ORDINANCES.

SEWER IN MORTIMER STREET.

On motion of Ald. Shelton, 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. Shelton submitted the following:

AN ORDINANCE, to construct a sewer in Mortimer street, from Clinton street to St. Paul street.

The common council of the city of Rochester having been requested by a majority of the owners of property to be assessed for the improvement hereinafter described, do ordain and determine as follows:

A stone sewer eighteen inches square, shall be constructed in Mortimer street, from a point one hundred and fifty feet west of the west line of Clinton street to the sewer in St. Paul street, to be of such depth as the conformation of the ground will admit.

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 \$650 00, which estimate was and is hereby approved. The sum of \$650 00, 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 Mortimer street from a point one hundred and fifty feet west of the west line of Clinton street to St. Paul street.

On which above described portion of the city, the said sum of \$650 00 is hereby ordered to be assessed.

And David McKay, Francis Dana, and Jared Coleman, 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 on 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 Friday, the 5th day of August, 1859, at nine o'clock in the forenoon, at the office of the city Clerk.

Passed by the following vote:

Ayes—Ald. Holmes, Butler, Reynolds, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Billingham, Cushing—19.

Nays—None.

IMPROVING NEW MAIN STREET.

By Ald. Reynolds—Resolved, That the city Surveyor ascertain and report to this Board the expense of improving New Main street from its western termination to

Gibbs street, by setting a curb of Medina stone, twenty feet from the lines of the street, paving between with Lockport or Medina stone, and constructing a sufficient number of cross walks. Adopted.

The Surveyor submitted such estimate.
By Ald. Reynolds—Resolved, That the following improvement is expedient, namely:

The improvement of New Main street from its western termination to Gibbs street, by setting a curb of Medina stone twenty feet from the lines of the street, paving between the same with Lockport or Medina stone, and constructing a suitable number of 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 \$5,157, which estimate is hereby approved.

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

One tier of lots on each side of New Main street from its western termination to the east line of Gibbs street.

And the clerk is hereby directed to publish notice in pursuance of section 190 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 9th, 1859, at half past seven o'clock, at the common council hall, when allegations will be heard: Adopted.

FLAG SIDEWALK ON EAST AVENUE.

By Ald. Erickson—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a flag sidewalk, four feet wide, laid in two courses, in East Avenue, from the curb-stone on the east side of Union street, upon the north side of the Avenue, to the west line of Goodman street, and upon the south side, from the curb-stone on the east side of William street to the west line of Goodman street. Adopted.

The Surveyor submitted such estimate.
By Ald. Erickson—Resolved, That the following improvement is expedient, namely:

The constructing of a Medina flag sidewalk, four feet wide, laid in two courses, with a suitable width of gravel on each side, upon the north side of East Avenue, from the curb-stone on the east side of Union street to the west line of Goodman street; and upon the south side of East Avenue, from the curb-stone on the east side of William street to the west line of Goodman 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 \$4,454 00, which estimate is hereby approved.

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

One tier of lots on the north side of East Avenue, from the east line of Union street to the west line of Goodman street, and one tier of lots on the south side of East Avenue from the east line of Williams street to the west line of Goodman street, including the lots fronting the public and private parks which open upon the Avenue.

The tax-payers to be assessed for making such improvements, 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 190 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 9th, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard. Adopted.

FLAG WALKS ON EAST AVENUE.

By Ald. Erickson—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a flag sidewalk five feet wide, laid in two courses, upon the north side of East Avenue, from Main street to the west line of Union street, and upon the south side, from Main street to the west line of William street, and graveling the sides to the curb stones and the lines of the street. Adopted.

The Surveyor submitted such estimate.
By Ald. Erickson—Resolved, That the following improvement is expedient, namely:

The construction of a Medina flag side walk five feet wide, laid in two courses with gravel sides, upon the north side of East Avenue, from Main street to the curb stone on the west side of Union street, and upon the south side of East Avenue, from Main street to the curb stone on the west side of William 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 \$3,992, which estimate is hereby approved.

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

One tier of lots on the north side of East Avenue, from Main street to the west line of Union street, and one tier of lots on the south side of East Avenue, from Main street to the west line of William street, including lots fronting upon private or public parks which open upon East Avenue.

The tax-payers to be assessed for making such improvements, 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 190 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 9th, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard. Adopted.

FLAG WALKS ON GREIG STREET.

By Ald. Reynolds—Resolved, That the city Surveyor ascertain and report to this Board, the expense of constructing a flag side walk upon each side of Greig street from Glasgow street to Clarissa street, to be laid in three courses of two feet each, with a suitable width of gravel. Adopted.

The Surveyor submitted such estimate.
By Ald. Reynolds—

Whereas, the common council have been requested by a petition signed by a majority of the owners of property to be assessed for the improvement hereinafter mentioned, therefore

Resolved, That the following improvement is expedient, namely:

The constructing of a flag side walk upon each side of Greig street from Glasgow street to Clarissa street, the flagging to be laid in three courses of two feet each, with a suitable width of gravel.

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 \$2,780 00, which estimate is hereby approved.

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

One tier of lots on each side of Greig street from Glasgow street to Clarissa street.

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 190 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 9th, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard. Adopted.

OPENING OF HIMMEL STREET.

By Ald. D. W. Perry—Resolved, That the common council of the city of Rochester do hereby determine and ordain that Himmel street (so called) shall be continued from its present southern termination to Atwater street, and northerly to the New York Central Railroad; and that the following described territory is considered necessary for such improvement, namely:

Beginning at the point in the east line of Himmel street where said east line intersects with the south line of property lately owned by Sylvester Brown, and running thence southerly upon said east line produced to the north line of Atwater street; thence westerly measured at right angles twenty feet; thence northerly and parallel with said east line and twenty feet therefrom to the south line of said Brown's property; and also, commencing on the west line of Himmel street, where it intersects with the south line of Lot G in the Staples subdivision of the Andrews and Atwater Tract, and running thence northerly to the property of the New York Central Railroad; thence along said railroad property twenty-two feet and four inches, measured at right angles, to the west line of Himmel alley; thence southerly parallel with said west line about fifty-one feet; thence westerly at right angles 22 ft. 4 inches, to the place of beginning.

Resolved, That the City Surveyor be authorized to negotiate with the owners of said premises, and report to this Board upon what conditions the same can be purchased. Adopted.

PLANK SIDE WALK IN CANAL STREET.

By Ald. Reynolds—Resolved, That the city Surveyor ascertain and report to this Board, an estimate of the expense of constructing a plank side walk six feet wide on the west side of Canal street from the north line of Samuel Porter's lot, to the south line of the New York Central Railroad property, and construct a suitable number of cross walks. Adopted.

The Surveyor submitted such estimate.

By Ald. Reynolds—Resolved, That the following improvement is expedient, namely:

Constructing a plank side walk six feet wide on the west side of Canal street from the north line of Samuel Porter's lot to the south line of the New York Central Railroad property, and constructing a suitable number of 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 \$135 00, which estimate is hereby approved.

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

One tier of lots on the west side of Canal street from the north line of Samuel Porter's lots to the south line of the New York Central Railroad property.

And the clerk is hereby directed to publish notice in pursuance of section 190 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 9th, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard.

Adopted—all ayes.

WIDENING PUBLIC SQUARE OR PINDALL ALLEY.

On motion of Ald. Reynolds, 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. Reynolds, submitted the following:

AN ORDINANCE, to widen Pindall Alley from Buffalo street to the south line of the county property.

The common council of the city of Rochester do ordain and determine as follows:

Public Square or Pindall Alley shall be widened from the south line of Buffalo street, to the south line of the county property, by the addition of twenty-five feet to the west side thereof, and the following described premises are deemed to be necessary for said improvement, to wit:

Beginning at the point where the west line of Public Square or Pindall Alley intersects with the south line of Buffalo street, and running thence westerly upon the said south line twenty-five feet, thence southerly parallel with said west line and twenty-five feet distant therefrom to the south line of the county property; thence easterly along the said south line to the west line of said Alley; thence northerly along said west line to the place of beginning.

And the whole expense shall be defrayed by an assessment upon the owners and occupant of houses and lands to be benefitted thereby, and the city Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at \$8,100, which estimate was and is hereby approved. The sum of \$8,100, 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 benefitted by said improvement is described as follows:

All the territory between Buffalo street and the Erie canal, that is bounded on the east by Exchange street, and upon the west by Fitzhugh street, excepting the property owned by the First Presbyterian Church and Society.

On which above described portion of the city, the said sum of \$8,100 is hereby ordered to be assessed.

Passed by the following vote—

Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Billingshurst, Cushing—18.

Resolved, That the city of Rochester will purchase the land deemed necessary for the foregoing improvement of the respective owners thereof, and make to them severally a reasonable compensation therefor, not exceeding in all the sum reported by the City Surveyor as the expense of the improvement, and the City Surveyor is hereby directed to make the necessary negotiations for such purpose, and ascertain whether such purchase can be made and report thereon at the next meeting of this Board.

Adopted.

On motion of Ald. Selye, Ald. Erickson was excused from voting on the ordinance above.

PLANK WALK IN GLASGOW STREET.

On motion of Ald. Reynolds, 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. Reynolds submitted the following:

AN ORDINANCE to construct a plank walk in Glasgow street, from High street to Exchange street.

The common council of the city of Rochester do ordain and determine as follows:

A plank sidewalk four feet six inches in width, shall be constructed on the north side of Glasgow street, from High street to Exchange street, and a suitable number of cross walks shall be constructed therein—omitting the space between the curbstones on Plymouth Avenue at the south end of Caledonia Square.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses, and lands to be benefitted thereby, and the City Surveyor, under the direction of the Board, having made an estimate of such expense, and reported the same at Two Hundred and Ninety-six dollars, which estimate is hereby approved. The sum of Two Hundred and Ninety-six 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 benefitted by said improvement is described as follows:

One tier of lots on the north side of Glasgow street from the east line of High street to the west line of Exchange street.

On which above described portion of the city, the said sum of two hundred and ninety-six dollars is hereby ordered to be assessed.

And David McKay, Francis Dana and Jared Coleman, the Assessors of said city, not interested in any of the property so benefitted, 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 Friday, the 24th day of August, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:

Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Moore, Bradstreet, D. W. Perry, Nash, Erickson, Knapp, Stone, Selye, Lutes, Jones, Shelton, Billingshurst, Cushing—19.

Noes—None.

IMPROVING EDINBURGH STREET.

On motion of Ald. Reynolds, 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. Reynolds submitted the following:

AN ORDINANCE to improve Edinburgh street, from Plymouth Avenue to Exchange street.

The common council of the city of Rochester do ordain and determine as follows:

Edinburgh street from Plymouth Avenue to Exchange street, shall be improved by being brought to the proper grade.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefitted thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at \$147 00, which estimate was and is hereby approved. The sum of \$147 00, 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 benefitted by said improvement is described as follows:

One tier of lots on each side of Edinburgh street from the east line of Plymouth Avenue to the west line of Exchange street.

On which above described portion of the city, the said sum of \$147 00 is hereby ordered to be assessed.

And David McKay, Francis Dana and Jared Coleman, the Assessors of said city, not interested in any of the property so benefitted, 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 Friday, the 5th day of August, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:

Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Shelton, Billingshurst, Cushing—18.

Noes—None.

PLANK WALK IN EDINBURGH STREET.

On motion of Ald. Reynolds, 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. Reynolds submitted the following:

AN ORDINANCE, to construct a plank walk in Edinburgh street, from Plymouth Avenue to Exchange street.

The common council of the city of Rochester do ordain and determine as follows:

A plank side walk, four feet six inches in width, shall be constructed on the north side of Edinburgh street, from Plymouth Avenue to Exchange 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 direction of this Board, having made an estimate of such expense, and reported the same at one hundred and forty-six dollars, which estimate was and is hereby approved; the sum of one hundred and forty-six dollars, being the whole amount of the estimate aforesaid, shall be assessed upon 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 Edinburgh street from the east line of Plymouth Avenue to the west line of Exchange street.

On which above described portion of the city, the said sum of one hundred and forty-six dollars is hereby ordered to be assessed.

And David McKay, Francis Dana and Jared Coleman, the Assessors of said city, not interested in any of the property so benefitted, 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 Friday, the 5th day of August, 1859, at nine o'clock in the forenoon, at the office of the city Clerk.

Passed by the following vote:

Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Shelton, Billinghamurst, Cushing—18.

Noes—None.

PLANK WALK IN BROWN STREET.

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

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

AN ORDINANCE, to construct a plank walk in Brown street, from Warehouse street to East Maple street.

The common council of the city of Rochester do ordain and determine as follows:

A plank side walk six feet in width shall be constructed on the south side of Brown street from Warehouse street to East Maple street, and a suitable number of crosswalks shall be constructed therein.

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 \$519 00, which estimate was and is hereby approved. The sum of \$519 00, 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 Brown street from the west line of Warehouse street to the east line of East Maple street, including the New York Central Railroad.

On which above described portion of the city, the said sum of \$519 00 is hereby ordered to be assessed.

And David McKay, Francis Dana and Jared Coleman, the Assessors of said city, not interested in any of the property so benefitted, 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 Friday, the 5th day of August, 1859, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote:

Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Shelton, Billinghamurst, Cushing—18.

Nays—None.

MISCELLANEOUS BUSINESS.

By Ald. Billinghamurst—Resolved, That the license granted June 28th, to Manvel & Sheldon, to keep a Market stall, be transferred to Adam Brown, who is hereby permitted to sell meat at the stall lately occupied by the said Manvel & Sheldon, on Buffalo street. Adopted.

By Ald. Selye—Resolved, That the Treasurer be directed to receive from the following persons, being tax payers for Plank Walk on State street, from Vincent Park to Ambrose street, two per cent. in full for their respective assessments—they having constructed the walks in front of the property assessed to them, viz: John Wilson, James B. Stevens, William M. Stevens, Wm. Mory, Daniel Sharp, Cornelius McDonell. Adopted.

By Ald. Selye—Resolved, That the Treasurer be directed to cancel the Assessment Roll for Plank Walk on Bolivar street, said walk having been wholly constructed by those being assessed for the same. Adopted.

By Ald. Knapp—Resolved, That the name of Galusha street, in the Fourth Ward, be changed to Chesnut Park. Adopted.

By Ald. Stone—Resolved, That the sum of thirty-nine dollars, assessed to John F. Bush for Plank Walk on north side of Smith street be remitted, as no walk has been built and no walk is necessary in that locality.

Ald. Jones moved to refer the above resolution to the Grievance Committee. Lost.

The resolution was lost.

By Ald. Stone—Resolved, That the Superintendent notify the owners of lots, on the north side of Clay street, in the Eighth Ward, to repair their side walks immediately. Adopted.

By Ald. Bradstreet—Resolved, That the Improvement Committee are hereby directed to introduce an Ordinance at the next regular meeting of this Board, for the construction of a side walk on the west side of North St. Paul street, with suitable railing, said walk running from the north line of Gormly's Block to south line of River street. Adopted.

By Ald. Bradstreet—Resolved, That the Treasurer pay Norman Aylesworth \$150 on his contract for Otsego street sewer, when there are funds in the Treasury applicable thereto.

Ald. Stone moved that the above resolution be referred to the Finance Committee.

Lost, as follows: Ayes—Ald. Holmes, Butler, Reynolds, Hebard, Erickson, Moore, Knapp, Stone—8.

Nays—Ald. Hollister, Lewis, Bradstreet, D. W. Perry, Nash, Selye, Lutes, Shelton, Bauer, Billinghamurst, Cushing—11.

The Mayor decided the resolution out of order, under the 33d rule.

Ald. Bradstreet appealed from the decision, and the Chair was sustained, as follows:

Ayes—Ald. Holmes, Reynolds, Lewis, Hebard, Nash, Erickson, Moore, Knapp, Stone, Shelton—10.

Nays—Ald. Butler, Hollister, Bradstreet, D. W. Perry, Selye, Lutes, Jones, Billinghamurst, Cushing—9.

Ald. D. W. Perry moved to suspend the 33d rule. Lost—Ayes 9, nays 11.

By Ald. Lewis—Resolved, that certificates of discharge as Exempt Firemen be issued to the following named persons, they having served the necessary time to entitle them thereto:

Michael Vance, late of Hook and Ladder Co. No. 2; Edward Angevine, now of Engine Co. No. 3. Adopted.

By Ald. Lewis—Resolved, That the Treasurer pay Engine Co. No. 3 Two Hundred Dollars as an appropriation for furniture and fixtures for their Engine House, upon their filing with the City Clerk an inventory of such furniture and fixtures approved and certified by the Chief Engineer, and charge Fire department Fund. Referred to Finance Committee.

In Common Council, Aug. 9, 1859.

REGULAR MEETING.

Present—The Mayor, Ald. Mudgett, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Nash, Erickson, Knapp, St. ne, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billinghamurst and Cushing.
Absent—Ald. G. W. Perry, Holmes, Twitchell, D. W. Perry and Moore.

The minutes of the previous meeting were approved.

PETITIONS AND CLAIMS.

By Ald. Hollister—Petition of a majority of property-owners, for a plank walk on the west side of High street. Improvement Committee.

By Ald. Reynolds—Remonstrance against the opening of Himmell alley—Committee on Opening Streets; bill of R. Gorsline, as Inspector at Deep Hollow—Improvement Committee.

By Ald. Lewis—Bill of Perrine & Stewart, Rathburn & Whitmore, Cornelius Austin; proceedings of Engine Cos. Nos. 2, 3, 5 and 6. Fire Department Committee.

By Ald. Bradstreet—Of Rev. E. Savage, for remission of a tax. Grievance Committee.

By Ald. Erickson—Of tax-payers on East avenue, for uniform sidewalks; of J. I. Robins and others, for the improvement of Front street.—Improvement Committee.

By Ald. Knapp—Of Nelson Fullom and others, for the grading of Fulton street—Improvement Committee; bills of J. Hammer, J. A. Meyer, S. M. Lucky, A. Richardson and L. A. Ward—Finance Committee.

By Ald. Stone—Of Aloise Jesserer and others, for the extension of plank walk on Frances street to Clifton street. Improvement Committee.

By Ald. Selye—Of A. D. Tuttle and others, in relation to the grade of North street—Improvement Committee; of Peter Ham, for a market license, corner of State street and Vincent Park—Market Committee.

By Ald. Lutes—Bill of disbursements by R. P. Benton, commissioner for Lake Avenue; Improvement Committee.

By Ald. Shelton—Of F. Goetzman and others, in behalf of A. H. Jarvis, for leave to construct a lateral sewer; table. Bills of John Quinn, R. R. Harris, E. Watson, Hugh H. Quin, H. H. Mordoff, N. Aylsworth; Sewer Committee. Of R. Attridge for permission to build a plank walk; Improvement Committee.

By Ald. Mason—Of Jacob Schroth, for a market license; Market Committee. Of W. F. Sterritt and others, for a plank walk in Saxton street. Improvement Committee.

By Ald. Butler—Bill of Hebard & Graham for marble slab. City Property Committee.

By Ald. Nash—Remonstrance of Walter Miller and others, against opening Himmell street. Com. on Opening streets.

REPORTS OF COMMITTEES.

By Ald. Lewis, from the Fire Department Committee, favorably on the bill of Charles Green, for bell-ringing. In favor of confirming proceedings of Hook and Ladder Co. No. 2. Confirmed.

THE CLAIM OF HENRY SCHNEIDER.

By Ald. Nash—From the Law Committee, the following:

REPORT OF THE LAW COMMITTEE ON PETITION OF HENRY SCHNEIDER FOR DAMAGES.

To the Common Council:

The Law Committee, to whom was referred, by resolution of the Board of the 26th July, the report of the Grievance Committee on the petition of Henry Schneider for damages respectfully report:

That by the terms of the resolution mentioned, your Committee are required to report to this Board the liability of the City, and the amount of damages, if any, sustained by Schneider, on the facts set forth in the report of the Grievance Committee, which appears to embrace all the material facts in the case.

It appears from the report as published, that Schneider, in the month of March, on his return home in a dark night, fell from the sidewalk on the edge of a high bank, which was unprotected by railing, down some ten or twelve feet, on the tow-path of the Erie canal at the east end of Alexander street bridge, and broke his thigh bone—that he is still confined to his bed unable to move, and will be a cripple for life, the limb affected being some four inches shorter than the other. It is conceded that by the fall he suffered only the ordinary injury arising from a broken limb, and that by the aid of proper medical skill and care, he would have probably wholly recovered the use of his limb, from the injury received. The present condition of the limb, which will render him a cripple for life, is to be attributed to mal-practice in setting the bone, and bad management of the patient afterwards, for which the City is no way liable.

It is urged on the part of the claimant, that because the bridge, where the accident occurred, was not lighted with gas, it was imperative on the part of the City authorities to see that there were proper railings erected on the high banks, at each end of the bridge, to protect footmen and teams passing in the night; and that in consequence of this neglect the accident happened; and, therefore, the City should be held answerable for the damages sustained. This by no means follows in the case of Schneider. He was returning home in a roadway, where the accident occurred, some thirty feet in width, near his residence, and must have been familiar with the place and known its condition and exposure, and no neglect on the part of the City authorities can excuse him from using ordinary care to protect himself from bodily injury, which no one will doubt might have been prevented with ordinary prudence on his part.

A City Corporation is not liable, ordinarily, in cases of accident of this kind, which could have been avoided by common prudence. It is only in cases of *gross negligence*, on the part of the Corporation authorities, which does not appear in this instance, in the opinion of your Committee, that the City can be held liable for damages for accidents of this kind.

Your Committee entertaining these views as being legally adverse to his claim for damages against the City on the facts presented, still they deem his case, under all the circumstances one of great hardship and of severe suffering, and one that would very naturally enlist the sympathies of a jury against the City. Your Committee would deem it but an act of justice to Schneider to award him something, sufficient, at least, to meet a part, if not all the expenses he may be reasonably put to, for medical assistance, board and nursing since the accident occurred; and would therefore recommend to this Board to pass a resolution to pay

him the sum of three hundred and fifty dollars, to be in full payment and satisfaction of all claims he may have against the City for injuries received by him in March last, by reason of his falling from the side walk on to the tow path of the Erie canal, on the east end of Alexander street bridge, alleged to have been caused by negligence on the part of the City authorities, and charge contingent fund.

Accidents arising from negligence on the part of the City authorities, are of frequent occurrence in our city, and should serve to admonish the Common Council of the necessity and propriety of taking efficient measures to cause to be erected and kept up, proper safe guards throughout all the public thoroughfares, within the city limits.

The present state of the streets and bridges throughout the city is unsafe, liable to produce the most serious accidents, even with ordinary care, a fruitful source of litigation and expense to the city. The interests of individuals and of the public, demand that this Board adopt suitable measures to put them in a safe condition, as speedily as possible, wherever required for the protection of life and property.

All which is respectfully submitted.

JOHN C. NASH.

Adopted by the following vote:

Ayes—Ald. Reynolds, Hollister, Lewis, Bradstreet, Nash, Erickson, Stone, Selye, Lutes, Shelton, Bauer, Mason, Cushing—13.

Nays—Ald. Butler—1.

By Ald. Nash—From the same Committee, the following:

REPORT OF THE LAW COMMITTEE ON PETITION OF PLATT C. VELIE.

To the Common Council:

The Law Committee to whom was referred the petition of Platt C. Velie, in relation to the overflow of his land on the Gregory Tract, report:

That they have examined the premises which consist of some six acres of land, in the form of a basin, and find that by the obstruction of the natural channel or outlet, which originally drained all this section, the water has been set back and a considerable portion of the premises overflowed most of the year, rendering the land of Mr. Velie, and the territory north of Cayuga street mostly unfit for use or cultivation, since 1855.

The land where this channel originally was, is now private property, owned by a number of individuals, and there is no way by which all this section, embracing a large tract of land, can be drained except by a sewer of sufficient capacity for that purpose. This territory has been declared a nuisance by the Board of Health. Mr. Velie and others interested, allege that they have repeatedly called the attention of the Common Council for a number of years past to the subject, and now Mr. Velie again asks for a sewer which will drain his premises, or for adequate remuneration for loss sustained by him by reason of the overflow of his land, by the obstruction of the natural channel, which he alleges was caused by the acts of the city authorities. No facts have come to the knowledge of your committee, which in their opinion render the city liable in damages, in consequence of the change or obstruction of the stream or outlet mentioned.

There is no evidence before your committee that the city authorities, if they by their acts caused the channel to be obstructed, were authorized by the Board to do so; and the city cannot be made liable for acts of its officers, unless acting under the special direction of this Board, which does not appear.

Your committee would recommend the immediate passage of an ordinance by this Board, for the construction of a sewer of capacity sufficient to drain the whole of the territory mentioned.

All which is respectfully submitted.

August 9, 1859.

JOHN C. NASH.

WM. SIMPSON'S PETITION TO BE RELIEVED FROM A JUDGMENT.

By Ald. Nash, from the same committee, the following:

REPORT OF THE LAW COMMITTEE ON THE PETITION OF WILLIAM SIMPSON FOR RELIEF.

To the Common Council:

The Law Committee, to whom was referred the petition of William Simpson for relief from judgment report,

That the Board of Health, in April or May last, declared the privy on the premises owned by said Simpson on St. Paul street, occupied by a tenant, to be a nuisance, and gave him notice to abate it which he neglected to do, and suit was instituted against him for violation of the 5th section of the charter in relation to nuisances. After notice, he caused a vault to be dug on another part of the premises, and on the return day of the summons, the 24th May, Simpson procured an adjournment of the suit for a few hours, and in the meantime caused the building to be removed on to the vault lately dug without the permission of the city authorities, and on the hearing insisted that he had abated the nuisance, and that the suit should be withdrawn on the payment of costs; which being refused, he then asked for an adjournment with a view of interposing a defense, but the City Attorney objecting, an adjournment was refused by the Court, and Simpson finally confessed judgment for penalty and costs, amounting to the sum of \$26.50, with the understanding at the time that Simpson reserved the right to apply to the Common Council to be discharged from the judgment, the City Attorney declining to assume the responsibility to settle the suit prior to judgment. A transcript of the judgment has been filed, judgment docketed, and execution issued to the Sheriff, which remains in his hands unsatisfied. Mr. Simpson claims that he abated the nuisance by covering it up, which is still on the premises.

On these facts, Mr. Simpson asks this Board for relief from judgment on payment of costs.

It will be seen that Mr. Simpson, in attempting to remove the nuisance, by constructing another vault without special permission of the authorities, violated the 26th section of the ordinance relating to nuisances then in force, thereby incurring an additional penalty of \$50. The question then arises whether, upon this statement of facts, the Common Council would have granted relief, on application, prior to judgment; and whether this Board, after judgment, has the power to grant the relief sought.

Should it be the opinion of the members of this Board, that they have not the power to satisfy and discharge judgments for violation of penal ordinances without payment, which seems to be entertained by many, still, the rights of Mr. Simpson to be reviewed and decided upon the merits of the case by this Board, are not necessarily concluded by the judgment, which was confessed by him with this express reservation.

It is doubted whether this Board has the power, under the charter, to satisfy and discharge judgments for violation of penal ordinances, without payment. In the opinion of some of your Committee, this Board has the power by application,

if not by express terms of the charter. The same power that confers upon the Common Council the control and disposition of the real and personal property of the city, the raising by tax and disbursement of its finances, the establishing of ordinances and the power to enforce them in courts of law, necessarily confers upon this Board the power and the right to compromise and settle suits for violation of ordinances, and if so, as well after as prior to judgment, either on part payment or not as the judgment of the Common Council shall determine upon the facts of each particular case; but this power should be exercised with sound discretion, and only in special cases of great hardship, where the courts cannot grant relief.

The due enforcement of the ordinances for the public health, and for the good order of society is the most delicate and difficult of all the duties of the Common Council. It is too often deemed by good, law-abiding citizens as an infringement upon their individual rights, whenever, by negligence or any act, they unwittingly happen to violate any of the standing ordinances.

Mr. Simpson, having special notice of the condition of his premises, was bound to remove the nuisance forthwith. Independent of the ordinance, it was his duty as a citizen to abate all nuisances upon his premises, if any there were; and he is presumed to know the condition of his own premises and to be answerable for his omission, or neglect, and for the consequences arising therefrom.

The ordinances should be enforced or repealed, and where persons are able to pay without great sacrifice to themselves, they should be enforced, while there are others destitute of means, where it might be oppressive to do so. The Common Council have undoubtedly discretionary power in such cases to grant such relief as public and private interest shall require, but the exercise of this power being not expressly granted by the Charter, it should be used with great care and circumspection.

The members of your Committee, entertaining different views as to the power of this Board to satisfy and discharge judgments for violation of penal ordinances, without payment, submit the foregoing report to the Common Council for final determination, asking to be discharged from further consideration of the subject.

J. C. NASH,
LEWIS SELYE.

Ald. Selye moved that the report be referred to the Board of Health. Lost—Ayes 8; Nays 10.

On motion of Ald. Stone, the report of the Law Committee was accepted.

By Ald. Reynolds, from the Improvement Com.—In favor of paying the estimates of Rathbun & Whitmore, Thos. Oliver, John Dalton, R. Dransfield and R. Gorsline. Finance Com.

Also, from the Finance Com.—On the communication of O. M. Benedict, counsel for Alrick Hubbell, in relation to an assessment for flag walk on State st., that the same be referred to the Law Com. for examination of legal questions involved therein. Agreed to.

By Ald. Mason, from the Market Com.—In favor of granting a Market License to Jacob Schroth. Table. Against petition of Thos. McLaughlin.

By Ald. Hebard, from the Contingent Expense Com.—Favorably upon the bills of H. A. Brewster, for insurance; and that the bills of A. H. Waterman, C. Harper, and John Carroll, be referred to Sewer Com. Agreed to. Adversely upon the bill of M. Kramer, for publishing, the account coming under their contract. Table.

By Ald. Stone, from the Poor Committee—Favorably on the bills of J. B. Bennett, J. H. Child, John Riley, Jno. McDowell, Jas. Terry & Co., and E. J. Keeney. Finance Committee.

By Ald. Shelton, from the Sewer Committee—Favorably on the bills of E. Watson, H. H. Quin, R. R. Harris, N. Aylsworth and J. Quin. Table.

By Ald. Butler, from the Committee on City Property—In favor of paying Harlow M. Mordoff for work done on Jones Square. Table.

REPORT OF EXECUTIVE OFFICERS.

Ald. Knapp presented the following Report of the City Superintendent for July, which, on motion of Ald. Lutes, was ordered published.

Report of the City Superintendent.

To the Honorable the Common Council:

The City Superintendent respectfully submits the following Report showing the expenditures from the Highway Fund during the month of July, and the places where the same has been expended.

R. D. HOWELL, Superintendent.

FIRST WARD.

1899.		Exchange Place.		
July 28—	For 1 days work, paving, at	16s	2 00	
	1 "	6s	75	
"	1 load sand,	60c	60	\$3 35
Buffalo Street.				
July 22—	For 4 loads sand,	60c	2 40	
	3 loads paving stone,	8s	3 00	
"	27—For 4 days work,	6s	3 00	
"	3/4 " team,	18s	1 69	
"	1/2 " foreman,	16s	1 00	
"	sharpening picks,		60	
"	28—For 8 days work,	6s	6 00	
"	4 " team,	18s	9 00	
"	1 " foreman,	16s	2 00	
"	1 new pick and handle	10s	1 25	
"	2 new stone hammers,	8s	2 00	
"	sharpening pick,		45	
"	29—For 8 1/2 days work,	6s	6 38	
"	3 " team,	18s	6 75	
"	1 " foreman,	16s	2 00	
"	sharpening picks,		1 15	
"	30—For 1 days work,	6s	75	
"	1 load sand,		60	
"	D W McConnell 2 ds pay	16s	4 00	
"	John Mihlon, 1 day tend	12s	1 50	
"	Thos Carrick, 1 "	6s	75	
"	27—For cross walk on Buffalo street at Exchange Hotel,		29 40	
"	83 yards broken stone,	6s	62 25	\$151 27

SECOND WARD.

Platt street sewer, corner of Platt and Warehouse streets.				
July 25—	For 1/2 days work, open'g well,	6s	38	
"	26—1 "	6s	75	
"	27—2 " filling up	6s	1 50	
"	1/2 " foreman,	16s	50	
"	1 bbl water lime,	9s	1 13	
"	1 load sand,	5s	63	
"	6 rods for box sewer,		75	\$5 64

THIRD WARD.

Exchange street, south side.				
July 20—	For 3 days work,	6s	2 25	
"	1 " team,	18s	2 25	
"	1/2 " foreman,	16s	1 00	
"	26—1/2 " work,	6s	38	\$5 88
Eagle street.				
July 26—	For 1/2 days work, ditching,	6s	1 13	
Alley back of A. Frost's.				
July 26—	For 3 days work,	6s	2 25	
"	1 " team,	18s	2 25	\$4 80
Ploughing Plymouth Avenue, &c.				
High street turpiked.				
July 7—	For 4 days work,	6s	3 00	
"	1 " team,	18s	2 25	
"	3/4 " foreman,	16s	1 00	
"	8—7 " work,	6s	5 25	
"	2 " team,	18s	4 50	
"	1 " foreman,	16s	2 00	
"	2 " plough points,	4s	1 00	
"	11—4 1/2 " work,	6s	3 37	
"	1 " team,	18s	2 25	
"	1/2 " foreman,	16s	1 00	

" 12-	6	"	work,	6s	4 50
" "	1 1/2	"	team,	18s	3 38
" "	1	"	foreman,	16s	2 00
" 13-	6 3/4	"	work,	6s	5 06
" "	1	"	team,	18s	2 25
" "	1	"	foreman,	16s	2 00
" 14-	5	"	work,	6s	3 75
" "	2	"	team,	18s	4 50
" "	1	"	foreman,	16s	2 00
" "	176 feet 2 in plank,	{	box sewer	1 76	
" "	4 lbs spikes,	{	Glasgow st,	20	
" 15-	3/4	"	days work,	6s	19
" 21	1	"	team,	18s	2 00
" "	1 1/2	"	foreman,	16s	56
" "	1 1/2	"	foreman,	16s	50
" "	176 feet plank,	{	Edinburgh st,	2 11	
" 22-	5	"	days work,	6s	20
" "	1/2	"	team,	18s	3 75
" "	1/2	"	foreman,	16s	1 13
" "	88 feet plank,	{	box sewer for	2 00	
" "	4 lbs spikes,	{	outlet in canal,	88	
" 26-	1 1/4	"	days work,	6s	20
" "	3/4	"	team,	18s	94
" "	3/4	"	foreman,	16s	56
" 27-	1 1/2	"	work,	6s	50
" "	3/4	"	team,	18s	1 13
" "	3/4	"	foreman,	16s	56
" "	3/4	"	foreman,	16s	50

Clarissa street, west end bridge.

July 15-	For 1 1/2	"	days work,	6s	1 12
" "	1/2	"	team,	18s	1 13
" "	1	"	foreman,	16s	2 00
" 18-	1 1/4	"	work,	6s	91
" "	1	"	team,	18s	1 13
" "	1/2	"	foreman,	16s	1 00
" "	shaping picks and handles,			75	
" 19-	5	"	days work,	6s	3 75
" "	2	"	team,	18s	4 50
" "	1	"	foreman,	16s	2 00
" 20-	2 3/4	"	work,	6s	2 07
" "	1	"	team,	18s	2 25
" "	1/2	"	foreman,	16s	1 00
" 21-	3 3/4	"	work,	6s	2 81
" "	1 1/2	"	team,	18s	3 37
" "	3/4	"	foreman,	16s	1 50
" 22-	3/4	"	work,	6s	38
" "	1/2	"	team,	18s	1 12
" 26-	3 3/4	"	work,	6s	5 51
" "	1	"	team,	18s	1 69
" "	3/4	"	foreman,	16s	1 50
" 27-	1 1/2	"	work,	6s	1 13
" "	3/4	"	team,	18s	56
" "	3/4	"	foreman,	16s	50

FOURTH WARD.

South St. Paul street—repairing pavement.

July 21-	For 1 day paving,	16s	2 00		
" "	1	"	work,	6s	75

South Clinton street.

July 27-	For 4 loads broken stone,	6s	3 00		
" "	3/4	"	days work,	6s	18
" "	1/2	"	team,	18s	56
" "	3/4	"	work,	16s	50

FIFTH WARD.

Filling Carthage Alley.

July 27-	For 200 loads earth,	10c	20 00
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SEVENTH WARD.

South St. Paul street—repairing cross walks.

July 20-	For 2 days work,	6s	1 50
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EIGHTH WARD.

High Park grade.

July 5-	For 6 1/2	"	days work,	6s	4 88
" "	1 1/4	"	team,	18s	3 94
" "	1	"	foreman,	16s	2 00
" 6-	4	"	work,	6s	3 00
" "	2	"	team,	18s	4 50
" "	1	"	foreman,	16s	2 00
" "	sharpening picks,			50	
" 7-	4	"	days work,	6s	3 00
" "	1	"	team,	18s	2 25
" "	1/2	"	foreman,	16s	1 00
" "	24 feet plank, 29c; nails			10c	39

Clifton street.

July 5-	For 352 ft plank for 2 box sewers				
" "	across Frances street,				
" "	6 lbs spikes,		3 52		
" 6-	3	"	days work,	6s	30
" 12-	540 feet plank,		2 25		
" "	14 lbs spikes,		5 40		
" "	labor,		70		
" "			2 52		

" 22-	180 ft plk, box sewer Prospect st,	2 16
" "	5 lbs spikes,	25
" "	labor,	1 50

Troup street cross walk.

July 21-	For 440 feet joist,	4 40
" "	10 lbs spikes,	50
" "	labor,	2 16

Adams street cross walk.

July 12-	For 540 feet plank,	5 40
" "	15 lbs spikes,	75
" "	labor,	3 00

Prospect street.

July 12-	For 540 ft plank for cross walks,	5 40	
" "	13 lbs spikes,	5c	2 22
" "	labor,		

Reynolds street.

July 12-	For 540 feet plank for cross walk,	5 40
" "	14 lbs spikes,	70
" "	labor,	2 52

Atkinson street.

July 12-	For 380 feet plank at Reynolds street,	3 80
" "	380 " Prospect street,	3 80
" "	10 lbs spikes,	50
" "	labor,	3 66
" 22-	130 feet plank at Julia street,	1 30
" "	5 lbs spikes,	25
" "	labor,	1 50

NINTH WARD.

Lorimer street.

July 11-	For 86 feet plank for cross walk,	1 03
" "	6 lbs spikes,	30
" "	labor,	1 00

Broken stone taken from Mr. Lester's lot and used on State street between Smith and White streets, amount not yet ascertained.

TWELFTH WARD.

South Avenue—graveling at the bridge.

July 1-	For 4 days work,	6s	3 00		
" "	2 1/2	"	team,	18s	5 63
" "	1	"	foreman,	16s	2 00
" 5-	4	"	work,	6s	3 00
" "	2 3/4	"	team,	18s	6 19
" "	1	"	foreman,	16s	2 00
" 6-	3	"	work,	6s	2 25
" "	2	"	team,	18s	4 50
" "	3/4	"	foreman,	16s	1 50

Cayuga street—filling and repairing holes.

July 6-	For 1 days work,	6s	75		
" "	3/4	"	team,	18s	1 69
" "	1/2	"	foreman,	16s	50
" 7-	5	"	work,	6s	3 75
" "	1	"	team,	18s	4 50
" "	1	"	foreman,	16s	2 00
" 8-	5	"	work,	6s	3 75
" "	2	"	team,	18s	4 50
" "	1	"	foreman,	16s	2 00
" 11-	2	"	work,	6s	1 50
" "	1	"	team,	18s	2 25
" "	1/2	"	foreman,	16s	1 00
" 12-	5	"	work,	6s	3 75
" "	2	"	team,	18s	4 50
" "	1	"	foreman,	16s	2 00
" 13-	2 1/2	"	work,	6s	1 88
" "	1	"	team,	18s	4 50
" "	1/2	"	foreman,	16s	1 00

Filling at Clarissa street bridge.

July 13-	For 2 1/2	"	days work,	6s	1 88
" "	1 1/2	"	team,	18s	2 25
" 14-	5	"	work,	6s	3 75
" "	2	"	team,	18s	4 50
" "	1	"	foreman,	16s	2 00
" 15-	2 1/2	"	work,	6s	1 88
" "	1	"	team,	18s	1 13
" "	1	"	foreman,	16s	2 00
" 18-	1	"	work,	6s	75
" "	1 1/2	"	team,	18s	1 13
" "	3/4	"	foreman,	16s	50
" 19-	4	"	work,	6s	3 00
" "	2	"	team,	18s	4 50
" "	1	"	foreman,	16s	2 00
" 20-	4	"	work,	6s	3 00
" "	2	"	team,	18s	4 50
" 21-	3	"	work,	6s	2 25
" "	1 1/2	"	team,	18s	3 38
" "	1	"	foreman,	16s	2 00

" 22—	4	"	work,	6s	3 00
" "	2 1/4	"	team,	18s	5 06
" "	1	"	foreman,	16s	2 00
" "	15	loads	gravel,	1s	1 88
" 25—	2	days	work,	6s	1 50
" "	1 1/4	"	team,	18s	2 81
" "	1	"	foreman,	16s	2 00
" "	18	loads	gravel,	1s	2 25
" 26—	1	days	work,	6s	75
" "	1/2	"	team,	18s	1 13
" "	1/4	"	foreman,	16s	50
" "	11	loads	gravel,	1s	1 37

ASSESSMENTS.

The Surveyor submitted such estimate.

By Ald. Erickson—Resolved, That the following improvement is expedient, namely:

The laying flag side walks five feet wide, in two courses upon each side of East Avenue from Main street to the city line.

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 \$8,189, 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, namely:

One tier of lots on the north side of East Avenue, from Main street to the east line of the city, including the lots fronting upon public and private parks leading into East Avenue.

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 the Clerk is hereby directed to publish notice in pursuance of section 190 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 23d, 1899, at half-past seven o'clock, at the Common Council Hall, when allegations will be heard.

Ald. Jones moved to insert after "five feet wide," and at least four inches in thickness." Lost.

The ordinance was adopted.

OUTLET SEWER IN THE FOURTH, SEVENTH AND TWELFTH WARDS.

On motion of Ald. Shelton, 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. Shelton submitted the following:

AN ORDINANCE, to construct an outlet sewer for the Fourth, Seventh and Twelfth Wards.

The common council of the city of Rochester, do ordain and determine as follows:

A stone sewer three by four feet in dimensions, shall be constructed along the west side of the Erie Canal to connect the culvert under the Erie Canal and Feeder with the tail race of the Weigh Lock at the mill race through the culvert recently built by the city of Rochester, under the waste weir near the Weigh Lock, and to extend the culvert under the Erie Canal and Feeder in its north branch to some convenient point in Griffith street, not exceeding in length 125 feet; and in its south branch to some convenient point in Mt. Hope Avenue, not exceeding 100 feet.

And the whole expense thereof 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 \$7,020 00, which estimate is hereby approved. The sum of \$7,020 00, 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 land and houses within the following described territory, commencing at the intersection of Court street with the Erie Canal; thence easterly along the centre of Court street, and including one tier of lots on the north side thereof to Chestnut street; thence southerly along the centre of Chestnut street to Monroe street; thence southerly along the centre of Monroe street to Union street; thence northerly along the centre of Union street to the north line of lot number 21 in the Bixby tract; thence easterly along the north line of lots 21 and 22 in said Bixby tract to Alexander street; thence southerly along the centre of Alexander street, including one tier of lots on the east side thereof, from the north line of lot number 43 in the Bixby tract to Pearl street; thence southerly along the northerly side of Pearl street, including one tier of lots on the north side thereof, to Averill street; thence south westerly along the centre of Averill street and including one tier of lots on the east side of said Averill street to Broadway; thence south easterly along the center of Broadway and including one tier of lots on the north side thereof to the east line of lot number 137, in the Johnson and Atkinson tract; thence across Broadway to the east line of lot number 137, in the Johnson and Atkinson tract; thence along the east line of said lot to the Erie Canal; thence along the Erie Canal to Averill street; thence along Averill street including one tier of lots on the south-easterly side thereof to the west line of town lot number 60; thence southerly along said line to Gregory street; thence westerly along the centre of Gregory street and including one tier of lots on the south side thereof to the west line of lot number 27 in the Munzer tract; thence southerly along the west line of said lot

Ald. Shelton presented for confirmation the assessment roll for a sewer in Lyell street, from West street to Moore street. Appeals having been heard thereon, the roll was confirmed. Ayes 19; noes, Ald. Stone and Selye.

Ald. Lewis presented the assessment roll for Laying Iron Water Pipes in Exchange and State sts., building three reservoirs and repairing the reservoirs in Exchange and Ann sts. Opportunity having been given for appeals thereon, and no person appearing, the roll was confirmed. Ayes 17; noes 0.

Ald. Hebard presented for confirmation, the assessment roll for the laying of a brick sidewalk in South St. Paul st., in front of lots Nos. 35 and 36 in the Wadsworth tract, and lots Nos. 8, 15 and 18, and the south part of lot No. 10, in section N., and lots Nos. 17 and 18, and lots Nos. 1, 2, 3, 4 in the subdivision of lot No. 13 in section K., in Johnson and Seymour's tract. Opportunity having been given for appeals, and no one appearing, the said roll was confirmed. Ayes 18; noes 0.

Ald. Selye presented for confirmation the assessment roll for the improvement of Greig st., and appeals having been heard thereon, the roll was confirmed as follows:

Ayes—Ald. Mudgett, Butler, Reynolds, Hollister, Bradstreet, Nash, Knapp, Selye, Jones, Shelton, Bauer, Billinghamurst, Cushing.—13.

Nays—Ald. Hebard, Erickson, Stone, Mason.—4. Ald. Selye presented the assessment rolls for the following named improvements, and moved that appeals be heard thereon at the next regular meeting, which was agreed to.

Plank walk on west side of Oak st.
State st. Improvement.
Lyell st. do
Hudson st. do
North st.

Ald. Selye moved that the hearing of appeals upon the assessment roll for the widening of Exchange street, be postponed until the next regular meeting. Carried.

Ald. Butler presented the assessment roll for a flag walk around Brown's Square, and moved that appeals be heard at the next regular meeting.—Carried.

Ald. Shelton presented the assessment roll for the construction of a sewer in North St. Paul st., and moved that appeals be heard thereon at the next regular meeting of this Board, Aug. 23d inst. Agreed to.

ACTION UPON ORDINANCES.

Ald. Erickson moved that all the proceedings heretofore had in relation to the construction of flag walks in East avenue, be and they are hereby rescinded. Carried.

FLAG SIDE WALK IN EAST AVENUE.

By Ald. Erickson—Resolved, That the city Surveyor ascertain and report to this Board an estimate of the expense of constructing flag side walks on East Avenue from Main street to the city line. The walks to be of Medina stone, five feet wide, laid in two courses, with a suitable width of gravel. Adopted.

number 27 to the south line of said Munger tract; thence westerly along the south line of said Munger tract to the west line of lot number 13 in the subdivision of town lot number 15; thence southerly along the west line of lots numbers 13, 14, 15, and 16, in said town lot number 15 to the south line thereof; thence westerly along the south line of said lot to the east line of lot number 40 on the north side of Cypress street; thence southerly on said line to Cypress street; thence west on Cypress street to the west line of lot number 39 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 Mount Hope Avenue; thence northerly along the centre of said Avenue and including one tier of lots on the west side thereof to Clarissa street; thence westerly along Clarissa street to the Feeder; thence northerly along said Feeder to a point opposite the centre of Holley or Cuyuga street; thence westerly in range with the centre of said street to the Genesee river; thence northerly along said river to the south line of the State property at the weigh lock; thence easterly along the south line of said State property to the Erie Canal; thence northerly along the Erie Canal to the place of beginning.

On which above described portion of the city, the said sum of \$7,020 00, 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 date 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, Jared Coleman, Assessors of said city, and Schuyler Moses, who is hereby appointed a commissioner to act with said assessors, and who is 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 to the advantage which each shall be deemed to acquire by the making of said improvement; and said Assessors and Commissioner are hereby notified to meet for this purpose, on Friday, the 12th day of Aug., 1859, at 9 o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:—

Ayes—Ald. Mudgett, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Nash, Erickson, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billinghurst, Cushing—19.

Nays—None.

EAST LINE OF FRONT STREET.

Ald. Nash submitted the following: Whereas, The true east line of Front street at its intersection with the north line of Buffalo street, has been a mooted and vexatious question for a long series of years, and has been the subject of frequent inquiry, examination and petition; and the question having been submitted to the Law Committee of this Board, and to able and eminent legal counsel, whose written report and opinion are upon file and of record, and are hereby adopted by this Board, therefore,

The common council of the city of Rochester do ordain and determine as follows:

The east line of the south part of Front street, from its intersection with Buffalo street northward, is hereby established in accordance with said Report of the Law Committee, and as defined upon a map made by the City Surveyor, herewith submitted.

Said east line is established 63 feet and nine inches from the south-west corner of Exchange Place and Front street, measuring at right angles, and runs thence southerly to a point in the north line of Main street, seventy-six feet and seven inches from the north-east corner of John B. Elwood's building on the corner of Buffalo and Front streets, measurement on the line of Buffalo street, reference being had to lines indicated on the map in brown.

And the City Clerk is hereby directed to record this ordinance in the Street Register, and to cause a correct diagram of the said street, corresponding with the map of the City Surveyor, to be inserted therein.

Ald. Nash moved that Mr. Frederick Starr be heard on the question involved in the above ordinance.

Ald. Jones called for the Ayes and Nays, and the motion was carried. Ayes 15; nays 2—Ald. Butler and Mason.

Mr. Starr was heard at some length, when

Ald. Stone moved that the whole subject be postponed until the next regular meeting of this Board. Carried.

PLANK WALK IN CANAL STREET.

On motion of Ald. Reynolds, 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. Reynolds submitted the following:

AN ORDINANCE, to construct a plank walk in Canal street, from the north line of Samuel Porter's lot to the south line of the New York Central Railroad property.

The common council of the city of Rochester, do ordain as follows:

A plank side walk six feet wide shall be constructed on the west side of Canal street from the north line of Samuel Porter's lot to the south line of the New York Central Railroad property, and there shall be constructed therein a suitable number of cross walks.

And the whole expense shall be defrayed by an assessed 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 \$135 00, which estimate was and is hereby approved. The sum of \$135 00, 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 Canal street from the north line of Samuel Porter's lot to the south line of the New York Central Railroad property.

On which above described portion of the city, the said sum of \$135 00 is hereby ordered to be assessed.

And David McKay, Francis Dana, and Jared Coleman, 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 Friday, the 12th day of August, 1859, at 9 o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote—

Ayes—Ald. Mudgett, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Nash, Erickson, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billinghurst, Cushing—19.

Nays—None.

FLAG WALKS IN GREIG STREET.

On motion of Ald. Reynolds, 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. Reynolds submitted the following:

AN ORDINANCE, to construct flag walks in Greig street from Glasgow street to Clarissa street.

The common council of the city of Rochester having been requested by a petition signed by a majority of the owners of property to be assessed for the improvement hereinafter mentioned, do hereby ordain and determine as follows:

A flag side walk shall be constructed upon each side of Greig street from Glasgow street to Clarissa street, the flag to be laid in three courses of two feet each, with a suitable width of gravel.

And the whole expense thereof 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 \$2780 00, which estimate was and is hereby approved. The sum of \$2780 00, 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 Greig street from Glasgow street to Clarissa street.

On which above described portion of the city, the said sum of \$2,780, 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, Francis Dana, and Jared Coleman, 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 Friday, the 12th day of August, 1889, at 9 o'clock in the forenoon, at the office of the city clerk.

Passed—Ayes 16, nays 3—Ald. Jones, Shelton and Mason.

The Mayor decided the ordinance passed, it having been petitioned for by a majority of the tax payers to be assessed. The majority clause having been omitted, the vote was reconsidered, and the clause inserted, when the ordinance was again

Passed by the following vote:

Ayes—Ald. Mudgett, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Nash, Erickson, Knapp, Stone, Selye, Lutes, Shelton, Bauer, Billinghurst, Cushing—17.

Noes—Ald. Jones, Mason—2.

EXTENSION OF HAWKINS STREET.

By Ald. Mudgett—Resolved, That the City Surveyor ascertain and report to this Board an estimate of the expense of continuing Hawkins street from its present southern termination to Oakman street. Adopted.

The surveyor submitted such estimate.

By Ald. Mudgett—The Common Council of the city of Rochester do ordain and determine that the following improvement is expedient, namely:

The continuation of Hawkins street from its southern termination to Oakman street, so called, as laid down on the city map. The following described territory is deemed necessary for such improvement:

Beginning at a point in the north line of N. E. Paine's property where it intersects the west line of Hawkins street, and running thence southerly about one hundred and fifty feet to the north line of Oakman street, so called, thence upon the north line of Oakman street forty feet easterly, thence northerly and parallel with the west line of Hawkins street and forty feet therefrom to the north line of N. E. Paine's property, thence westerly along 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 \$310 00, which estimate is hereby approved.

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

One tier of lots on each side of Hawkins street from Scranton street to the north line of N. E. Paine's property, and land to the depth of one tier of lots on each side of Hawkins street extended from its present southern termination to Oakman street.

And the Clerk is hereby directed to publish notice in pursuance of section 190 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 23d, 1889, at half-past seven o'clock, at the Common Council Hall, when allegations will be heard. Adopted unanimously.

ENACTMENT OF PENAL ORDINANCES

Ald. Jones moved the adoption of the following Ordinance:

AN ORDINANCE RELATING TO FIRES AND THE FIRE DEPARTMENT.

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

Section 1. The Fire Department of the City of Rochester, shall be organized by the Common Council and shall consist of a Chief Engineer and four Assistant Engineers, and of as many Engine, Hose, Hook and Ladder, and Sack and Bucket Companies, as may be hereafter from time to time designated and appointed by the common council.

§ 2. It shall be the duty of the chief and assistant engineers to organize themselves into a "Board of Engineers," the chief engineer to be the chairman thereof, and of which board the Fire Department Committee of the common council shall be *ex-officio* members, a majority of which board shall form a quorum, and the said Board of Engineers shall have power to make such rules and regulations for their own government, and for the government and regulation of the Fire Department, as may from time to time be advisable and necessary, not inconsistent with any of the city ordinances, and subject to the approval of the common council, and such rules and regulations when approved by the common council shall be binding upon the officers and members of the fire department.

In the absence of the chief engineer, the chairman of the fire department committee shall preside over the meetings of the said board of engineers.

§ 3. The chief and assistant engineers, and all firemen appointed by the common council shall receive certificates of their appointment, which certificates shall be signed by the city clerk.

§ 4. The chief and assistant engineers shall be appointed annually by the common council, and shall receive such salaries as the common council shall determine.

§ 5. The city shall be divided into five fire districts, to be designated by the board of engineers, with the approval of the common council. The chief engineer shall direct in what manner the several alarm bells shall be rung to designate the location of any fire.

§ 6. The chief engineer shall once in each week and af-

ter every fire, examine and ascertain the condition of all the fire apparatus, and shall report to the common council at the first meeting held in the months of January and July in each and every year, the condition thereof; and recommend such alterations and improvements in the fire department and the fire apparatus as he may deem necessary and proper. He shall also report to the common council the names of such firemen, if any, as have disobeyed orders, and neglected or refused to attend to their duty; and shall at the same time report the cause of any fire that shall have occurred since his last report, so far as the same has come to his knowledge.

§ 7. The chief engineer shall take the management and control of the fire department at all fires within the city, when present, and direct at such fires the efforts and labors, and prescribe the duties of the assistant engineers and firemen, and citizens, and all other persons present.

§ 8. The first assistant engineer, in all cases when the chief engineer shall be absent, or there shall be a vacancy in the office, shall perform all the duties and possess all the powers of the chief engineer; and in case the chief engineer and the first assistant shall be absent, or if there shall be a vacancy in both of these offices, then the second assistant engineer, and in case of his absence, then the third assistant engineer, and so on to the fourth, shall perform those duties and possess such powers.

§ 9. It shall be the duty of the chief engineer:

1. To abate, with the consent of the Mayor, or any Alderman, any cause from which immediate danger from fire may be apprehended.

2. To report to the city attorney the name of the owner or occupant of any building or premises who shall neglect to remove any cause from which damages by fire may be apprehended, to the end that such owner or occupant may be prosecuted.

§ 10. It shall be the duty of the foreman, and in case of his absence, of the assistant foreman of each and every company:

1. Upon any alarm of fire to immediately repair to such fire, with his company, and the apparatus of such company.

2. To direct and control his company, under the direction of the chief engineer, or any assistant, until the fire is extinguished, and the company is discharged by the engineer.

3. To cause the engine and apparatus of his company to be kept in such place or places as the common council shall designate; to examine frequently into their condition, and cause the same to be kept in the best order for immediate use.

§ 11. All the fire engine companies, hook and ladder, hose, and sack and bucket companies, and their officers, shall be under the general control and direction of the chief engineer, subject to the provisions of this ordinance, and to such ordinances and by-laws as may be made from time to time by the common council or the board of engineers, for the regulation of the fire department, so far as the same may be applicable.

§ 12. Said companies shall respectively be under the immediate control and direction of a foreman and assistant foreman, who, together with one secretary and treasurer, and such other officers as may be necessary, shall be elected by said companies respectively, within the first week in December in each year, and as often as any vacancy in any of such offices shall occur.

§ 13. Said companies shall have the custody of such implements and apparatus belonging to the city as the chief engineer may direct, and the same shall be kept in such a place or places as the common council shall designate. And said companies shall receive such compensation as may from time to time be determined by the common council.

§ 14. It shall be the duty of the firemen of said city,

1. To obey promptly and implicitly all orders of superior officers, and especially at fires, of the chief and assistant engineers.

2. Upon any alarm of fire, to immediately repair to such fire, with the engine and implements under the care of the company to which they shall respectively belong, and there work and manage the same, under the direction of their proper officers, until the same be extinguished, or the company is discharged by the acting engineer.

3. To attend every regular meeting of the company.

4. To regularly discharge the duties imposed upon them by the regulations and by-laws of their company.

§ 15. No fireman or other person shall, in going to any fire, or at any other time, run, drive, wheel, draw or propel any fire engine, hook and ladder truck, hose cart or carriage, or sack and bucket carriage, upon the sidewalk on Buffalo street, east of Sophia street, or on Main street, west of Clinton street; or on State street, south of Mumford street, or on Exchange street, north of Spruce street, or aid in so doing, except in going to or from the engine house to the street in front thereof, under the penalty of twenty-five dollars for each offence; provided, that between eleven o'clock P. M. and sunrise, from the first of April to the first of October, and between ten o'clock and sunrise, from the first of October to the first of April in each year, this section shall not be applicable; provided, further, that whenever it can be made to appear, that by reason of mud, snow, or other obstruction, in the said streets, the fire apparatus cannot safely or conveniently

be drawn through the streets, then this section shall not be applicable.

§ 16. At fires, the officers and firemen, shall be distinguished as follows:

1. The chief engineer shall wear a white hat, with the words, "Chief Engineer," painted thereon in black; he shall also carry a speaking trumpet, painted white, with the same words in black.

2. The assistant engineers shall have similar hats and trumpets, with the word, "Engineer," painted thereon.

3. All officers and members of fire companies shall provide themselves and shall be distinguished at fires with such appropriate equipage as may from time to time be approved by their respective companies, or such badge as may be designated by the board of engineers.

§ 17. Any person offending against the last section, between nine o'clock in the evening and daylight in the morning, shall forfeit and pay unto the city of Rochester the sum of two dollars.

§ 18. In cases of fire in the night time, the policemen not on duty for the night, shall attend at a l such fires, and report themselves to the mayor or any alderman or the officers having charge of the fire department at such fire.

§ 19. Upon any alarm of fire, it shall be the duty of the policemen then on duty immediately to procure the ringing of the City Hall bell, and to spread the alarm as soon and as generally as possible.

§ 20. It shall be the duty of the messenger to the common council upon any alarm of fire to repair immediately to the City Hall, and to ring the alarm bell in cases of actual fire, for a period of not less than fifteen minutes.

§ 21. The chief engineer shall, in the month of September, in each year, order a general meeting of all companies belonging to the fire department for inspection and review, by the Mayor and common council, at which time and at such place, within the city, as the chief engineer may designate, all companies belonging to the fire department, shall assemble with their engines, carriages and implements for inspection and review.

§ 22. All persons who may be present at any fire, shall be obedient to the orders of the members of the common council and the officers of the fire department, in the extinguishment of the fire and the removal of property. Any person who shall neglect or refuse to obey such orders, shall forfeit and pay the sum of five dollars for each offence.

§ 23. Any member of the common council, or any officer of the fire department, may require the aid of any citizen or inhabitant in drawing any engine, hose, or hook and ladder, or sack and bucket carriage, to any place for the extinguishment of any fire; and in the absence of any such persons, then any officer of the company or any two members thereof, may require such aid, and any person refusing to obey such requirement, shall forfeit and pay to the city of Rochester a penalty of five dollars.

§ 24. Any person or persons who shall enter any house or place where engines, hose, fire apparatus, or implements for the extinguishment of fire shall be kept with intent to injure, or shall injure any such engine, hose, fire apparatus, or implement, or detach or remove any portion thereof, or otherwise mutilate the same, or shall do any injury to any public well or other reservoir of water, or any article of furniture, or ornament in or about said house belonging to the city, or the company, shall forfeit and pay a penalty of fifty dollars.

§ 25. No hay, straw, stubble, or other combustible substance shall be deposited within fifteen feet of any place where fire or ashes are kept, unless within a close and secure building, under the penalty of two dollars for each offence, and one dollar for every twenty-four hours the same shall remain so deposited; and if the same shall not be removed within twenty-four hours after notice given by the superintendent, chief engineer, or either of the assistant engineers, it shall be removed by the city superintendent at the expense of the owner.

§ 26. No person shall use any lighted candle, lamp or torch in any stable or other place or building, where hay, straw, or other combustible substances shall be kept, unless the same be well secured in a lantern or other cover; nor enter or be in any such place with any lighted cigar or pipe, under the penalty of five dollars for each offence.

§ 27. No unslaked lime shall be deposited nearer than twenty feet to any building within the lamp and watch district; nor shall any spittoon, or spittoof, or any kind filled with saw-dust be used in any room or building of said city, nor shall any ashes be put or deposited in any place whatever, unless in some receptacle made wholly of iron, stone or brick and appropriated to that purpose. Any person offending against the provisions of this section, shall forfeit and pay a penalty of five dollars, and the further penalty of three dollars for every twenty-four hours such offence shall continue, and it shall be lawful for any alderman or police justice to cause such lime or ashes to be removed to a place of safety, at the expense of the person depositing the same, or the owner thereof.

§ 28. No person shall burn, or cause to be burned, or aid or assist in burning any straw, chips, shavings, or other combustible matter, in any street or alley, within the limits of the lamp and watch district of this city as es-

tablished by the common council, without first having obtained permission to do so in writing from the chief engineer, mayor, or city superintendent, under the penalty of five dollars for each offence.

§ 29. Every carpenter, joiner, or other mechanic, or person keeping a shop or other building where chips, shavings, or other combustible material may be contained, shall clear and remove the same out of his shop or other building and the yard belonging thereto, at least three times in each week; and no lighted candle, lamp or torch, shall be used in the work shop of any carpenter, joiner, or other mechanic, unless the same shall be safely placed in a lantern or metallic candlestick. Any person offending against the provisions of this section, or either of them, shall forfeit and pay the penalty of two dollars for each offence.

§ 30. No carpenter, joiner, or other person, shall scatter, or throw, or deposit, any shavings, chips, or other combustible matter, in any street, lane, or alley, or any time direct, or permit, or suffer any chips, shavings, or other combustible matter to be taken to, or thrown or scattered on any street or alley, under a penalty of two dollars for each offence.

§ 31. No chimney or flue shall be burnt out except between sunrise and three o'clock in the afternoon, nor during the fire, by the roof being wet or covered with snow under a penalty of three dollars; and whenever any chimney or flue shall take fire at any other time, each person using or occupying the same shall incur a penalty of three dollars.

§ 32. In case of any alarm of fire, the City Hall bell shall immediately be rung, and likewise the several church bells in the city, by the respective sextons, as rapidly as due regard to the security of the bells will allow; and for at least fifteen minutes, when fires actually occur.

§ 33. No person shall make, or cause to be made, any false alarm of fire within the limits of the city, or aid, countenance or assist in making or spreading any false alarm of fire, within the limits aforesaid, knowing the same to be false, under a penalty of twenty-five dollars for each offence.

§ 34. No person shall make, or cause to be made, any fire in any yard or premises within the lamp and watch district as established April 12, 1853, by the common council of said city, owned or occupied by him, except within a building, without the consent of an alderman or fire warden of said city, under a penalty of ten dollars for each offence.

§ 35. Every execution issued upon a judgment recovered for the violation of any of the provisions 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 county jail for the period of twenty days.

§ 36. All monies collected under the 25th, 26th, 27th, 28th, 29th, 30th, 31st, 33d, and 34th sections of this ordinance, shall be paid by the officers collecting the same to the treasurer of the Firemen's Benevolent Association of the city of Rochester, and shall become a part of the fund of said Association for the aid and relief of indigent and disabled firemen and their families.

§ 37. The committee of the fire department may, whenever they shall deem it advisable, and as soon as practicable after the occurrence of any fire within the city, investigate and ascertain the cause thereof, the amount of property destroyed, or of injury done, and the amount of insurance thereon, by the oaths of witness to be summoned before the said committee, and sworn by the chairman of said committee or by the mayor. The depositions of said witnesses shall be reduced to writing, and shall be signed by the witnesses, and attested by the persons administering such oath; which shall be carefully preserved among the records of the city.

§ 38. The said committee shall, as soon as practicable, after making such investigation, report to the common council their opinion as to the origin of such fire, the amount of property destroyed and the injury done thereby, and the amount of insurance thereon; and the substance of their report shall be published with the proceedings of the common council.

On motion of Ald. Holmes, the above ordinance was laid on the table, and the Clerk was directed to publish the same.

Adopted, as follows:

Ayes—Ald. Mudgett, Butler, Hollister, Lewis, Hebard, Bradstreet, Nash, Erickson, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Bilinghurst, Cushing—19.

Noes—None.

MISCELLANEOUS BUSINESS.

By Ald. Butler—Resolved, That the Treasurer pay Harlow H. Mordoff one hundred and fifty dollars upon his contract for grading Jones Square, when there are funds applicable thereto, in accordance with the certificate of the City Surveyor. Referred to the Finance Committee.

By Ald. Jones—Whereas, Certain persons have seen fit to build a fence across the rear of the park or public alley, leading from East avenue north, near Union street, so as to obstruct the ingress and egress of persons thereto:

Therefore Resolved, That the Superintendent be instructed to cause all obstructions to be removed from said park immediately; it having been open and used as such park or alley for more than twenty years, and laid down as such on Enos Stone's map.

Referred to the committee on the opening and alteration of streets.

By Ald. Selye—Resolved, That His Honor, the Mayor, be requested to execute a contract with J. W. Phillips, agreeable to his bid for the improvement of North street; said bid being the lowest bid received for said improvement. Adopted.

Resolved, That His Honor, the Mayor, be authorized to execute a contract with Bernard Lamb, for the improvement of Lyell street; and also a contract for the improvement of State street, from Jay to Smith street; said Lamb being the lowest bidder for said improvements. Adopted.

Resolved, That His Honor, the Mayor, be authorized to execute a contract with F. C. Lauer, for the improvement of Hudson street; and also a contract with R. W. Underhill, for plank walk on west side of Oak street. Adopted.

By Ald. Selye—Resolved, That the Chairmen of the Committee on Amendments of the City Charter, the Finance Committee, the Sewer Committee, the Law Committee, the Fire Department Committee, and the Street Committee, together with His Honor the Mayor, be a Committee on a revision and amendment of the City Charter; and that said Committee be requested to employ some suitable person to revise the present Charter, and that said Committee be requested to suggest such amendments thereto as in their judgment shall be beneficial to the interests of the city, and report the same to this Board at its earliest convenience, to the end that the Charter so revised and amended may be published and thoroughly understood by the people before the meeting of the next Legislature.

Ald. Reynolds moved that the resolution be referred to the Committee on Amendments to the City Charter. Lost.

The resolution was adopted.

By Ald. Shelton—Resolved, That A. H. Jarvis be permitted to build a lateral sewer from his house, to intersect the sewer now in process of building in Atwater street, the same to be done under the direction of the Street Superintendent or the Sewer Committee. Adopted.

By Ald. Shelton—Resolved, That the Clerk be and he is hereby directed to procure thirty journal files and covers, in which shall be inclosed the printed proceedings of this Board, as prepared for binding in book form, and that he cause to be printed hereafter one hundred copies of the proceedings, in like form and in larger type, for the use of this Board. Adopted.

By Ald. Shelton—Resolved, That the sum of \$21.12 be and the same is hereby remitted to John Meyer, the same being the amount of his tax assessed against him for Atwater street sewer, on his premises on the southeast corner of Atwater and North Clinton streets, in the 6th ward.

Referred to the Sewer Committee.

By Ald. Shelton—Resolved, That the sum of \$25.04 be and the same is hereby remitted to Gotteb (George) Gartzman, the same being the amount of his tax assessed against him for At-

water street sewer on his premises on the northeast corner of Atwater and North Clinton street in the 6th Ward. Referred to the Sewer Committee.

By Ald. Mason—Resolved, That a market license to sell fresh meat be and is hereby granted to Jacob Schroth, at the corner of Baden and Joseph streets, at the rate of \$75 per year, to be paid quarterly in advance. Adopted.

Ald. Jones moved to add, "and that a license be granted to Thomas McLaughlin, in accordance with his petition." Lost.

The resolution was adopted.

By Ald. Mason—Resolved, That John Zimmer be allowed to remove his market from the corner of Marietta and Clinton streets to his own buildings opposite the same place. Adopted.

Resolved, That his Honor the Mayor be authorized in case of a failure of any person to whom contracts have been awarded, to revoke such contracts, and to execute a contract with the next lowest responsible bidder. Adopted.

Ald. Selye moved that his Honor, the Mayor, be requested to execute a contract for the laying of new pipes and constructing reservoirs in Exchange and State streets, as the Fire Department Committee may advise. Adopted.

The Board then adjourned.

F. S. Rew, Clerk.

IN COMMON COUNCIL—July 12, 1859.

ENACTMENT OF PENAL ORDINANCES.

Ald. Jones moved the adoption of the following ordinance:

AN ORDINANCE TO REGULATE WEIGHTS AND MEASURES.

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

§ 1. Every merchant, retailer, trader, or dealer in merchandise or other property, which is sold by measure or weight, residing or dealing, or trading in the city of Rochester, shall cause the weights and measures used by him and her, to be sealed and marked by the City Sealer; and if any such merchant, retailer, trader, or dealer shall use any weight or measure for weighing or measuring any article for purchase or sale in said city, which shall not be sealed as herein provided, he or she shall forfeit and pay a penalty of five dollars for each offence.

§ 2. All weights and measures sealed by the said City Sealer, shall be made to conform to the standard of the State, and shall be marked by him.

§ 3. It shall be the duty of the City Sealer, and he is hereby authorized to inspect and examine, at least once in every six months hereafter, and as much oftener as he thinks proper, all weights and measures used by any merchant, retailer, trader or dealer aforesaid for weighing or measuring—such weights and measures shall be inspected at the place or places where the same are kept for use; but if such weights and measures shall be found not conformable to the standard aforesaid, they shall be sent by the owner or owners thereof to such place in said city as the Sealer shall direct for the purpose of being sealed within three days after such owner or owners shall be required to do so by the said Sealer. If any such merchant, retailer, trader or dealer shall refuse to exhibit any such weights and measures to the said Sealer, when required so to do by him, or in any manner obstruct such Sealer in the performance of the duties hereby enjoined upon him; or if any such merchant, retailer, trader or dealer, shall refuse or neglect to send any such weights or measures for the purpose of being sealed as aforesaid, within the time and to the place aforesaid, he or she shall forfeit and pay a penalty of ten dollars for each offence.

§ 4. It shall be the duty of the City Sealer to make a register of all the weights and measures inspected and examined by him, in which he shall state the name of the owner or owners of the same, and whether they are conformable to the standard of this State, and to deliver a copy of such register to the Clerk of said city; and it shall be the duty also of said Sealer to report to the Common Council the names of all owners whose weights or measures are incorrect, or who shall neglect or refuse to have their weights or measures sealed and marked.

Adopted by the following vote:

Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billingshurst—20.

Noes—None.

A true copy from the minutes.

F. S. REW, City Clerk.

In Common Council, Aug. 23, 1859.

REGULAR MEETING.

Present—The Mayor, Ald. Holmes, Butler, Reynolds, Hollister, Hebard, Bradstreet, D. W. Perry, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason and Billingshurst.

Absent—Ald. Mudgett, G. W. Perry, Lewis, Nash, Twitchell and Cushing.

The minutes of the previous meeting were approved.

PETITIONS AND CLAIMS.

By Ald. Hollister—Petitions of W. Zimmer, for leave to erect a wood building; of L. A. Ward, to erect wood building corner of Gibbs and Grove streets; of Oliver Downey, to erect wood building corner of Asylum and New Main streets—Committee on Wood Buildings.

By Ald. Reynolds—Final estimate of Thos. Oliver, for Nelson street improvement; account of Commissioner of West Avenue—Improvement Committee; remonstrance of R. L. Swift and others, against market corner of Plymouth avenue and Clarissa street—Market Committee.

By Ald. Bradstreet—Majority petition of Thos. Peter and others, for grading and side-walk on Emmett street—Improvement Committee; of Agnes P. Depoe, for relief from a sewer tax—Sewer Committee; of Ann O'Neil, for side walk—Improvement Committee.

By Ald. D. W. Perry—Bills of R. B. Paine, N. Aylesworth, Jacob Hyne, H. S. Allis, H. Perry; petition of Engine Cos. Nos. 4 and 8 and H. & L. No. 1—Fire Department Committee.

By Ald. Knapp—Petition of Caroline M. Brockway, for leave to build wood addition corner High and Spring streets—Committee on Wood Buildings.

By Ald. Stone—Of Jacob Shafer, for market license—Market Committee; bill of L. M. Blakeslee—Fire Department Committee; bills of J. W. Phillips, J. H. Child—Poor Committee.

By Ald. Lutes—Bill of E. Darrow & Bro., for stationery at Police-office; of special policeman—Police Committee; O. L. Angevine and others, against market license on State street—Market Committee.

By Ald. Shelton—Bills of E. Watson, M. F. Reynolds, L. Barhydt—Sewer Committee; remonstrance against erection of wood building corner New Main and Asylum streets—Committee on Wood Buildings.

By Ald. Mason—Petition of J. Pool and others, for a market license—Market Committee.

By Ald. Hebard—Bill of Albany Evening Journal, for advertising—Contingent Expense Committee.

By Ald. Selye—Bill of Curtiss, Butts & Co., for printing—Law Committee.

REPORTS OF COMMITTEES.

By Ald. Knapp, from the Street Committee, favorably on bill of Geo. McDermot for use of lot to deposite McAdam stone. Finance Committee.

By Ald. D. W. Perry, from the Lamp Committee, favorably on bill of W. Kidd & Co., for lamp-posts. Finance Committee.

By Ald. Hebard, from the Contingent Expense Committee, favorably on the following bills: C. M. St. John, D. M. Dewey, Curtiss, Butts & Co., A. Strong & Co., N. G. Hawley, Geo. W. Walbridge, R. E. & J. H. Sherlock. Finance Committee. Also, against bill of Perrine & Stuart, for hand-cart for City Sealer.

By Ald. Hollister, from Committee on Wood

Buildings, favorably on petitions of L. A. Ward, Caroline Brockway and Wm. Zimmer.

By Ald. Lutes, from the Police Committee, favorably on bill of E. Darrow & Bro. Finance Committee.

By Ald. Bradstreet, from the Grievance Committee, favorably on petition of Chas. L. Flint, to be released from tax on personal property.

By Ald. Shelton, from the Sewer Committee, favorably on bills of L. Barhydt, M. F. Reynolds, E. Watson, A. H. Waterman, C. Harper, and John Carroll. Finance Committee.

Also, favorably on estimates of work done on sewer contracts, by D. McGarry, P. Quin, E. Watson, Hugh H. Quin, Stroup & McConnell, James Campbell, D. Wagner, C. H. Butler and N. Aylesworth. Finance Committee.

By Ald. Selye, from the Law Committee, favorably on bill of City Attorney, for disbursements.—Finance Committee.

By Ald. Reynolds, from the Improvement Committee, favorably on account of Thos. Oliver, for improvement of Nelson-st., and of Rathbun & Whitmore, for Mill-st. improvement. Finance Committee.

By Ald. Hebard, from the Improvement Committee, in favor of Allen & Stuart's bill for Franklin-st. improvement. Finance Committee.

By Ald. Mason, from the Market Committee, favorably on bill of F. Ackerman, for repairs at Centre market. Finance Committee.

COMMUNICATIONS FROM EXECUTIVE OFFICERS.

The following communication from the Surveyor was read:

Hon. the Common Council:

The undersigned begs leave to report that the County, through the Chairman of the Board of Supervisors, declines to negotiate for the sale of county property for the purpose of widening Pindall alley, and that Selah Matthews, Esq., will relinquish his lease-hold claim upon that portion of the property occupied him, for the sum of ten thousand dollars. Respectfully,

Your ob't servant,

CHARLES R. BABBITT,

City Surveyor.

City Surveyor's office, Aug. 23, 1859.

ASSESSMENTS.

Ald. Shelton presented the assessment roll for the construction of a sewer in Mortimer street, and moved that appeals be heard thereon at the next regular meeting of the Board, Sept. 6. Agreed to.

Ald. Shelton presented the assessment roll for the construction of a sewer in North St. Paul street, and appeals were heard thereon from N. E. Paine, J. Clancey, and others, when the question being taken, the roll was confirmed, by the following vote:

YEAS—Ald. Reynolds, Hollister, Hebard, Bradstreet, D. W. Perry, Erickson, Moore, Knapp, Shelton, Jones, Selye, Mason, Billingshurst—13.

NAYS—Ald. Holmes, Butler, Stone, Lutes, Bauer—5.

Ald. Selye presented the assessment roll for the improvement of North street, and moved that the confirmation thereof be postponed till the next regular meeting, when appeals will be heard. Carried.

Ald. Selye presented the assessment roll for the construction of a plank side walk on the west side of Oak street, and opportunity having been given for appeals thereon, it was confirmed, by the following vote:

YEAS—Ald. Butler, Reynolds, Hollister, Hebard,

D. W. Perry, Bradstreet, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billinghamurst—17.

Ald. Selye presented the assessment roll for the improvement of State street, from Jay to Smith streets, and opportunity having been given for appeals thereon, it was confirmed, by the following vote:

Yeas—Ald. Holmes, Butler, Reynolds, Hollister, Hebard, Bradstreet, D. W. Perry, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billinghamurst—18.

Ald. Selye presented the assessment roll for the improvement of Hudson st., and opportunity having been given for appeals therefrom, the said roll was confirmed, by the following vote:

Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Hebard, Bradstreet, D. W. Perry, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billinghamurst—18.

Ald. Selye presented the assessment roll for the improvement of Lyell st., and moved that action thereon be postponed till the next regular meeting September 6, allegations to be then heard thereon. Carried.

Ald. Selye presented the assessment roll for the widening of Exchange Place, and appeals having been heard thereon, the roll was confirmed, by the following vote:

Yeas—Ald. Holmes, Butler, Hollister, Hebard, Bradstreet, D. W. Perry, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billinghamurst—17.

Ald. Butler presented the assessment roll for the Flag Side-walk around Brown's Square, and opportunity having been given for appeals thereon, the roll was confirmed, by the following vote:

Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Hebard, D. W. Perry, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billinghamurst—17.

Ald. Reynolds presented the assessment rolls for the following named improvements, and moved that appeals thereon be heard at the next regular meeting of this Board, which was agreed to:

- Plank walk on the west side of Canal st.
- Plank walk on the south side of Brown st.
- Plank walk in Glasgow st.
- Plank walk in Edinburg st.
- Flag walks on Greig st.
- Improvement of Edinburg st.

ACTION UPON ORDINANCES.

Ald. Jones moved to add to Section 26, of the Ordinance relating to Streets, the following:

Nor shall any person dust, clean, or lay any rug, carpet, oil-cloth or other thing of the kind, in any of the streets, lanes, squares or alleys, or hang them upon the fences of the same. Lost.

Ald. Jones then gave notice that he would move such an amendment at the next meeting of the Board.

EAST LINE OF FRONT STREET.

The Ordinance to establish the East Line of Front st., was postponed till the next Regular meeting.

WIDENING PINDALL ALLEY.

Ald. Selye offered the following:

Whereas, the Common Council of the city of Rochester did on the second day of August, 1859, ordain and determine that

Public Square or Pindall Alley shall be widened from the south line of Buffalo street, to the south line of the county property, by the addition of twenty-five feet to the west line thereof, and that

the following described premises are deemed to be necessary for said improvement, to wit:

Beginning at the point where the west line of Public Square or Pindall Alley intersects with the south line of Buffalo street, and running thence westerly upon the said south line twenty-five feet, thence southerly parallel with said west line and twenty-five feet distant therefrom to the south line of the county property; thence easterly along the said south line to the west line of said alley; thence northerly along said west line to the place of beginning;

And did thereupon resolve that the city of Rochester will purchase the land deemed necessary for the foregoing improvement of the respective owners thereof, and make to them severally a reasonable compensation therefor, not exceeding in all the sum of \$8,160—and directed the City Surveyor to negotiate with the owners of the property so deemed necessary for the making of said improvement, for the purchase of the same; and the said Surveyor having been unable to effect such negotiation and purchase, in accordance with the terms prescribed, Therefore

Resolved, That the City Attorney publish the notice required by law, that application will be made to the County Court of the County of Monroe, at the Court House in the City of Rochester, on Saturday, the 10th day of September, 1859, at 10 o'clock in the forenoon, for the appointment of Commissioners to inquire into and determine what damages and compensation the owner or owners of lands to be taken for said improvement will be entitled to for the same, and that he serve such notices as are required by law to be served upon such owners respectively. Adopted.

Resolved, further, That the Clerk cause a copy of the foregoing resolution to be filed in his office, and that the City Surveyor be and he is hereby directed to make a map of said Public Square or Pindall Alley, as proposed to be widened, designating thereon the lots, tracts and parcels of land so deemed necessary to be taken, and the part or portion of said city deemed to be benefitted by said improvement, said map to be also filed in the office of the City Clerk. Adopted.

FLAG SIDEWALKS ON EAST AVENUE.

On motion of Ald. Erickson, 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. Erickson submitted the following:

AN ORDINANCE to construct flag side walks on East Avenue, from Main street to the city line.

The common council of the city of Rochester do ordain and determine as follows:

Flag side walks, five feet in width, laid in two courses, shall be constructed upon each side of East Avenue, from Main street to the city line.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefitted thereby, and the city Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at \$8,189, which estimate was and is hereby approved. The sum of \$8,189, 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 benefitted by said improvement is described as follows:

One tier of lots on each side of East Avenue, from Main street to the east line of the city, including the lots front upon private and public parks which open upon East Avenue.

On which above described portion of the city, the said sum of \$8,189 is hereby ordered to be assessed.

The tax-payers to be assessed for making such improvements, 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 in-

terest at the same rate, within two years from the confirmation of such roll.

And David McKay, Francis Dana and Jared Coleman, the Assessors of said city, not interested in any of the property so benefitted, 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 Friday, the 26th day of August, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:

Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Hebard, Bradstreet, D. W. Perry, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billingshurst—18.

Noes—None.

EXTENSION OF HAWKINS STREET.

On motion of Ald. Selye, 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 Selye submitted the following:

AN ORDINANCE to continue Hawkins street, from its present southern termination to Oakman street.

The common council of the city of Rochester having been requested by a majority of the owners of property to be assessed for the improvement described herein, do ordain and determine as follows:

Hawkins street shall be extended from its present southern termination to Oakman street, (so called,) as laid down in the city map. And the following described territory is necessary, and shall be appropriated for that purpose, viz:

Beginning at a point in the north line of N. E. Payne's street, where it intersects the west line of Hawkins street, and running thence southerly about one hundred and fifty feet to the north line of Oakman street, so called, thence upon the north line of Oakman street forty feet easterly, thence northerly and parallel with the west line of Hawkins street and forty feet therefrom to the north line of N. E. Payne's property, thence westerly along 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 benefitted thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at \$310 00, which estimate was and is hereby approved. The sum of \$310 00, 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 benefitted by said improvement is described as follows:

One tier of lots on each side of Hawkins street from Scramton street to the north line of N. E. Payne's property, and land to the depth of one tier of lots on each side of Hawkins street, extended from its present southern termination to Oakman street.

On which above described portion of the city, the said sum of \$310 00 is hereby ordered to be assessed.

And David McKay, Francis Dana and Jared Coleman, the Assessors of said city, not interested in any of the property so benefitted, 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 Friday, the 26th day of August, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:

Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Hebard, Bradstreet, D. W. Perry, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billingshurst—18.

Noes—None.

PLANK WALKS ON AMBROSE STREET.

By Ald. Hebard—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a plank side walk six feet wide on each side of Ambrose street, from State street to Graham street, and constructing a suitable number of cross walks. Adopted.

The Surveyor submitted such estimate.

By Ald. Hebard—Resolved, That the following improvement is expedient, namely:

Constructing a plank side walk six feet wide on each side of Ambrose street, from State street to Graham street, and constructing a suitable number of 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 \$983 03, which estimate is hereby approved.

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

One tier of lots on each side of Ambrose street from

the west line of State street to the east line of Graham street.

And the clerk is hereby directed to publish notice in pursuance of section 190 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 6th, 1859, at half past seven o'clock, at the common council hall, when allegations will be heard. Adopted.

PLANK WALK ON BOLIVAR STREET.

By Ald. Hebard—Resolved, That the city Surveyor ascertain and report to this Board, an estimate of the expense of constructing a plank side walk four feet eight inches wide on the east side of Bolivar street, from Smith street to Lyell street, and constructing a suitable number of cross walks. Adopted.

The Surveyor submitted such estimate.

By Ald. Hebard—Resolved, That the following improvement is expedient, namely:

Constructing a plank side walk four feet eight inches wide on the east side of Bolivar street, from Smith street to Lyell street, and constructing a suitable number of 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 \$337 00, which estimate is hereby approved.

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

One tier of lots on the east side of Bolivar street, from the north line of Smith street to the south line of Lyell street.

And the clerk is hereby directed to publish notice in pursuance of section 190 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. 6th, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard. Adopted.

FLAG WALK ON MUMFORD STREET.

By Ald. Reynolds—Resolved, That the city Surveyor ascertain and report to this Board, the expense of constructing a flag side walk upon the south side of Mumford street, from State street to the Andrews street bridge, fourteen feet wide, and laid in two courses. Adopted.

The Surveyor submitted such estimate.

By Ald. Reynolds—Resolved, That the following improvement is expedient, namely:

The construction of a side walk fourteen feet wide on the south side of Mumford street from State street to Andrews street bridge, to be made of Medina stone flagging laid in two courses.

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 \$3,444 00, which estimate is hereby approved.

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

One tier of lots on the south side of Mumford street, from the east line of State street to the west end of the Andrews street bridge.

And the clerk is hereby directed to publish notice in pursuance of section 190 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 6th, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard. Adopted.

WALL ON WEST SIDE OF NORTH ST. PAUL STREET.

By Ald. Hebard—Resolved, That the city Surveyor ascertain and report to this Board the expense of constructing a stone wall, laid dry, on the west side of North St. Paul street, from the north end of Gormly's Block to River street, omitting such spaces upon which a sufficient wall is already erected. Adopted.

The Surveyor submitted such estimate.

By Ald. Hebard—Resolved, That the following improvement is expedient, namely:

The construction of a protection wall, laid dry, on the west line of North St Paul street, from the north end of Gormly's Block to the south line of River street, omitting that frontage upon which a sufficient wall is already erected.

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 \$663, which estimate is hereby approved.

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

One tier of lots on the west side of North St. Paul street, with the exception of such property on the front of which a sufficient wall is already erected.

And the Clerk is hereby directed to publish notice in pursuance of section 190 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 6th, 1859, at half-past seven o'clock, at

the common council hall, when allegations will be heard. Adopted

FLAG WALK ON NORTH-ST. PAUL STREET.

By Ald. Hebard—Resolved, That the city Surveyor ascertain and report to this Board the expense of constructing upon the west side of North St. Paul street, from the north end of Gormly's Block to the north line of River street, a Medina stone sidewalk, four feet wide, laid in two courses, with a suitable width of gravel, and also erecting a railing upon the west line of the street. Adopted.

The Surveyor submitted such estimate.
By Ald. Selye—Resolved, That the following improvement is expedient, namely:

The constructing of a sidewalk four feet wide, of Medina flagging laid in two courses, upon the west side of North St. Paul street, from the north end of Gormly's Block to the north line of River street, with the spaces betwixt the flagging and the curb stone and the line of the street filled with gravel, and erecting a suitable protection railing.

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 \$508.00, which estimate is hereby approved.

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

One tier of lots on the west side of North St. Paul street, from the North end of Gormly's Block to the north line of River street.

And the clerk is hereby directed to publish notice in pursuance of section 180 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 6th, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard. Adopted.

MISCELLANEOUS BUSINESS.

Ald. Bauer presented the following communication:

ROCHESTER, N. Y., Aug. 22, 1859.

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

GENTLEMEN:—I herewith offer my resignation as School Commissioner from the Eleventh Ward, having removed from the Ward, and remain, gentlemen, yours respectfully, JOHN ALEXANDER.

Ald. Selye moved that the resignation of Mr. Alexander be accepted. Carried.

By Ald. Bauer—Resolved, That the City Treasurer is hereby directed to refund to Casper Knopf and H. A. Palmer the money paid by said Knopf and Palmer to the city, upon their lots on the south side of Smith street for Smith Street side-walk, as no walk is to be built in front of said lots. Adopted—ayes 14, noes 3—Ald. Knapp, Stone, Jones.

By Ald. Shelton—Resolved, That the Treasurer be authorized and is hereby directed to receive from persons assessed for the construction of a sewer in Allen street, eighty per cent. of the amount assessed to them respectively, until further notice. Adopted.

By Ald. Shelton—Resolved, That the Treasurer is hereby directed to cancel the assessment on \$5000, personal property of C. L. Flint, and charge the same to erroneous assessments.

Ald. Erickson moved that the above be referred to the City Attorney. Carried.

Ald. Shelton moved a reconsideration of the vote taken on the 19th July, on a resolution requesting the Mayor to sign a contract with Joseph Depoe, for the construction of a sewer in Allen and Warehouse streets. Carried.

By Ald. Shelton—Resolved, That his Honor the Mayor be and is hereby requested to sign a contract, in behalf of the city, with Hugh H. Quinn, for the construction of a sewer in Allen and Warehouse streets. Adopted.

By Ald. D. W. Perry—Resolved, That the Lamp Committee be, and are hereby instructed, to cause street gas lamps to be erected in different streets, as follows: two on South St. Paul street; five on Howell street; two on Court street; three on Chatham street; two on Franklin street; one on the corner of North St. Paul street and Andrews street;

three on Kent street; one on Oak street; and three on Buffalo street, between Fitzhugh street and Buffalo street bridge. Adopted.

By Ald. D. W. Perry—Resolved, That the City Superintendent notify the owners of property on the north side of Atwater street, from Clinton street to Chatham street, to repair their sidewalks within ten days after notice. Adopted.

By Ald. D. W. Perry—Resolved, That certificates of discharge as Exempt Firemen, be issued to the following named persons, they having served the necessary time to entitle them thereto:

John D. Pike, late of Engine Co. No. 6.

Horace A. Brewster, late of Engine Co. No. 7.

David Pettinger, now of H. & L. Co. No. 2.

Stephen Thorn, formerly of Engine Co. No. 3.

John Becker, formerly of Engine Co. No. 7.

Adopted.

By Ald. Stone—Resolved, That the Superintendent notify the owners and occupants of lots on the west side of Madison street, to repair their sidewalks without unnecessary delay. Adopted.

By Ald. Reynolds—Resolved, That His Honor the Mayor be authorized to contract with R. W. Underhill for the improvement of Edinburgh street and for sidewalks in Glasgow street.

Also with Richard Dransfield for sidewalk in Brown street, they being the lowest bidders.—Adopted.

By Ald. Reynolds—Resolved, That His Honor the Mayor be authorized and requested to execute a contract with James Logan for the improvement of State street at his proposition therof;

Also with John Dalton for the improvement of Hudson street at his proposition therof;

Also with O. O. Otis for the improvement of Lyell street at his proposition therof;

The parties to whom the contracts in each of the foregoing cases were at first awarded, having declined to enter into contract for the same.—Adopted.

By Ald. Reynolds—Resolved, That the Mayor be requested to notify the surety or sureties of John McConnell & Son, that the improvement of Nelson st., has been completed at a cost of \$276.20, and that the city look to him or them for payment thereof; and in default thereof that such legal steps will be taken as shall be necessary to enforce the payment thereof. Adopted.

By Ald. Reynolds—Resolved, That a balance of \$57.43 standing to the credit of Sophia st., (now Plymouth Avenue,) between Troup and Glasgow streets, on the books of the Treasurer, be, and the same is hereby appropriated to the repairs of said Plymouth Avenue, between the above points, and the Clerk is hereby directed to draw an order on the Treasurer in favor of the Chairman of the Street Committee for that amount, for the purpose above designated. Adopted; ayes 17, noes 0.

By Ald. Reynolds—Resolved, That his Honor the Mayor be authorized to execute a contract with Messrs. Rathbun & Whitmore for the construction of sidewalks on Greig st., at their proposition for the same, in accordance with the profile and specifications in the office of the City Surveyor. Adopted.

FINANCE BUDGET.

By Ald. Reynolds—Resolved, That the Treasurer pay as follows:

CONTINGENT FUND.	
Frederick Ackerman, for tinning and other repairs to Centre Market,.....	\$9 40
C. M. St. John, for serving 59 notices of redemption of lands sold for taxes.....	36 88
C. M. St. John, for making indexes to general tax rolls.....	51 60
Curtiss, Butts & Co., in full of bill of \$131 60 for various items of printing.....	44 10

To assignees of D. M. Dewey, for items furnished the Clerk, Surveyor and Assessors.....	16 64
R. E. Sherlock, gas fitting in Treasurer's office.....	10 00
A. Strong & Co., advertising call of Firemen to J. Allen's Funeral.....	3 75
A. Strong & Co., for daily papers.....	19 50
G. W. Walbridge, carriage hire.....	6 00
N. G. Hawley, for blank book for Surveyor.....	10 00
G. W. Walbridge, carriage hire, and charge the same to Warehouse street sewer fund.....	2 00
Resolved, That the Treasurer pay, when there are funds belonging to the respective improvements, as follows:	
D. McGarry, five hundred dollars, and charge State street sewer.	
Patrick Quin, three hundred dollars, and charge Bowery street sewer.	
E. Watson, four hundred and fifty dollars, and charge New Main street sewer.	
Hugh H. Quin, one hundred and fifty dollars, and charge Allen and Warehouse streets sewer—payable to L. A. Ward.	
Hugh H. Quin, two hundred and fifty dollars, and charge Hill street sewer—payable to L. A. Ward.	
Stroup & McConnell, twelve hundred dollars, and charge Lyell, Orchard and Lime streets sewer.	
James Campbell, two hundred and fifty dollars, and charge Smith street sewer.	
David Wagner, eight hundred dollars, and charge East Avenue sewer.	
C. H. Butler, two hundred and forty-nine 90-100 dollars in full, and charge sewer in Lyell street, from West to Moore street.	
Norman Aylsworth, two hundred dollars, and charge Otsego street sewer.	
Richard Gilbert, one month's salary as superintendent of Hose Depot.....	\$41 66
And charge Fire Department fund.	
Wm. Kidd & Co., bill for lamp posts.....	52 50
And charge Lamp fund.	
Geo. McDermot, bill for rent of lot for storing McAdam stone—payable to Rathbun & Whitmore. Chargeable to McAdam stone fund.	15 00
E. Darrow, bill for stationery at Police Office.....	12 21
And charge Police fund.	
H. B. Knapp, Commissioner of West Avenue, bill of disbursements.....	63 28
And charge West Avenue fund.	
J. Van Voorhis, Jr., bill of disbursements—suit McConnell vs. The City.....	10 72
Thos. Oliver, balance due on contract for finishing Nelson street improvement, as per final estimate of City Surveyor, and charge the same to John McConnell & Son and their sureties, on their contract for the improvement of said street.....	151 20
Allen & Stuart, on their contract for improvement of Franklin street, per report of Improvement Committee.....	600 00
And charge that fund when there are funds applicable thereto.	
Rathbun & Whitmore, on their contract for improvement of Mill street.....	1,000 00
And charge that fund when there are funds applicable thereto.	
Adopted, as follows:	
Yeas—Ald. Holmes, Butler, Reynolds, Hollister, Hebard, D W Perry, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason and Billingshurst—17.	
Nays—None.	
By Ald. Hollister—Resolved, That W. Zimmer, L. A. Ward and Caroline M. Brockway have leave to erect wood buildings, according to the several prayers of their petitions, under the direction of the Chief Engineer of the Fire Department.—Adopted.	
By Ald. Hollister—Resolved, That C. J. Hayden have leave to erect an open shed on his lot on Exchange street, under the direction of the Chief Engineer of the Fire Department. Adopted.	
By Ald. Hollister—Resolved, That the City Superintendent be directed to notify all property-holders on the west side of Exchange street to repair their side-walks in front of their respective premises within two days. Adopted.	
By Ald. Butler—Resolved, That his Honor the Mayor be requested to sign a contract with Rathbun & Whitmore, for the improvement of Brown's Square, they being the lowest bidders. Adopted.	
And the Board adjourned.	

F. S. REW, Clerk.

In Common Council, Sept. 6, 1859.

REGULAR MEETING.

Present—The Mayor, Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Cushing.

Absent—Ald. G. W. Perry, D. W. Perry, Billingshurst.

The minutes of the previous meeting were approved.

PETITIONS AND CLAIMS.

By Ald. Hollister—Of A. Frost and others, for change of width of walk on Glasgow street; of E. Gray and others, for like change on Edinburg st.—Improvement Committee.

Of F. C. Lauer, relating to the contract for laying water-pipes in Exchange and State streets.—Table.

By Ald. Reynolds—Estimates of R. W. Underhill and D. Wagner. Improvement Committee.

Bills of S. Wheeler, Brewster & Fenn, J. Siddons & Co., S. Moses, F. Lockhart. Contingent Expense Committee.

Remonstrance of owners of property on Mill st., against a nuisance. Street Committee.

By Ald. Lewis—Bills of Geo. B. Harris, M. F. Reynolds, N. Aylsworth, J. McMahon, R. B. Paine, H. L. Smith, John McMullen, Jas. P. Leslie, Siddons & Co., H. T. Gratacap, F. Tully, R. A. Hall, T. W. Jones, Wm. H. Brown, Alex. Flory, C. Calhoun, G. N. Hotchkin, Gas Co., Proceedings of Engine Cos. Nos. 3, 6 and 8, and H. & L. Co. No. 2.—Fire Department Committee.

Remonstrance of owners of property on south side of Mumford street, against flag walk. Improvement Committee.

By Ald. Bradstreet—Petition of T. Rafferty, for side walk on North St. Paul street. Improvement Committee.

Bill of J. Carroll for hack hire. Sewer Com.

By Ald. Nash—Communication from A. Gardner, relating to Law Library. Committee on City Property.

Bill of Henry Hunter. Referred to City Attorney. Of S. Cornell and F. J. M. Cornell. Contingent Expense Committee. Of E. Jordan. Law Committee.

By Ald. Moore—Of inhabitants of Seventh Ward for extension of George street. Committee on Opening Streets.

By Ald. Erickson, majority of property owners for an outlet sewer in Front street. Improvement and Sewer Committee.

By Ald. Knapp, Superintendent's bill for disbursements; bill of A. W. Fanning. Street Committee.

Remonstrance against Market stall corner of Buffalo and Ford streets. Table.

By Ald. Stone, bills of E. N. Buell, J. McDowell, Jona. King, J. Howe, Brewster & Smith and J. W. Phillips. Poor Committee.

By Ald. Lutes, bill of Chief of Police and Policemen's salaries; bills of Rochester Gas Company, Brewster & Fenn and S. Brown. Police Committee.

Of Cricket and Base Ball Clubs, for use of Jones Square as a play ground. Committee on City Property.

By Ald. Selye—Bills of J. Dalton, R. Dransfield; estimate of work done at Deep Hollow. Petition of Francis Cassidy; of Geo. W. Conolly and others. Improvement Committee.

By Ald. Shelton—Bills of M. F. Reynolds, S. Wheeler, C. Funnell; of R. R. Harris; Sewer Com. Communication of F. Lockhart; City Property Com. Estimates of Jas. Campbell, N. Aylsworth, H. H. Quin, E. Watson, D. McGary; petition of J. Rigney and others for sewer in South Avenue.—Sewer Com.

By Ald. Jones—Petition of A. DeLave and others for a license to walk the tight rope. Table.

By Ald. Mason—Bill of Gas Light Co.; of John Bell; petition of J. Pool for market license. Market Com.

By Ald. Hebard—Bill of Jno. McConnell, for side walk; Improvement Com. J. Siddons & Co., F. Lockhart, S. Moses; Contingent Expense Com.

By Ald. Butler—Bills of Gas Co., Jas. Terry & Co., J. Van Auker, Brewster & Fenn. Cont. Expense Com.

REPORTS OF COMMITTEES.

By Ald. Lewis, from the Fire Department Committee—Favorably on the following bills:—R. B. Paine, Perrine & Stewart, J. J. Van Zandt, Bennett & Co., J. Hyne, H. Perry, H. S. Allis. Finance Com.

In favor of confirming proceedings of Engine Co.'s Nos. 2, 3, 4, 5, 6 and 8, and Hook and Ladder No. 1. Agreed to.

By Ald. Knapp, from the Street Committee, favorably on bill of Street Superintendent's disbursements for August. Finance Committee.

By Ald. Stone, from the Poor Committee, favorably on bills of J. W. Phillips, and J. H. Child, for wood for Poor Department. Finance Committee.

By Ald. Hollister, from Committee on Wood Buildings, against petition of Oliver Downey, to erect wood building corner New Main and Asylum streets.

By Ald. Nash, from the Law Committee, favorably on bill of E. Jordan, for disbursements in suit against city. Finance Committee.

By Ald. Lutes, from Police Committee, favorably on bills of policemen and Chief of Police for August, Brewster & Fenn, Wm. Thorn, and S. Brown; Gas Light Company. Finance Committee.

By Ald. Mason, from the Market Committee, favorably on bill of John Bell. Finance Committee. Favorably on petitions of Joseph Pool and Geo. Shafer, for market licenses.

By Ald. Holmes, from the Committee on Public Health, adversely to the petition of Geo. W. Avery and others, for an ordinance to prohibit the sale of oysters in certain months. Agreed to. Also, on petition of Joseph Carbery, for removal of a slaughter house, that the same be referred to the Board of Health, with a request to order the abatement of the nuisance, and that an ordinance be adopted to prevent the erection of slaughter houses within the city limits. Agreed to.

By Ald. Selye, from the Improvement Com., favorably on bills of R. Dransfield and J. Dalton, and estimates of work done on Deep Hollow culvert. Finance Com.

Also, that bill of Curtis, Butts & Co., previously referred to the Law Committee, be withdrawn from said committee and referred to Contingent Expense Com. Agreed to.

By Ald. Hebard, from the Contingent Expense Com., favorably on bills of Seth Wheeler and Jno. McConnell. Finance Com.

By Ald. Reynolds, from the Improvement Com., favorably on estimates of Rathburn & Whitmore. Finance Com.

By Ald. Shelton, from the Sewer Com., favorably

on bills of Seth Wheeler, John Carroll and C. Harper, for hack hire; M. F. Reynolds, for tile; R. R. Harris—Finance Com. Adversely to petition of Agnes P. Depoe.

Also, favorably on bills of E. Watson, A. H. Waterman, N. Aylesworth, H. H. Quin, Jas. Campbell, C. H. Butler, and L. Barhydt. Finance Com.

By Ald. Butler, from Committee on City Property, favorably on bills of W. F. Holmes and C. T. Ausden, for insuring Centre Market. Finance Com.

By Ald. Bradstreet, from the Grievance Committee, favorably on petition of Rev. E. Savage for remission of a tax upon lots Nos. 32 and 33, Pleasant st., assessed erroneously to E. Cole.—Agreed to.

Also, adversely to the petition of Levi Palmer for refunding of a tax paid in 1857. Agreed to.

REPORTS OF EXECUTIVE OFFICERS.

The Clerk presented the report of the Overseer of the Poor for August. Amount expended \$215.58. Charged to county and towns, \$36.13. Number of families, 122. Filed.

Also, report of Police Justice, for July. Amt. received, \$136.03. Filed.

Also, report of Keeper of Mt. Hope Cemetery for August. Number of interments 69. Filed.

ASSESSMENTS.

Ald. Shelton presented the assessment roll for the outlet sewer in the 4th, 7th and 12th wards, and moved that appeals be heard thereon at the next regular meeting, Sept. 20th inst. Agreed to.

Ald. Erickson presented the assessment roll for the construction of flag walks on each side of East Avenue, and moved that appeals be heard thereon at the next regular meeting, Sept. 20th. Agreed to.

Ald. Mudgett presented the assessment roll for the extension of Hawkins st., and moved that appeals be heard thereon at the next regular meeting, Sept. 20. Agreed to.

Ald. Hollister presented the assessment roll for constructing flag walks on each side of Greig st. from Glasgow st. to Clarissa st., and appeals having been heard thereon, the said roll was confirmed by the following vote:

Ayes—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes Jones, Shelton, Bauer, Mason and Cushing—21.

Ald. Selye presented the assessment roll for the construction of a plank walk on the south side of Brown st. from Warehouse st. to East Maple st., and appeals having been heard thereon, the said roll was confirmed by the following vote:

Ayes—Ald. Mudgett, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason and Cushing—20.

Ald. Hollister presented the assessment roll for the construction of a plank walk on Glasgow st. from High st. to Exchange st., and appeals having been heard thereon, the said roll was confirmed, by the following vote:

Ayes—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason and Cushing.—21.

Ald. Selye presented the assessment roll for the construction of a plank walk on the west side of Canal street, from the north line of S. Porters' lot to the south line of the New York Central Railroad property, and appeals having been heard thereon, the said roll was confirmed by the following vote:

Ayes.—Ald. Mudgett, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Bauer, Cushing—18.

Ald. Hollister presented the assessment roll for the improvement of Edinburg street, from Plymouth Avenue to Exchange street, and appeals having been heard thereon, the said roll was confirmed by the following vote:

Ayes.—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Hebard, Twitchell, Bradstreet, Nash, Erickson, Knapp, Moore, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Cushing—20.

Ald. Hollister presented the assessment roll for the construction of a plank walk on Edinburg st., from Plymouth Avenue to Exchange street, and appeals having been heard thereon, the said roll was confirmed, by the following vote:

Ayes.—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Cushing—21.

Ald. Selye presented the Assessment roll for the Improvement of Lyell street, from the west line of State street to the west line of the city, and appeals having been heard thereon, the said roll was confirmed by the following vote:

Ayes.—Ald. Mudgett, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Nash, Erickson, Moore, Knapp, Stone, Selye, Jones, Shelton, Bauer, Mason, Cushing—18.

Nays.—Ald. Holmes, Twitchell, Lutes—3.

Ald. Selye presented the Assessment roll for the Improvement of North street, from Riley street to the New York Central Railroad, and appeals having been heard thereon, the said roll was confirmed, by the following vote:

Ayes.—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Cushing—21.

Ald. Selye presented the Assessment roll for the Improvement of State street, from Buffalo street to the New York Central Railroad, and moved that the hearing of appeals thereon be postponed till the first meeting of the Board in October next.—Agreed to.

Ald. Shelton presented the assessment roll for the construction of a sewer in Mortimer street, and appeals having been heard thereon, the said roll was confirmed, by the following vote:

Ayes.—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Cushing—21.

ACTION UPON ORDINANCES.

WALL ON WEST SIDE OF NORTH ST PAUL STREET.

On motion of Ald. Hebard, 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. Hebard submitted the following:

AN ORDINANCE, to construct a stone wall on the west side of North St Paul street.

The common council of the city of Rochester, do ordain as follows:

A protection wall, laid dry, shall be constructed on the west side of North St Paul street, from the north end of Gormly's Block to the south line of River street, omitting that frontage upon which a sufficient wall is already erected.

And the whole expense shall be defrayed by an assessed 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 \$663 00, which estimate was and is hereby approved. The sum of \$663 00, 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 North St. Paul st., with the exception of such property on the front of which a sufficient wall is already erected.

On which above described portion of the city, the said sum of \$663 00 is hereby ordered to be assessed.

And David McKay, Francis Dana, and Jared Coleman, 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 Friday, the 9th day of September, 1859, at 9 o'clock in the forenoon at the office of the city clerk.

Passed by the following vote—

Ayes.—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Cushing—21.

Noes.—None.

FLAG WALK ON THE WEST SIDE OF NORTH ST PAUL STREET.

On motion of Ald. Hebard, 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. Hebard submitted the following:

AN ORDINANCE, to construct a flag walk on the west side of North St. Paul street.

The common council of the city of Rochester do ordain and determine as follows:

A side walk four feet in width, shall be constructed of Medina flagging, and in two courses upon the west side of North St. Paul street, from the north end of Gormly's Block to the north line of River street, with the space betwixt the flagging and the curb stone and the line of the street filled with gravel, and a suitable protection railing shall be placed on the line of the street.

And the whole expense thereof shall be defrayed by an assessed 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 \$508 00, which estimate was and is hereby approved; The sum of \$508 00, 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 North St. Paul st., from the north end of Gormly's Block to the north line of River street.

On which above described portion of the city, the said sum of \$508 is hereby ordered to be assessed.

And David McKay, Francis Dana, and Jared Coleman, 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 Friday, the 9th day of September, 1859, at 9 o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:

Ayes.—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Cushing—21.

Noes.—None.

PLANK WALK ON BOLIVAR STREET.

On motion of Ald. Hebard, 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. Hebard submitted the following:

AN ORDINANCE, to construct a plank walk on Bolivar street, from Smith street to Lyell street.

The common council of the city of Rochester, do ordain and determine as follows:

A plank walk four feet eight inches wide, shall be constructed on the east side of Bolivar street from Smith street to Lyell street, and a suitable number of cross walks shall be constructed within the same points.

And the whole expense thereof 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 \$337 00, which estimate was and is hereby approved. The sum of \$337 00, 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 Bolivar street, from the north line of Smith street to the south line of Lyell street.

On which above described portion of the city, the said sum of \$337 00, is hereby ordered to be assessed.

And David McKay, Francis Dana and Jared Coleman, 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 Friday, the 9th day of September, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:

Ayes—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, Nash, Erickson, Moore, Knapp, Selye, Lutes, Jones, Shelton, Bauer, Mason, Cushing—21.

Nays—None

IMPROVEMENT OF LAWRENCE STREET.

By Ald. Selye—Resolved, That the city Surveyor ascertain and report to this Board an estimate of the expense of improving Lawrence street from East Avenue to Charlotte street, by grading the roadway and the side walks ready for planking. Adopted.

The Surveyor submitted such estimate.

By Ald. Selye—Resolved, That the following improvement is expedient, namely:

Improving Lawrence street from East Avenue to Charlotte street, by grading the roadway and the sidewalks ready for planking.

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 \$239, 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, namely:

One tier of lots on each side of Lawrence street from East Avenue to Charlotte street.

And the Clerk is hereby directed to publish notice in pursuance of section 190 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 20th, 1859, at half-past seven o'clock, at the Common Council Hall, when alleg ations will be heard. Adopted.

Ald. Hebard moved that the ordinance for constructing a plank walk on Ambrose street be postponed till the next meeting of this Board.—Agreed to.

Ald. Reynolds presented the final ordinance for constructing a flag side walk on the south side of Mumford street, and allegations were heard.

Ald. Holmes moved that the further consideration of the ordinance be postponed two weeks.—Carried.

PENAL ORDINANCES.

Ald. Jones moved the adoption of the following ordinance:

AN ORDINANCE TO REGULATE THE BURIAL OF THE DEAD, AND FOR THE PROTECTION OF MOUNT HOPE CEMETERY.

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

Section 1. No person shall bury or inter, or aid or assist, in burying any dead human body within the city of Rochester, except in Mount Hope Cemetery, or in the St. Joseph's Cemetery in said city, under the penalty of twenty dollars for each offence.

Sec. 2. Mount Hope Cemetery, and all the grounds and property belonging thereto, shall be under the care and control of the Board of Superintender or who shall regulate the sales and prices of lots therein, and make such general regulations for the cemetery as they may deem proper, not inconsistent with the ordinances of the Common Council.

Sec. 3. All moneys now due for lots which have been sold and not paid for, or which may be sold hereafter, shall be paid to the Board of Superintender or who shall regulate the sales and prices of lots therein, in a book kept for that purpose, specifying the number of the lot sold, and the price paid therefor. And it shall not be lawful to make an interment on any lot until the same shall be paid for.

Sec. 4. The City Clerk, on the presentation of the Comptroller's receipt, shall make out a deed for the lot named therein, and City Comptroller, in a book kept for that purpose, the date of the deed, and description and price of the lot, and to whom sold; the Mayor may then execute such deed, and the City Clerk shall affix the corporate seal of the city thereto.

Sec. 5. No person shall dig any grave, put up any fence,

gravestone, or boards at graves, or make any erections, or dig up any sod in said cemetery, except under the direction of the superintendents, or their agent, under the penalty of ten dollars for each offence.

Sec. 6. No person shall wilfully destroy, mutilate, write upon, soil, deface, injure, or remove any tomb, monument or grave stone, stake, board, or other structure placed in the Cemetery aforesaid, or any fence, railing, or other work for the protection or ornament of the said Cemetery, or of any tomb, monument, or grave-stone, or other structure aforesaid; or of any lot within the Cemetery aforesaid, except under the direction of the Superintendents or their agent, under the penalty of twenty-five dollars for each offence.

Sec. 7. No person or persons shall wantonly or wilfully remove, cut, break, or in any manner injure or destroy any tree, shrub or plant, or pick, crush or gather, or in any manner injure or destroy any flower, either wild or cultivated, or any herbage, or the fruit or produce of any such tree, shrub or plant, within the said cemetery, under the penalty of ten dollars for each offence.

Sec. 8. No person or persons shall excavate any earth, or alter the grade of any lot or lots, walk or walks, in the said cemetery, or remove any earth therefrom, or cut or remove any tree, except by consent or under the direction of the superintendents, under the penalty of ten dollars for each offence.

Sec. 9. No person or persons shall drive or cause to be driven into or on said cemetery, any vehicle in any part thereof, except in the road or path made for that purpose, with more than two horses attached thereto, nor shall drive any horse faster than on a walk, nor shall leave any horse or vehicle standing in any road or path in the said cemetery, so as to hinder or obstruct the free passage of any dog to run at large in said cemetery; nor shall any person or persons cause to be fastened any horse in said cemetery, at any other place than at the posts provided for that purpose, nor leave any horse unfastened therein, under the penalty of ten dollars for each offence.

Sec. 10. No person or persons shall discharge any firearms in the said cemetery, or in any other place within the city of Rochester, on said cemetery, or on any path or road thereof shall enter the said cemetery, under the penalty of ten dollars for each offence.

Sec. 11. No person or persons shall deposit, or cause to be deposited, any filth, or unclean or offensive substance in the said cemetery, under the penalty of ten dollars for each offence.

Sec. 12. No person shall catch, wound or kill any bird, nor remove or disturb any bird's nest or eggs therein, in said cemetery, under a penalty of ten dollars for each offence.

Sec. 13. No person or persons shall be permitted to take refreshments into said cemetery, without the permission of the keeper thereof; nor suffer or permit his or her dog to run at large in said cemetery; nor suffer or permit his or her horse to be left by the driver unfastened, under a penalty of ten dollars for each offence.

Sec. 14. The Board of Superintendents shall prescribe the duties, and regulate the fees of the sextons or undertakers, who shall cause interments to be made in said cemetery; and all such rules as they shall deem proper concerning visitors to said cemetery, not being allowed in any case to charge a fee to visitors.

Sec. 15. The superintendents of said cemetery may employ such agents and laborers as they may deem proper and regulate their compensation and services. And they shall at the expiration of every three months, file in the City Clerk's office, a written report, showing the amount received for lots sold, and the amount expended by them for improvements and incidental expenses during the preceding three months.

Sec. 16. It shall be the duty of the keeper of Mount Hope Cemetery to keep a book in which shall be accurately entered the names, ages and place of residence at the time of their decease, of all persons who may be interred in said cemetery, together with the disease or cause by which such persons died, and shall report in writing, at the first regular meeting of the Common Council, in each and every month, the number of persons interred in said cemetery during the preceding month, together with the said particulars in regard to such interments.

Sec. 17. Every sexton, undertaker, or such person who shall officiate at burials in said city, shall keep a like book, and shall make the like entries therein of all the persons severally at whose funerals they shall have officiated in said city, and shall, at the times above specified, make their like written report to the City Clerk, as to all the funerals which they shall have attended during the preceding month. Every person violating the provisions of this section, shall for each offence forfeit and pay a penalty of twenty dollars.

Sec. 18. No person shall drive any animal at large, or cause the same to be driven, or suffer his or her animal to run or be at large in any of the cemeteries with the said city, under the penalty of ten dollars for each offence.

Sec. 19. No person shall injure or remove the fence or any portion thereof surrounding either of the public cemeteries within the said city, under the penalty of ten dollars for each offence.

Sec. 20. Upon every recovery of a judgment for a violation of any of the provisions of this ordinance, an execution

tion shall be issued, directing 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 county Workhouse for the period of thirty days.

Ald. Stone moved to strike out of section 13, the words after the word shall, "be permitted to take refreshments into said cemetery, without the permission of the keeper thereof, nor." Carried.

Ald. Selye moved to insert after the word "shall," in section 13, these words, "be permitted to take into or use, in said cemetery, any spirituous or intoxicating liquors, nor." Carried.

The ordinance was then adopted as amended, by the following vote:

Ayes—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Cushing—21.
Noes—None.

Ald. Jones moved to amend §26 of ordinance relating to streets, by inserting the following, after the word "City:"—Nor shall any person dust, clean or lay any rug, carpet, oil-cloth or other thing of the kind in any of the streets, squares or parks, or hang them upon the fences of the same for that purpose.

Ald. Knapp moved to strike out "streets." Carried; ayes 13, noes 8.

The amendment was agreed to by the following vote:

Ayes—Ald. Reynolds, Hollister, Lewis, Hebard, Twitchell, Nash, Erickson, Moore, Knapp, Selye, Jones, Shelton, Bauer, Mason—14.

Noes—Ald. Mudgett, Holmes, Butler, Bradstreet, Stone, Lutes, Cushing—7.

By Ald. Erickson—Resolved, That the Mayor be hereby authorised to execute a contract to Rathbun and Whitmore for the construction of side walks in East Avenue, (agreeable to the provisions of the ordinance for that purpose,) at ninety cents per foot. Adopted.

UNFINISHED BUSINESS.

The Ordinance establishing the East line of Front street came up under the order of unfinished business, and on motion of Ald. Hebard, Mr. Frederick Starr was heard on that question, at some length, when Ald. Stone moved that the Board proceed to the consideration of miscellaneous business. Lost—ayes 7, noes 9.

Ald. Mason moved that the further hearing of this subject be postponed until Thursday evening next, and that when the Board adjourns it adjourn until that time. Carried—ayes 10, noes 6.

MISCELLANEOUS BUSINESS.

By Ald. Mason.—Resolved, That a Market License be and is hereby granted to Joseph Pool to sell fresh meat, on the corner of Ford and Buffalo streets, at the rate of \$75.00 per year, to be paid quarterly in advance.

Adopted: Ayes 12; Nays.—Ald. Reynolds, Moore and Knapp.

By Ald. Mason—Resolved, That a License is hereby granted to Jacob Schafer to keep a Market for the sale of fresh meat on the corner of South Sophia and Clarissa streets, until the first day of July next, upon paying quarterly in advance into the City Treasury at the rate of \$75.00 per annum.

Ald. Butler moved to lay the above on the table. Lost.

The Resolution was adopted.

By Ald. Jones.—Resolved, That the Committee on city property are hereby requested to cause the bell in the City Hall to be put in such condition as will secure safety to the same. Adopted.

By Ald. Jones—Resolved, that A. DeLave be permitted to walk and perform on a rope extended

from Falls Field to the opposite side of the Genesee river, until further orders from his honor the Mayor, under the advice of this Board. Adopted.

By Ald. Knapp—Resolved, that Aaron Erickson be permitted to construct an area four feet wide on the west side of his building on Front street, with stairs leading to the basement of the same projecting the same distance. Adopted.

By Ald. Knapp—Resolved, that the Committee on opening streets be requested to bring in an ordinance for the widening of West alley. Adopted.

By Ald. Knapp—Resolved, that the subject of encroachments in Edinburgh street be referred to the Law Committee and City Surveyor with power to act. Adopted.

By Ald. Stone—Resolved, that a balance of \$135 14-100 standing to the credit of Genesee street, on the books of the Treasurer, be, and the same is hereby appropriated to the repairs of said street, and the Clerk is hereby directed to draw an order on the Treasurer in favor of the Chairman of the Street Committee for the purpose designated. Adopted, ayes 15, noes 0.

By Ald. Moore—Resolved, That the petition of Oliver Downey to erect wood building on the corner of New Main and Asylum streets, be and the same is hereby denied. Adopted.

By Ald. Nash—Resolved, That, whereas, in the opinion of this Board, the walls of the Curtiss building, on the corner of Main and Water streets, are liable to fall down, and persons and property may thereby be endangered; it is therefore ordered, that the owner of the premises on which such walls stand, be required to take them down within the period of ten days, and that in case this order is not complied with, the City Superintendent cause the same to be taken down at the expense of the City, on account of the owner of the premises, and assess the expense on the land on which they stand—in pursuance of the 273d section of the Charter—and that the Clerk cause a copy of this order to be served forthwith on the owner of such premises. Adopted.

By Ald. Lewis—Resolved, That David R. Barton and Mortimer F. Reynolds be permitted to improve Graves and Race streets, in front of their buildings under the supervision of the Improvement Committee. Adopted.

By Ald. Lewis—Resolved, That certificates of discharge, as exempt Firemen, be issued to the following named Firemen, they having served the necessary time to entitle them thereto: Charles Frank, of Engine Co. No. 4; Ralph S. Bendon, of Engine Co. No. 2; Anthony McNeiss, of Engine Co. No. 3. Adopted.

By Ald. Reynolds—Resolved, That the Treasurer be authorized to make the City's note at three months from date, for two thousand dollars, and get the same discounted at the Monroe County Bank, and place the proceeds to the credit of the Repair fund of the Board of Education, and charge the discount to said fund—provided the Finance Committee shall deem that course necessary and authorized by the Charter. Adopted.

By Ald. Reynolds—Resolved, That the Treasurer be, and is hereby authorized to refund fifteen dollars and forty-one cents pro rata to the taxpayers for West street plank walk. Adopted, ayes 16, noes 0.

In Common Council, Sept. 20, 1859.

REGULAR MEETING.

Present—The Mayor, Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Nash, Moore, Knapp, Stone, Selye, Lutes, Shelton, Bauer, Mason, Billinghamurst, Cushing.

Absent—Ald. Mudgett, G. W. Perry, Twitchell, D. W. Perry, Erickson, Jones.

The minutes of the previous meeting were approved.

PETITIONS AND CLAIMS.

By Ald. Hollister—Petition of A. Frost and others for a flag walk on the west side of Plymouth avenue. Improvement Com. Of the same, for a sewer from the Genesee Valley canal to Plymouth avenue. Sewer Com. Of M. Decker, to erect a wood building on Main st., ruins of the Curtis building. Com. on Wood Buildings.

By Ald. Reynolds—Of tax-payers on Glasgow st. for its improvement. Bills of Rathbun & Whitmore, W. S. Grantsyn, and C. Harper. Improvement Com. Estimates of R. W. Underhill, R. Dransfield, and D. Wagner. Improvement Com.

By Ald. Lewis—Bills of John J. Pryor, J. Howland, J. Kane, J. P. Leslie, A. Cross, J. Preston, C. Gilbert and N. Aylsworth; Fire Department Committee. Of Fairchild, Harris & Sherlock, for work on Reservoir; same reference.

By Ald. Knapp—Bill of John Quin; petition of E. Jones and others, relative to lines of Broad st.; Street Committee. Of T. Burkard, for permission to erect a wood building on North street; Committee on Wood Buildings.

By Ald. Stone—Of L. E. Gould, for leave to erect a wood building on North street; Committee on Wood Buildings.

By Ald. Lutes—Bills of E. Williams, special policeman, and J. Strecker, for charcoal; Police Committee. Of R. Aldridge; Contingent Expense Committee. Petition of E. P. Anderson, for leave to construct a tile sewer from his house on Lyell street to State street sewer. Sewer Committee.

By Ald. Shelton—Remonstrance against improvement of Lawrence street; Improvement Committee. Bills of H. H. Quinn, D. Wagner and E. Watson; Sewer Com. Remonstrance of W. Y. Andrews and other; against changing grade of North street. Improvement Com.

By Ald. Bauer—Petition of Bart. Sperl for relief; Grievance Com.

REPORTS OF COMMITTEES.

By Ald. Lewis, from the Fire Department Committee, in favor of the payment of the following bills:—G. N. Hotchkin, C. E. Hartshorn, H. L. Smith, C. Calhoun, N. Aylsworth, Gas Light Co., H. T. Gratacap, J. P. Leslie, J. McMullen, W. H. Brown, T. W. Jones, R. A. Hall, A. Flory, G. B. Harris, M. F. Reynolds, R. B. Paine, J. McMahon, F. Tully, and J. Siddons & Co; Finance Committee. In favor of confirmation of proceedings of Engine Cos. Nos. 3, 6 and 8, and Hook and Ladder Co. No. 2; agreed to. Also, favorably on bill of Fairchild, Harris & Sherlock; Finance Committee.

By Ald. Nash, from the Law Committee, on the petition of Hon. Alrick Hubbell, to be relieved from an assessment for flag walk in front of Waverley Hotel, against granting the same, all the proceedings having been regular, and no injustice or hardship having been done, so far as the committee can perceive, by the assessment upon Mr. Hubbell.

Also, on the alleged encroachments upon Edinburgh street, that the building of Cyrus Phillips does encroach upon the line of the street, and should be removed therefrom. Reports accepted.

By Ald. Mason, from the Market Committee, favorably on the bills of John Bell, James Conway, R. E. & J. Sherlock and Gas Light Company. Finance Committee.

In favor of petition of Frederick Bamble, for a Market license, corner of Lyell and Spencer sts.

By Ald. Reynolds, from the Improvement Committee, favorably on the following bills: Rathbun & Whitmore, R. W. Underhill, D. Wagner and R. Dransfield; bill of C. Harper, hack hire. Finance Committee.

By Ald. Lutes, from the Police Committee, favorably on the bills of E. Williams and J. Strecker. Finance Committee.

By Ald. Bradstreet, from Sewer Committee, favorably on the bills of Hebard & Graham, for marble slab in Treasurer's office; T. Culhane and J. Carroll, for hack hire. Finance Committee.

By Ald. Hebard, from the Contingent Expense Committee, in favor of the bills of Brewster & Fenn, J. Siddon & Co., Jas. Terry & Co., J. Van Auker, Albany Evening Journal, S. Moses, F. S. Rew, Fire Engine Company No. 7, S. Cornell and F. J. M. Cornell, F. Lockart, Gas Light Company, Seth Wheeler. Finance Committee.

Also, that the bill of Curtis, Butts & Co. be re-committed to the Law Committee. Agreed to.

By Ald. Shelton, from the Sewer Committee, favorably on estimates E. Watson, D. Wagner and H. H. Quin. Finance Committee.

Also, in favor of the petition of E. P. Anderson, for leave to build a lateral sewer. Agreed to.

Also, from the Water Works Committee, reported progress.

By Ald. Hollister, from Committee on Wooden Buildings, in favor of petition of L. E. Gould.

By Ald. Knapp, from the Committee on City Property, in favor of erecting a Gallery in the Law Library, at an expense of \$160. Also, from the Street Committee, in favor of the bill of John Quin, for work on Litchfield street. Finance Committee.

COMMUNICATIONS FROM EXECUTIVE OFFICERS.

The Clerk read the report of the City Attorney, in favor of paying Henry Hunter \$20 for services in a suit against the City Superintendent in 1855.

Also, on the petition of Charles L. Flint, to be relieved from a tax upon personal property, the following report, which was ordered published:

To the Honorable the Common Council:

The undersigned to whom was referred the application of C. L. Flint, to have a general tax upon \$5000, personal property, assessed against him remitted, respectfully submits the following report:

Mr. Flint was assessed as it appears by his petition, for the general taxes of this year upon \$5000 personal property, when in fact he had no personal property subject to taxation. The assessment was regularly made and filed. Owing to the absence of Mr. Flint, no application was made to the assessors in due time to correct the assessment.—The question presented is whether the Common Council has power to remit this tax.

I am clearly of opinion that it has not. As regards the funds collected by general tax, the Common Council occupies the position of a Trustee.—It has no power in relation to the funds, except such as is expressly granted by the charter. I find but one provision in the charter on the subject of remitting taxes, and that is found in section 134.

That section provides that "in case a mistake shall be made, or any error committed in any tax or assessment upon any property, real or personal, so that in consequence of such mistake or error, the assessment shall be void, the Common Council shall have power to remit such assessment, or the tax based thereon, if uncollected and refund the same if collected."

The facts of Mr. Flint's case do not come within this provision. He has neglected the only means of correcting his assessment, and however unjust the tax thus assessed against him may be, I do not see how the Common Council have the power to rightfully relieve him.

J. VAN VOORHIS, Jr.,

City Attorney.

Rochester, Sept. 20, 1859.
Ald. Knapp presented the following report of the City Superintendent for August, which was ordered published:

To the Honorable the Common Council:

The City Superintendent respectfully submits the following Report showing the expenditures from the Highway Fund during the month of August, and the places where the same has been expended.

R. D. HOWELL, Superintendent.

FIRST WARD.

Buffalo street.			
Aug. 1—For 7 days work at	6s	5	25
" 2 " " team,	18s	4	50
" 1 " " foreman,	16s	2	00
" sharpening picks,		2	55
" 2—For 6 days work,	6s	4	50
" 3 " " team,	18s	6	75
" 1 " " foreman,	16s	2	00
" sharpening picks,	6s	5	25
" 3—For 7 days work,	18s	6	75
" 1 " " team,	16s	2	00
" 4—For 4 days work,	6s	3	00
" 2½ " " team,	18s	5	06
" 1 " " foreman,	16s	2	00
" sharpening picks,	6s	5	25
" 5—For 7 days work,	18s	9	00
" 1 " " team,	16s	2	00
" 1 " " foreman,	16s	2	00
" new laying and sharpening picks,		80	
" 8—For 7½ days work,	6s	5	81
" 2½ " " team,	18s	6	19
" 1 " " foreman,	16s	2	00
" 1 new pick and handle,		1	25
" sharpening picks,	6s	5	25
" 9—For 7 days work,	18s	4	50
" 2 " " team,	16s	2	00
" 1 " " foreman,	16s	2	00
" sharpening picks,	6s	3	5
" 10—For 6½ days work,	18s	6	75
" 3 " " team,	16s	2	00
" 1 " " foreman,	16s	2	00
" sharpening picks,	6s	4	69
" 11—For 6½ days work,	18s	5	63
" 2½ " " team,	16s	2	00
" 1 " " foreman,	16s	2	00
" sharpening picks,	6s	3	94
" 12—For 5½ days work,	18s	6	75
" 3 " " team,	16s	2	00
" 1 " " foreman,	16s	2	00
" sharpening picks,	6s	2	25
" 15—For 3 days work,	18s	6	75
" 3 " " team,	16s	2	00
" 1 " " foreman,	16s	2	00
" sharpening picks,	6s	1	13
" 16—For 1½ days work,	18s	5	63
" 2½ " " team,	16s	1	00
" 1 " " foreman,	16s	1	00
" 17—For 5 days work,	6s	3	75
" 2½ " " team,	18s	5	63
" 1 " " foreman,	16s	2	00
" 1 new pick and handle,		1	25
Aug 18—For 6½ days work,	6s	4	88
" 2 " " team,	18s	4	50
" 1 " " foreman,	16s	2	00
" repairing picks,	6s	2	25
" 19—For 3 days work,	18s	2	25
" 2 " " team,	18s	4	50
" 1 " " foreman,	16s	2	00
" 20—For 1 days work,	6s	7	5
" ½ " " team,	18s	4	50
" 22—For 3 days work,	6s	2	25
" 2 " " team,	18s	2	25
" ½ " " foreman,	16s	1	00
" sharpening picks,		1	50

" 23—For 5 days work,	6s	3	75
" 2½ " " team,	12s	7	5
" 1 " " foreman,	18s	4	50
" 178-12 ft curb stone,	16s	2	00
" 24—For 1 days team,	14c	2	47
" 1 " " foreman,	18s	2	25
" 25—For 5 days work,	10s	2	00
" 2 " " paver,	6s	3	75
" 2 " " team,	12s	3	00
" 1 " " foreman,	18s	4	50
" 26—For 6 days work,	16s	2	00
" ¾ " " team,	6s	4	50
" 2 " " foreman,	12s	7	5
" 1 " " team,	18s	3	00
" 1 " " foreman,	16s	2	00
" repairing stone hammer,		50	
" 27—For 1 days work,	6s	65	
" 1 " " team,	7s	1	50
" 1 " " foreman,	12s	1	50
" 267 yards broken stone,	5s	1	66
" 67 loads sand and gravel,		37	00
			\$47 54

Spring Alley cross walk—from Buffalo street			
Aug. 1—For 238 ft oak plank,	15c	3	57
" 10 lbs spikes,	5c	50	
" 1 days work,	6s	75	
			\$4 82

Mumford street sewer.			
Aug. 13—For cash paid D McGary for labor,		5	00
			\$5 00

SECOND WARD.

Brown's Square.			
Aug. 13—For mowing weeds and grass,		3	50
			\$3 50

FOURTH WARD.

Turnpiking and box sewers on Wood street.			
Aug. 15—For 3 days work,	6s	2	25
" 1 " " team,	18s	2	25
" ½ " " foreman,	16s	1	00
" 16—For 3½ days work,	6s	2	63
" 1 " " team,	18s	2	25
" ½ " " foreman,	16s	1	00
" 408 ft 2 inch plank,		4	14
" 15 lbs spike,	5c	75	
			\$16 27

South street turnpiked.

Aug. 16—For 3½ days work,	6s	2	63
" 1 " " team,	18s	2	25
" ½ " " foreman,	16s	1	00
Aug. 17—For 7 days work,	6s	1	00
" 2 " " team,	18s	4	50
" 1 " " foreman,	16s	20	0
" 18—For 3 days work,	6s	2	25
" 1 " " team,	18s	2	25
" ½ " " foreman,	16s	1	00
			\$23 13

Washington Square.

Aug. 18—For 16 ft boards,	\$10	16	
" 48 ft base boards,	"	48	
			64

FIFTH WARD.

Repairing bridge on North Water street.			
Aug. 9—For ½ days work,	6s	38	
" ¼ " " team,	18s	56	
" ¼ " " foreman,	16s	50	
" 216 ft 2 inch plank	10c	2	16
" 10 lbs spikes,	5c	50	
" Repairing plank on Main street.			
" 11—For 40 ft plank,	\$10	40	
" Repairing pavement on Main street.			
" 13—For ½ day paver,	16s	1	00
" 1 " " work,	6s	75	
			\$6 25

SIXTH WARD.

Repairing sewer corner North and Andrews streets.			
Aug. 10—For 1½ days work,	6s	1	13
" ¼ " " team,	18s	56	
" ¼ " " foreman,	16s	50	
			\$2 19

SEVENTH WARD.

Repairing box sewer cor. Pearl and Alexander sts.			
Aug. 11—For 48 ft plank,	\$10	48	
" ½ days work,	6s	38	
			86

EIGHTH WARD.

Canal street.			
Aug. 2—For ½ days work, opening well to sewer near railroad.			
" 25—For ½ " " cor. E Maple & Canal st,			75
" Frances street.			
Aug. 16—For 462 ft 2 inch joists,	10c	4	62

Aug. 15	1½ days work,	6s	1 13
"	" ½ " foreman,	16s	1 00
"	" 1 " team,	18s	1 13
"	12 lbs spikes,	5c	60
			8 48

Two box sewers west end High Park.

NINTH WARD,			
Boliver street.			
For ½ days work cleaning stretch trap,			38
Lorimer street.			
Aug 27—For ½ days work,	6s	38	
" ¼ " team,	18s	56	
Fixing cross walk on State st. and box sewer			
Frank street,			
White street.			
For 112 ft plank,	12c	1 34	
" 4 lbs spikes,	5c	20	
" ½ days work,	6s	38	
Fixing box sewer at Frank street.			
For 53 yards broken stone, taken from Mr			
Lester's lot and used on State st,	39 75		
			\$42 99

TENTH WARD.

Scio street turpiked and graded.			
Aug 1—For 4 days work,	6s	3 00	
" 2 " team,	18s	4 50	
" 2 " foreman,	16s	1 50	
" 2 " work,	6s	3 75	
" 2 " team,	18s	4 50	
" 1 " foreman,	16s	2 00	
" 3 " work,	6s	3 75	
" 2 " team,	18s	4 50	
" 1 " foreman,	16s	2 00	
" 4 1¼ " work,	6s	94	
" ½ " team,	18s	1 12	
" 1 " foreman,	16s	2 00	
" 5 " work,	6s	3 75	
" 2 " team,	18s	4 50	
" 1 " foreman,	16s	2 00	
" 8 ½ " work,	6s	4 13	
" 1¼ " team,	18s	3 94	
" 1 " foreman,	16s	2 00	
" 88 ft 2 inch plank,	\$40	88	
" 5 lbs spike,	5c	25	
" 9 5½ days work,	6s	4 13	
" 1¼ " team,	18s	3 94	
" ¾ " foreman,	16s	1 50	
" 10 5 " work,	6s	3 75	
" ¾ " team,	18s	3 94	
" ¾ " foreman,	16s	1 50	
" 11 6¼ " work,	6s	4 88	
" 1¼ " team,	18s	3 94	
" 1 " foreman,	16s	2 00	
" 15 4 " work,	6s	3 00	
" 1 " team,	18s	2 25	
" ½ " foreman,	16s	1 00	
			\$90 84

Repairing sewer on Riley street.

Aug 9—For 1½ days work,	6s	1 13	
1 load sand and ½ bbl water lime,	1 23		
			\$2 36

ELEVENTH WARD.

Saxton Street Sewer.			
Aug. 26—For ¾ days work repairing sewer			
near Lime street,	8s	75	

TWELFTH WARD.

Repairing Crosswalk corner Mumford street and Mt. Hope Avenue.

Aug. 18—For 24 feet 2-inch plank,	\$10,	24	
			—\$ 24

Repairing Main Street.

Aug. 13—For ½ day paver, at	16s	1 00	
1 days work,	6s	75	
" 15 1 " paver,	16s	2 00	
" 2 " " " paver,	6s	1 50	
" 16 ½ " " " paver,	6s	75	
" 17 1 " paver,	16s	2 00	
" 18 2½ " " " paver,	6s	1 88	
" 3½ " " " " paver,	6s	2 62	
" 1 " team,	18s	2 25	
" 1 " foreman,	16s	1 00	
" 2 " paver,	16s	2 00	
" 2½ " " " " paver,	6s	1 88	
" 19 8 " " " " paver,	6s	6 00	
" 3 " team,	18s	6 75	
" 1 " paver,	16s	2 00	
" 1 " foreman,	"	2 00	
" 20 1 " paver,	"	2 00	
" 2 " " " " paver,	6s	75	
" 22 5 " " " " paver,	"	6 00	
" 3 " team,	18s	6 75	
" 1 " paver,	16s	2 00	
" 1 " foreman,	"	2 00	

Aug. 23	7½ " "	6s	5 63
"	3 " team,	18s	5 75
"	1 " paver,	16s	2 00
"	1 " foreman,	16s	2 00
" 24	2 " " "	6s	1 50
"	1½ " team,	18s	3 38
"	1 " foreman,	16s	2 00
" 25	6 " " "	6s	4 56
"	3 " team,	18s	6 75
"	1 " paver,	16s	2 00
"	1 " foreman,	"	2 00
" 26	1 bridge stone, 178-2,	2s	4 42
"	6 days work,	6s	4 50
"	3 " team,	18s	6 75
"	1 " paver,	16s	2 00
"	1 " foreman,	"	2 00
"	53 yds Macadam,	5s	33 39
"	96 " " "	6s	72 00
"	52 loads sand and gravel,	1s	35 00
			\$254 20

The Clerk reported that at the adjourned meeting of the Board, on Thursday evening, 8th inst., no quorum being present, no business was transacted.

Ald. Shelton moved that when the Board adjourns, it adjourn to meet one week from this night. Carried.

ACTION UPON ORDINANCES.

SEWER IN SOUTH AVENUE.

By Ald. Shelton—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone sewer two feet by eighteen inches, in South Avenue, from Munger to Holley streets. Adopted.

The surveyor submitted such estimate.

By Ald. Shelton—Resolved, That the following improvement is expedient, namely:

The constructing of a stone sewer, about nine feet deep, in South Avenue, from Munger to Holley streets, to be two feet high and eighteen inches wide, and connect with the 4th, 7th and 12th wards 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 \$2326 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, namely:

One tier of lots on each side of South Avenue, from the Erie canal to Munger street; and for outlet and surface drainage, one tier of lots on each side of South Avenue from Munger street to Gregory 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 190 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 27th, 1859, at half-past seven o'clock, at the Common Council Hall, when allegations will be heard. Adopted unanimously.

PLANK WALK IN FRANCES STREET.

By Ald. Reynolds—Resolved, That the city Surveyor ascertain and report to this Board the expense of the improvement of Frances street, from Clifton to Hunter-sts., by laying a plank walk upon each side thereof, six feet wide.

The Surveyor submitted such estimate.

By Ald. Reynolds—Resolved, That the following improvement is expedient, namely:

The laying of a plank walk six feet wide upon each side of Frances street, from Clifton to Hunter streets, and constructing a suitable number of 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 \$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, namely:

One tier of lots upon each side of Frances street, from Clifton street to Hunter street.

And the Clerk is hereby directed to publish notice in pursuance of section 190 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. 27th, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard. Adopted.

SEWER IN FRONT STREET.

By Ald. Shelton—Resolved, That the city Surveyor ascertain and report to this Board the expense of constructing a stone sewer four feet by six, from the High Falls to the centre of Buffalo street at Front street. Adopted.

The Surveyor submitted such estimate.

By Ald. Shelton—Resolved, That the following improvement is expedient, namely :

The construction of a stone sewer, six feet by four, from the centre of Buffalo street through Front street to Mumford street, and thence upon the most practicable route, connecting with the culvert under Brown's raceway, to the brink of the high Falls.

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 \$15,000, which estimate is hereby approved.

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

All the houses and lands included in the following described territory :

Beginning on the west side of the Genesee river at Fish street, so called; thence westerly along Fish street to Mill street; thence south to the Erie canal to the corner of the New York Central railroad; thence westerly along said railroad to Ford street; thence southerly to the Erie canal; thence along the Erie canal to West alley; thence southerly along said alley to Troup street; thence westerly along Troup street to High street; thence southerly to Adams street; thence westerly along Adams street to the Genesee Valley canal; thence along said canal to Hunt street; thence easterly to High street; thence along High street to Clay street; thence easterly along Clay street to Plymouth Avenue; thence northerly along said Plymouth Avenue to Troup street; thence easterly to Fitzhugh-st; thence northerly along Fitzhugh street to the Erie canal; thence along the Erie canal to the Genesee river; thence along said river 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 190 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 27th, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard. Adopted.

CROSS-WALKS ON MILL AND MUMFORD STREETS.

By Ald. Reynolds—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing cross-walks of Medina flagging at the intersection of Mill and Mumford streets, and paving the area enclosed within the same with Lockport stone similar to the improvement in Mill street south of Mumford-st, and putting in the necessary sewers and grates; and extending the sidewalks upon Mill street to the curb-stone upon the south side of Mumford street. Adopted.

The Surveyor submitted such estimate.

By Ald. Reynolds—Resolved, That the following improvement is expedient, namely :

The construction of four cross-walks of Medina flagging at the intersection of Mill and Mumford streets, and paving the area enclosed by the same with Lockport sandstone, and building the necessary sewers and grates; and also extending the sidewalks upon Mill street to the curb-stone on the south side of Mumford 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 \$733, which estimate is hereby approved.

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

One tier of lots on each side of Mill street from Exchange Place to the New York Central railroad, and one tier of lots upon 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 190 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 27th, 1859, at half past seven o'clock, at the common council hall, when allegations will be heard. Adopted.

IMPROVEMENT OF CLARISSA STREET.

By Ald. Reynolds—Resolved, That the city Surveyor ascertain and report to this Board, the expense of the improvement of Clarissa street, from Plymouth Avenue

to Greig street, by grading the same, setting a curb of Medina stone, paving the gutters three feet wide with cobble stone, and gravelling the roadway. Adopted.

The Surveyor submitted such estimate.

By Ald. Reynolds—Resolved, That the following improvement is expedient, namely :

That Clarissa street be improved, by grading the same, from Plymouth Avenue to Greig street, setting a curb of Medina stone upon each side of the street, paving the gutters three feet wide with cobble stone, and gravelling the roadway.

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 \$440 00, which estimate is hereby approved.

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

One tier of lots upon each side of Clarissa street, from Plymouth Avenue to Greig street.

And the clerk is hereby directed to publish notice in pursuance of section 190 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. 27th, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard. Adopted.

SIDE WALK ON EXCHANGE STREET.

By Ald. Reynolds—Resolved, That the City Surveyor ascertain and report to this Board, the expense of the improvement of Exchange street, from the Erie Canal to Court street, by laying a side walk upon the east side, thirteen feet wide, of Medina flagging and brick, re-setting the curb stone, building a walk across Court street, and filling up an area under the side walk in front of the Child Block.

The Surveyor submitted such estimate.

By Ald. Reynolds—Resolved, That the following improvement is expedient, namely :

The laying of a side walk on the east side of Exchange street, from the Erie Canal to Court street, of Medina flagging six feet wide laid in two courses, with brick upon each side, re-setting curb stone and building a flag walk across Court street, and filling up an area under the side walk in front of the Child Block.

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 \$884 00, which estimate is hereby approved.

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

One tier of lots upon the east side of Exchange street, from the Erie Canal to Court street, and for the cross walk one tier of lots upon the east side of Exchange st., from the Erie Canal to the north line of lot No. one in the Caledonia tract, occupied by Jacob Anderson.

And the clerk is hereby directed to publish notice in pursuance of section 190 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. 27th, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard. Adopted.

IMPROVEMENT OF GLASGOW STREET.

By Ald. Reynolds—Resolved, That the City Surveyor ascertain and report to this Board the expense of the improvement of Glasgow street, from High street to Exchange street, by grading the same, setting a curb of Medina stone, and paving the gutters three feet wide with cobble stone; gravelling the roadway and repairing the McAdam Improvement on the south side of Caledonia Park.

The Surveyor submitted such estimate.

By Ald. Reynolds—Resolved, That the following improvement is expedient, namely :

The grading of Glasgow street, setting a curb of Medina stone upon each side of the street, and paving the gutters three feet wide with cobble stone; gravelling the roadway and repairing the McAdam Improvement on the south side of Caledonia Park.

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 \$1,714, which estimate is hereby approved.

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

One tier of lots on each side of Glasgow street from High street to Exchange street, not including Caledonia Park.

And the clerk is hereby directed to publish notice in pursuance of section 190 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 27th, 1859, at half past seven o'clock, at the common council hall, when allegations will be heard. Adopted.

FLAG WALK ON MUMFORD STREET.

Ald. Reynolds moved that all action heretofore had on the subject of constructing Flag Walk on the south side of Mumford street, be rescinded.—Carried.

SIDE WALK ON MUMFORD STREET.

By Ald. Reynolds—Resolved, That the city Surveyor ascertain and report to this Board the expense of the improvement of Mumford street, from Mill street to the Genesee river, by constructing a sidewalk on the south side of Medina flagging, six feet wide, with brick laid upon each side. Adopted.

The Surveyor submitted such estimate.

By Ald. Reynolds—Resolved, That the following improvement is expedient, namely:

The building a sidewalk thirteen feet wide, the centre to be of Medina flagging, six feet wide, laid in two courses, and the sides of brick, on the south side of Mumford street, from Mill street to the Genesee river, and also resetting the curb stone and head stone and repaving gutter, and including a crosswalk at the alley between Front street and 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 \$324 00, which estimate is hereby approved.

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

One tier of lots on the south side of Mumford street, from Mill street to the Genesee river.

And the Clerk is hereby directed to publish notice in pursuance of section 190 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 27th, 1889, at half-past seven o'clock, at the common council hall, when allegations will be heard. Adopted.

PLANK WALK ON AMBROSE STREET.

Ald. Hebard moved that the consideration of the final ordinance for a plank walk on Ambrose street, be postponed till the next meeting. Agreed to.

ASSESSMENTS.

Ald. Shelton presented the assessment roll for the Outlet Sewer in the 4th, 7th and 12th Wards, and appeals having been heard thereon from C. Perry, W. I. Hanford, and E. Boughton,

Ald. Hebard moved that the said assessment roll be recommended to the assessors, for revision. Carried.

Ald. Moore presented the assessment roll for the construction of flag walks on East Avenue, and opportunity having been given for appeals therefrom, the said roll was confirmed, by the following vote:

Ayes—Ald. Holmes, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Nash, Moore, Knapp, Stone, Selye, Lutes, Shelton, Bauer, Mason, Billingham, Cushing—17.

Ald. Selye presented the assessment roll for the extension of Hawkins street, and moved that action thereon be postponed until the next regular meeting. Carried.

Ald. Hebard presented the assessment rolls for the construction of a stone wall on the west side of North St. Paul-st., from the north end of Gormley's block to River-st.; also, the assessment roll for a flag walk on the west side of North St. Paul-st., and the roll for a plank walk on Bolivar-st., and moved that appeals be heard thereon at the next regular meeting of this Board, Oct. 4th.—Agreed to.

EXECUTIVE BUSINESS.

Ald. Butler moved that the Board proceed to elect two Inspectors of Election for the Second Ward, in place of W. T. Lawrence and N. B. Merck, who refused to qualify. Carried.

On the first ballot John H. Thompson received 14 votes, P. Quin 2, and E. Jones 1.

John H. Thompson was declared duly elected Inspector of Election for the Second Ward.

On the second ballot, Patrick Quin received 13 votes, and Ezra Jones 4 votes.

Patrick Quin was declared duly elected an Inspector of Elections for the Second Ward.

MISCELLANEOUS BUSINESS.

By Ald. Mason—Whereas, The improvement of that part of Lyell-st. lying west of the canal bridge, is not to be commenced the present season, while the assessment therefor applies equally, and the taxes are to be paid upon the same terms by all the property owners on the street, therefore,

Resolved, That the persons assessed for said improvement, whose property lies west of the said canal bridge, shall not be required to pay their assessments, nor be liable to any interest upon the sums assessed to them, respectively, until on and after the first day of May, 1890; and thereafter they shall be liable in like manner with other taxpayers assessed for the said improvement, and the ordinance relating thereto shall have full force and effect.

Ald. Reynolds moved that the above resolution be referred to the Law Committee, for an opinion as to the legality of such action. Carried.

By Ald. Mason—Resolved, That a market license be and is hereby granted to Frederick Bamble to sell fresh meat at the junction of Lyell and Spencer sts., at the rate of seventy-five dollars per year, to be paid quarterly in advance.

Ald. Bauer moved to lay the above resolution on the table. Carried.

By Ald. Shelton—Resolved, That the Allen and Warehouse sts. sewer, constructed by Hugh H. Quin, be and the same is hereby accepted as complete, in accordance with the contract and specifications therefor; and that the Mayor be directed to cancel the bond given by the contractor for said work. Adopted.

By Ald. Shelton—Resolved, That the Improvement Committee be respectfully requested to bring in an ordinance for grading and a plank side walk on the west side of Riley st. from Scio st. to New Main st.; also an ordinance for a plank walk to be continued from University avenue, to Asylum st., on the south side of New Main street.—Adopted.

By Ald. Lutes—Resolved, That the Rochester Cricket Club and the Lone Star and Cataract Base Ball Clubs be admitted to play upon Jones' Square during the pleasure of the Common Council, but with the understanding that the respective clubs shall not occupy the Square at such times and in such manner as shall interfere with its use by the military. Adopted.

By Ald. Lutes—Resolved, That the Police Committee be and are hereby authorized to contract with Roswell Hart for twenty-two tons of coal for Police Office and Watch House, at \$4.70 per ton. Adopted. Ayes 16; nays, 0.

By Ald. Knapp—Resolved, That the Committee on City Property be and are hereby authorized to cause the necessary repairs to be done to the bell frame of this building. Adopted.

By Ald. Knapp—Resolved, That the Treasurer receive 88 per cent. of the assessment for Brown st. plank walk until otherwise directed by this Board.

Ald. Bradstreet moved to lay the above resolution on the table. Lost—ayes 5; nays 11.

The resolution was adopted—ayes 13, nays 3.

By Ald. Nash—Resolved; That the Committee on City Property be authorized to erect or cause to be erected, an iron gallery in the Law Library Room, at the expense of not to exceed \$160, in

pursuance of their report submitted at this meeting, and charge Contingent Fund.

Adopted—ayes 16; no, Ald. Bradstreet.

Ald. Holmes was excused from voting—Ayes 9, noes 8.

By Ald. Nash—Whereas, a building owned and occupied by Cyrus Phillips, on Edinburgh street, extends three feet or thereabouts into said street and obstructs said street, as appears by a survey made by the City Surveyor, and

Whereas, The owner of such building refuses to remove the same from said street, therefore

Resolved, That the City Superintendent be and he is hereby directed forthwith to remove said building off from said street, so that it shall not obstruct the same. Adopted.

By Ald. Lewis—Resolved, That the street running through the Old High School lot, from Lancaster street to Chestnut street, be hereafter known and distinguished as "Temple" street, and the Clerk is directed to enter the same in the Street Register. Adopted.

By Ald. Hebard—Resolved, That the Treasurer be and is hereby directed to receive from the following named persons, the several sums set opposite to their names, in full for their assessments for building side walk in South St. Paul street:

John Dart.....	\$0 42
Alexander Gordon.....	0 80
Gaius Lane.....	1 32
Heirs of John A. Pitts.....	64 35
Wm. H. Cheney.....	30 74

Adopted.

By Ald. Hebard—Resolved, That the Contingent Expense Committee be authorized to contract with G. N. Deming & Co. to furnish the City with the necessary quantity of coal for the use of the City in the City Hall building, at the prices named in their bid. Adopted.

By Ald. Hebard—Resolved, That the balance of thirty dollars standing to the credit of Falls street opening, on the books of the Treasurer, be and the same is hereby appropriated to the repairs of said street, and the Clerk is hereby directed to draw on the Treasurer in favor of the Chairman of the Street Committee, for the purpose designated.—Adopted: ayes 18.

By Ald. Hollister—Resolved, That L. E. Gould and M. Decker, have leave to erect wood buildings according to the several prayers of their petitions, under the direction of the Chief Engineer of the Fire Department. Adopted.

FINANCE BUDGET.

By Ald. Reynolds—Resolved, That the Treasurer pay when there are funds applicable thereto, as follows:

IMPROVEMENT FUNDS.	
R Dransfield, on contract for improvement of Francis st, and charge that fund.....	\$150 00
R Dransfield, on contract for Brown st sidewalk, and charge that fund.....	300 00
D Wagner, on contract for improvement of East Avenue, and charge that fund.....	1000 00
Rathbun & Whitmore, on contract for improvement of Greig st, and charge that fund.....	500 00
R W Underhill, assigned to W M Hollister & Co, on contract for Oak street plank walk, and charge that fund.....	200 00
R W Underhill, assigned to W M Hollister & Co, final estimate for contract for Glasgow st plank walk, and charge that fund.....	260 25
Rathbun & Whitmore, for constructing flag side walk on Plymouth Avenue, and charge that fund, Fairchild, Harris & Sherlock, on contract for constructing reservoirs and laying iron pipes in State street, and charge that fund.....	200 00
L A Ward, for Hugh H Quin.....	100 00
and charge Allen and Warehouse st sewer.....	600 00
D Wagner, and charge East Avenue sewer.....	200 00
E Watson.....	200 00
and charge New Main street sewer.....	

E Watson.....	100 00
and charge Asylum street sewer.....	
Seth Wheeler, for use of hack.....	2 00
and charge East Avenue Improvement Fund.....	
John Van Acker, use of hack.....	1 50
and charge Jones Square Improvement Fund.....	
John Quin, work on Litchfield st, under direction of street committee, and charge Litchfield street improvement fund per resolution of Common Council May 17th, 1859.....	44 97
T Cuthane, hack hire, chargeable one-half each to Allen and Asylum streets sewers.....	2 00
C Harper, hack hire, chargeable one-half each to Franklin street and East Avenue improvements.....	2 00
John Carroll, hack hire, chargeable \$2 to New Main street sewer, and \$1 50 to East Avenue sewer.....	3 50

POLICE FUND.	
J Strecker, for 200 bu charcoal for Police office.....	14 00
Elisha Williams, services as special policeman, 14 days.....	20 44
chargeable to Police fund.....	

FIRE DEPARTMENT FUND	
Geo N Hotchkin, 1 quarter's rent of Engine house No 8.....	\$30 00
Rochester Gas Light Co, gas at hose depot.....	6 00
N Aylsworth, bill of Aug 23, for alteration and repairs of fire apparatus.....	291 70
Chas Calhoun, damages.....	8 00
H L Smith, agt, hose rivets and hardware.....	164 62
Siddons & Co, tin roof engine house No 2.....	71 54
F Tully, repairs and sundries.....	55 11
John McMahon, in full for sack and bucket carriage as per this contract.....	600 00
R Terman, for R B Paine, in full for 25 fire buckets, as per contract.....	50 00
M F Reynolds, sundries for fire dept.....	38 10
N Aylsworth, bill of Sept 6, for repairs to fire apparatus.....	213 68
Geo B Harris, disbursements.....	19 05
A Flory, ringing alarm bells.....	23 75
R A Harter, for R B Paine.....	43 75
T W Jones, grate for sewer engine house No 3.....	10 40
W H Brown, painting tin roofs on engine houses Nos 6 and 4.....	20 00
John McMullen, cartage.....	13 95
James P Leslie, painting Jumper (hose cart) No 8.....	4 00
H T Gratacap, fire hats and belts for Engineers.....	46 09
C E Hartshorn, for Hose Carriage No 1, as per contract.....	700 00
and charge fire department fund.....	

CONTINGENT FUND.	
R. E. & J. H. Sherlock, for gas-fitting at the Centre Market.....	1 00
John Bell, for work and materials at the Centre Market.....	15 00
James Conway, for repairing sewer at the Centre Market.....	29 63
Rochester Gas Company, for gas at the Centre Market.....	5 40
Albany Evening Journal, for publishing a notice of charter amendments.....	1 45
James Terry & Co, for refrigerator and water cooler.....	13 50
Rochester Gas Company, for gas for City Hall.....	36 90
H. W. Jones, for Francis Lockhart, as watchman in Court House, up to Sept. 1, 1859.....	69 00
F. J. M. Cornell, for making maps and surveys by order of City Attorney.....	6 00
Brewster & Fenn, for cushions in Common Council room and repairs to furniture.....	11 01
Silas Cornell, for map and surveys upon Front street by order of Law Committee.....	8 00
Brewster & Fenn, for corper-stand for water cooler in Mayor's office, and repairing furniture.....	19 25
Fire Company No. 7, for filling reservoir in front of City Hall.....	10 00
Schuyler Moses, for assessing on the 4th, 7th and 12th wards sewer.....	40 00
J. Siddons & Co, for water cooler for the Mayor's office.....	6 00
F. S. Rew, bill of disbursements in extending tax rolls.....	115 00
City Clerk, bill of disbursements.....	1 75
and charge Contingent fund.....	
Hebard & Graham, bill for marble slab for cooler in Treasurer's office.....	5 34
and charge Contingent Fund.....	

The Board then adjourned one week.

F. S. Rew, Clerk.

In Common Council, Sept. 27, 1859.

ADJOURNED MEETING.

Present—The Mayor, Ald. Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, D. W. Perry, Nash, Erickson, Knapp, Stone, Selye, Jones, Shelton, Bauer, Mason, Billinghurst and Cushing.

Absent—Ald. Mudgett, Holmes, G. W. Perry, Bradstreet, Moore and Lutes.

The minutes of the previous meeting were approved.

PETITIONS AND CLAIMS.

By Ald. Butler—Bill of H. H. Mordoff, for improvement of Jones Square. Committee on City Property.

By Ald. Hollister—Remonstrance of A. T. Banning and others, against erection of a wood building by Burkhardt & Co. Committee on Wood Buildings. Remonstrance of Tax-payers of Glasgow st., against proposed improvement. Improvement Com.

By Ald. Reynolds—Bill of J. G. Moore, for binding; of H. B. Knapp, commissioner for West Avenue bill of disbursements. Final estimates of G. M. Heberger for improving Lowell st.; bill of Wm. Hageman for assessing. Improvement Com.

By Ald. Lewis—Petition of B. Butler and others relating to wood building in 2d ward. Com. on Wood Buildings.

By Ald. Hebard—Bill of assignees of D. M. Dewey, for stationery; of R. Aldridge for painting; of Alex. Allen for repairing clocks; of F. H. Marshall for binding. Contingent Expense Com.

By Ald. Twitchell—Of M. Gannon and others for sewer in Gorham st. Sewer Com.

By Ald. Nash—Bill of City Attorney for disbursements. Law Com.

By Ald. D. W. Perry—Of M. Chapin and others for gas lamps on Tremont st. Lamp Com.

By Ald. Jones—Of J. E. Vandemark and others for plank walk on Scio st. Improvement Com.

By Ald. Shelton, of S. Cameron and others, for leave to erect wood buildings on Union st.; Committee on Wood Buildings. Remonstrance of C. Austin and others, against being assessed for Front street sewer. Bill of T. Culhane, for hack hire; Sewer Committee.

By Ald. Cushing—bill of John Wyhorn, special policeman; referred to Police Committee.

REPORTS OF COMMITTEES.

By Ald. Nash, from the Law Committee—favorably on bill of City Attorney for disbursements; Finance Committee.

By Ald. D. W. Perry, from the Lamp Committee—favorably on bill of Gas Light Co.; also on bill of W. E. Hassan, for lighting lamp on Oak street; Finance Committee.

By Ald. Hollister, from the Committee on Wood Buildings—in favor of petition of S. Cameron and others.

By Ald. Reynolds, from the Improvement Committee—favorably on estimate of Geo. M. Heberger, work on Lowell street; Finance Committee.

By Ald. Stone, from the Poor Committee—favorably on bills of Home of the Friendless, E. N. Buell, Brewster & Smith, J. Howe, and Jona. King; Finance Committee.

By Ald. Shelton, from the Sewer Committee—favorably on bill of T. Culhane, for hack hire; Finance Committee.

By Ald. Butler, from Committee on City Property—favorable on bill of H. H. Mordoff, for improving Jones Square; Finance Committee.

By Ald. Selye, from the Improvement Committee—favorably on bill of Wm. Hageman; Finance Committee.

ACTION UPON ORDINANCES.

Ald. Reynolds moved that all proceeding heretofore had in relation to the Improvement of Glasgow street, be rescinded. Carried.

Ald. Reynolds moved that further action upon the following named ordinances be postponed until the next meeting of this Board, Oct 4th, which was agreed to: Plank walk on Frances street; side walk on Mumford street; cross walks on Mill and Mumford streets; improvement of Clarrisa street; side walk on Exchange street.

Ald. Hebard moved that the consideration of the final ordinance for a plank walk on Ambrose street be deferred until the next meeting of the Board, Oct. 4. Carried.

Ald. Shelton presented the final ordinance for the construction of a sewer on South avenue, from Munger street to Hunter street, and opportunity having been given for allegations thereon, the further consideration of the ordinance was, on motion of Ald. Shelton, postponed until the next meeting, Oct. 4.

Ald. Shelton presented the final ordinance for an outlet sewer on Front street, and on motion of Ald. Selye, the further consideration of the said ordinance was postponed until the regular meeting of this Board, Oct. 18th next.

IMPROVEMENT OF LAWRENCE STREET.

By Ald. Erickson—Resolved, That the City Surveyor ascertain and report to this Board an estimate of the expense of improving Lawrence street from East Avenue to Charlotte street, by grading the Roadway and the side walks ready for planking. Adopted.

The Surveyor submitted such estimate.

By Ald. Erickson—Resolved, That the following improvement is expedient, namely:

Improving Lawrence street from East Avenue to Charlotte street, by grading the roadway and the sidewalks ready for planking.

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 \$239, 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, namely:

One tier of lots on each side of Lawrence street, from East Avenue to Charlotte street.

And the Clerk is hereby directed to publish notice in pursuance of section 190 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 4th, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard.

Adopted as follows:

Ayes—Ald. Reynolds, Hollister, Twitchell, D W Perry, Nash, Erickson, Knapp, Selye, Baner—9

Noes—Ald. Butler, Lewis, Hebard, Stone, Jones, Mason, Shelton, Billingshurst, Cushing—9

The Mayor decided the resolution to be carried in the affirmative

SEWER IN HIGH STREET.

By Ald. Shelton—Resolved, That the city Surveyor ascertain and report to this Board the expense of constructing a stone sewer 18 by 18 inches, in High street, from opposite lot 11 in the 100 acre tract to the Spring-st sewer.

Adopted.

The Surveyor submitted such estimate.

By Ald. Shelton—Resolved, That the following improvement is expedient, namely:

The building of a stone sewer 18 by 18 inches, and of such depth as the ground will admit, in High street, from a point opposite the centre of lot No 11 in the 100 acre tract, to the Spring-st 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 \$344, 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, namely:

One tier of lots on each side of High street from the Erie canal to Spring street.

And the Clerk is hereby directed to publish notice in pursuance of section 190 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 4th, 1859, at half-past seven o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

SIDE-WALK ON NEW MAIN STREET.

By Ald. Hebard—Resolved, That the City Surveyor ascertain and report to this Board the expense of the improvement of the south side of New Main street, from University Avenue to Asylum street, in the following man-

ner: By grading the sidewalk and laying a plank sidewalk six feet wide, and constructing a suitable number of crosswalks. Adopted.

The Surveyor submitted such estimate.
By Ald. Hebard—Resolved, That the following improvement is expedient, viz:
Grading the sidewalk and laying a plank sidewalk six feet wide on the south side of New Main street, from University Avenue to Asylum street, and constructing a suitable number of 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 \$171, which estimate is hereby approved:

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

One tier of lots on the south side of New Main street, from University Avenue to Asylum street.

And the Clerk is hereby directed to publish notice in pursuance of section 190 of the city charter, that all persons interested in the subject matter of said improvement are required to attend at the common council, on Tuesday evening, October the 4th, 1859, at half-past 7 o'clock at the common council hall, when allegations will be heard.

Adopted.

BOX SEWER IN THE TWELFTH WARD.

By Ald. Shelton—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a box sewer, of sufficient capacity to drain the lowlands in the Twelfth ward, lying east of Grand street and South avenue, from such point as may be deemed necessary by the Sewer Committee, to the Erie canal, near Nelson street. Adopted.

The Surveyor submitted such estimate.
By Ald. Shelton—Resolved, That the following improvement is expedient and required for the preservation of the public health, viz:

A box drain of sufficient capacity to drain the lowlands in the Twelfth ward, upon or near lot No 72 of the Gregory 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 \$105, which estimate is hereby approved.

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

Starting at the junction of Grand and Cayuga, on the west line of Cayuga, to Nelson; the west line of Nelson to Oakland; on the north line of Oakland to South avenue; on the east line of South avenue to Grand; on the south line of Grand to the place of beginning, and all territory included within the above line.

And the clerk is hereby directed to publish notice in pursuance of section 190 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 4th, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard.

Adopted.

IMPROVEMENT OF RILEY STREET.

By Ald. Hebard—Resolved, That the City Surveyor ascertain and report to this Board the expense of the improvement of Riley street, from New Main street to Scio street, in the following manner: By grading the roadway and sidewalks, and laying a plank sidewalk five feet four inches wide on the south side, and constructing a suitable number of crosswalks. Adopted.

The Surveyor submitted such estimate.
By Ald. Hebard—Resolved, That the following improvement is expedient, viz:

Grading the roadway and sidewalks, and laying a plank sidewalk five feet four inches wide on the south side, and constructing a suitable number of crosswalks upon Riley street, from New Main to Scio street, and constructing a suitable number of lateral sewers.

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 \$410, which estimate is hereby approved.

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

One tier of lots on each side of Riley street, from New Main street to Scio street.

And the Clerk is hereby directed to publish notice in pursuance of section 190 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 4th, 1859, at half-past 7 o'clock, at the common council hall, when allegations will be heard.

Adopted.

CROSS-WALKS ON PLYMOUTH AVENUE.

By Ald Reynolds—Resolved, That the City Surveyor ascertain and report to this Board the expense of the improvement of Plymouth avenue, by constructing crosswalks at Edinburgh street, at Glasgow street, at Clarissa street, and at Summer and Thorn alleys. Adopted.

The Surveyor submitted such estimate.

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

The construction of Medina stone crosswalks on Plymouth avenue, at Edinburgh, Glasgow and Clarissa streets, and at Summer and Thorn alleys, and across Plymouth avenue at Glasgow and Clarissa streets and at Thorn 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 \$561, which estimate is hereby approved.

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

One tier of lots on the west side of Plymouth avenue, from Edinburgh street to the Genesee Valley canal, and one tier of lots on the east side of Plymouth avenue, from Glasgow street to the Genesee Valley canal, and one tier of lots on each side of Clarissa street, from Plymouth avenue to Greig street.

And the clerk is hereby directed to publish notice in pursuance of section 190 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 4th, 1859, at half-past 7 o'clock, at the common council hall, when allegations will be heard.

Adopted.

IMPROVING TEMPLE STREET.

By Ald. Reynolds—Resolved, That the City Surveyor ascertain and report to this Board the expense of the improvement of Temple street, from Chestnut to Lancaster street, by setting a curb of Medina stone upon each side of the street, paving the gutters, graveling the roadway, and laying side walks of Medina stone flagging six feet wide and four feet of gravel. Adopted.

The Surveyor submitted such estimate.
By Ald. Reynolds—Resolved, That the following improvement is expedient, namely:

The improvement of Temple street, from Chestnut to Lancaster street, by setting a curb of Medina stone, paving the gutters three feet wide, graveling the roadway, and laying side walks of Medina stone flagging six feet wide and four feet of gravel, and constructing a suitable number of 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 \$1,100 00, which estimate is hereby approved.

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

One tier of lots upon each side of Temple street, from Chestnut street to Lancaster street.

And the clerk is hereby directed to publish notice in pursuance of section 190 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 4th, 1859, at half-past seven o'clock at the common council hall, when allegations will be heard.

Adopted.

SIDE WALK ON HIGH STREET.

By Ald. Selye—Resolved, That the Surveyor ascertain and report to this Board the expense of the improvement of the west side of High street, from Troup street to the Erie Canal, in the following manner: by grading the same and laying a plank side walk five feet four inches wide, and constructing a suitable number of crosswalks. Adopted.

The Surveyor submitted such estimate.
By Ald. Selye—Resolved, That the following improvement is expedient, namely:

Grading and laying a plank side walk five feet four inches wide, and constructing a suitable number of crosswalks in High street, from Troup street to the Erie Canal.

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 \$243 00, which estimate is hereby approved.

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

One tier of lots on the west side of High street, from Troup street to the Erie Canal.

And the Clerk is hereby directed to publish notice in pursuance of section 190 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 4th, 1859, at half-past 7 o'clock, at the common council hall, when allegations will be heard.

Adopted.

ASSESSMENTS.

Ald. Shelton presented the Revised Assessment Roll for the construction of an Outlet Sewer in the 4th, 7th and 12th wards, and moved that appeals be heard thereon at the regular meeting of this Board on the 18th Oct. next. Carried.

UNFINISHED BUSINESS.

Ald. Mason called up the resolution laid on the

table at the previous meeting, granting a license to Frederick Bamble, and moved its adoption.

Ald. D. W. Perry moved the indefinite postponement of the said resolution. Carried, as follows:

Ayes—Ald. Butler, Reynolds, Twitchell, D. W. Perry, Nash, Erickson, Knapp, Selye, Jones, Shelton, Bauer—11.

Nays—Ald. Hollister, Lewis, Hebard, Stone, Mason, Billinghamurst, Cushing—7.

MISCELLANEOUS BUSINESS.

By Ald. Billinghamurst—Resolved, That his Honor the Mayor, appoint a Committee of five to attend the Canal Convention at Utica, on Wednesday, September 28th, and that said Committee be instructed to use its utmost endeavors in said Convention to secure to the Canals of the State such protection as their great importance demands.

Adopted, ayes 18, noes 0.

Ayes—Ald. Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, D. W. Perry, Nash, Erickson, Knapp, Stone, Selye, Jones, Shelton, Bauer, Mason, Billinghamurst, Cushing—18.

By Ald. Jones—Resolved, That the Treasurer pay constable J. V. Mosier, thirty-two dollars and twenty-two cents in payment of an execution now in his hands, against the City, and in favor of John Crammond. Referred to the Law Committee.

By Ald. Knapp—Resolved, That the owners of lots on Broad street have permission to place their fences at an equal distance from the centre of said street, so that it will conform to the width of Platt and Hill streets, and that the Surveyor be and is hereby directed to give the lines by a sufficient number of stakes. Adopted.

By Ald. D. W. Perry—Resolved, That the Lamp Committee be and hereby are authorized to erect two gas lamps on Tremont street. Adopted.

By Ald. Hollister—Resolved, That Jacob G. Luitweiler have leave to erect a wood building on Union street, according to the prayer of his petition, under the direction of the Chief Engineer of the Fire Department. Adopted.

By Ald. Hollister—Resolved, That the City Attorney be requested to report to this Board at his earliest convenience, the number of suits commenced, and against whom, the amount of money collected and the progress of the suits, on the Broad Tire Ordinance. Adopted.

By Ald. Reynolds—Resolved, That the Treasurer be directed to transfer \$30.71 standing to the credit of Greig st. sewer fund to Greig st. Improvement fund. Adopted.

By Ald. Reynolds—Resolved, That the Treasurer be directed to transfer \$122.81, balance standing on the books in his office to the credit of State st. sewer, from Platt st. to State st. Improvement between the same points. Adopted.

By Ald. Reynolds—Resolved, That the Superintendent of Streets, be and is hereby directed to expend the sum of \$41 57, balance standing to credit of James street sewer on the Treasurer's books, in grading and graveling said street; also, the sum of \$48 89, balance standing to credit of Ford street sewer, in repairing the side walks, and otherwise improving said street; also, the sum of \$30 32, balance standing to credit of Spring and Ford street sewer, in grading Spring street between High and Ford street; also, the sum of \$23 32, balance standing to credit of Elm street sewer, in grading and graveling said street. All the above work to be done under the direction of the Street Committee, and the Treasurer is hereby authorized to transfer the above balances to the cre-

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dit of the Highway Fund, whenever the said committee shall furnish him satisfactory evidence that the money has been so expended. Adopted.

By Ald. Reynolds—Resolved, That the City Surveyor be directed to ascertain from the most reliable data at his command, and mark in some permanent form, the lines of Plymouth avenue, from Edinburg street to Clarissa street—also, the lines of Glasgow street, from Plymouth avenue to High street—also, the lines of Greig street; and make a map or diagram of the same, showing the encroachments existing within the lines of the streets in the territory described. Adopted.

FINANCE BUDGET.

By Ald. Reynolds—Resolved, That the Treasurer pay the following accounts, viz:

Geo M Heberger, final estimate for Lowell street improvement, and in full thereof, when there are funds applicable thereto.....	\$550 00
Harlow Morloff, estimate on his contract for improving Jones Square, when there are funds applicable thereto.....	150 00
W E Hassan, lighting lamp on Oak street.....	2 33
Rochester Gas Light Co, for lighting the city for quarter ending Sept. 1st.....	2,598 93
and charge lamp fund.	
H B Knapp, as Commissioner for West Avenue, bill for work on West Avenue.....	24 25
and charge that fund.	
J Van Voorhis, City Attorney, bill of disbursements.....	17 75
and charge contingent fund.	
T Culhane, hack hire, chargeable equally to Asylum, Lyell and St Paul street sewers.....	3 50
Brewster & Smith, groceries.....	94 07
F N Buell, flour.....	20 50
Jacob Howe, bread.....	56 25
Home of the Friendless, sundries.....	35 25
Jonathan King, repairs at Poor office.....	13 50
and charge poor fund.	
Henry Hunter, in full for services in a suit against the City Superintendent, in 1855, per report of the City Attorney, Sept. 20th inst.....	20 00
Wm Hereman, assessing for sewer in State street, from Jay to White street.....	2 00
and charge that fund.	
Adopted; ayes 17, noes 0.	

The Mayor appointed the following Aldermen to attend the Canal Convention at Utica on the 28th inst.: Ald. Billinghamurst, Selye, Lewis, Butler and D. W. Perry.

On motion of Ald. Selye, His Honor the Mayor was added to the Committee.

EAST LINE OF FRONT STREET.

On motion of Ald. Lewis, Mr. Frederick Starr was heard on the subject of the East Line of Front street. Mr. Starr also spoke at some length on the question of the South Line of Main street, at the Bridge, and the proposed erections at that point.

Ald. Erickson stated, in correction of Mr. Starr, that Judge Carroll did not move out his buildings to the lines of those erected by Ald. Erickson.

The Board then adjourned. F. S. Rew, Clerk.

In Common Council, Oct. 4, 1859.

REGULAR MEETING.

Present—The Mayor, Ald. Holmes, Butler, Hollister, Lewis, Hebard, Twitchell, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason and Cushing.

Absent—Ald. Mudgett, G. W. Perry, Bradstreet, and Billinghamurst.

The minutes of the previous meeting were approved.

PETITIONS AND CLAIMS.

By Ald. Holmes—presentation of the Central Railroad bridge across the Genesee river, by a coroner's jury, as dangerous to life, and asking the Common Council to prohibit the use thereof as a

thoroughfare, and to cause a foot-bridge to be constructed on the south side. Improvement Committee.

By Ald. Hollister—remonstrance of L. Tumblety and others against crosswalks in Plymouth avenue. Improvement Committee.

By Ald. Lewis—the following Fire Department bills: C. Newman, A. T. Banning, O. Harris, for building Engine House, A. Strong & Co. and Thos. Davis; estimate of work done by Fairchild, Harris & Sherlock; proceedings of Engine Co. No. 5, and H. & L. Co. No. 2. Fire Department Committee.

Petition of citizens of 11th ward that a market license be granted to Augustus Stuttz. Market Committee.

By Ald D. W. Perry—bill of R. P. Benton for fluid and lighting lamps at Deep Hollow. Lamp Committee.

By Ald. Knapp—Superintendent's bill of disbursements for September. Street Committee.—Bill of M. Kramer, for publishing proceedings.—Contingent Expense Committee.

By Ald. Stone—the following Poor Department bills: J. McDowell, Geo. Arndt, D. W. Allen, J. H. Childs, J. M. Whitney & Co., J. Howe, A. Babcock & Co., Henry Bender, C. V. Jeffries, Mrs. Clemenson, Riley & Hughes, Thos. Bellamy, J. W. Phillips & S. S. Pellett. Poor Committee.

Resignation of Jas. Orr, Inspector of the 8th Ward. Table.

By Ald. Lutes—bills of J. Wyborn, Alex. Bruce, E. J. Keeney, Jacob Strecker, Samuel Richardson. Policemen's salaries. Police Committee.

Bill of R. Aldridge. Contingent Expense Committee.

By Ald. Hebard—estimate of John Dalton, bills of F. H. Marshall, Alex. Allen, Hayden & Bromley, Weed, Parsons & Co., Adolph Nolte, A. Strong & Co. Contingent Expense Committee.

Remonstrance of W. Whitehare and others, against sewer in Summer alley. Sewer Committee.

By Ald. Shelton—bills of C. S. Sharp, John Kneece, and Patrick Leonard; petition of John Meyer, to be relieved from an assessment. Sewer Committee. Estimates of E. Watson, D. McGarry, Wm. Carroll, P. Quin and Stroup & McConnell.—Sewer Committee.

By Ald. Selye—estimate of work at Deep Hollow. Improvement Committee.

By Ald. Butler—bill of Marcus Jewell, estimates of Rathbun & Whitmore, J. B. & G. W. Aldridge, H. M. Mordoff. City Property Committee. Petition of Frank H. Hamilton and others, to have lines of Jones and Frank-sts., established. Table.

By Ald. Reynolds—bills of Wm. McConnell, A. Cram, W. S. Grantsynn; estimates of Jas. Logan, R. Dransfield. Rathbun & Whitmore. Improvement Committee.

REPORTS OF COMMITTEES.

By Ald. Nash—from the Law Committee, oral report in favor of paying the execution against the city in favor of John Crammond. Table.

By Ald. Hebard—from the Contingent Expense Committee, in favor of the payment of the bill of John Dalton. Finance Committee.

By Ald. Lewis—from the Fire Department Committee, in favor of the payment of the following bills: J. P. Leslie, J. Howland, J. Kane, J. J. Pryor, N. Aylesworth, C. T. Amsden, A. Cross, C. Gilbert, J. Preston; estimate of Fairchild, Harris and Sherlock. Finance Committee. Also, the following report of the Chief Engineer, relating to Steam Fire Engines, which was ordered to be published:

STEAM FIRE ENGINES,
REPORT OF FIRE DEPARTMENT COMMITTEE ON
STEAM FIRE ENGINES.

To the Hon. Mayor and Common Council:
The Fire Department Committee having instructed the Chief Engineer to make the necessary inquiries upon the subject of Steam Fire Engines, submit herewith the Report of that officer made to them, as their Report to your honorable Board.
Oct. 4, 1859. GEO. W. LEWIS.

REPORT OF CHIEF ENGINEER HARRIS.
To the Committee on Fire Department:
GENTLEMEN: Under instructions received from you, and in pursuance of a resolution of the Honorable Common Council, adopted July 26, 1859, directing the Fire Department Committee to ascertain and report the cost of two Steam Fire Engines, I have the honor to report:

That I have corresponded with the most prominent builders of Steam Fire Engines in the country, and submit the information derived and terms received from them, as follows:

1st. Philadelphia style, built by Messrs. Reany, Neafe & Co., Philadelphia, four sizes manufactured, designed to be drawn by horses; the smaller sizes can be drawn by hand. The manufacturers do not state the weight of the different sizes, but I learn the weight of those in service in Philadelphia, by correspondence with officers of the department.

Their weight, capacity and price, are as follows:

No. 1, Extra, size of Hibernia Engine, Philadelphia, weighs 7,400 pounds	throws one 1 1/4 inch stream	275 feet, or	
" two 1 " "	streams 200 feet,		
" six 3/4 " "	streams 150 feet,		
all through 50 feet of hose from suction or hydrant.			
No. 1, size same as Philadelphia Hose No. 1 in service, weighs 7,000 pounds, and	throws one 1 1/4 inch stream	210 feet, or	
" two 3/4 " "	streams 175 feet, each.		
No. 2 size, weighs 6,000 pounds, and	throws one 1 1/2 inch stream	200 feet,	
" two 3/4 " "	streams 160 feet, each.		
No. 3 size, weighs 5,000 pounds, and	throws one 1 inch stream	200 feet, or	
" two 3/4 " "	streams 150 feet, each.		
The prices are, Hibernia size, - - -		\$4,000	
" " " No. 1 - - -		3,800	
" " " No. 2 - - -		3,400	
" " " No. 3 - - -		3,000	

including tender, screws, pipes, nozzles, horse and hand tongues, two lengths suction and 50 feet hose, all deliverable in Philadelphia, in complete working order.

This style of apparatus is a compact, strong and apparently durable piece of steam machinery.—It consists of an upright flue boiler, a horizontal (reciprocating) engine and a double acting force pump, set in line with the steam engine, with shaft and balance wheel intervening.

I have no information as to the length of time required to generate a working pressure of steam from cold water, or the amount of steam pressure necessary to work the Engine at a fire.

This style of engine is recommended as being an efficient and durable machine.

2d.—The Seneca Falls engine, built by Messrs. Silsby, Mynderse & Co., Island Works, Seneca Falls.

This company manufactures three sizes, all designed to be drawn by tons.

No. 1 size weighs five tons or 10,000 pounds; throws one 2 inch stream 200 feet, or

“ one 1½ “ stream 230 feet, or
 “ two 1½ “ streams 200 feet, or
 “ four 1½ “ streams 165 feet each.
 No. 2 size weighs 4½ tons or 9000 pounds;
 throws one 1½ inch stream 230 feet, or
 “ two 1½ “ streams 200 feet, or
 “ four 1 “ streams 175 feet each.
 No. 3 size weighs 7500 pounds, and
 throws one 1½ inch stream 200 feet, or
 “ two 1 “ streams 175 feet, or
 “ one 1¼ “ stream 230 feet.

This style of engine is very well known here among firemen and mechanics, one of the No. 3 size having been exhibited in our city last year.— It consists, essentially, of “Holly’s Patent Rotary Steam Engine and Pump.” The boiler is square with vertical flues for water; generates steam rapidly, and is considered abundantly safe at the usual working steam pressure of these engines—say from 35 to 60 pounds.

The No. 3 engine exhibited here, did not in its performance equal the above named figures, for distance thrown, but did demonstrate conclusively the advantage derivable from the use of Steam Fire Engines.

Messrs. Silsby, Mynderse & Co., offer the No. 3 size at \$4,500.

They are now building a size called No. 4, estimated to weigh 6500 pounds, and to

Throw one 1½ inch stream 175 feet, or
 “ one 1¼ “ stream 220 feet, or
 “ two ¾ “ streams 175 feet each,
 and at a price of \$4,000, delivered. I learn, incidentally, that they have contracted this size at \$3,500 to eastern cities. They offer to keep their engines in repair for one year without charge, casualties excepted, and warrant them for five years, if run and handled by suitable engineers. They also claim that their engine has been greatly improved since the exhibition here.

3d—The Baltimore style of engine, built by Messrs. Pool and Hunt, Baltimore, is, in its essential features, similar to the Philadelphia engine of Messrs. Reany, Neafe & Co., and in capacity and performance is also similar. The City Government of Baltimore has seven engines of this style in service, and the Chief Engineer of that city, Chas. F. Holloway, certifies “that they fully realize all his expectations, combining all the requisites of a serviceable engine, light draft, beautiful design, quick steaming qualities, great power in drawing, forcing and throwing water, and of great strength and durability.”

The price of this style is \$3,000. Messrs. Pool and Hunt will build two for \$5,750, complete.— This engine weighs without wood or water 4,700 pounds, with wood and water 5,200 pounds, the tender with its load of wood weighs 1,000 pounds, and is intended to be attached to the engine, and drawn by the same horses, making a total load of 6,200 pounds. The engine starts and works at a low pressure of steam.

4th. The Cincinnati Engine built by Messrs. A. B. & E. Latta, Cincinnati, the original builders of Steam Fire Engines.

These gentlemen build four sizes of their justly celebrated Engines. The first and largest size has proved in service to be too large and heavy, and too expensive to keep in repair, and their smaller sizes are more generally approved and in use.— The No. 2 size weighs 9,000 pounds, is drawn by 4 horses, besides 1 horse for the fuel cart, and is recommended by the builders as capable of throwing.

One 1½ inch stream 250 feet, or

Two ¾ inch streams 200 feet.

The No. 3 size weighs 7,000 pounds, is drawn by two horses or 30 men, and is recommended to throw

One 1½ inch stream 240 feet, or
 Two ¾ inch streams 180 feet, each.

The No. 4 size weighs 5,000 pounds, is drawn by two horses or 20 men, and is advertised as throwing one stream with 1 inch nozzle, 180 feet.

The prices of Messrs. Lattas’ Engines are:

No. 2 size, \$5,500—No. 3 size, \$5,000—No. 4 size, \$4,000—delivered in Rochester, including suction pipes, nozzles and fuel cart. Terms cash, or its equivalent.

This style of engine is regarded with much favor where it has been introduced.

In the cities of Cincinnati, St. Louis, and Louisville, where a paid Fire Department has been adopted, these engines drawn by horses are used, and give, so far as I can learn, very general satisfaction.

They are constructed entirely of metal, with iron wheels, have Lattas’ Patent Boiler and also Lattas’ Steam Pump. Their ability to generate steam quickly, and in sufficient quantity, has been demonstrated in the frequent public trials which have been held, as well as in actual service.

5th. The Lee & Larned Engine, consisting essentially of Larned’s patent annular boiler, a reciprocating Steam Engine, and Cary’s Rotary Pump, and of which there are two styles manufactured, viz: the self-propelling engine and a style suited to be drawn by horses or hand power, the principle and the essential features of the two styles, aside from the propelling power, being identical.

The particular advantages claimed for the self-propellers are, first, their self-propulsion, they being essentially a street locomotive, capable of running under steam on a pavement from 10 to 15 miles per hour, with from 10 to 20 men on board; and, secondly, their enormous power in throwing water. The principal objection to them for fire service is their great weight. Messrs. Lee & Larned make three sizes of this style as follows:

	No. 1.	No. 2.	No. 3.
No. of steam cylinders.....	2	2	2
Diameter of cylinders.....	7½	7¼	6
Length of stroke.....	14	14	12
No of revolutions per minute.....	220	225	250
Square ft. of fire surface in boiler.....	275	300	350
Minutes required to raise steam to a working pressure.....	430	325	250
Capacity of pump in gallons.....	6 to 8	6 to 8	5 to 7
Size to throw 200 feet.....	open butt.	2¼	1½
Gallons per minute in such throw.....	1200	900	525
Extreme throw in ft. not less than.....	275	275	225
Weight of Engine complete, lbs.....	12,000	8,500	6,000
Price (delivered in New York).....	\$8,500	\$7,000	\$6,000

Of the Hand (or Horse) Steamers, Messrs. Lee & Larned also make three sizes, as follows:

	No. 4.	No. 5.	No. 6.
No of steam cylinders.....	1	1	1
Diameter of “ in inches.....	10½	9	7
Length of stroke.....	12	8½	7
Revolutions per minute.....	200	300	225
Square ft. of fire surface in boiler.....	250	300	330
Minutes required to raise steam to a working pressure.....	300	225	125
Capacity of pump chambers, galls.....	5 to 7	5 to 6	4 to 6
Size of tip to throw 200 ft. horizontally.....	3	1½	3¼
Gall. disch’d pr min. in such throw.....	750	450	250
Extreme horizontal throw in feet, not less than.....	250	225	200
Weight of Engine complete, lbs.....	6,500	5,000	3,000
Price (delivered in New York).....	\$6,000	\$4,500	\$3,000

The steam engine recently exhibited in this city and in Buffalo, was Lee & Larned’s No. 5.— This engine gave very general satisfaction, I be-

lieve, and in performance exceeded the promises of the builders. It certainly combines the essentials of portability, quickness in getting at work, and ample power when at work.

I regard the question of the adoption of steam fire engines in all cities as a question of time only, and while it will be difficult, if not impossible, to dispense entirely with hand engines in this city, I am of the opinion that the substitution of two light steam engines, located centrally, one of them on each side of the river, for two or three of the hand engines now in use, would be advantageous, and aside from the cost of the engines would not add materially to the current expenses of the fire department.

Respectfully submitted,
GEO. B. HARRIS, Chief Engineer.

By Ald. Stone—from the Poor Committee, in favor of the payment of the following bills: S. S. Pellett, J. McDowall and J. W. Phillips. Finance Committee.

By Ald. Knapp—from the Street Committee, in favor of the payment of the Superintendent's bill of disbursements for September. Finance Committee.

By Ald. Lutes—from the Police Committee, in favor of the payment of the bills of E. J. Keeney, for disbursements as Chief of Police, for September, J. Strecker, J. Wyborn, S. Richardson. Also, in favor of the payment of the salaries of Chief of Police and policemen, for September. Finance Committee.

By Ald. Erickson—from the Improvement Committee, favorably on estimate of D. Wagner. Finance Committee.

By Ald. Selye—from the Improvement Committee, favorably on estimate of work done at Deep Hollow culvert. Finance Committee.

By Ald. Reynolds—from the Improvement Committee, favorably on bills of W. S. Grantsynn; estimates of R. Dransfield, Jas. Logan, Rathbun & Whitmore. Finance Committee.

By Ald. Shelton—from the Sewer Committee, favorably on bills of C. S. Sharp, P. Leonard; also on estimates of E. Watson, Wm. Carroll, D. Wagner, P. Quin, Stroup & McConnell. Finance Committee.

By Ald. Butler—from Committee on City Property, favorably on estimates of H. M. Mordoff, J. B. & G. W. Aldridge, and bill of Marcus Jewell.—Finance Committee.

By Ald. Mason—from the Market Committee, favorably on petition of Augustus Stutts, for a market license, corner of Lyell and Spencer-sts.

REPORTS OF EXECUTIVE OFFICERS.

The clerk presented the report of the Superintendent of Mt. Hope Cemetery for September. No. of interments, 65. Filed.

Also, the report of the Overseer of the Poor for September. No. of families, 152. Amount expended, \$269 91. Less for county and towns, \$27, 82. Filed.

ASSESSMENTS

Ald. Hebard presented the Assessment Roll for the Construction of a Wall on the west side of North St. Paul street, from the north end of Gormley's block to River street, and opportunity having been given for appeals thereon, the said roll was confirmed by the following vote:

Yeas—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, D. W. Perry, Nash, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Cushing—19.

Nay—Ald. Erickson—1.

Ald. Hebard presented the Assessment Roll or

the Construction of a Flag Walk on the west side of North St. Paul street, from the north end of Gormley's block to River street, and opportunity having been given for appeals therefrom, the said roll was confirmed, by the following vote:

Yeas—Ald. Holmes, Butler, Reynolds, Lewis, Hebard, Twitchell, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Cushing—19.

Ald. Selye presented the Assessment Roll for the Extension of Hawkins street, and opportunity having been given for appeals therefrom, the said roll was confirmed by the following vote:

Yeas—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Jones, Shelton, Bauer, Cushing—18.

Ald. Selye presented the assessment roll for the improvement of State street, from Buffalo street to the New York Central Railroad, and moved that action thereon be postponed until the first regular meeting of this Board in January, 1860. Agreed to.

Ald. Selye presented the assessment roll for a plank walk on the east side of Bolivar street, and opportunity having been given for appeals therefrom, the said roll was confirmed, by the following vote:

Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Cushing—19.

ACTION UPON ORDINANCES.

SEWER IN SOUTH AVENUE.

Ald. Shelton presented the final ordinance for a sewer in South Avenue, from Munger street to Holley street, and opportunity having been given for allegations against its passage, no one appearing, on motion of Ald. Shelton, the further consideration thereof was postponed until the next regular meeting of the Board.

IMPROVEMENT OF LAWRENCE STREET.

Ald. Erickson presented the final ordinance for the improvement of Lawrence st., and allegations having been heard,

Ald Lewis moved that the said ordinance be indefinitely postponed. Carried—Ayes 18, noes 2—Ald. Nash and Erickson.

PLANK WALK ON AMBROSE STREET.

Ald. Hebard moved that the consideration of the final ordinance for a plank walk on Ambrose st. be further postponed until the next meeting. Agreed to.

CROSS-WALK ON PLYMOUTH AVENUE.

Ald. Reynolds moved that the further consideration of the final ordinance for the construction of cross-walks on Plymouth avenue, be postponed till the next meeting. Agreed to.

SEWER IN SUMMER ALLEY.

By Ald. Shelton—Resolved, That the city Surveyor ascertain and report to this Board the expense of constructing a stone sewer, eighteen inches by eighteen inches, in Summer alley, from Plymouth avenue to the Genesee Valley canal. Adopted.

The Surveyor submitted such estimate.

By Ald. Shelton—Resolved, That the following improvement is expedient, namely:

The construction of a stone sewer, in Summer alley, from Plymouth avenue to the Genesee Valley canal; to be 18 inches square, and of such depth as the sewer committee may direct.

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 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, namely:

One tier of lots on each side of High street, from Glasgow street to Plymouth avenue; one tier of lots on each side of Summer alley, from High street to Plymouth avenue, and one tier of lots on each side of Plymouth avenue from Thorn alley to Clarissa street.

And the clerk is hereby directed to publish notice in pursuance of section 190 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 11th, 1859, at half-past 7 o'clock, at the common council hall, when allegations will be heard. Adopted.

PLANK WALK ON BROWN STREET.

By Ald. Selye—Resolved, That the City Surveyor ascertain and report to this Board the expense of improvement of Brown street from Kent street to Boat alley, by constructing a plank walk, six feet wide, on the north side thereof, and constructing a suitable number of cross-walks. Adopted.

The surveyor submitted such estimate. By Ald. Selye—Resolved, That the following improvement is expedient, namely:

Constructing a plank walk, six feet wide, on the north side of Brown street, from Kent street to Boat alley, and constructing a suitable number of 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 \$109 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, namely:

One tier of lots on the north side of Brown street, from Kent street to Boat alley.

And the Clerk is hereby directed to publish notice in pursuance of section 190 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 11th, 1859, at half-past seven o'clock, at the Common Council Hall, when allegations will be heard. Adopted unanimously.

IMPROVEMENT OF EMMETT STREET

By Ald. Selye—Resolved, That the Surveyor ascertain and report to this Board the expense of the improvement of Emmett st., from Ward street to Hand street, by grading the same and constructing plank walks on each side.—Adopted.

The Surveyor submitted such estimate. By Ald. Selye—Resolved, That the following improvement is expedient, namely:

The grading of Emmett street, from Ward to Hand street, and constructing plank walks on each side thereof. 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 \$406 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, namely:

One tier of lots on each side of Emmett street, from Ward to Hand street.

And the Clerk is hereby directed to publish notice in pursuance of section 190 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 11th, 1859, at half-past 7 o'clock, at the common council hall, when allegations will be heard. Adopted.

OPENING OF HIMMEL STREET.

Resolved, That Himmel street (so called) shall be continued from its present southern termination to Atwater street.

Resolved, That the following described territory is considered necessary for such improvement, namely:

Beginning on the east line of Himmel street, at the point where it intersects with the north line of the lately called Sylvester Brown property, and running thence upon said line produced southerly to Atwater street; thence westerly on the west line of Atwater street twelve feet measured at right angles to the east line of Himmel st; thence northerly parallel with the east line of Himmel street, and twelve feet distant therefrom to the north line of the said Brown property; thence along said line easterly to the place herein naming.

Resolved, That the City Surveyor be authorized to negotiate with the owners of property required for the above improvement, and report to this Board upon what conditions the same can be purchased.

Adopted by the following vote:
Ayes—Ald. Butler, Reynolds, Lewis, Twitchell, D. W. Perry, Nash, Selye, Lutes, Shelton, Bauer, Cushing—11.

Noes—Ald. Holmes, Hollister, Hebard, Erickson, Moore, Knapp, Stone, Jones, Mason—9.

SIDE WALK ON HIGH STREET.

On motion of Ald. Reynolds, 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. Reynolds submitted the following:

AN ORDINANCE to construct a plank side-walk on High street, from Troup street to the Erie canal.

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

The west side of High street shall be improved, from Troup street to the Erie canal, by the making of a proper grade for a side-walk, and laying a plank walk five feet four inches in width, and constructing a suitable number of cross-walks.

And the whole expense thereof 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 forty-three dollars, which estimate was and is hereby approved. The sum of two Hundred and forty-three 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 High street, from Troup street to the Erie Canal.

On which above described portion of the city, the said sum of \$243 is hereby ordered to be assessed.

And David McKay, Francis Dana and Jared Coleman, 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 Friday, the 7th day of October, 1859, at 9 o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:
Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, D W Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Cushing—20.

Noes—None.

CROSS-WALKS ON MILL AND MUMFORD STREETS.

On motion of Ald. Reynolds, 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. Reynolds submitted the following:

AN ORDINANCE to construct cross-walks at the intersection of Mill and Mumford streets, &c.

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

Four cross-walks of Medina flagging shall be constructed at the intersection of Mill and Mumford streets, and the area enclosed by the same shall be paved with Lockport sandstone; the necessary sewers and grates shall be constructed, and the sidewalks upon Mill street extended to the curb on the south side of Mumford street.

And the whole expense thereof 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 \$733 00 which estimate was and is hereby approved. The sum of \$733 00, 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 the New York Central railroad, and one tier of lots upon each side of Mumford street from State street to the Genesee river.

On which above described portion of the city the said sum of seven hundred and thirty-three dollars is hereby ordered to be assessed.

And David McKay, Francis Dana and Jared Coleman, 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 Friday, the 7th day of October, 1859, at 9 o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote—
Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, D W Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Cushing—20.

Noes—None.

SIDE WALK ON MUMFORD STREET.

On motion of Ald. Reynolds, 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. Reynolds submitted the following:

AN ORDINANCE to construct a sidewalk on Mumford street, from Mill street to the Genesee river.

The common council of the city of Rochester do ordain and determine as follows:

A sidewalk, thirteen feet in width, shall be constructed on the south side of Mumford street, from Mill street to the Genesee river. Such sidewalk shall be of Medina flagging, six feet wide, laid in two courses, and the sides of brick, and the curb stones and head stones shall be re-set, the gutter repaired, and a crosswalk made at the alley between Front street and the Genesee river.

And the whole expense thereof shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefitted thereby; and the city Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at \$524, which estimate was and is hereby approved, the sum of \$524, being the whole amount of the estimate aforesaid, shall be assessed upon such owners and occupants. And the portion of said city which the said common council deem will be benefitted by said improvement is described as follows:

One tier of lots on the south side of Mumford street, from Mill street to the Genesee river.

On which above described portion of the city the said sum of \$524 is hereby ordered to be assessed.

And David McKay, Francis Dana and Jared Coleman, the Assessors of said city, not interested in any of the property so benefitted, 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, in 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 Friday, the 7th day of October, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:
Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Jones, Shelton, Bauer, Mason, Cushing—19.

Noes—None.

IMPROVEMENT OF RILEY STREET.

On motion of Ald. Hebard, 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. Hebard submitted the following:

AN ORDINANCE to improve Riley street, from New Main street to Scio street.

The common council of the city of Rochester do ordain and determine as follows:

Riley street shall be improved, from New Main street to Scio street, by the making of proper grades for the roadway and sidewalks, and laying a plank walk five feet four inches wide on the south side thereof, and constructing a suitable number of crosswalks and lateral sewers.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefitted thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at \$410, which estimate was and is hereby approved; the sum of \$410, 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 benefitted by said improvement is described as follows:

One tier of lots on each side of Riley street, from New Main street to Scio street.

On which above described portion of the city the said sum of \$410 is hereby ordered to be assessed.

And David McKay, Francis Dana, and Jared Coleman, the assessors of said city, not interested in any of the property so benefitted, 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 Friday, the 7th day of October, 1859, at 9 o'clock in the forenoon at the office of the city clerk.

Passed by the following vote:
Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Cushing—20.

Noes—None.

BOX SEWER IN THE TWELFTH WARD.

On motion of Ald. Shelton, 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. Shelton submitted the following:

AN ORDINANCE, to construct a Box Sewer in the 12th Ward.

The common council of the city of Rochester, for the preservation of the public health, do ordain and determine as follows:

A box sewer, of sufficient dimensions and capacity to drain the low lands in the Twelfth Ward, upon or near lot No. 72) seventy-two, of the Gregory tract, shall be constructed from such point as the Sewer Committee may deem necessary, to the Erie Canal near Nelson street.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefitted thereby, and the city Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at \$105 00, which estimate was and is hereby approved. The sum of \$105 00, 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 benefitted by said improvement is described as follows:

Starting at the junction of Grand and Cayuga streets, on the west line of Cayuga street, to Nelson street; the west line of Nelson street to Oakland street; on the north line of Oakland street to South avenue; on the east line of South avenue to Grand street; on the south line of Grand street to the place of beginning, and all territory included within the above line.

On which above described portion of the city, the said sum of \$105 00 is hereby ordered to be assessed.

And David McKay, Francis Dana, and Jared Coleman, the Assessors of said city, not interested in any of the property so benefitted, 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 Friday, the 7th day of October, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:
Ayes—Ald. Holmes, Butler, Reynolds, Lewis, Hebard, Twitchell, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Cushing—19.

Noes—None.

SIDE WALK ON EXCHANGE STREET.

On motion of Ald. Reynolds, 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. Reynolds submitted the following:

AN ORDINANCE, to construct a sidewalk on Exchange street, from the Erie canal to Court street.

The common council of the city of Rochester do ordain and determine as follows:

A side walk shall be constructed on the east side of Exchange street, from the Erie Canal to Court street, of Medina flagging six feet wide laid in two courses, with brick upon each side; the curb stone shall be re-set and a flag walk constructed across Court street, and an area under the side walk in front of the Child Block shall be filled up.

And the whole expense thereof shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefitted thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at \$384 00, which estimate was and is hereby approved. The sum of \$384 00, 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 benefitted by said improvement is described as follows:

One tier of lots upon the east side of Exchange street, from the Erie Canal to Court street, and for the cross walk one tier of lots upon the east side of Exchange st., from the Erie Canal to the north line of lot No. one in the Caledonia tract, occupied by Jacob Anderson.

On which above described portion of the city, the said sum of \$384 00 is hereby ordered to be assessed.

And David McKay, Francis Dana and Jared Coleman, the Assessors of said city, not interested in any of the property so benefitted, 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 Friday, the 7th day of October, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:
Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Cushing—19.

Noes—None.

PLANK WALK ON FRANCES STREET.

On motion of Ald. Reynolds, 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. Reynolds submitted the following:

AN ORDINANCE, to construct a plank walk on Frances street, from Clifton street to Hunter street.

The common council of the city of Rochester, do ordain as follows:

A plank walk six feet in width shall be constructed on each side of Frances street, from Clifton street to Hunter street; and a suitable number of crosswalks shall be constructed therein.

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 \$600 00, which estimate was and is hereby approved. The sum of \$600 00, 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 upon each side of Frances street, from Clifton street to Hunter street.

On which above described portion of the city, the said sum of \$600, is hereby ordered to be assessed.

Ayes—Ald. McKay, Francis Dana and Jared Coleman, 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 same 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 Friday, the 7th day of October, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:

Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Baner, Cushing—18.

Noes—None.

IMPROVING TEMPLE STREET.

On motion of Ald. Reynolds, 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. Reynolds submitted the following:

AN ORDINANCE to improve Temple street, from Chestnut street to Lancaster street.

The common council of the city of Rochester do ordain and determine as follows:

Temple street shall be improved, from Chestnut street to Lancaster street, by setting a curb of Medina stone, paving the gutters three feet wide, graveling the roadway, and laying side walks of Medina flagging six feet wide and four feet of gravel, and constructing a suitable number of cross walks.

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 \$1,100, which estimate was and is hereby approved. The sum of \$1,100, 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 upon each side of Temple street, from Chestnut street to Lancaster street.

On which above described portion of the city, the said sum of \$1,100 is hereby ordered to be assessed.

And David McKay, Francis Dana and Jared Coleman, 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 Friday, the 7th day of October, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:

Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, D. W. Perry, Nash, Erickson, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Cushing—18.

Nays—None.

IMPROVEMENT OF CLARISSA STREET.

On motion of Ald. Reynolds, 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. Reynolds submitted the following:

AN ORDINANCE to improve Clarissa street, from Plymouth avenue to Greig street.

The common council of the city of Rochester, do ordain and determine as follows:

Clarissa street shall be improved, by grading the same, from Plymouth Avenue to Greig street, setting a curb of

Medina stone upon each side of the street, paving the gutters three feet wide with cobble stone, and graveling the roadway.

And the whole expense thereof 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 \$440 00, which estimate was and is hereby approved; The sum of \$440 00, 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 upon each side of Clarissa street, from Plymouth Avenue to Greig street.

On which above described portion of the city, the said sum of \$440 is hereby ordered to be assessed.

And David McKay, Francis Dana and Jared Coleman, 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 Friday, the 7th day of October, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:

Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Jones, Shelton, Bauer, Mason, Cushing—19.

Noes—None.

SEWER IN HIGH STREET.

On motion of Ald. Shelton, 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. Shelton submitted the following:

AN ORDINANCE to construct a sewer in High street.

The common council of the city of Rochester do ordain and determine as follows:

A stone sewer eighteen inches by eighteen inches, and of such depth as the ground will admit, shall be constructed in High street, from a point opposite the centre of lot No. 11 in the one hundred acre tract, to the sewer in Spring 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 \$344 00, which estimate was and is hereby approved. The sum of \$344 00, 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 upon each side of High street from the Erie canal to Spring street.

On which above described portion of the city, the said sum of \$344 00 is hereby ordered to be assessed.

And Francis Dana and Jared Coleman, assessors of said city, and Matthew Mead, a commissioner hereby appointed, said assessors and commissioner being 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 Friday, the 7th day of October, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote—

Ayes—Ald. Holmes, Butler, Reynolds, Lewis, Hebard, Twitchell, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Cushing—18.

Noes—None.

SIDE-WALK ON NEW MAIN STREET.

On motion of Ald. Hebard, 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. Hebard submitted the following:

AN ORDINANCE to grade and lay a plank walk on New Main street, from University avenue to Asylum street.

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

A proper grade shall be made for a sidewalk, and a plank sidewalk six feet in width shall be laid on the south side of New Main street, from University Avenue to Asylum-st.; and a suitable number of cross-walks shall be constructed within the same points.

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 \$171 00, which estimate was and is hereby approved; the sum of \$171 00 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 New Main street, from University Avenue to Asylum street.

On which above described portion of the city the said sum of \$171 00 is hereby ordered to be assessed.

And David McKay, Francis Diana and Jared Coleman, 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 Friday, the 7th day of October, 1859, at 9 o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:

Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Cushing—20.

Noes—None.

EXECUTIVE BUSINESS.

By Ald. Stone—Resolved, That the resignation of James Orr, as Inspector of Election for the 8th ward, be and the same is hereby accepted.—Adopted.

Ald. Stone moved that the Board now proceed to ballot for the appointment of an Inspector in place of James Orr, resigned. Carried.

On the first ballot, William Cook received 17 votes, and O. M. Rice 3. Mr. Cook was declared duly appointed such Inspector.

The Clerk announced that John H. Thompson had neglected to qualify as Inspector of Elections for the second ward.

On motion of Ald. Butler, the Board proceeded to ballot for an Inspector in place of John H. Thompson; and on the first ballot, Chas. G. Beers received 19 votes, and was declared duly appointed such Inspector.

Ald. Lewis moved that the Board now proceed to ballot for a Director of the Genesee Valley Railroad in place of Thos. Parsons, whose term has expired. Carried—ayes 16, noes 4.

On the first ballot, D. W. Perry had 7 votes, Wm. Hollister 6, Wm. F. Holmes 5, Thos. Parsons 2.—No choice.

Ald. Holmes moved that further balloting be postponed till the next regular meeting. Lost—ayes 9, noes 10.

On motion of Ald. Lewis, a second ballot was had, and D. W. Perry received 10, W. F. Holmes 5, Wm. Hollister 4. No choice.

A third ballot was then had as follows:—D. W. Perry received 10 votes, Wm. F. Holmes 5 votes, Wm. Hollister 5 votes, No choice.

A fourth ballot was then had, as follows:—D. W. Perry received 9 votes, Wm. F. Holmes 6 votes, Wm. Hollister 5 votes. No choice.

A fifth ballot was then had, as follows: D. W. Perry received 8 votes, Wm. F. Holmes 7 votes, Wm. Hollister 4 votes. No choice.

Ald. Stone moved to ballot for a member of the Board of Health.

Ald. Jones moved the indefinite postponement of this motion. Lost—ayes 6, noes 13.

Ald. Hebard moved to lay Ald. Stone's motion on the table. Carried.

On motion of Ald. Selye, the Board proceeded to the consideration of

MISCELLANEOUS BUSINESS.

By Ald. Mason—Resolved, That a license be granted Augustus Stutts for the sale of fresh meat

on the corner of Lyell and Spencer streets, by his paying the sum of seventy-five dollars per year, quarterly, in advance. Adopted.

By Ald. Shelton—Resolved, That the Treasurer receive from the persons assessed for the sewer in Mortimer street, 70 per cent. of their several assessments, in full for the amount charged against them. Adopted.

By Ald. Shelton—Resolved, That the Committee on City Property be and they are hereby instructed to expend not to exceed the sum of two hundred dollars, in painting the fence inclosing Jones Square; and that the sum so expended be charged to the Contingent Fund.

Ald. Hebard moved to amend by striking out "Contingent" and inserting "Highway." Lost, nays, 19; ayes, 0.

The resolution was adopted as follows:

Ayes—Ald. Butler, Lewis, D. W. Perry, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Cushing—11.

Nays—Holmes, Reynolds, Hollister, Hebard, Twitchell, Erickson, Moore, Knapp, —8.

By Ald. Selye—Whereas, Samuel Buell contracted with this city in the year 1858 for the improvement of Buffalo st. from the Erie Canal west to the City Line, including the Chili road; and whereas, a difference of opinion has arisen between the said contractor and the agents of the City having the work in charge, in relation to said improvement or contract, wherein said Buell or his assignee claims the sum of three thousand dollars, or thereabouts, therefore

Resolved, That for the purpose of adjusting and settling said claim in full, that the Treasurer pay on account of said contract, \$1163.87, and charge to Buffalo st. improvement fund as follows, to wit: Lindsley E. Gould, assignee of said Buell, \$950, Wm. Babcock, \$47.38, Richard Cotten, \$36.93, John Fuller, \$25.19, John Glosson, \$62.37, James Snyder, \$42—provided said Buell and his assignee shall execute such releases as will in the judgment of the City Attorney and Improvement Committee indemnify the city against any further claim by reason of said contract or otherwise.—Adopted; ayes 18, no 1—Ald. Mason.

By Ald. Selye—Resolved, That the Treasurer pay James Conway nine thousand four hundred and four 17-100 dollars as per his bill, certified by the City Surveyor, and in full payment of all demands against the city of Rochester, by reason of his contract with the city for the improvement of Deep Hollow, or otherwise. Adopted, ayes 19, noes 0.

By Ald. Knapp. Resolved, That the Treasurer receive from the following persons assessed for a plank side walk on the west side of Canal street the sums set opposite their respective names in full for their assessments; they having built their own walks: Zina H. Benjamin, \$6 12; Crossman Clark, \$1 14; Arthur Cunningham, \$3 36; John Waddle, \$2 46; John Beasley, \$3 72; Thomas Allen, \$1 26. Adopted.

By Ald. Stone—Resolved, That the City Superintendent be directed immediately to enforce Sec. 7 and 8 of the ordinance relating to streets, on Buffalo street, between Fitzhugh street and the Erie Canal. Lost—ayes 8 noes 10.

Ald. Reynolds moved that when the Board adjourns, it adjourn to meet on Tuesday evening, 11th inst. Carried.

By Ald. D. W. Perry—Resolved, That the Superintendent cause immediate notice to be given to the owners and occupants of lots on the west side of St. Joseph street, from Catharine street to Mc-

Donald Avenue, to construct or repair sidewalks in front of their lots within ten days, and that in default thereof he cause the same to be done at the expense of the owners of such lots. Adopted.

By Ald. D. W. Perry—Resolved, That the Lamp Committee be and are hereby authorized to erect three public Gas lamps on Hill street. Adopted.

By Ald. D. W. Perry—Resolved, That the Lamp Committee be and are hereby authorized to contract for fifty Gas Lamps. Adopted.

By Ald. D. W. Perry—Resolved, That the Lamp Committee be, and are hereby authorised to erect a Public Gas Lamp at the north corner of State street and Vincent Place. Adopted.

By Ald. Lewis—Resolved, That Messrs. S. M. Spencer & Co. be permitted to run an iron pipe, 2 1/2 or 3 inches in diameter, from the reservoir in State street, opposite Mumford street, to their distillery on the corner of Mumford and Mill streets, provided that the connection with said reservoir be made under the direction of the Committee on Fire Department; and further provided, that Messrs. Spencer & Co. shall stipulate that no water shall be drawn from said reservoir except with the knowledge and consent of the Chief Engineer of the Fire Department. Adopted.

By Ald. Hebard—Resolved, That the City Clerk issue to Allen & Stewart an order on the City Treasurer for eight hundred seventy eight dollars, payable one year from the fifth day of October, 1859, with interest; this amount, together with payments heretofore made, being two thirds of the amount of their contract. Also, an order on the City Treasurer for six hundred dollars, payable two years from the fifth day of October, 1859, with interest, to apply on the remaining third, and charge the whole to Franklin Street Improvement. Said orders to be made payable to the order of said Allen & Stewart.

Adopted, ayes 18—noes 0.

FINANCE BUDGET.

By Ald. Reynolds—Resolved, That the Treasurer pay as follows:

CONTINGENT FUND.

S. W. D. Moore, 1 qrs. salary as Mayor to Oct. 5th, 1859	375 00
W. E. Lathrop, 1 qrs. salary as Treasurer, to do	550 00
F. S. Lew, " " City Clerk, do	225 00
C. R. Babbitt, " " City Surveyor, do	425 00
J. Van Voorhis, " " City Attorney, do	125 00
H. A. Perry, " " Messenger of Common Council, to Oct 5th, 1859	125 00
C. T. Amsden, 1 qrs. salary as City Comptroller, to Oct. 5, 1859	50 00
F. Alexander, 1 qrs salary as Clerk of Market	100 00
David McKay, 1 month's salary as Assessor	33 33
Jared Coleman, " " " "	33 33
Francis Dana, " " " "	33 33
and charge contingent fund.	

POLICE FUND.

B Bardwell, 1 qrs. salary as Police Justice (subject to deductions for all money remaining in his hands belonging to the City, and also to the sum of \$46 payable to Hayden & Bromley, as per order attached)	400 00
E. J. Keeney, services as Chief of Police, 1 month,	\$66 67
J. Montgomery, services as Policeman, 1 month	44 00
P. B. Wilder, " " " "	44 00
L. Johnson, " " " "	44 00
B. B. Leap, " " " "	44 00
Wm. Coughlin, " " " "	44 00
A. Kingsbury, " " " "	44 00
A. M. Brownell, " " " "	44 00
R. W. Goodrich, " " " "	44 00
J. Dresser, " " " "	44 00
G. C. Pease, " " " "	44 00
J. C. Bagle, " " " "	44 00
J. C. Lauer, " " " "	44 00
H. Jordan, " " " "	44 00
John H. Dana, " " " "	44 00
Alvah Rice, " " " "	44 00
Paul Gilman, " " " "	44 00
Thomas Campbell, " " " "	44 00
Thomas Callister, " " " "	44 00
John S. Stott, " " " "	44 00
A. Wagner, " " " "	44 00

Peter Koons, " " " "	44 00
Seymour Coley, " " " "	44 00
H. McQuarters, " " " "	44 00
Bernard Horcheler, " " " "	44 00
John Farshall, half month	22 00
H. V. Stellar, 1 month, for August (omitted)	44 00
do " " " for Sept.	44 00
E. J. Keeney, disbursements	28 59
Sam'l Richardson, for policemen's clubs	3 50
Jacob Strecker, labor at police office	37 50
John W. Wiorn, services as special policeman	17 63
S. M. Sherman, 1 qrs. salary as policeman at Central railroad	30 00
and charge Police Fund.	

FIRE DEPARTMENT FUND.

A Cross, agt, leather and rivets	13 35
Joseph Preston, neatsfoot oil	8 10
Charles Gilbert, hose couplings	12 00
Weddie & Rogers, acts, for Jas P Leslie, on acct of painting Engine No. 8.	25 00
Jas P Leslie, bal. bill painting Engine No. 8.	5 00
Jas P Leslie, painting buckets	12 50
James Kane, damage to fence	6 10
Jesse Howland, bell ringing	22 50
John J Pr or, " " "	46 25
N Aylsworth, repairs	119 41
George B. Harris, Chief Engineer, qr. salary	300 00
John McLen, 1st Asst. do	75 00
Jeremiah Twaite, 2d do do	50 00
Friend W. Hine, 3d do do	25 00
S. M. Stewart, 4th do do	25 00
Engine Companies Nos. 1, 2, 3, 4, 5, 6, 7, quarterly appropriation, \$87.50 each	612 50
E. Ocumpaugh, for Engine No 8, quarterly app.	87 50
Hook and Ladder Co's. Nos. 1 and 2, quarterly appropriation, \$22.50 each.	125 00
Hose Co. No. 1, quarterly appropriation	37 50
Sack and Bucket Co. No. 1, do	37 50
Edmund Lyon, 1 qrs rent Hose Depot.	87 50
Wm. A. Reynolds, 1 qrs rent two carriage houses.	100 00
Richard Gilbert, 1 month's salary, superintendent of Hose Depot	41 67
C T Amsden, insurance	37 20
and charge Fire Department fund.	

HIGHWAY FUND.

R. D. Howell, 1 qrs salary, as City Superintendent.	250 00
do disbursements in September.	1,269 39
J V Moshier, payment of an execution in his hands vs. the City, in favor of John Crammond, as per report of Law Committee.	32 22
and charge Highway fund.	
Marcus Jewell, repairing bell in City Hall	7 50
and charge Contingent fund.	
W H Briggs, 1 qrs. salary as Health Officer.	62 50
G W Avery, " " " "	62 50
and charge Board of Health Fund.	
D Wagner, on his contract for improvement of East Avenue, \$500, which is payable to Aaron Erickson, Esq., J and charge that fund	1,000 00
W S Grantsyn, services as plank walk inspector, as follows:	
Frances street rom Hunter to Bartlett st.	14 00
Oak street	9 00
Glasgow street	6 00
and charge the funds respectively.	
R Dransfield, final estimate for improvement of Frances street, from Hunter to Bartlett st, when there are funds applicable thereto, and charge that fund.	78 00
James Logan, on his contract for State street improvement, from Jay to Smith st, when there are funds applicable thereto chargeable to that fund.	500 00
Fairchild, Sherlock & Harris, on contract for water pipes and reservoirs in State st, when there are funds applicable thereto, and charge that fund.	370 00
John Dalton, on his contract for improvement of Hudson street, when there are funds applicable thereto, and charge that fund.	700 00
Harlow M Mordoli, on contract for grading Jones Square, final estimate, when there are funds applicable thereto, and charge that fund.	35 00
Rathbun & Whitmore, on contract for Brown's Square sidewalk, when there are funds applicable thereto, and charge that fund.	600 00
J B & G W Aldridge, final estimate for building fence around Jones Square, when there are funds applicable thereto, and charge that fund.	350 00
Resolved, That the Treasurer pay as follows, when there are funds applicable thereto:	
Daniel McGarry, " " " "	500 00
and charge sewer in State street.	
E Watson, " " " "	300 00
and charge New Main st. sewer.	
Wm Carroll, " " " "	600 00
and charge St. Paul st. sewer.	
Patrick Quin, in full	235 30
and charge Bowery st. sewer.	
Stroup and McConnell, in full	434 00
and charge Mortimer st. sewer.	
Patrick Leonard, hack hire	2 00
and charge Lyell st. sewer.	

John Kneee, labor on Allen and Warehouse street sewer and charge that fund.....	6 25
CS Sharp, labor on Allen and Warehouse street sewer and charge that fund.....	1 17
Rathbun & Whitmore, on their contract for improvement of Mill st., when there are funds applicable thereto, and charge that fund.....	500 00
Rathbun & Whitmore, on their contract for Greig street side walks, when there are funds applicable thereto, and charge that fund.....	700 00
POOR FUND.	
Jonathan Child, 1 qrs salary as Overseer of Poor...	275 00
H. B. Sherman, 1 qrs salary as City Physician...	62 50
T. B. Collins, " " " " " "	62 50
Azel Backus, " " " " " "	62 50
T. F. Hall, " " " " " "	62 50
F. Reichenbach, " " " " " "	62 50
G. Arink, " " " " " "	62 50
J. W. Phillips, 33% cords wood, at \$3 25, and piling 103 cords at 1s per cord.....	120 51
John McDowell, drawing wood and paupers.....	38 25
SS Pellet, transportation of paupers.....	52 20
and charge Poor fund.	
Adopted; ayes 18; noes 0.	

By Ald. Hollister—Resolved, That A. Aldrich have leave to remove a wood building from Alexander street to Gardiner Park. Adopted.

By Ald. Butler—Resolved, That the City Surveyor be directed to establish the lines of Jones street and Frank street in accordance with the prayer of the petition of Frank H Hamilton and others. Adopted.

By Ald. Holmes—Resolved, That the Committee on Public Improvements be and they are hereby requested to prepare and introduce an ordinance for the construction of a foot bridge across the Genesee River at or near the south side of the New York Central Railroad bridge, of such dimensions as in their judgment will accommodate the people who now cross upon said Railroad bridge. Adopted. And the Board adjourned.

F. S. Rzw, Clerk.

In Common Council, Oct. 11, 1859.

ADJOURNED MEETING.

Present—The Mayor, Ald. Holmes, Butler, Reynolds, Hollister, Lewis, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Mason and Cushing.

Absent—Ald. Mudgett, G. W. Perry, Hebard, Twitchell, Bradstreet, Bauer, and Billingshurst. The minutes of the previous meeting were approved.

PETITIONS AND CLAIMS.

By Ald. Erickson, remonstrance of J. H. Baldwin and others, against plank walk on north side of Brown street. Table.

By Ald. Knapp, bill of Wm. Whitehare, for hack hire. Street Committee.

By Ald. Stone, resignation of Wm. Robinson, as Inspector of Elections for the 8th ward. Table.

Of W. G. Griffin, for repayment of expenses for a poor person. Poor Committee.

By Ald. D. W. Perry, bill of R. P. Benton, for lighting lamps at Deep Hollow. Lamp Committee.

By Ald. Butler, bill of Hugh Perry, for repairing in City Hall. City Property Committee.

By Ald. Lewis, proceedings of Sack and Bucket Company. Fire Department Committee.

Bill of J. Wiborn; Police Committee.

Bill of M. Lester; Street Committee.

By Ald. Lutes, Petition of Rochester Cricket Club, to erect a fence around Jones Square. Table.

Bill of J. Wiborn; Police Committee.

By Ald. Cushing, petition of Geo. Ellwanger and others, for Gas Lamp at Clarissa street bridge.—Lamp Committee.

REPORTS OF COMMITTEES.

By Ald Knapp, from the Street Committee, favorably on bill of Wm. Whitehare, for hack hire. Finance Committee.

Special Report of the Street Superintendent for September, ordered printed.

By Ald. Stone, from the Poor Committee, adversely to the claim of Alba Lathrop, for counsel fees in the case of Geo. Arndt; also, in favor of paying the following bills: J. McDowell, Riley & Hughes, Henry Bender, C. V. Jeffries, A. Babcock & Co., J. H. Childs, D. W. Allen, J. Howe, T. Bellamy, J. M. Whitney & Co. and C. Pierce. Finance Committee.

Also, on Mrs. Clemenson's bill, that it be referred to the Police Committee. Agreed to.

By Ald. Nash, from the Law Committee, favorably on the bill of E. Griffin, for counsel fees in the suit of F. Clarke vs. The City of Rochester. Table.

By Ald. Lewis, from the Fire Department Committee, favorably on the following bills: A. T. Banning, Thos. Davis, A. Strong & Co., and C. Newman; also, to confirm the proceedings of Fire Engine Company No. 5. Each agreed to.

Also, in favor of raising the appropriation of the Hose Company and the Sack and Bucket Company, to \$250 each, per year; and that the salaries of the Third and Fourth Assistant Engineers be raised to \$200. Agreed to.

By Ald. Reynolds, from the Improvement Committee, favorably on the bills of A. Cram, Wm. McConnell, John Van Auken and Wm. Whitehare.—Finance Committee.

By Ald. Erickson, from the Improvement Committee, in favor of allowing David Wagner, \$4,000 on his contract for East Avenue Improvement, one half to be paid in one year, and one-half in two years, with interest. Finance Committee.

By Ald. Butler, from the Committee on City Property, favorably on bill of Hugh Perry. Finance Committee.

REPORTS OF EXECUTIVE OFFICERS.

The Clerk presented the resignations of P. G. Buchan and John T. Fox as Inspectors of Election for the first ward.

On motion of Ald. Holmes, these resignations were accepted.

The Clerk also reported that Wm. Cook, appointed Inspector for the eighth ward, declined to qualify.

REPORT OF THE CITY SUPERINTENDENT.

To the Honorable the Common Council:

The City Superintendent respectfully submits the following Report showing the expenditures from the Highway Fund during the month of September, and the places where the same has been expended.

R. D. HOWELL, Superintendent.

FIRST WARD.

1859.			
Buffalo street.			
Sept. 15—For 65½ days work, men,	6s	\$49 13	
" " 5½ " " "	7s	4 81	
" " 11½ " " "	12s	17 63	
" " 3¼ " teams,	18s	70 31	
" " 10 " foreman,	16s	20 00	
" " 1 " mason,	10s	1 25	
" " 1 barrel water lime,	9s	1 13	
" " blacksmith bill,	18s	2 25	
" " 60 loads stone chips,	1s	7 50	
" " 68½ yds broken stone,	5s	42 81	
			\$216 82
Washington street.			
" 28 16 days work, men,	6s	12 00	
" " 3¼ " teams,	18s	7 31	
" " 2 " foreman,	16s	4 00	
" " 23 loads stone chips,	1s	4 13	
" " 16 " gravel,	10c	1 60	
			29 04
Elizabeth street.			
" 27 1½ days work, man,	6s	1 13	
" " ¼ barrel water lime,	10s	63	
			1 76

	Mumford Street.				
" 19	1 load broken stone and leveling,		1 25	1 25	
	State street.				
" 19	212 feet fence boards and timber,	\$10	2 12		
	4 lbs nails,	6d	25		
"	1/4 days work, man,	6s	19		
"	1/4 " team,	18s	50		
			55	3 62	
	SECOND WARD.				
	Mill Street.				
" 30	10 days work, men,	6s	7 50		
"	3 " "	12s	4 50		
"	1 " "	16s	2 00		
"	1 " team,	18s	2 25		
"	stone and gravel,		4 60		
"	81 lbs spikes,	5c	4 05		
"	2575 ft oak for crosswalk,	\$15	38 63	63 43	
	THIRD WARD.				
	Greig street.				
"	Crosswalk by R. & W.,		40 00	40 00	
	Exchange Street Turnpiked.				
"	50 1/2 days work, men,	6s	37 88		
"	11 1/2 " teams,	18s	25 88		
"	7 1/2 " foreman,	16s	14 50		
"	164 ft box sewer at Thorn alley,		1 64		
"	crosswalk at Lafayette st,		9 00		
"	blacksmith bill,		1 87		
"	lime and sand,		1 73		
"	plow points, P. D. Wright's,		5 00	102 50	
	EIGHTH WARD AND ELEVENTH WARD.				
	Brown Street.				
" 9	5 days work, men,	6s	3 75		
	357 loads dirt,	10c	35 70	39 45	
	Allen Street.				
" 23	4 days work, men,	6s	3 00		
	299 loads dirt,	1s	37 37	40 37	
	Olean Street.				
"	220 feet plank,	\$12	2 62		
"	264 " "	\$10	2 64		
"	9 lbs spikes,	5c	45		
"	2 days work, men,	6s	1 50	7 21	
	Sherman Street.				
" 8	96 feet plank,	\$10	96		
"	4 lbs spikes,	5c	20		
"	1 1/2 days work, man,	6s	38		
"	1/4 " team,	18s	56	2 10	
	Campbell street.				
"	160 feet plank for box sewer,	\$12	1 92		
"	4 lbs spikes,	5c	20		
"	1 days work, man,	6s	75		
"	1/4 " team,	18s	56	3 43	
	Frank Street.				
"	15 street signs,	2s	3 75		
	Allen Street.				
"	9 street signs,	2s	2 25		
	Frances Street.				
"	17 street signs,	2s	4 25		
	City Wood Yard,				
"	Cash paid J. H. Child for removing stone,		10 00		
	Julia Street.				
" 12	144 feet plank, for box sewer,	\$12	1 73		
"	4 lbs spikes,	5c	20	1 93	
	Adams Street.				
" 30	7 days work, men,	6s	5 25		
"	1 " team,	18s	2 25		
"	1 iron grate,		5 00		
"	water lime and sand,	8s	1 00		
"	1/4 days work, foreman,	16s	50	14 00	
	Flint Street.				
"	4 days work, men,	6s	3 00		
"	2 " teams,	18s	4 50		
"	1/4 " foreman,	16s	1 50		
"	blacksmith bill,			9 00	
	High Park.				

Aug. 29	3 days work, men,	6s	2 25		
	1 " team,	18s	2 25	4 50	
	NINTH WARD.				
	Oak Street.				
Sept. 10	2 days work, men,	6s	1 50		
"	105 loads dirt,	10c	10 50	12 00	
	State Street Reservoir.				
" 21	labor; covering up same, corner of Smith and Lyell sts,		75		
" 26	Smith and Frank Streets.				
	1 days labor, ditching under crosswalk,		75		
	Main Street.				
Aug. 29—For 16 1/2 days work,		6s	12 38		
Sept. 14—For 7 1/2 days team,		18s	16 31		
"	3 " paver,	16s	5 00		
"	2 " foreman,	16s	4 00		
"	40 ft 2 inch plank for crosswalk,		40		
"	47 yds of Macadam,	5s	29 38		
"	5 " of gravel,	60c	3 00	71 47	
	FOURTH WARD.				
	South Clinton Street.				
" 7	21 days work,	6s	15 75		
" 14	8 1/2 " team,	18s	18 56		
"	4 " foreman,	16s	8 00		
"	68 yds Macadam,	5s	42 50		
"	40 " gravel,	60c	24 00	108 81	
	Repairing cross walk on Chesnut st.				
" 15	1 1/2 days work,	6s	94		
"	1 " paver,	16s	2 00		
"	1 yrd sand,	60c	60		
"	6 " gravel,	75c	4 50		
"	building stone cross walk on Elm street,		40 00	48 04	
	FIFTH WARD.				
	North Clinton street.				
	Repairing sewer and street.				
Aug. 30—For 3 days work,		6s	2 25		
Sept. 1—For 1/2 days team,		18s	1 13		
" 2	7 " work,	6s	5 25		
"	2 1/2 " team,	19s	5 63		
"	1 1/2 " foreman,	16s	3 00		
"	16 yds Macadam,	5s	10 00		
"	35 " gravel,	60c	21 00		
"	7 " at bank,	10c	70	48 96	
	Andrews street.				
" 3	5 days work,	6s	3 75		
"	1 1/2 " team,	18s	3 38		
"	1 " foreman,	16s	2 00		
"	9 yds Macadam,	5s	5 63		
"	4 loads gravel, at bank,	10c	40		
" 4	12 " gravel,	60c	7 20	22 36	
	North St Paul street.				
" 5	17 1/2 days work,	6s	13 13		
"	6 1/2 " team,	18s	15 19		
"	3 1/2 " foreman,	16s	7 00		
"	50 yds Macadam,	5s	31 25		
"	27 " gravel,	60c	16 20	82 77	
	SIXTH WARD.				
	Repairing box sewer on Harrison street.				
" 28	1/2 days work,	6s	38		
"	1/2 " team,	12s	75		
"	84 ft 2 inch plank,	\$10	84		
"	8 lbs spikes,	5c	40	2 37	
	SEVENTH WARD.				
	For repairing box sewer corner of Alexander and Pearl streets.				
Sept. 3—For 1/2 days work,		6s	19		
"	24 ft 2 inch plank,	\$10	24		
"	1 lb spikes,	5c	5	48	
	TENTH WARD.				
	For repairing sewer corner of Stillson and New Main sts.				
Sept. 14—For 1/2 days work,		6s	38		
" 18	Filling North st. north of railroad,				
"	248 loads of earth,	10c	24 80		
"	36 " on Webster st,		3 60		
"	194 " on Tyler rt,		19 40	48 18	
	TWELFTH WARD.				
" 5	256 feet 2 inch plank on Caroline street,	\$10	2 56		

	South Avenue.		
" 17	$\frac{1}{2}$ days work,	6s	38
" "	team,	12s	75
" "	$3\frac{1}{2}$ yds Macadam,	5s	2 19
			5 88

ACTION UPON ORDINANCES.

Ald. Shelton presented the final ordinance for a sewer in Summer alley, and allegations having been heard, on motion of Ald. Shelton, further proceedings were deferred until the next meeting of the Board.

On motion of Ald. Shelton, all proceedings heretofore had in relation to the construction of a sewer in High-street, were rescinded.

On motion of Ald. Selye, all proceedings heretofore had in reference to the opening of Himmell-street were rescinded.

Ald. Selye offered a series of resolutions, describing a proposed opening of Himmell-street, and directing the Surveyor to negotiate for the necessary lands. These resolutions were rejected, by the following vote:

Yeas—Ald. Butler, Reynolds, Lewis, D. W. Perry, Nash, Selye, Lutes—7

Nays—Ald. Holmes, Hollister, Erickson, Moore, Knapp, Stone, Jones, Shelton, Mason, Cushing—10.

On motion of Ald. Reynolds, all proceedings heretofore had in relation to the construction of cross-walks on Plymouth avenue were rescinded.

On motion of Ald. Reynolds, the consideration of the final ordinance for plank walk on Ambrose st., was postponed till the next regular meeting.

On motion of Ald. Selye, the consideration of the final ordinances for the improvement of Emmett st., and for plank walk on the north side of Brown st., was postponed till the next meeting.

SEWER IN HIGH STREET.

By Ald. Shelton—Resolved, That the city Surveyor ascertain and report to this Board the expense of constructing a stone sewer, eighteen inches by eighteen inches, in High street, from a point opposite the centre of lot No. 11 in the 100 acre tract, to the sewer in Spring street.

Adopted.

The Surveyor submitted such estimate.

By Ald. Shelton—Resolved, That the following improvement is expedient, namely:

The construction of a stone sewer in High street, from a point opposite the centre of lot No. 11 in the 100 acre tract, to the sewer in Spring street; to be eighteen inches square and of such depth as the sewer committee may direct.

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 \$475 00, which estimate is hereby approved;

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

One tier of lots upon each side of High street, from the Erie canal to Spring street.

And the Clerk is hereby directed to publish notice in pursuance of section 190 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 18th, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard.

Adopted

CROSS-WALKS ON PLYMOUTH AVENUE.

By Ald. Reynolds—Resolved, That the city Surveyor ascertain and report to this Board the expense of constructing flag-stone cross-walks at the following places: Across Plymouth avenue and Greig street at the south line of Glasgow street, Thorn alley and Summer alley, on the west side of Plymouth avenue, and Plymouth avenue at the north line of Clarissa street. Adopted.

The Surveyor submitted such estimate.

By Ald. Reynolds—Resolved, That the following improvement is expedient, namely:

Constructing flag-stone cross-walks at the following places: Across Plymouth avenue and Greig street at the south line of Glasgow street, Thorn and Summer alleys on the west side of Plymouth avenue, and Plymouth avenue at the north line of Clarissa 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 \$200, which estimate is hereby approved.

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

One tier of lots on each side of Plymouth avenue, from Glasgow street to Clarissa street.

And the Clerk is hereby directed to publish notice in pursuance of section 190 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 18th, 1859, at half-past 7 o'clock, at the common council hall, when allegations will be heard.

EXECUTIVE BUSINESS.

By Ald. Stone—Resolved, That the resignation Wm. Robinson, tendered this night, as Inspector of Elections of the 8th Ward be and the same is accepted. Adopted.

On motion of Ald. Holmes, the Board proceeded to appoint an Inspector of Elections for the 1st Ward, in place of John T. Fox, resigned.

On the first ballot, W. H. H. Barton received 17 votes, and was declared duly appointed.

On motion of Ald. Holmes, the Board proceeded to appoint an Inspector of Elections for the 1st Ward in place of P. G. Buchan, resigned.

On the first ballot, Joseph Curtis received 17 votes, and was declared duly appointed.

On motion of Ald. Knapp, the Board proceeded to appoint an Inspector of Elections for the 8th ward, in place of Wm. Robinson, resigned.

On the first ballot, Cyril Carpenter received 15 votes, and was declared duly appointed.

On motion of Ald. Stone, the Board proceeded to ballot for an Inspector of Elections for the 8th ward, in place of Wm. Cook, who declined to qualify.

On the first ballot, Samuel Dix received 17 votes and was declared duly appointed.

MISCELLANEOUS BUSINESS.

By Ald. Jones—Resolved, That Riley street be hereafter designated and known as University Avenue, from Goodman street to North street, and that the same be entered upon the records accordingly.

Ald. Selye moved to amend so as to give the name of *Riley street* to that part of the aforesaid avenue now known as University Avenue.

Ald. Hollister moved that all proceedings on the above resolution be laid on the table. Carried.

By Ald. Jones—Resolved, That the Superintendent be directed to designate Front street, from Mumford street to the C. R. R. Depot, as a hack stand, under the usual regulations, and that the omnibuses of the different public houses be allowed the first privilege at the Depot.

Ald. Holmes moved to amend by striking out all after the word "Resolved," and inserting as follows:—"That Front street, from Mumford street to the New York Central Railroad Depot, be and the same is hereby designated as a stand for licensed hacks." Carried—ayes 14; no, Ald. Jones.

The resolution of Ald. Jones, as amended on motion of Ald. Holmes, was adopted.

By Ald. Lutes—Resolved, That the Rochester Cricket Club have the use of Jones' Square, according to the prayer of their petition; the proposed fence to be erected by the said Club to be separate from and upon the outside of the present fence. Adopted.

By Ald. Lutes—Resolved, That the City Treasurer be hereby directed to refund Ten Dollars erroneously assessed to William Brown, and charge the same to the Lyell and Orchard-street Sewer fund. Adopted: ayes 16, noes 0.

By Ald. Selye—Resolved, That the Treasurer be hereby authorized to refund pro rata One Hundred and fifty-four Dollars and fifty-six Cents to the taxpayers for Smith-street Walks, from Oak-street to Whitney-street. Adopted: ayes 17, noes 0.

By Ald. Selye—Resolved, That the Improve-

ment Committee be authorized to contract with Rathbun & Whitmore for the Improvement of Clarissa-street at their proposition therefor. Adopted.

By Ald. Lewis—Resolved, That the annual appropriation to Alert Hose Co., and to the Sack and Bucket Co., be fixed at \$250 each. Adopted.

By Ald. Lewis—Resolved, That the salaries of the Third and Fourth Assistant Engineers of the Fire Department be fixed at \$200 each per annum. Adopted.

By Ald. Reynolds—Resolved, That the City Superintendent be, and he is hereby directed to notify the owners of property on the east side of South Fitzhugh street, between Spring street and Troup street, to repair the sidewalks in front of their respective premises, and in default thereof, within ten days after the service of such notice, that the Improvement Committee be and is hereby directed to introduce an ordinance to that effect. Adopted.

By Ald. Reynolds—Whereas, The location of the Depot of the Genesee Valley Railroad in the southern part of Exchange street, by inviting business and travel in that direction, renders it necessary for many persons, strangers, as well as citizens, to pass over the sidewalks leading thereto daily, thus rendering it both the duty and the interest of property owners to put and keep the walks in front of their respective premises in good repair; therefore

Resolved, That the City Superintendent be, and is hereby instructed to notify the owners of property on the east side of Exchange street, between Court street and the Genesee Valley Depot, and on the west side between the Erie Canal and Lafayette street, to raise, widen and repair the sidewalks in front of their respective premises, so as to correspond with the grade of the street, and to fill the space between the curbstones and the lines of the street. And in default thereof within ten days after such notice, that the Improvement Committee is instructed to introduce an ordinance to that effect. Adopted.

By Ald. Reynolds—Resolved, That the City Clerk issue two orders, payable to the order of David Wagner, for two thousand dollars each, one payable in one year, and the other in two years from the first day of October, 1859, with interest, on account of his contract for the improvement of East Avenue, and charge that fund; and the Treasurer is hereby authorized to accept the same in behalf of the city. Adopted—ayes 16; noes 0.

By Ald. Hollister—Resolved, That the City Surveyor be directed to establish the grade of Clarissa street, under the direction of the Improvement Committee. Adopted.

By Ald. Reynolds—Resolved, That the contractor for cross walks and paving at the intersection of Mill and Mumford streets, be authorised to close the streets at that point for such reasonable time as shall be necessary to complete the work under his contract, or until otherwise ordered by this Board. Adopted.

By Ald. Reynolds—Resolved, That the Mayor be authorised to contract with Allen & Stuart for side walk on the south side of Mumford street and with Rathbun and Whitmore for cross walks at the intersection of Mumford and Mill streets, at their several propositions. Adopted.

By Ald. Reynolds—Resolved, That the Treasurer be authorised to accept two orders, drawn by the City Clerk on the City Treasurer in favor of Allen & Stuart on account of their contract for the Improvement of Franklin street, as per resolution adopted at the last meeting of this Board.—Adopted.

FINANCE BUDGET.

By Ald. Reynolds—Resolved, That the Treasurer pay as follows:

IMPROVEMENT FUNDS.	
William McConnell, in full of his bill for laying brick sidewalk in front of Western Cemetery lot, and charge that fund.....	\$300 00
Ambrose Cram, in full of his bill for plank sidewalk and cross-walk on Canal street, and charge that fund, bill \$43,90—amount allowed in full.....	40 25
John Van Aker, hack hire, chargeable equally to North and Franklin streets improvements.....	2 00
William Whitehare, for hack hire, chargeable to Highway Fund.....	1 00

BOARD OF HEALTH FUND.	
F S Rew, 1 qr's salary as Clerk of Board of Health.....	75 00
S M Luckey, 1 mo's salary as Inspector.....	45 00
A Richardson, do do.....	45 00
John Wright, buying dead carcasses.....	40 00
Thomas Woodbeck, do do.....	1 75
Henry Johnson, do do.....	1 00
And charge Board of Health.....	1 50

POOR FUND.	
Jacob Howe, bill of bread.....	14 00
J H Childs, sundries.....	49 93
John McDowell, drawing wood.....	39 73
A Babcock & Son, bill of pork.....	18 00
D W Allen, burial of paupers.....	18 50
C V Jeffreys, " ".....	57 50
Riley & Hughes, " ".....	62 75
Henry Bender, " ".....	21 50
Thomas Bellamy, clothing.....	14 00
J M Whitney & Co, flour and meal.....	41 50
Caleb Pierce, constable's service.....	15 62
And charge Poor Fund.....	

FIRE DEPARTMENT FUND.	
A Strong & Co, printing for Fire Dept.....	21 25
T Barnes, painting H & L House.....	14 00
Charles Newman, music at Firemen's annual review.....	25 00
T Davis, gas fitting for H & L Co No 2.....	4 25
Hose Co No 1, additional appropriation to October 1	25 00
Sack and Bucket Co No 1, additional appropriation to October 1.....	25 00
F W Hine, 3d Asst Eng'r, additional salary to Oct 1	25 00
Samuel M Stewart, 4th Asst Eng'r, additional salary to October 1.....	25 00
And charge Fire Department Fund.....	
Adopted—Ayes 17, Noes 0.	

POLLS OF ELECTION.

By Ald. Reynolds—Resolved, That the Polls of Election in the several Election Districts (Wards) be fixed for the ensuing year at the following named places, to wit:

First Ward—At the Exchange Hotel, Buffalo street.

Second Ward—At the North American Hotel, corner State and Brown sts.

Third Ward—At the Plymouth Avenue House, corner of Plymouth Avenue and Lafayette sts.

Fourth Ward—At Palmer's Hall, Main st., opposite North st.

Fifth Ward—At Geo. N. Hotchkin's Falls Field House, North St. Paul st.

Sixth Ward—At John Lutt's grocery, corner Atwater and Clinton sts.

Seventh Ward—At Lewis Miles' grocery, corner Union and Monroe sts.

Eighth Ward—At the Union Hotel, West avenue.

Ninth Ward—At the Frankfort House, corner State and Lyell sts.

Tenth Ward—At M. Newhart's house, corner New Main and Scio sts.

Eleventh Ward—At C. Shafer's grocery, corner Magne and Lyell sts.

Twelfth Ward—At Frederick Roth's house, corner South and Mt. Hope avenues.

By Ald. Selye—Resolved, That the Treasurer be and he is hereby directed to receive sixty-four per cent of the sum assessed to John K. Anderson for the construction of a sewer in State-st., from Jay-st., to White-st., in accordance with a resolution of this Board adopted July 26th last. Lost. Ayes 2 —Ald. Lewis and Nash. Noes 14.

By Ald. Erickson—Resolved, That the Treasurer be and is hereby authorized and directed to collect the whole of the assessment for State street sewer, from Jay to White streets, except such property as is located on State street. Adopted.

By Ald. Selye—Resolved, That the Clerk be directed to require a bill of items from all contractors for city improvements, whether emanating from the Improvement or Sewer Committee, prior to his issuing any order for the final payment thereof, notwithstanding any direction of this Board for such payment not so qualified. Lost.

By Ald. Erickson—Resolved, that the Clerk be directed in issuing all final orders for the payment of contracts, to take a receipt in full payment of such contract, including all extra work and materials done and furnished in connection with such contract. Adopted.

The Board then adjourned. F. S. R^{ew}, Clerk.

In Common Council, Oct. 18, 1859.

REGULAR MEETING.

Present—The Mayor, Ald. Mudgett, Holmes, Reynolds, Hollister, Lewis, Hebard, Twitchell, D. W. Perry, Nash, Erickson, Knapp, Stone, Selye, Lutes, Jones, Shelton, Mason and Billinghamurst.

Absent—Ald. G. W. Perry, Butler, Bradstreet, Moore, Bauer, and Cushing.

The minutes of the previous meeting were approved.

PETITIONS AND CLAIMS.

By Ald. Mudgett—Bill of J. H. Child. Poor Committee.

By Ald. Reynolds—Statement of Traders' Bank, relative to certain city orders; Finance Com.—Bill of George Pringle; Contingent Expense Com. Estimate of John Dalton, for North st. Improvement; Improvement Com. Remonstrance of inhabitants of High st. against being assessed for sewer in Summer Alley. Petition of James Calahan for leave to put up bill-boards; Street Com. Com. of Managers of the House for Truants; table.

By Ald. D. W. Perry—Bill of L. M. Blakeslee for ringing alarm bell; Fire Dept. Com.

By Ald. Lutes—Bill of R. P. Benton, Commissioner of Lake Avenue; Finance Com.

By Ald. Hollister—Bill of W. Whitehare, for hack hire; Sewer Com.

By Ald. Lewis—Bills of J. McMahon, N. Aylesworth, J. P. Leslie & Co., G. B. Harris and Jas. Field; estimate of Fairchild, Harris and Sherlock; Fire Dept. Com.

By Ald. Erickson—Of Edwin Scrantom, relative to a place for public sales of horses and carriages; Market Com.

By Ald. Stone—Bill of James Montgomery; Police Com.

By Ald. Shelton—Of Stroup & McConnell, for building Lyell and Orchard sts. sewer; also of H. H. Quin, for Allen and Warehouse sts. sewer; also of E. Watson, Asylum st. sewer; bills of Seth Wheeler, Thos. Culhane, John Quin, and J. F. Dennison; Sewer Com.

REPORTS OF COMMITTEES.

By Ald. Lewis, from the Fire Dept. Com.—Favorably on the following bills: I. S. Waring, and W. Hollister & Co.; Estimate of Fairchild, Harris and Sherlock; Finance Com.

By Ald. Lutes, from the Police Com.—Favorably on bills of Mrs. Clemenson and Alex. Bruce; Finance Com.

By Ald. Hebard, from the Contingent Expense

Com., favorably on the following bills: M. Kramer, A. Strong & Co., Weed, Parsons & Co., assignees of D. M. Dewey, Alex. Allen, A. Nolte, R. Aldridge, Haydon & Bromley. Finance Com. Also, referring the bill of J. C. Moore to the Mt. Hope Commissioners. Agreed to.

By Ald. Shelton, from the Sewer Com., in favor of the payment of the estimates of E. Watson, H. H. Quin, Stroup & McConnell, Jno. Quin; Bills of Seth Wheeler, Thos. Culhane and Stroup & McConnell. Finance Com. Also, adversely to the bill of J. F. Dennison, as exceeding the amount agreed upon by the Sewer Committee.

By Ald. Mudgett, from the Poor Com., favorably on the bills of J. H. Child and J. E. Butterfield.—Finance Com.

By Ald. Reynolds, from the Improvement Com., favorably on the estimate of John Dalton. Finance Com.

Also, from the Finance Com., the following report relative to certain orders held by the Traders' Bank:

To the Honorable Common Council:

The following orders were drawn by the City Clerk, on the City Treasurer, in favor of Samuel Buell, on his contract for the improvement of Buffalo street, and by him passed to the Eagle, now Traders' Bank, as collateral to sundry notes held and advances made by the Bank:

1. Dated July 13, 1858	-----	\$450
2. " " 27, "	-----	1500
3. " Aug. 10, "	-----	500
4. " " 10, "	-----	500
		\$2,950

These orders were all drawn in the usual manner, payable "when there are funds applicable thereto." There has at no time since the issue of these orders, been funds in the Treasury applicable to their payment. Mr. Buell having failed to pay his notes, the Bank found it necessary to resort to the collaterals, and called on the Treasurer for payment, who declined, for want of funds.

In the month of March last, the President of the Bank addressed a communication to the Common Council, asking immediate attention to the matter, which was referred to the Finance Com. No action was taken by the committee of last year, the year being so near a close, and the Treasury empty. Soon after the organization of the present Board, attention was again called to the subject, and the Finance Committee reported on the 26th of April, recommending that interest be paid to the Bank, "from such time as shall—with the margin in the hands of the Bank belonging to said Buell,—save the Bank harmless in the premises.

With this arrangement, the Bank has rested until now, but perceiving no immediate prospect of realizing from the particular fund to which the amount is chargeable, and wishing the matter closed up, calls upon the city to pay.

The city has been restrained from the collection of the assessment for the improvement of Buffalo street, by injunction obtained at the instance of one or two gentlemen largely assessed for it; and when the injunction will be dissolved, will probably depend somewhat on the time when it will be convenient for the parties interested to pay their assessments.

It is now considerable more than a year since these orders were issued, and parties holding them will resort to compulsory measures to compel payment, if payment is longer delayed. Your committee see no alternative but to pay from any

funds at the disposal of the Treasurer, and recommend that course.

Amount of the four orders as above.....\$2,950 00
Balance of interest account..... 133 53

\$3,083 53

W. A. REYNOLDS,
AARON ERICKSON.

COMMUNICATIONS.

The Clerk presented the following Report of Commissioners to determine the damages to owners of property in consequence of the

WIDENING OF PINDALL ALLEY.

To the Common Council of the City of Rochester:

The undersigned Commissioners appointed by the Monroe County Court to appraise the damages which the owner or owners of the land to be taken for the "widening of Public Square or Pindall Alley, from the South line of Buffalo street to the South line of the County property, by the addition of twenty-five feet to the West line thereof" will sustain by being deprived thereof, having given the notice required by the City Charter, of the time and place of meeting, and at such time and place having been attended by Selah Mathews and Henry R. Selden his Counsel, Matthew G. Warner, Jr. and Joel B. Bennett as Counsel for the County of Monroe, and J. Van Voorhis Attorney for the City of Rochester, and having heard all the evidence and all the arguments offered by the said parties, respectfully report:

That the land proposed to be taken for the said improvement, is described as follows:—"Beginning at the point where the west line of Public Square or Pindall Alley intersects the south line of Buffalo street, and running thence westerly upon the said south line twenty-five feet; thence southerly parallel with said west line, and twenty-five feet distant therefrom, to the south line of the County property; thence easterly along said south line to the west line of said alley; thence northerly along said west line to the place of beginning;" that of the above described strip of land the said Commissioners find that the County of Monroe is the owner of all excepting a lot fronting on Buffalo street, twenty-five feet in width and extending back the same width, a distance of fifty-four feet; that in this lot the said County has an interest equal in value to forty dollars per annum forever; that Selah Mathews, Esq., of the City of Rochester, claims to be the owner of all the remaining interest in said lot, (and for the purposes of this award is regarded by said Commissioners as the rightful owner) under and by virtue of a perpetual Lease from said County; which Lease, as said Commissioners understand the case, while it reserves a rent of forty dollars per annum, confers upon said lot an exemption from the ordinary annual taxes, an exemption equal in value, at least, in the opinion of the said Commissioners, to the rent aforesaid.

In this view of the facts above stated, we, the Commissioners aforesaid, have estimated the damages which each of the owners aforesaid will sustain, by being deprived of their respective interests in the above described lands, for the purposes aforesaid, and in accordance therewith make an award as follows:

To Selah Mathews, Esq., the sum of....\$6,750 00
To the County of Monroe:

Value of the aforesaid rent.. \$571 43
Of remainder of said strip of
land, being 210 feet in
length by 25 feet in width 2,100 00 2,671 43

All of which is respectfully submitted.

WM. BREWSTER,
EDWARD ROGGEN,
LEWIS BROOKS.

Rochester, Oct. 18, 1859.
The Clerk also presented the resignation of Thos. G. Murphy as Inspector of Elections for the 6th ward.

REPORT OF MANAGERS OF HOUSE FOR TRUANTS.

To the Common Council of the city of Rochester:

The Managers of the House for Idle and Truant Children beg leave to render an account of their stewardship in the matter of the above institution.

No material change has taken place in the general affairs of the "House" since the last annual report. The buildings which had been then erected have been brought to nearer completeness by some changes, the expense of which has been not great.

By the addition of the Putnam lot, so called, on the north, the premises have been enlarged and improved and begin to assume a look and shape of permanency.

A new barn is needed, which it is intended to erect as soon as convenient.

The highest number of inmates at any one time has been..... 51

The average number..... 46

The health of the inmates has been uniformly good.

The whole expense of the House for the year to April 1st, 1859, has been not far from... \$2,373 79
This sum, however, includes..... 300 00

paid for the Putnam lot; thus showing that the legitimate expenses of the institution are not far from \$2,000 for the current year. It is estimated that it will, however, be necessary to raise the sum of \$3,500. In addition to the ordinary expenses of the House, it will become necessary to repay some \$500, money advanced by a former County Treasurer above the amount in his hands, and \$500 is not too large a sum, it is believed, to set apart for the purpose of a barn, before spoken of, which will deplete the amount raised \$1,000, before any other expense is paid.

We would call the attention of the Common Council to the fact that it becomes necessary to elect some persons as Managers to take the places of Messrs. Wm. Pitkin, Samuel G. Andrews and P. G. Buchan, whose terms have expired.

We beg leave to offer the following, taken from our Superintendent's Report:

The improvement which the boys have made during the past year has been highly gratifying, giving the most flattering promise of what we may expect will be accomplished for hundreds of the idle and neglected children in the city of Rochester.

Some of the boys discharged from the House the past year have obtained places in good families in the country, and others are employed in the city, giving the best satisfaction to their employers—and those, too, whose reformation, when brought to the House, was regarded as nearly hopeless.

Very respectfully,

WM. PITKIN, Chairman.

C. H. CLARK, Secretary.

ASSESSMENTS.

Ald. Shelton presented the assessment roll for an outlet sewer in the Fourth, Seventh and Twelfth wards and appeals having been heard thereon, the said roll was confirmed, by the following vote:

Ayes—Ald. Mudgett, Holmes, Reynolds, Hollister, Lewis, Twitchell, D. W. Perry, Nash, Knapp,

Selye, Lutes, Jones, Shelton, Mason, Billinghurst—15.

Nay—Ald. Erickson—1.

By Ald. Reynolds—Resolved, That this Board will hear appeals of all persons interested in, and to be assessed for, the following named improvements, upon the assessment rolls therefor, which have been returned by the Assessors and duly filed in the City Clerk's office, at its next regular meeting, November 1st:

Construction of a flag and brick walk on the east side of Exchange street, from the Erie Canal to Court street.

Construction of a plank walk on the west side of High street, from Troup st. to the Erie Canal.

Construction of a flag and brick walk on the south side of Mumford street, from Mill street to the Genesee river.

Construction of flag cross walks at the intersection of Mill and Mumford streets, and extending the side walks on Mill street to the curb on the south side of Mumford street.

Improvement of Clarissa street, from Plymouth Avenue to Greig street.

Construction of a plank walk on Frances street, from Clifton street to Hunter street.

Construction of a plank walk on the south side of New Main street, from Asylum street to University Avenue.

Improvement of Riley street, from New Main st. to Scio street.

Improvement of Temple street. Adopted.

By Ald. Shelton—Resolved, That this Board will hear appeals from all persons interested in, and to be assessed for, the construction of a box sewer in the Twelfth ward, upon the assessment roll therefor, the same having been duly filed in the City Clerk's office, at its next regular meeting, November 1st. Adopted.

ACTION UPON ORDINANCES.

Ald. Reynolds moved that the consideration of the final ordinance for cross-walks in Plymouth Avenue, &c., be further postponed till the next regular meeting. Carried.

Ald. Reynolds presented the final ordinance for a plank walk on Ambrose street, and allegations having been heard, on motion of Ald. Selye, the further consideration of the ordinance was postponed till the next regular meeting.

Ald. Shelton moved that all proceedings heretofore had in relation to a sewer in South Avenue be rescinded. Carried.

Ald. Selye moved that the consideration of the final ordinance for a plank walk on Brown street, from Kent street to Boat Alley, be postponed till the next regular meeting. Carried.

SEWER IN FRONT STREET.

Ald. Shelton presented the final ordinance for a sewer in Front street, and moved to amend by striking out the description of property to be assessed, and inserting a new description.

The motion to strike out was carried; and the motion to insert was lost, as follows:

Ayes—Ald. Reynolds, Nash, Stone, Jones, Shelton, Mason, Billinghurst—7.

Nays—Ald. Mudgett, Holmes, Hollister, Lewis, Hebard, Twitchell, D. W. Perry, Erickson, Knapp, Selye, Lutes—11.

SEWER IN SUMMER ALLEY.

Ald. Shelton presented the final ordinance for a sewer in Summer Alley, and allegations having been again heard against the passage thereof, the ordinance was lost, by the following vote:

Ayes—Ald. Reynolds, Hollister, Selye, Shelton, Mason—5.

Nays—Ald. Mudgett, Holmes, Lewis, Hebard, Twitchell, D. W. Perry, Nash, Erickson, Knapp, Stone, Lutes, Jones, Billinghurst—13.

SEWER IN HIGH STREET.

On motion of Ald. Shelton, the consideration of the final ordinance for a sewer in High street, was postponed until the next regular meeting.

WIDENING OF HIMMELL ALLEY.

By Ald. D. W. Perry—Resolved, That Himmell street (so called) shall be continued from its present southern termination to Atwater street.

Resolved, That the following described territory is considered necessary for said improvement, viz:

Beginning in the north line of Atwater street at the southeast corner of lot M., owned and occupied by Mrs. Jane B. Quine, in a sub-division of a part of the Atwater and Andrews tract, made by Julius T. Andrews; running thence northerly on the east line of said lot, and said line produced to the north line of lot K, in said sub-division; thence easterly on said north line, 11½ feet at right angles; thence southerly parallel to said first mentioned line, and at 11½ feet at right angles distant therefrom, to Atwater street; thence along the north line of Atwater street to the place of beginning.

Resolved, That the City Surveyor be authorized to negotiate with the owners of property required for the above improvement, and report to this Board upon what conditions the same can be purchased. Adopted.

Yeas—Ald. Reynolds, Lewis, Twitchell, D. W. Perry, Nash, Knapp, Selye, Lutes, Shelton, Billinghurst—10.

Nays—Ald. Mudgett, Holmes, Hebard, Erickson, Jones, Mason—6.

By Ald. Stone—Resolved, That the several balances standing on the books of the City Treasurer to the credit of the funds named below, be, and the same are hereby appropriated to, and the Clerk is hereby directed to draw an order on the Treasurer in favor of the Chairman of the Street Committee, for the purpose of repairing the following streets:

Orange street walk.....	\$30 49
King street sewer.....	15 59
Oak street improvement.....	67 12

Ald. Holmes moved to refer the above resolution to the Finance Committee. Carried.

SEWER IN SOUTH AVENUE AND WEST ALEXANDER STREET.

By Ald. Shelton—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone sewer, 2 feet by 18 inches, in South avenue, from Munger street to the 4th 7th and 12th wards outlet sewer, and in West Alexander street, from Cayuga street to South avenue. Adopted.

The Surveyor submitted such estimate.

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

The construction of a stone sewer in South avenue and West Alexander street, from Cayuga street and from Munger st. to the 4th 7th and 12th ward outlet sewer, in South avenue to be two feet by eighteen inches, and in Alexander street to be 18 inches by 18 inches, and as deep as the conformation of the ground will admit.

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 \$3,477, which estimate is hereby approved.

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

One tier of lots upon each side of South avenue, from Munger street to the Erie canal, and also one tier of lots on each side of West Alexander street, from Cayuga street to South 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 190 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 1st, 1859, at half-past 7 o'clock at the common council hall, when allegations will be heard.

Adopted.

SEWER IN GORHAM STREET.

By Ald. Shelton—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone sewer, 2 feet by 18 inches, in Gorham street, from Clinton to St. Paul street, and eight feet deep at its commencement, to run with an even grade to the St. Paul street sewer. Adopted.

The Surveyor submitted such estimate.

By Ald. Shelton—Resolved, That the following improvement, having been petitioned for by a majority of the owners of property to be assessed therefor, is expedient, viz: The building of a sewer in Gorham street, from Clinton to St. Paul streets, two feet by eighteen inches in dimensions, and eight feet deep at its commencement, to run with an even grade to the St. Paul street 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 \$1,537, which estimate is hereby approved.

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

One tier of lots upon each side of Gorham street, from Clinton street to St. Paul street, and also the lot lying on the south end of Erin street.

And the Clerk is hereby directed to publish notice in pursuance of section 190 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 1st, 1859, at half-past 7 o'clock, at the common council hall, when allegations will be heard.

Adopted.

IMPROVEMENT OF EMMETT STREET.

On motion of Ald. Selye, 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. Selye submitted the following:

ORDINANCE to improve Emmett street, from Ward street to Hand street.

The common council of the city of Rochester having been requested by a majority of all the persons to be assessed for the improvement hereinafter described, do ordain and determine as follows:

Emmett street shall be graded, from Ward-st. to Hand street, and a plank walk shall be constructed on each side thereof.

And the whole expense shall be defrayed by an assessed upon the owners and occupants of houses and lands to be benefitted thereby, and the city Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at \$406 00, which estimate was and is hereby approved. The sum of \$406 00, 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 benefitted by said improvement is described as follows:

One tier of lots on each side of Emmett street, from Ward street to Hand street.

On which above described portion of the city, the said sum of \$406 00 is hereby ordered to be assessed.

And David McKay, Francis Dana and Jared Coleman, the assessors of said city, not interested in any of the property so benefitted, 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 Friday, the 21st day of October, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:

Ayes—Ald. Mudrett, Reynolds, Hollister, Lewis, Twitchell, D. W. Perry, Nash, Erickson, Knapp, Stone, Selye, Lutes, Jones, Shelton, Billingshurst—15.

Noes—None.

EXECUTIVE BUSINESS.

On motion of Ald. D. W. Perry, the resignation of Thomas G. Murphy as Inspector of Elections for the 6th ward, was accepted, and the Board pro-

ceeded to appoint an Inspector in place of Thomas G. Murphy.

On the first ballot, Michael Filon received 14 votes, D. W. Perry 1 vote, and J. Gilligan 1 vote.

M. Filon was declared duly appointed such Inspector.

MISCELLANEOUS BUSINESS.

By Ald. Shelton—Resolved, That the Mayor be, and is hereby requested to cancel the bonds of Stroup and McConnell, for the fulfilment of their contracts for building sewers in Lyell, Orchard and Lime streets, in Frank street and in Mortimer street, they having finished their work to the satisfaction of the Sewer Committee. Adopted.

By Ald. Selye—Resolved, That the Improvement Committee be authorized to contract with the persons hereinafter named, for the following improvements—they being severally the lowest bidders:

Stroup & McConnell, for side walk on Exchange street;

Thomas Purcell, grading of Riley street and building side walk;

Richard Drausfield, side walks on Frances st.;

Thomas Purcell, side walks on High street;

Thomas Purcell, sidewalks on New Main st.—Adopted.

Resolved, That the City Clerk issue two orders payable to the order of Stroup and McConnell, for six hundred and ninety five dollars each; one payable in one year, and the other in two years from the 18th day of October, 1859, with interest, in final settlement of their contract for constructing Lyell, Orchard and Lime sts. sewer, and charge that fund; and the Treasurer is hereby authorized to accept the same in behalf of the city. Adopted; ayes 15, noes 0.

By Ald. Reynolds—Resolved, That the Board of Supervisors be requested to levy upon the City thirty-five hundred dollars for the benefit of House for Truants, and that the Clerk certify this resolution to the Board of Supervisors. Adopted; ayes 15, noes 0.

By Ald. Reynolds—Resolved, That William Pitkin, Samuel G. Andrews and John C. Nash, be and are hereby appointed Managers of the House for Idle and Truant Children, in place of William Pitkin, Samuel G. Andrews and P. G. Buchan, whose terms of service have expired—Mr. Buchan declining further service. Adopted.

FINANCE BUDGET.

By Ald. Reynolds—Resolved, That the Treasurer pay as follows:

CONTINGENT FUND.	
Hugh Perry, repairs on City Hall.....	\$2 45
Hayden & Bromler, iuruiture in Treasurer's, Clerk's and Assessors' offices.....	99 25
A Strong & Co, job printing.....	162 30
A Strong & Co publishing proceedings and advertising one quarter to Oct 4th, 1859, as per contract.....	212 50
Ward, Parsons & Co, for 50 copies of the Registry Law.....	2 50
Assignees of D M Dewey, for drawing paper for Surveyor's office.....	2 00
Alexander, Allen, one quarter's salary.....	37 50
..... repairing clocks.....	10 00
Adolph Nolte, for publishing proceedings for one quarter per contract.....	75 00
R Aldridge, for painting and varnishing.....	6 75
John Kisingsbury, glazing in City Hall.....	6 00
M Kramar, for publishing proceedings in the Intelligencer of the North.....	75 00
and charge Contingent Fund.	
Traders' Bank—The following orders drawn by the City Clerk on the City Treasurer, in favor of Sam'l Buell, on his contract for improvement of Buffalo street, viz:	
1. Dated July 13th, 1858.....	\$450 00
2. " " 27th, ".....	1500 00
3. " Aug 10th, ".....	500 00
4. " " ".....	500 00
Interest on above, as per resolution of Common Council April 26, 1859.....	133 53
	3683 53

and charge the sum of \$2,950 to Samuel Buell on his contract for the improvement of Buffalo street, and the interest to Contingent Fund.

LAMP FUND.

R P Benton, bill for lighting fluid lamps at Deep Hollow 17 69
and charge Lamp Fund.
R P Benton, Commissioner on Lake avenue, bill for expenditures on Lake avenue 78 42
and charge that fund, when there are funds applicable thereto.

POLICE FUND.

Alexander Bruce, bill for repairing locks, &c, for Police-office 24 60
and charge Police Fund.
Mrs Clemenson, bill for meals furnished for Police-office 6 04
and charge Police Fund

POOR FUND.

J H Child, two months services in Poor store 50 00
J E Butterfield, railroad fare for paupers 16 50
and charge Poor Fund.

FIRE DEPARTMENT FUND

Wm Hollister & Co, lumber for Fire Department 12 35
Isaac N Waring, livery bill in 1858 by Chief Engineer Weaver 14 50
and charge Fire Department Fund.

IMPROVEMENT FUNDS.

John Dalton, estimate No 1, on his contract for improving North street 1000 00
when there are funds applicable, and charge that fund.

Hugh H Quin, final estimate for Allen and Warehouse streets sewer, in full therefor 119 35
when there are funds applicable thereto, and charge that fund, payable to L A Ward.

John Quin, final estimate for La Fayette and Fitzhugh streets sewer, in full thereof 51 00
and charge that fund, when there are funds applicable thereto.

E Watson, estimate No 3, on his contract for constructing Asylum street sewer 300 00
and charge that fund, when there are funds applicable thereto.

Stroup & McConnell, supplementary estimate on Frank street sewer 8 00
and charge that fund, when there are funds applicable thereto.

Setn Wheeler, bill for hack hire to Lyell st sewer 2 00
and charge that fund.

Thos Culhane, for hack hire to 12th ward box sewer, Asylum and North St Paul street sewers 3 50
and charge equally to the above sewers.

Stroup & McConnell, on their contract for constructing Lyell, Orchard and Lime street sewers 400 70
when there are funds applicable thereto.

H H Quin, on contract for Hill street sewer, payable to L A Ward 25 00
and charge that fund, when there are funds applicable thereto.

Fairchild, Sherlock & Harris, on contract for constructing reservoir and laying water pipes in State street 500 00
and charge that fund.

Adopted, by the following vote:

Ayes—Ald Mudgett, Holmes, Reynolds, Hollister, Lewis Hebard, Twitchell, D W Perry, Erickson, Knapp, Selye Jones, Shelton, Mason, Billinghurst—15.
Noes—None.

WIDENING PINDALL ALLEY.

By Ald. Mudgett—Whereas, the Commissioners appointed to ascertain and appraise the damages or compensation which should be paid to each of the owners and occupants interested in the widening of Public Square or Pindall alley, have proceeded in accordance with the City Charter to view the premises, and take testimony in reference to the value of the lands and premises required for said improvement, and have made their report, and filed the same as required by the charter;

Therefore, Resolved, That the Common Council will proceed to hear the allegations of all persons interested in said improvement, against the confirmation of the Report of said Commissioners, at the next regular meeting of this Board and that the Clerk publish notice thereof, and institute such proceedings, if any, as the Charter requires. Adopted.

By Ald. Hebard—Resolved, That the Improvement Committee be authorized to contract for the

construction of South St. Paul-st. side walks; the proposals for which have not yet been received.—Adopted.

SCHOOL HOUSE IN NINTH DISTRICT.

Ald. Shelton stated that he had been informed that the Board of Education had contracted for the erection of a School House in the Ninth District upon a site the title of which was not secured.—He moved that the subject be referred to the Law Committee for investigation, and with power to act in the premises. Carried; ayes 14, no 1—Ald. Selye.

The Board then adjourned. F. S. Rew, Clk.

In Common Council, Nov. 1, 1859.

REGULAR MEETING.

Present—The Mayor, Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Lutes, Jones, Shelton, Bauer, and Cushing.

Absent—Ald. Mudgett, G. W. Perry, Bradstreet, Selye, Mason, and Billinghurst.

The minutes of the previous meeting were approved.

PETITIONS AND CLAIMS.

By Ald. Butler, bills of S. Cornell for 21 City Maps, Martin Briggs for gallery in Law Library.—City Property Committee. Petition of W. F. Sterritt, for leave to erect wood buildings. Wood Buildings Committee.

By Ald. Hollister, petition of Jno. M. French and others, for closing up of Pine alley, from Spring street to Erie canal. Law Committee. Estimate of R. W. Underhill. Finance Committee. Remonstrance of J. Nunn and others against wood building on Grape-st. Table.

By Ald. Reynolds, of John Cline and others for a gas lamp corner of Stillson-st. and East avenue. Lamp Committee. Of Alfred Ely, Amos Bronson and others, for cross-walk on Plymouth avenue.—Street Committee. Resignation of R. Penny, as Commissioner of Deeds. Table. Estimates of John Dalton for Hudson and North-sts. Improvement Committee. Bills of E. J. Keeney, A. W. Chappell, E. A. Bardwell. Police Committee.

By Ald. D. W. Perry, petition of Lewis Fiegler, for change of name of McDonald avenue to Baden-st. Table.

By Ald. Stone, bills of J. B. Bennett, Chas. Bacus, and St. Mary's Hospital. Poor Committee.

By Ald. Jones, remonstrance against sewer in South avenue. Sewer Committee.

By Ald. Shelton, bills of J. F. Dennison, J. Depoe, S. Moses, Thos. Knowles, John Quin; estimate of Wm. Carroll; petition of S. Shubert, for relief from tax. Sewer Committee.

By Ald. Bauer, petition of Geo. Wolf and others, for a market license. Market Committee.

By Ald. Hebard, bills of F. Lockhart, Hebard, Tracy & Co. D. D. S. Brown. Contingent Expense Committee.

By Ald. Nash—Remonstrance against Sewer in West Alexander street. Table. Bill of W. F. Cogswell, for an opinion. Finance Com.

By Ald. Lewis—The following bills:—G. Boughton, N. Aylesworth, Geo. Arnold, S. Church, J. Hyne, Brown & Bros., Geo. Bowden. Proceedings of H. & L. Co. No. 1, and Engine Co. No. 5; estimate of Fairchild, Sherlock & Harris. Fire Department Com.

By Ald. Knapp—Report of City Superintendent for October. Street Com. Petition of Thomas

Williamson for leave to erect wood building.—
Com. on Wood Buildings.

REPORTS OF COMMITTEES.

By Ald. Lewis—From the Fire Department Com. favorably on the following bills:—Fairchild, Sherlock & Harris, L. M. Blakesley, Jas. Field, G. B. Harris, J. McMahon, O. Harris, Lesslie & Co., Brown Bros., N. Aylesworth. Finance Com.—Also, to confirm proceedings of Sack and Bucket Co., and H. & L. Co. No. 2. Agreed to.

By Ald. Stone—From the Poor Com., favorably on the bills of J. B. Bennett, and Chas. Backus.—Finance Com.

By Ald. Lutes—From Police Com., favorably on bills of E. J. Keeney, E. A. Bardwell, A. W. Chappell. Finance Com.

SCHOOL HOUSE IN THE NINTH DISTRICT.

By Ald. Nash—From the Law Com., favorably on bill of Curtiss, Butts & Co., for printing. Referred to City Attorney. Also, adversely on the action of the Board of Education in relation to a site for a School House in the Ninth School District, and opinion of W. F. Cogswell, on the same.

To the Honorable the Common Council:

The Law Committee, to whom was referred the subject of the powers of the Board of Education, respectfully report as follows:

At the commencement of the present year, said Board had overdrawn the building fund to the amount of \$6,547. Nothing was this year appropriated to that fund by this Common Council. That Board, however, has contracted for the construction of a new school house in District No. 7, at a cost of \$4,945. The contractor is at work, and the building in process of erection. The Board has also purchased, by contract, a site for a school house in District No. 9, at a cost of \$2,400. The city has as yet no title to this lot. Joseph Cochrane has agreed by contract to convey a part of it to the city at some future time, and Henry P. Dickinson has in like manner contracted to convey the other part. The contracts are herewith presented to the Common Council. It seems the Dickinson heirs own a part of the lot, some of whom refuse to sell, and some are infants and cannot convey. To obviate this difficulty, the Board of Education have taken a bond in a penalty of \$500, executed by Henry P. Dickinson and Joseph Cochrane, with a condition that said Dickinson shall procure the interests of all such heirs to be vested in him within one year. A copy of that bond is hereto annexed. The Board of Education have also ordered that a contract be entered into with Wm. Carroll to build a school house on the site selected in No. 9, at a cost of \$11,530. It is intended to build this house before any title to the land on which it is to be built is obtained.

The Board has also purchased an addition to the lot of the school house in No. 8, at a cost of \$175. It also has advertised for proposals and intends to contract for the finishing of the houses in Districts Nos. 4 and 17, at an estimated cost of \$3,000.

If no more contracts are made, the total amount in which the building fund alone will be in debt, at the close of the present year, is \$29,597.

The Board of Education has already by this sum exceeded the amount to which it is restricted by the charter.

The question presented is, whether the Board of Education has power to purchase sites or build school houses, and bind the corporation to pay for them.

Your Committee are of opinion that it has no such power.

Section 165 of the charter provides that "The Commissioners of Common Schools in said city shall constitute a Board, to be styled 'The Board of Education of the city of Rochester,' which shall be a corporate body in relation to all the powers and duties conferred upon them by virtue of this act."

It follows that that Board has no "powers and duties" except such as are specified in "this act." The power to purchase sites, build school houses, or contract debts, is nowhere specified.

Section 169, in 12 subdivisions, defines specifically the "powers and duties" of that Board, but the power in question is nowhere mentioned. It does not exist. But the exercise of such power is expressly prohibited. Section 171 settles the question. It is as follows:—"It shall be the duty of said board in all their expenditures and contracts to have reference to the amount of moneys which shall be subject to their order during the then current year, for the particular expenditure in question, and not to exceed that amount."

This section has been entirely disregarded by the Board of Education. That board has exceeded the amount "subject to its order," of the building fund, by \$29,597.

The contract for building in District No. 9 was let to Mr. Carroll, while another contractor, with responsible sureties, proposed in his bid to build the same for \$1,164 35 less.

The committee have arrived at the following conclusions:

1st. That said contracts and each of them are in violation of its charter, and the duty of the Board of Education.

2. That for that reason these are utterly void.

3 That the contractors cannot recover any thing in any form for work done under said contracts, either upon the contracts or on a quantum meruit, of the Board of Education, or of the City of Rochester. (See Brody agt the City of New York.—2 Bosworth's Reports, 173.)

The committee herewith submit the opinion of W. F. Cogswell, Esq., which they have procured upon this question. Your committee recommend the adoption of the following resolution:

Resolved, That in the judgment of the Common Council, the contracts made by the Board of Education, to purchase a site for a school house in District No. 9—to build school houses in Districts Nos. 7 and 9, and to purchase an addition to the present site of No. 8, are in violation of the charter and not binding on the city—that the Common Council will not recognize nor ratify said contracts in any manner, nor raise any funds to pay for work done under them; and that the Law Committee be instructed to take such action in the premises as they shall deem proper to protect the interest of the city.

All which is respectfully submitted,

JOHN C. NASH,
W. F. HOLMES,
S. W. D. MOORE,
J. VAN VOORHIS, JR.

To the Law Committee of the Common Council of the City of Rochester:

In obedience to your request, I have examined the question, whether the Board of Education of the city of Rochester has power to purchase a site or enter into a contract for the erection of a School House in such a manner that their action

shall impose any obligation upon, or create any liability against, the city.

The 165th Section of the Revised City Charter provides that the Commissioners of Common Schools of this city shall constitute a board, to be styled the Board of Education of the city of Rochester, which shall be a corporate body in relation to all the powers and duties conferred upon them by virtue of this act. We are, therefore, to look to this act as the source of all power and authority which this Board possess. And in this investigation we are to bear in mind that "it is a general and well settled principle that a corporation has no other powers than such as are specially granted, or such as are necessary for the purpose of carrying into effect the powers expressly granted." [Angell and Ames on Corporations, 4th Edition, § 116. 4 Peters Rep., 152.]

Sec. 165 before referred to, provides for the organization and meeting of this Board; Section 166 for the appointment of a Superintendent, and his duties. Section 169 is the section which defines the powers of the Board; and they are:

1. To establish and organize in the several wards of the city such and so many schools as they shall deem expedient, and to alter and discontinue the same.
2. To hire school houses and rooms, and improve them as they may deem proper.
3. To alter, enlarge and improve and repair school houses and appurtenances.
4. To purchase, exchange, improve and repair school apparatus.
5. To have the custody and safe-keeping of school houses, &c., and to see that the ordinances of the Common Council in relation thereto are observed.
6. To employ and remove school teachers.
7. To pay the wages of such teachers in the manner provided.
8. To defray the necessary contingent expenses of the Board, including an annual salary to the Superintendent.
9. To have the entire management of schools in said city, and to adopt, alter, modify and repeal rules and regulations for their organization, government, visitation and instruction; for the reception of pupils and their transfer from one school to another, and generally for the promotion of good order, prosperity and public utility.
10. To report to the Common Council whenever, in the opinion of the Board, it may be advisable to sell any of the school houses, lots, or sites, or any of the school property now or hereafter belonging to the city.
11. To prepare and report to the Common Council such ordinances and regulations as may be necessary or proper for the protection, &c., of the school-houses, lots, and sites, and appurtenances, and all the property belonging to the city connected with the schools, and to suggest penalties for the violation of such ordinances, &c.; and annually, on or before the 1st of June in each year, to determine and certify to said Common Council the sums in their opinion necessary or proper to be raised, under the 167th section of this act, specifying the sums required, for each of the purposes therein mentioned, and the reason therefor.

Sec. 170 authorizes the Board to allow non-resident children to attend the public schools.

Sec. 172 constitutes the commissioners trustees of the school libraries, and authorizes them to employ librarians.

Sec. 176 authorizes them to draw the money

which shall be deposited to their credit with the City Treasurer.

Secs. 178 and 9, 180, 1 and 2 authorizes them to establish schools for colored children, and invests them in relation thereto with the powers of trustees of common schools in towns, and empowers them to lease school rooms for such schools, if the Common Council shall refuse to impose a tax to build school-houses therefor.

These are all the provisions, it is believed, that confer power upon the Board of Education, and it will be seen that while quite minute and particular as to the powers conferred, the power in question is certainly nowhere specifically granted; nor does it seem to me to be a power conferred by implication, as one necessary to carry into effect any of those which are specifically granted.

The powers which are thus implied generally have relation to the method of exercising some power expressly conferred, and are always of secondary importance, while in this list of powers conferred expressly there is not one of so much consequence as the one in question.

The only power conferred, from which it could be contended for a moment that the power in question could be implied, is the 1st, to wit: To establish and organize, in the several wards of the city, such and so many schools as they shall deem expedient, and to alter and discontinue the same.

This power, I apprehend, has no relation to providing school accommodations, but relates to the erection and establishment of school districts and the organization of schools, establishing therein the different apartments, &c.

But if it were otherwise, and it does relate to establishing schools and providing for their accommodation, the very next section provides how the Board of Education may exercise this power, to wit:—by hiring school houses and rooms.

From this second subdivision, it seems to me, a strong argument is deducible to show that the power in question has never been conferred upon the Board. It is not probable that the Legislature intended, (and in construing a statute we are merely seeking to discover the legislative intent,) to confer upon this Board, by implication merely, a power of so great magnitude, while the lesser power, of hiring a school room, is expressly conferred. The express conferring of this lesser power to hire, excludes the idea of implying the greater power to buy and build. It would be strange if when so much pains has been taken to express in detail as is done by the provisions of the statute already quoted, the various powers of this Board, a power of such magnitude should be left to implication.

But it seems to me that the existence of the power in question is in conflict with the general tenor of the city government. By the Charter, the Common Council of the city is charged with the chief governmental functions, legislative and executive, and especially "with the management and control of the finances, rights and interests, buildings and all property, real and personal, belonging to the city." Sec. 43 of the Charter.

The proper discharge of this trust imposed upon this body, and for which it is thus made responsible, is inconsistent with the idea of the existence of a power in a co-ordinate body, by which the control of so important a part of the governmental affairs of the city as its finances, can be deranged and embarrassed.

But the powers of the Common Council itself, are restricted and limited.

By section 135 of the Charter, it is provided that "it shall not be lawful for the Common Coun-

"cil, unless as specially authorized by this act, to borrow any money or enter into any contract by which they may be compelled to pay money, except for the purposes for which they are or may be authorized to raise money by tax, and then only to an amount not exceeding the sum which they are authorized by law to raise by tax during that municipal year, for the purpose for which any money shall be borrowed or contract entered into. And it shall be the duty of the Common Council to pay all moneys so borrowed, with all interest accrued thereon, and to discharge all such contracts out of the moneys raised by tax during the same municipal year in which the money is borrowed or contracts entered into."

By subdivision 6 of Sec. 163, it is provided that the amount to be raised in any one year to purchase and improve sites and build and enlarge school houses shall not exceed ten thousand dollars.

Bringing these two provisions together, we see that the Legislature has essayed to prevent the tax-payers from being called upon for more than \$10,000 per year for this particular purpose. What becomes of this if the power claimed for the Board of Education exists; for if it exists there does not seem to be any limitation upon it except in the wisdom of the body to which it is entrusted—and in this connection it may properly be asked whether the absence of all restraint upon the exercise of this power by the Board of Education does not prove its non-existence. Is it consistent that restraints and checks upon the debt making power of the Common Council should be provided, while that of the Board of Education is limitless.

In order that the finances of the city may be kept within the control of the Common Council, it is made the duty of the Board of Education by Sec. 171, "in all their expenditures and contracts (meaning of course such as they have a right to make)" to have reference to the amount of moneys "which shall be subject to their order during the then current year for the particular expenditure" in question, and not to exceed that amount; and by Sec. 175, the Common Council are to certify to the Board of Education the amount which will be placed at its disposal, several months prior to the commencement of the year during which it is to be disbursed, so that the Board can act intelligently under the Section last cited.

By bringing Secs. 43, 135, 163, subd. 6 of §169, 171 and 175 together, we have a consistent system which can be administered without discord or confusion, and which leaves the responsibility with the body which the Legislature has charged therewith.

To present them in one view: the 1st charges the Common Council with the administration of the finances of the city: the 2d and 3d provide limits to its power of contracting debts for the purpose in question: the 4th vests the power of making certain classes of expenditures, of which the expense of erecting school houses is not one, in the Board of Education: the 5th requires the Board to keep within the limit of the funds assigned to it by the Common Council to meet those expenditures; and the last requires the Common Council to certify to the Board sufficiently in advance, what funds it will place at the Board's disposal to meet those expenses.

I understand that it is claimed that this power is deduced from sub. 11 of sec. 163, in connection with secs. 167, 175 and 176. Sec. 167 provides that the Common Council shall have the power,

and it shall be its duty to raise, by tax, such sums of money as may be necessary,

1st—To purchase, lease or improve sites for school houses.

2d—To build, purchase, lease, enlarge, improve, alter and repair school houses and their out houses and appurtenances.

3d—To purchase, improve, exchange and repair school apparatus, books, furniture and appendages.

4th—To procure fuel, and defray the contingent expenses of the common schools.

Subdivision 11, of sec. 163, makes it the duty of the Board of Education to certify to the Common Council the sums in its opinion necessary or proper to be raised under sec. 167, for each of the purposes therein mentioned, and its reasons therefor.

Secs. 175 and 176 are as follows:

"It shall be the duty of the Common Council, within fifteen days after receiving the certificate of the commissioners required by the 169th section of this act, of the sums necessary or proper to be raised under 167th section of this act, to determine and certify to said Board of Education the amount that will be raised by them for the year, commencing on the first Monday of April thereafter, for the purposes mentioned in said 167th section, distinguishing between the amount to be raised for teachers' wages and contingent expenses, and the amount to be raised for the repair of school houses; and in case the said Common Council shall neglect or fail to certify to the Board of Education the amount that will be raised by them, within thirty days, as above specified, then the said Common Council shall raise the several amounts embraced in the certificate of the Board of Education as specified therein, which amount shall be subject to the disposal of the Board of Education."

Sec. 176. "All moneys required to be raised by virtue of this act, or received by the said city for or on account of the common schools, shall be deposited for the safe keeping thereof, with the City Treasurer of the said city, to the credit of the Board of Education, and shall be drawn out in pursuance of a resolution or resolutions of said Board." * * * "And said City Treasurer shall keep the funds authorized by this title to be received by him separate and distinct from any other funds which he is or may, by law, be authorized to receive."

These sections and parts of sections do not, in terms, certainly confer any power or authority upon the Board of Education. All that can be claimed from these is, that the Board of Education have the right and authority to disburse the moneys which the Common Council shall put at its disposal for the purposes provided for by said sections. This is a very different thing from power to enter into contracts binding upon the city to any extent.

But it is very questionable to say the least whether these sections were ever designed to place the fund for building school houses at the disposal of the Board of Education. The provision that in case the Common Council shall neglect or fail to certify, to the Board of Education, the amount that will be raised, it shall raise the several amounts specified in the certificate of the Board, was not in the statute of 1850, but was added by the act of 1855; and it may very likely have escaped attention in drawing the amendment of 1855, that the 167th section embraced subjects

which are nowhere committed to the Board of Education. The provision that the certificate shall state the amounts to be raised for teachers' wages, contingent expenses, and repairs of school houses, and is silent as to certifying any sum to be raised for building school houses—raises a strong presumption, to say the least, that this last fund was never designed to be committed to the Board of Education. But without stopping to determine this, it is sufficient to repeat that these sections, giving them their largest construction, do not confer any power beyond disbursing the respective funds provided for thereby.

Other provisions of the charter tend to strengthen these views, but without extending this inquiry further, I am of opinion that the Board of Education has no power to enter into a contract for the purchase of real estate as a site or for the erection of a school house that shall in any way impose obligations or liability upon the city.

W. F. COGSWELL.

Rochester, Nov. 1, 1859.

By Ald. Hebard—From the Cont. Expense Com., favorably on the following bills: J. Barhydt, for surveyor's stakes; Curtis, Butts & Co., for publishing proceedings. Finance Committee.

By Ald. Shelton—From Sewer Com., favorably on bill of T. Knowles, estimate of W. Carroll, and bill of J. F. Dennison. Finance Com.

By Ald. Reynolds—From the Improvement Committee, favorably on estimates of R. W. Underhill and John Dalton. Finance Com. Also, in favor of paying D. Wagner \$2,000 for East Avenue improvement—one half in one year, and one half in two years, from Nov. 3d, with interest. Finance Committee.

POLICE JUSTICE'S MONTHLY REPORTS.

Also, from the Finance Committee, the following report, which was referred to the Police Committee:

To the Hon. the Common Council:

The Finance Committee deem it their duty to call the attention of the Board to the delay of the Police Justice in making his monthly reports, and paying over any and all money collected or received by him to the Treasurer of the City, as required by the charter,—see special act passed April 12, 1853, page 146 of the charter.

No report has been made by him since August 1st, and no money paid over or settlement made since the inauguration of the present Board. His salary has been regularly voted each quarter, but has not been drawn, and what the balance remaining in his hands beyond that, if any, your Committee have no means of ascertaining.

By his reports to August 1, he had received \$603.87. The amount in his hands may not be large; but whether large or small, he should make his reports regularly, and pay over the amount received, as the charter requires.

W. A. REYNOLDS,
AARON ERICKSON.

UNEXPENDED BALANCES OF IMPROVEMENT FUNDS.

Also, from the Finance Committee, the following report:

To the Honorable the Common Council:

The following resolution was referred to the Finance Committee, Oct. 18th inst., viz:

By Ald. Stone—Resolved, That the several balances standing on the books of the City Treasurer to the credit of the funds named below, be and the same are hereby appropriated to, and the Clerk

is hereby directed to draw an order on the Treasurer in favor of the Chairman of the Street Committee, for the purpose of repairing the following streets:

Orange street walk.....	\$30 49
King street sewer.....	15 59
Oak street improvement.....	67 12

Ald. Holmes moved to refer the above resolution to the Finance Committee. Carried.

Your Committee respectfully report that on examining the books of the Treasurer, they find the balances standing to the credit of Orange street walk and King street sewer remain unchanged, and the assessments have either all been paid or the property sold and the accounts credited with the amount, as return taxes—leaving those balances to be disposed of as the Common Council shall direct.

The balance of \$67.12, referred to as standing to the credit of "Oak street improvement," probably refers to an item of \$61.12 in the Treasurer's report of March last, to the credit of "Oak street plank walk," from Allen to Lyell street. That work was not completed at the date of that report, and since then the work has been completed and accepted, and the contractor paid, leaving the fund overdrawn \$88.57.

This deficiency appears to have partly grown out of a practice which has obtained in the Board, of allowing individuals to construct their own improvements, after the assessment has been made and the contract let.

Quite a number of persons built their own walks, and were only charged 2 per cent. for fees on the amount of their assessments. In this way they paid nothing for crosswalks or extras. There was also an error of \$100 in the footing of the assessment roll when it was confirmed "as extended in red ink"—which doubtless misled the Committee in adjusting the roll to an amount requisite to pay the contractor.

W. A. REYNOLDS,
AARON ERICKSON.

By Ald. Knapp—Favorably on report of City Superintendent, of expenditures for October. Finance Committee. Also, in favor of petition of James Callahan for leave to put up bill boards.—Table.

By Ald. Hollister—From Committee on Wood Buildings, favorably on petitions of W. F. Sterritt and Thomas Williamson, for leave to erect wood buildings.

Ald. Bauer moved that the report be laid on the table. Lost; ayes 6—Ald. Lewis, D. W. Perry, Lutes, Jones, Shelton and Bauer. Noes 10.

The report was adopted.

By Ald. Butler—From Committee on City Property, in favor of estimate of Rathbun & Whitmore; bills of M. Briggs and S. Cornell. Finance Committee.

COMMUNICATIONS.

The Clerk presented the resignation of David Wagner as Inspector of Elections for the Tenth Ward, and of M. Filon as Inspector for the Sixth Ward, to take effect on the 3d inst.

Ald. Lutes moved to accept the resignation of Mr. Filon.

Ald. Perry moved to lay on the table. Lost; ayes 3, noes 13. The resignation was accepted.

Ald. Lewis moved to accept D. Wagner's resignation. Carried.

The Surveyor reported that Mr. Miller, owner of the property required for the opening of Himmell street, declined to negotiate for the sale of the same. Filed.

The Clerk presented the report of the Overseer

of the Poor for October. Amount expended, \$373.73; less for county and towns, \$40.07; No. of families relieved, 195. The report also contained the following statements:

During the three months ending Oct. 1st, he has expended for the transportation of indigent persons the following amounts, viz:

Order on S. S. Pellett.....	\$52 20
J. E. Butterfield.....	16 50
Geo. Darling.....	30 26
Cash (J. H. C.).....	24 34

\$123 30

And for burial of the dead..... 287 05

Of the amount paid for traveling expenses, there is chargeable to county \$19.66; of the amount paid for burials, there is chargeable to county \$4.50.—Total, \$24.16.

Nine persons have been prosecuted for bastardy, one of whom gave his note for \$150; another paid \$125 and was discharged, a third gave bonds, a fourth married the complainant, one was discharged by Justices, one has not settled his suit, and two are not yet arrested.

Also, the report of the Superintendent of Mt. Hope Cemetery for October. Number of interments, 58.

Also invitation of Schiller Society, to join in celebration on the 10th inst. Accepted.

Invitation of Torrent Hose Co. No. 2, to attend their annual ball on Wednesday evening, 9th inst. Accepted.

ASSESSMENTS.

By Ald. Reynolds—Resolved, That this Board will hear appeals upon the assessment roll for the improvement of Emmett street, at its next regular meeting, Nov. 15th inst., the said roll having been duly returned by the assessors and filed in the Clerk's office. Adopted.

Ald. Reynolds presented the following assessment rolls for confirmation:

For constructing a plank sidewalk on the south side of New Main street, from Asylum street to University avenue.

For constructing a flag and brick walk on the east side of Exchange street, from the Erie canal to Court street.

For constructing a plank sidewalk on the west side of High street, from Troup street to the Erie canal.

For constructing a flag and brick walk the south side of Mumford street, from Mill street to the Genesee river.

For the improvement of Clarissa street, from Plymouth avenue to Greig street.

For a plank walk on Frances street, from Clifton street to Hunter street.

For the construction of flag crosswalks at the intersection of Mill and Mumford streets, and extending the sidewalks on Mill street to the curb-stones on Mumford street, south side.

For the improvement of Riley street, from New Main street to Scio street.

For the improvement of Temple street.

Opportunity having been given for appeals on the above rolls, respectively, and no person appearing, the said assessment rolls were severally confirmed, by the following vote:

Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Lutes, Jones, Shelton, Bauer, Cushing—18.

Noes—None.

Ald. Shelton presented for confirmation, the assessment roll for constructing a box sewer in the Twelfth Ward, to drain the low lands in the Gregory tract, and opportunity having been given for appeals thereon, the said roll was confirmed, by the following vote:

Ayes—Ald. Butler, Reynolds, Lewis, Twitchell, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Lutes, Jones, Shelton, Bauer, Cushing—15.

ACTION UPON ORDINANCES.

SEWER IN SOUTH AVENUE.

Ald. Shelton moved that all action heretofore had in relation to sewer on South Avenue and West Alexander street be rescinded. Agreed to.

On motion of Ald. Reynolds, the consideration of the ordinances for a plank walk on Brown-st., plank walk on Ambrose street, and cross walks on Plymouth Avenue, was postponed until the next regular meeting.

WIDENING OF PINDALL ALLEY.

On motion of Ald. Lewis, action upon the report of the Commissioners to assess damages to owners of property to be taken for the widening of Public Square or Pindall alley, was postponed until the next meeting of the Board.

Ald. Shelton presented a preliminary ordinance for a sewer in Front-st., and the question being taken on the adoption thereof, it was lost, as follows:

Ayes—Ald. Reynolds, Hollister, Hebard, Twitchell, Nash, Knapp, Stone, Cushing—8.

Nays—Ald. Holmes, Butler, Lewis, D. W. Perry, Erickson, Moore, Lutes, Jones, Bauer—9.

PLANK-WALK ON SPRING STREET

By Ald. Reynolds—Resolved, That the City Surveyor ascertain and report to this Board the expense of the improvement of section 190 of the city charter, that the sidewalk in High street to the sidewalk in Ford street, as follows: By grading and constructing a plank sidewalk six feet wide, with a suitable number of crosswalks. Adopted. The Surveyor submitted such estimate.

By Ald. Reynolds—Resolved, That the following improvement is expedient, namely:

Grading and constructing a plank sidewalk six feet wide on each side of Spring street, from the sidewalk in High street to the sidewalk in Ford street, with a suitable number of 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 \$236 00, which estimate is hereby approved.

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

One tier of lots on each side of Spring street, from High street to Ford street.

And the clerk is hereby directed to publish notice in pursuance of section 190 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. 15th, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard. Adopted.

PLANK WALK ON TROUP STREET.

By Ald. Reynolds—Resolved, That the City Surveyor ascertain and report to this Board the expense of the improvement of the north side of Troup street, from the sidewalk in High street to the west side of the alley next west as follows: By grading and constructing a plank sidewalk of the same width as that on the rest of the street; with a suitable number of crosswalks. Adopted. The Surveyor submitted such estimate.

By Ald. Reynolds—Resolved, That the following improvement is expedient, namely:

Grading and constructing a plank side-walk on the north side of Troup street, from the sidewalk in High street to the west side of the alley next west; of the same width as that on the rest of the street; with a suitable number of 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 \$35 00, which estimate is hereby approved.

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

One tier of lots on the north side of Troup street, from High street to the alley next west.

And the clerk is hereby directed to publish notice in pursuance of section 190 of the city charter, that all persons interested in the subjectmatter of said improvement, are required to attend the common council on Tuesday evening, November the 15th, 1859, at half-past 7 o'clock at the common council hall, when allegations will be heard. Adopted.

SEWER IN GORHAM STREET.

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

After hearing such allegations from all the persons appearing, Ald. Shelton submitted the following:
AN ORDINANCE to construct a sewer in Gorham-st., from Clinton street to St. Paul street.

The Common Council of the City of Rochester, in accordance with the petition of a majority of the owners of property interested in and to be assessed for the improvement hereinafter described, do ordain and determine as follows:

A stone sewer shall be constructed in Gorham street, from North Clinton street to North St. Paul street; said sewer shall be two feet by eighteen inches in dimensions, and eight feet deep at its commencement, to run with an even grade to the North St. Paul street sewer.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefitted thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at \$1557, which estimate was and is hereby approved; the sum of \$1557, being the whole amount of the estimate aforesaid, shall be assessed on such owners and occupants. And the portion of said city which is 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 Friday, the 4th day of November, 1859, at 9 o'clock in the forenoon, at the office of the city clerk.

One tier of lots upon each side of Gorham street, from Clinton street to North St. Paul street, and also the lot lying on the south end of Erin street
 On which above described portion of the city the said sum of \$1557 is hereby ordered to be assessed.

And David McKay, Francis Danes and Jared Coleman, the assessors of said city, not interested in any of the property so benefitted, 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 Friday, the 4th day of November, 1859, at 9 o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:

Ayes—Ald. Butler, Reynolds, Lewis, Twitchell, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Lutes, Jones, Shelton, Bauer, Cushing—15.

Noes—None.

SEWER IN HIGH STREET.

On motion of Ald. Shelton, 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. Shelton submitted the following:

AN ORDINANCE to construct a sewer in High street, from opposite lot No. 11 to the Spring street sewer.

The common council of the city of Rochester, having been requested by a petition signed by a majority of the owners of property to be assessed for the following described improvement, do ordain and determine as follows:

A stone sewer, eighteen inches by eighteen inches, and of such depth as the Sewer Committee may direct, shall be constructed in High street, from a point opposite the centre of lot No. 11 in the one hundred acre tract to the sewer in Spring street.

And the whole expense thereof shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefitted thereby; and the city Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at \$475, which estimate was and is hereby approved; the sum of \$475, being the whole amount of the estimate aforesaid, shall be assessed upon such owners and occupants. And the portion of said city which the said common council deem will be benefitted by said improvement is described as follows:

One tier of lots on each side of High street, from the Erie canal to Spring street.

On which above described portion of the city, the said sum of \$475 is hereby ordered to be assessed.

And Francis Dana and Jared Coleman, assessors of said city, and Matthew Mead, a commissioner hereby appointed, said assessors and commissioner being not interested in any of the property so benefitted, 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 Friday, the 4th day of November, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote—

Ayes—Ald. Butler, Reynolds, Lewis, Twitchell, D. W. Perry, Nash, Erickson, Moore, Knapp, Stone, Lutes, Jones, Shelton, Bauer, Cushing—15.

Nays—None.

EXECUTIVE BUSINESS.

On motion of Ald. Reynolds, the Board proceeded to ballot for a Commissioner of Deeds in place

of Richard Penny, resigned. Vincent M. Smith, had 15 votes, and was declared appointed such Commissioner.

On motion of Ald. Lewis, the Board proceeded to appoint an Inspector of Elections for the 6th Ward, in place of M. Filon.

On the first ballot, Hiram Davis had 10 votes, and Miles Decker 8 votes. No choice.

On the second ballot, M. Decker had 10, and H. Davis 8 votes. No choice.

On the third ballot, M. Decker had 13 votes, and H. Davis 5 votes.

Miles Decker was declared duly appointed Inspector of Elections for the 6th Ward.

On motion of Ald. Shelton, the Board proceeded to ballot for an Inspector of Elections for the Tenth Ward, in place of D. Wagner, resigned.

On the first ballot, James E. Lee had 17 votes, and was declared duly appointed such Inspector.

MISCELLANEOUS BUSINESS.

By Ald. Knapp—Resolved, That James Callahan have permission to set up twenty Bill Boards for the purpose of posting public notices at such points as the Street Superintendent may designate. Adopted.

By Ald. Stone—Resolved, That Philip Christper have permission to build a box sewer, for his own benefit, from his premises in Cady street to Frances street. Adopted.

By Ald. Stone—Resolved, That the time for the collection of the taxes, named in the Assessment Roll for the Improvement of Lyell street, west of the Erie canal to the City line, be extended to the first day of May, 1860, and that the City Treasurer be requested not to issue warrants for the same, until the time specified above. Referred to Law and Improvement Committees.

By Ald. Stone—Resolved, That the balances standing on the books of the City Treasurer to the credit of the following funds, be and the same are hereby appropriated for the repair of the side walks and roadway of the streets, or that portion thereof originally assessed therefor, viz:—

Orange Street Walk.....\$30 49
 King Street Sewer.....15 59

and that the Clerk draw an order in favor of the Chairman of the Street Committee for the above amounts respectively, for the purposes above specified. Adopted—ayes 18, noes 0.

By Ald. Erickson—Resolved, That the Treasurer is hereby authorized and directed to receive from the tax payers on the property on the south side of East avenue, between Williams street and Union street, the sum of twenty-five cents per foot front of their respective lots, in full payment of their several assessments for the construction of a flag side walk on said avenue. Adopted.

Ald. Nash brought up the report of the Law Committee in favor of the payment of counsel fees, &c., to Ebenezer Griffin.

Ald. Shelton moved the adoption of the following resolution:

Resolved, That there be allowed and paid to Ebenezer Griffin, the sum of two hundred dollars, in full payment and satisfaction of his claim for services as counsel for the city in the suit of F. Clark vs the City of Rochester impleaded with the Genesee Valley Railroad Company, and the further sum of thirty dollars, in full for his services in the matter of widening Buffalo-st. at the intersection of Elizabeth-st.; and that the Clerk is hereby directed to draw an order on the Treasurer for the same, the whole amount to be charged to Contingent Fund. Adopted; ayes 18, noes 0.

By Ald. D. W. Perry—Resolved, That the Lamp

Committee be and are hereby instructed to cause five street gas lamps to be erected on North Clinton-st., between Ward-st. and Kelly-st. Adopted.

By Ald. D. W. Perry—Resolved, That the prayer of the petitioners to change McDonald avenue to Baden-st. be granted. Adopted.

By Ald. Lewis—Resolved, That the Treasurer pay to Engine Co. No. 5 two hundred dollars, as an appropriation for furniture and fixtures for their Engine House, upon their filing with the City Clerk an inventory of such furniture and fixtures, approved and certified by the Chief Engineer.—Adopted; ayes 18, noes 0.

By Ald. Hollister—Resolved, That Wm. F. Sterritt and Thomas Williamson have leave to erect wood buildings according to the several prayers of their petitions, under the direction of the Chief Engineer of the Fire Department. Adopted.

By Ald. Reynolds—Resolved, That the Improvement Committee be authorized to contract with Rathbun & Whitmore for the improvement of Temple street, in accordance with their proposition and the desire of the principal tax-payers thereon.—Adopted.

By Ald. Reynolds—Resolved, That the Mayor be and he is hereby directed to notify Samuel Buell and his assignee, that unless he or they show some good reason to the Mayor why the same should not be done, before the 6th of November inst., the Common Council by its authorized agents, will settle with Lindsley E. Gould for all claims against the city by reason of work done by said Buell, on his contract for the improvement of Buffalo street from the Erie Canal to the city line, including all work done under the contract and all extra work, and all claim whatever, existing from said Buell's connection with said improvement. Adopted.

By Ald. Reynolds—Resolved, That in case Mr. Samuel Buell or his legal representative fails or neglects to show cause to the contrary, as provided for in a resolution passed by this Board this evening, His Honor the Mayor is hereby authorized and directed to settle with the assignee of said Buell in full for all claims of said Buell, or his assignee, under and by virtue of his contract for the improvement of Buffalo street, and the Chili road. Adopted.

By Ald. Reynolds—Resolved, That the City Clerk issue an order on the City Treasurer for five hundred dollars, payable to the order of John Dalton in one year from the 3d day of November, 1859, with interest, on account of his contract for the improvement of Hudson street, and charge that fund; and the City Treasurer is hereby authorized to accept the same in behalf of the city. Adopted—Ayes, 15; noes, 0.

By Ald. Reynolds—Resolved, That the Treasurer be directed to remit to the Metropolitan Bank, in the city of New York, five thousand four hundred and fifteen dollars (\$5,415)

And charge bonded debt for one bond due Nov. 1 \$3,000
 And charge interest account for six months interest on \$12,000 Main street and Suspension Bridge 7 per cent. bonds, due 1st Nov. 420
 And six months interest on \$57,000 7 per cent. bonds, issued for floating debt, Deep Hollow, and Andrews street improvement, due 1st Nov. 1,995
 \$5,415

And charge exchange to contingent fund.
 Adopted—Ayes, 14; noes, 0.

By Ald. Reynolds—Resolved, That the City Clerk issue two orders on the City Treasurer, payable to the order of David Wagner, one thousand dollars each; one payable in one year, and the other in two years from the 3d day of November, 1859, with interest, on account of his contract for the improvement of East avenue, and charge that fund; and the City Treasurer is hereby authorized to accept the same in behalf of the city. Adopted; ayes 14, noes 0.

By Ald. Reynolds—Resolved, That the Treasurer make the city's note for six thousand dollars payable at the Monroe County Bank, or at the Metropolitan Bank in the city of New York, (if the Bank discounting it shall so prefer, under the arrangement in relation to exchange,) three months from the 3d day of November, 1859, and get the same discounted at the Monroe County Bank, and charge the discount to contingent fund. Adopted—ayes 14, noes 0.

FINANCE BUDGET.

By Ald. Reynolds—Resolved, That the Treasurer pay as follows:

CONTINGENT FUND.	
David McKay, 1 month's salary as Assessor.....	\$83 33
Jared Coleman, " " " " " " " " " "	83 33
Francis Dana, " " " " " " " " " "	83 33
W F Cogswell, bill for counsel fee	25 00
Silas Cornell, bill for city maps.....	185 00
Marin Barges, bill for iron gallery law library.....	160 00
Jacob Barthrdt, bill for Surveyor's stakes.....	21 22
Curtis, Butts & Co. one quarter's publishing proceedings on contract.....	175 00
and charge contingent fund.	
POOR FUND.	
J B Bennett, rent of Poor Master's office.....	\$75 00
Charles Banks, bill for delivering wood	44 00
and charge poor fund.	
HIGHWAY FUND.	
R D Howell, disbursements for October.....	\$906 11
and charge highway fund.	
IMPROVEMENT FUNDS.	
Thomas Knowles, bill for back hire.....	\$3 25
and charge Deep Hollow \$2.25, and Lyell-st sewer \$1.	
John Dalton, on account of his contract for the improvement of North street, when there are funds applicable thereto	\$1300 00
and charge that fund.	
Fairchild, Sherlock & Harris, estimate No 4, on their contract for laying water pipes and building reservoirs in State street, when there are funds applicable thereto, and charge that fund.....	1900 00
Rathbun & Whitmore, estimate No 2, on their contract for side-walk around Brown's Square, when there are funds applicable thereto, and charge that fund.....	700 00
William Carroll, estimate No 2, on his contract for sewer in St Paul street, when there are funds applicable thereto, and charge that fund.....	600 00
R W Underhill, estimate No 1, on his contract for improvement of Edinburg street, when there are funds applicable thereto, and charge that fund—payable to Wm Hollister & Co.....	50 00
J F Dennison bill as Inspector of New Main street sewer, when there are funds applicable thereto, and charge that fund	70 00
POLICE FUND.	
E. J. Keeney, services as Chief of Police, 1 month.....	\$66 66
J. Montgomery, services as Policeman, 1 month.....	44
P. B. Wilder, " " " " " " " " " "	44
L. Johnson, " " " " " " " " " "	44
B. B. Leap, " " " " " " " " " "	44
Wm. Coughlin, " " " " " " " " " "	44
A. Kingsbury, " " " " " " " " " "	44
A. M. Brownell, " " " " " " " " " "	44
R. W. Goodrich, " " " " " " " " " "	44
J. Dresser, " " " " " " " " " "	44
G. C. Pease, " " " " " " " " " "	44
J. C. Basie, " " " " " " " " " "	44
J. C. Lauer, " " " " " " " " " "	44
H. Jordan, " " " " " " " " " "	44
John H. Dana, " " " " " " " " " "	44
Alvah Rice, " " " " " " " " " "	44
Paul Gilman, " " " " " " " " " "	44
H. V. Steller, " " " " " " " " " "	44
Thomas Campbell, " " " " " " " " " "	44
Thomas Collier, " " " " " " " " " "	44
John S. Stott, " " " " " " " " " "	44
A. Wagner, " " " " " " " " " "	44
Peter Koons, " " " " " " " " " "	44
Seymour Coley, " " " " " " " " " "	44
R. McQuatters, " " " " " " " " " "	44
Bernard Horcheier, " " " " " " " " " "	44

J. Parshall, half month.....	22 00
E. J. Keeney, disbursements.....	67 46
E. A. Bardwell, taking prisoners to House of Refuge	3 00
A. W. Chanpell, 9 nights' service as policeman.....	13 50
and charge Police Fund.	

FIRE DEPARTMENT FUND.

Leslie & Co, painting and glazing engine house No 2	\$20 32
James Field, sacks and implements for Protectives.....	128 13
George B Harris, disbursements.....	39 29
John McMahon, repairing and painting hose carts.....	25 00
N. Aylsworth, repairs to fire apparatus.....	81 69
W Hollister & Co, for Orrin Harris, on account of engine house No 5.....	45 00
Orrin Harris, in full for building engine house No 5.....	293 53
Richard Gilbert, 1 month's salary, superintendent.....	41 67
Hose Depot.....	34 20
Brown & Brothers, bill for hose rivets, payable to George B Harris, C. B.....	10 00
L. M. Blakeslee, ringing alarm bells.....	
and charge Fire Department fund.	

Adopted; ayes 14; noes 0.

And the Board then adjourned.

F. S. Rew, Clerk.

In Common Council, Nov. 15, 1859.

REGULAR MEETING.

Present—The Mayor, Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Erickson, Moore, Knapp, Stone, Lutes, Jones, Selye, Shelton, Bauer, Mason, Billinghurst and Cushing.

Absent—Ald. Mudgett, G. W. Perry, Twitchell, D. W. Perry and Nash.

The minutes of the previous meeting were approved.

PETITIONS AND CLAIMS.

By Ald. Butler, bills of John Kislignbury, Brewster & Fenn, C. T. Amsden, Inspectors of Second Ward; James Wentworth, for use of rooms;—Contingent Expense Committee. Of James Badger, for painting Jones Square fence—City Property Committee.

By Ald. Holmes, bill of Inspectors of First Ward. Contingent Expense Committee.

By Ald. Hollister, bills of Inspectors of Third Ward; of S. Stoddard, for use of rooms by Inspectors. Contingent Expense Committee. Remonstrance against Plank walk in Spring street; against Cross walks on Plymouth avenue. Improvement Committee. Petition of A. Carroll for leave to erect a wood building. Wood Building Committee.

By Ald. Hebard, bills of G. N. Deming & Co., F. Tully, Contingent Expense Committee. Estimate of Allen & Stuart. Improvement Committee. Petition of John Williams and others, for a Public Park on the Steam Saw Mill Island; Referred to Select Committee—the Mayor and five Aldermen. Petition of L. Tracy, for relief from a tax. Grievance Committee.

By Ald. Reynolds, of Jas. S. Wadsworth, for relief from a tax; Finance Committee. Bill of R. L. Swift; Contingent Expense Committee. Estimate of R. Dransfield; three bills of Rathbun & Whitmore. Improvement Committee.

By Ald. Bradstreet, bill of Inspectors of Fifth Ward; of Geo. N. Hotchkiss; G. W. Avery; Contingent Expense Committee. Of Thos. Arner. Police Committee. Of T. F. Hall; Contingent Expense Committee.

By Ald. Lewis, bills of N. Aylesworth, J. Koll, J. Howland and J. Preston. Fire Department Committee. Bill of Inspectors of the Fourth Ward. Contingent Expense Committee.

By Ald. Moore, bill of Inspectors of Seventh Ward; of Lewis Miles, for use of rooms for election purposes. Contingent Expense Committee.

By Ald. Erickson, petition of J. T. Andrews, R.

Keeler and others, for the purchase of Falls Field for a Public Park. Referred to Select Committee—Mayor and five Aldermen.

By Ald. Stone, bill of Inspectors of Eighth Ward. Contingent Expense Committee. Of Jas. S. Wadsworth, for rent of lots on Ford street, for wood yard; of J. H. Child; of Jona. Child; Poor Committee. Of Morty Glenn, for damages to fence and garden by Firemen. Fire Department Committee. Petition of G. S. Gilbert, relative to a tax. Table. Of M. Wall and others, relative to Lyell street Improvement. Table.

By Ald. Knapp, petition of A. Stutts, for permission to erect wood buildings; bill of J. Van Auker, H. A. Perry. Contingent Expense Committee.

By Ald. Lutes, bill of Frank Masseth, for hack hire. City Property Committee. Of Whaples & Roach; Lamp and Police Committees. Of Inspectors of Ninth Ward. Contingent Expense Com.

By Ald. Shelton, bill of Registrars and Inspectors for Tenth Ward; of Matthew Mead, for assessing; Contingent Expense Committee. Of J. F. Dennison, for Inspecting Asylum street Sewer; of Wm. Churchill, for Inspecting Sewers; of F. Masseth for hack hire; estimates of D. Wagner, E. Watson, D. McGarry and Wm. Carroll. Sewer Committee.

By Ald. Jones, petition of J. Meyer, to be relieved from a tax; Table. Bills of M. Newhart and Inspectors of Tenth Ward. Cont. Exp. Com.

By Ald. Billinghurst, bill of Inspectors of Twelfth Ward. Contingent Expense Committee.

By Ald. Cushing, bill of Inspectors of Election, Twelfth Ward; bill of J. M. Bardwell, for taking affidavits at Twelfth Ward poll. Contingent Expense Committee. Petition of L. F. Munger. Committee on Wood Buildings.

By Ald. Mason, petition of James McQuade and others relative to Lyell street Improvement. Improvement Committee.

REPORTS OF COMMITTEES.

By Ald. Lewis, from Fire Department Committee, favorably on the following bills: N. Aylesworth, J. Hyne, Geo. Bowden, Geo. Arnold, and S. Church. Finance Committee. Also, in favor of confirming proceedings of H. & L. Co. No. 1, and Fire Co.'s Nos. 5 and 7. Agreed to.

By Ald. Stone, from the Poor Com., favorably on the bills of J. S. Wadsworth, Jona. Child, and J. H. Child. Finance Com.

By Ald. Reynolds, from the Improvement Committee, favorably on bills of F. Masseth, Rathbun & Whitmore, R. Dransfield. Finance Com.

By Ald. Erickson, favorably on the estimate of Rathbun & Whitmore, for East Avenue Flag Walks. Also, favorably on estimate of D. Wagner. Finance Com.

By Ald. Hollister, from committee on Wood Buildings, favorably on petitions of A. Carroll, L. F. Munger, and Thos. Williamson. Table.

By Ald. Hebard, from the contingent expense committee, favorably on the bills of Curtis, Butts & Co., Hebard, Tracy & Co., F. Lockhart, F. H. Marshall, G. N. Deming & Co., estimate of Allen & Stuart. Finance Com.

Also, that petition of S. Shubert, be referred to City Surveyor. Agreed to.

By Ald. Shelton, from the sewer com., favorably on bills of J. Quin, J. Depoe, S. Moses, J. F. Denison: estimates of D. Wagner, E. Watson, D. McGarry, and Wm. Carroll. Finance Com.

REPORTS OF EXECUTIVE OFFICERS.

Ald. Lutes, from the Police Committee, presented Reports of the Chief of Police, for August, (amount of fines \$210 32,) September, (\$122 18,) and October, (\$98 07.) Filed.

The Chief Engineer presented the following report, which was referred to the Fire Department Committee:

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

I have to Report that the covering of the Reservoir in Buffalo street, in front of the City Hall, is considered unsafe.

This Reservoir was covered with Payne-ized Timber, upon which is a heavy layer of earth and sand, covered with earth and flagging. This timber is *entirely rotten*, and the covering is upheld simply by the cohesion of this mass of material, and is liable at any time to fall in.

In this connection I have also to Report that this Reservoir leaks water at the rate of one inch in depth per hour.

Respectfully submitted,

Geo. B. HARRIS, Chief Eng.

Rochester, Nov. 15, 1859.

The City Attorney reports that the amount due Curtis, Butts & Co., for printing, under a former contract, upon the basis of the report of the Law Committee, is \$220. Table.

The Clerk presented the report of the City Superintendent for October. Filed.

ASSESSMENTS.

Ald. Reynolds presented the assessment roll for grading and constructing plank walks on Emmet street, for confirmation, and opportunity having been given for appeals therefrom, and no one appearing, the said roll was confirmed by the following vote:

Ayes—Ald. Holmes, Butler, Reynolds, Lewis, Hebard, Bradstreet, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Billinghamurst. Cushing—17. Nays—none.

By Ald. Shelton—Resolved, That the Board will hear appeals of all persons assessed for the construction of a sewer in High street, and for the construction of a sewer in Gorham street, upon the assessment rolls therefor, at the next regular meeting, Nov. 29th inst. Adopted.

ACTION UPON ORDINANCES.

IMPROVEMENT OF FRONT STREET.

By Ald. Reynolds—Resolved, That the City Surveyor ascertain and report to this Board the expense of the improvement of Front street, from Buffalo street to Mumford st., by laying flag sidewalks and paving with Lockport sandstone, and constructing a suitable number of crosswalks. Adopted.

The Surveyor submitted such estimate.

By Ald. Reynolds—Resolved, That the following improvement, having been requested by a majority of the persons to be assessed therefor, is expedient, namely:

The laying of a flag sidewalk upon each side of Front street, 13 feet wide, setting gutter stone and paving with Lockport sandstone, and constructing a suitable number of crosswalks, between Buffalo and Mumford 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 \$14,089, which estimate is hereby approved.

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

One tier of lots upon each side of Front street, between Buffalo street and Mumford street.

And further, Resolved, 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 centum, 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 190 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 29th, 1859, at half-past 7 o'clock at

the common council hall, when allegations will be heard. Adopted.

SEWER IN FRONT STREET.

By Ald. Shelton—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone sewer, two feet by three feet, in Front street, from 50 feet from the north line of Buffalo street to the sewer in Mumford street. Adopted.

The Surveyor submitted such estimate.

By Ald. Shelton—Resolved, That the following improvement is expedient, namely:

The building of a stone sewer in Front street, two feet wide, three high, and twelve feet deep, from a point thirty feet north of the north line of Buffalo street to the sewer in Mumford 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 \$4,282, which estimate is hereby approved.

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

One tier of lots upon each side of Front street, from Buffalo street to Mumford 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 190 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 29th, 1859, at half past seven o'clock, at the common council hall, when allegations will be heard. Adopted.

BRICK WALK ON FITZHUGH STREET.

By Ald. Reynolds—Resolved, That the City Surveyor ascertain and report to this Board the expense of the improvement of the east side of Fitzhugh street, by constructing a brick sidewalk in front of the following lots, namely: Lots No. 67, 68, 69, s pt, 70, s pt, 71, 72, in the one hundred acre tract, and lot No 10 in the Troup tract.

The Surveyor submitted such estimate.

By Ald. Reynolds—Resolved, That the following improvement is expedient, namely:

Constructing a brick sidewalk on the east side of Fitzhugh street, in front of the following lots, namely: Lots No. 67, 68, 69, s pt, 70, s pt, 71, 72, in the one hundred acre tract, and lot No. 10 in the Troup 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 \$153 00, which estimate is hereby approved.

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

Lots No. 67, 68, 69, s pt, 70, s pt, 71, 72, in the one hundred acre tract, and lot No. 10 in the Troup tract, on the east side of Fitzhugh street.

And the clerk is hereby directed to publish notice in pursuance of section 190 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. 29th, 1859, at half-past seven o'clock, at the common council hall, when allegations will be heard. Adopted.

PLANK-WALK ON AMBROSE STREET.

On motion of Ald. Hebard, the Board proceeded to hear allegations in relation to the improvement described in the ordinance following.

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

Resolved, That the Board be directed to construct plank-walks on Ambrose street, from State street to Graham street.

The common council of the city of Rochester, having been requested by a majority of the owners of property to be assessed for the improvement hereinafter described, do ordain and determine as follows:

A plank sidewalk, six feet in width, shall be constructed on each side of Ambrose street, from State street to Graham street, and suitable number of crosswalks shall be constructed therein.

And the whole expense thereof shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefitted thereby; and the city Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at \$983, which estimate was and is hereby approved; the sum of \$983, being the whole amount of the estimate aforesaid, shall be assessed upon such owners and occupants. And the portion of said city which the said common council deem will be benefitted by said improvement is described as follows:

One tier of lots upon each of Ambrose street, from the west line of State street to the east line of Graham st.

On which above described portion of the city, the said sum of \$383 is hereby ordered to be assessed.

And David McKay and Francis Dana, assessors of said city, and Francis Brown, a commissioner hereby appointed, said assessors and a commissioner being not interested in any of the property so benefitted, 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 and commissioner are hereby notified to meet for this purpose, on Friday, the 18th day of November, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote—
Ayes—Ald. Reynolds, Hollister, Hebard, Bradstreet, Erickson, Knapp, Lutes, Jones, Shelton, Bauer, Mason, Billingshurst, Cushing—13.

Noes—Ald. Holmes, Butler, Lewis, Moore, Stone—5.

CROSS-WALKS ON PLYMOUTH AVENUE.

Ald. Reynolds presented the final ordinance for the construction of cross-walks on Plymouth avenue and Greig street, and allegations having been heard, and the question being taken thereon, the ordinance was lost, by the following vote:—Ayes 15, noes 2—Ald. Bauer and Mason.

PLANK WALK ON BROWN STREET.

Ald. Reynolds presented the final ordinance for a plank walk on Brown street, from Kent street to Boat alley, and allegations having been heard, and the question being taken thereon, the ordinance was lost, ayes 16, noes 5—Ald. Holmes, Hollister, Lewis, Moore and Stone.

PLANK WALK ON TROUP STREET.

Ald. Reynolds presented the final ordinance for a plank walk on the north side of Troup street from High street to the alley next west, and allegations having been heard, and the question being taken on the passage thereof, the ordinance was lost; ayes 16, noes 3—Ald. Butler, Lutes, Billingshurst.

On motion of Ald. Shelton the above action was reconsidered, and the question being taken again the ordinance was again lost; ayes 15, noes 4—Ald. Lewis voting nay.

PLANK WALK ON SPRING STREET.

Ald. Reynolds presented the final ordinance for constructing a plank walk on Spring street, between High and Ford streets, and allegations having been heard, and the question being taken on the passage thereof, the ordinance was lost; ayes 6—Ald. Reynolds, Bradstreet, Knapp, Selye, Bauer and Mason; noes 11.

WIDENING PINDALL ALLEY.

On motion of Ald. Selye, the Report of the Commissioners to ascertain the damages to owners of property by the proposed widening of Public Square or Pindall Alley, was taken up, and opportunity having been given for appeals therefrom, no one appearing, the said report was confirmed by the following vote.

Ayes—Ald. Holmes, Butler, Reynolds, Lewis, Bradstreet, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Billingshurst, Cushing—14.

MISCELLANEOUS BUSINESS.

By Ald. Shelton—Resolved, That the Treasurer be and is hereby directed to put to the credit of Henry Munger \$12.22, for his assessment for the sewer in Smith street. Adopted—ayes 16, noes 0.

By Ald. Jones—Resolved, That \$36 be deducted from John Meyers' tax, for Atwater street sewer, upon his lot on the corner of Clinton and Atwater streets, and charge to Atwater Street Sewer Fund. Adopted—ayes 17, noes 0.

By Ald. Jones—Resolved, That the Street Superintendent notify the owners of property on the south side of Riley street, from North to Scio

street, to repair their side walks without delay, or that legal steps will be taken to cause the same to be done. Adopted.

By Ald. Jones—Resolved, That the Treasurer be directed to collect 80 per cent. from the tax payers on North street improvement, until further directed by this Board. Referred to Improvement Committee.

By Ald. Knapp—Resolved, That the Improvement Committee be requested to bring in an ordinance for a cross walk across Troup street, on the east side of Plymouth avenue; also for cross walks across Sophia street, and across Washington street on east side of Buffalo street.

Ald. Holmes moved to amend, by including a cross walk in front of City Hall. Carried. The resolution, as amended, was adopted.

LYELL STREET GRADE.

On motion of Ald. Stone, the petitioners for a change of the grade of Lyell street, as fixed under the improvement now progressing, were heard on that subject. After hearing Mr. Wall, Jas. Campbell and others, the petition was referred to the Improvement Committee.

By Ald. Stone—Resolved, That the warrant now in the hands of the Collector of Taxes, for Greig street improvement, be extended sixty days, so far as the amount assessed to G. S. Gilbert is concerned, and that said Collector be directed to proceed no further in his efforts to collect said tax of G. S. Gilbert, until after the expiration of the time named in this resolution. Adopted.

By Ald. Bradstreet—Resolved, That the Superintendent notify the owners and occupants of lots on the north side of Mariette street, to repair their side walks forthwith. Adopted.

By Ald. Bradstreet—Resolved, That the Superintendent is hereby requested to notify the owners and occupants of lots on that part of Franklin street lately improved to conform their fences and buildings to the line of the street. Adopted.

By Ald. Bradstreet—Resolved, That the Superintendent is hereby requested to notify the owners and occupants of lots on Pleasant street, to repair their sidewalks forthwith. Adopted.

By Ald. Bradstreet—Resolved, That the Superintendent is hereby requested to notify the owners and occupants of lots on Mortimer street, to put their sidewalks in proper repair. Adopted.

By Ald. Lewis—Resolved, That the Fire Department Committee be authorised to contract for the construction of the necessary dams in the canals, to retain a supply of water for fire purposes during the ensuing winter. Adopted.

By Ald. Hebard—Resolved, That the Treasurer be directed to receive from all persons assessed for the improvement of Franklin street, under the ordinance for said improvement, passed June 14th, 1859, 88½ per cent. of said assessments, respectively, in full thereof. Adopted.

By Ald. Hebard—Resolved, That the City Treasurer receive from the tax payers assessed for a sidewalk from Asylum street to Riley street, 65 per cent. of their assessments, in full thereof.—Adopted.

By Ald. Hebard—Resolved, That the City Clerk issue an order on the City Treasurer payable to the order of Allen and Stuart, for \$439 40, payable in two years from the 5th day of October, 1859, with interest, in full and final estimate for their contract for the improvement of Franklin street—and the Treasurer is hereby authorised to accept the same in behalf of the city.

Adopted—Ayes 18, noes 0.

By Ald. Hollister—Resolved, That the Lamp

Committee be, and they are hereby instructed, to locate and erect gas-lamps on Plymouth avenue, between Glasgow street and Clarissa street—also, one gas lamp on the corner of Riley street and New Main st. Adopted.

By Ald. Hollister—Resolved, That the Lamp Committee be instructed to locate the necessary gas lamps on Temple street. Adopted.

By Ald. Hollister—Resolved, That L. F. Munger, Thos. Williamson and A. Carroll have leave to erect wood buildings according to the several prayers of their petitions, under the direction of the Chief Engineer of the Fire Department. Adopted.

By Ald. Butler—Resolved, That Richard Bradford have leave to build the side walk in front of his property on Ambrose street. Adopted.

By Ald. Reynolds—That the Clerk issue two orders to the order of David Wagner, of \$1,000 each, payable one in one year and the other in two years from the 1st day of November, 1859, with interest, on his contract for the improvement of East Avenue; and the Treasurer is hereby authorized to accept the same in behalf of the city.—Adopted; ayes 16, nays 0.

By Ald. Reynolds—Resolved, That the City Clerk issue three orders on the City Treasurer, payable to the order of Messrs. Rathbun & Whitmore, as follows:

One for \$216 81 for balance of the first third due on their contract for flag side walk in Greig street, and two others of \$916 81 each, one payable in one year, the other in two years from the 6th day of October, 1859, with interest, in full for their contract for the aforesaid improvement, and charge that fund; and the City Treasurer is hereby authorized to accept the same in behalf of the city. Adopted; ayes 17, nays 0.

By Ald. Reynolds—Whereas, The contract for the improvement of Clarissa street, has been let to Messrs. Rathbun & Whitmore, to be done in accordance with the ordinance passed Oct. 4th, 1859, and the compensation therefor being the sand, gravel, paving stones, and other materials found in said street, in grading the same preparatory to said improvement, and

Whereas, An assessment roll has been made and confirmed, and placed in the hands of the Treasurer for collection, with the view of legalizing the action of the Common Council, in reference to said improvement, therefore,

Resolved, That the Treasurer be and he is hereby directed to cancel said roll, and the assessments for said improvement, standing therein against all the persons therein named. Adopted.

Whereas, The Common Council passed a resolution October 4th last, providing for a settlement with Samuel Buell for his contract for Buffalo street improvement, to which said Buell declined to accede; and

Whereas, The Common Council passed another resolution at the last meeting of the Board, looking to a final settlement with Mr. Buell or his assignee, for all claims under and by virtue of his contract for said improvement; and

Whereas, An arrangement has been effected in pursuance thereof to settle up said contract in full, substantially as follows:

To pay Lindsley E. Gould the sum of \$950;

And twenty five per cent on a list of names furnished by said Buell, as persons to whom he is indebted for materials and labor furnished for said improvement, amounting to \$985 64, therefore,

Resolved, That the Mayor be authorized and directed to settle with said Buell on the above basis—and the Clerk is hereby directed to issue or-

ders to such persons, in such amounts as His Honor shall certify as correct, not exceeding twenty-five per cent of the amounts in the list named—and that all said claimants be required to make affidavit that the amounts claimed in said list are severally due them for labor or materials or both furnished said Buell for the improvement of Buffalo street under his contract therefor. Adopted; ayes 18, as follows:

Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Bauer, Mason, Billinghurst, Cushing—18.

Ald. Reynolds presented a diagram showing encroachments upon the corner of Plymouth avenue and Glasgow street, and moved that the same be approved and referred to the Street Committee, with instructions to proceed and remove the said obstructions, under the advice and counsel of the City Attorney. Carried.

FINANCE BUDGET.

By Ald. Reynolds—Resolved, That the Treasurer pay as follows:

CONTINGENT FUND.

F H Marshall, for binding record books, and for vowel indexes	\$44 75
Francis Lockhart, for 61 nights as City Hall watchman, payable to H W Jones	45 75
Hebard, Tracy & Co. for advertising and printing ordered by the Treasurer	131 06
Curtis, Butts & Co. for advertising and printing ordered by Treasurer	150 25
G N Downing & Co. for 37 tons of coal, per contract and charge Contingent fund	164 50
Joseph Depoe, for work on Allen and Warehouse streets sewer	20 00
and charge that fund	
John Quin, bill for money advanced for sewer on Allen and Warehouse sts.	63 85
and charge that fund	
Schuyler Morse, bill for services as assessor on 4th, 7th and 12th ward outlet sewer	4 00
and charge that fund	

POOR FUND.

J H Child, services in Poor store	25 00
Jonathan Child, bill disbursements	32 28
Jas Wadsworth, rent of wood-yard	100 00
and charge Poor Fund	
Frank Masseth, hack hire	1 50
and charge East Avenue improvement	

FIRE DEPARTMENT FUND

Geo Bowden, work on Fitzhugh street and Front st. water pipes	5 00
N Aylsworth, repairs to fire apparatus	34 49
Geo Arnold, painting fire apparatus	90 00
Sidney Church, rope for fire department	13 25
Jacob Hyne, ringing alarm bells, Plymouth church	18 75
and charge Fire Department Fund	

IMPROVEMENT FUNDS.

E Watson, estimate No 8, on New Main st. sewer and charge that fund, when there are funds applicable thereto	200 00
David Wagner, estimate on sewer in State street, from Jay to White st.	22 49
and charge that fund, when there are funds applicable thereto	
D McGarry, estimate No. 6 on sewer in State street, from Eagle Hotel north	995 95
and charge that fund, when there are funds applicable thereto	
Wm Carroll, estimate No 3 on sewer in North St. Paul street	600 00
and charge that fund, when there are funds applicable thereto	
J F Dennison, services as inspector of Asylum st. sewer	51 00
and charge that fund, when there are funds applicable thereto	
Rathbun & Whitmore, estimate on East Avenue side walk	2000 00
when there are funds applicable, and charge that fund	
Rathbun & Whitmore, final estimate for cross walks corner Mansfield and Mill sts	717 84
Rathbun & Whitmore, final estimate for Mill street improvement	973 33
and charge as follows:—	
Mill street improvement	\$911 65
Market street "	61 68

Richard Dransfield, final estimate No. 2 for plank walk on Brown st. and charge that fund, when there are funds applicable thereto. 90 52

Rathbun & Whitmore, in full for constructing side walk on east side of State street, from Furnace st. to railroad. and charge that fund, when there are funds applicable thereto. 483 75

James Logan, on his contract for the improvement of State st, from Jay to Smith st. when there are funds applicable thereto. 300 00

Adopted; ayes 18, noes 0.

COMMITTEES ON PUBLIC PARKS.

The Mayor appointed the following Select Committees:

On the subject of purchasing Falls Field—Ald. Erickson, Bradstreet, Twitchell and Knapp.

On the subject of purchasing the property between the Genesee river and Canal Feeder—Ald. Hebard, Lewis, Cushing and Hollister.

The Mayor, by resolution of reference, is a member of each of the above committees.

By Ald. Hebard—Resolved, That the City Surveyor be and is hereby directed to make or cause to be made a diagram of Franklin street, between St. Paul street and Clinton street, and on the corner of St. Paul street, giving its true lines, showing the obstructions as they now exist. Adopted. The Board then adjourned.

F. S. REW, Clerk.

In Common Council—Nov. 29, 1859.

REGULAR MEETING.

Present—The Mayor, Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Mason, Cushing.

Absent—Ald. G. W. Perry, Twitchell, D. W. Perry, Nash, Bauer, Billingham.

The minutes of the previous meeting were approved.

PETITIONS AND CLAIMS.

By Ald. Mudgett—Bill of Commissioners to ascertain damages in widening Pindall alley; C. C. Stafford, for use of rooms for election purposes—Contingent Expense Committee. Remonstrance against sewer in Front street—table. Of J. W. Phillips and others, for widening Stevens alley—Committee on Opening Streets.

By Ald. Hollister—Petition of J. McDermot, for leave to erect wood building—Committee on Wood Buildings. Bill of C. H. Higgins, for services as policeman—Police Committee.

By Ald. Reynolds—Bills of C. Harper and S. Wheeler, hack hire; W. S. Grantsynn, as Inspector of plank walks; estimates of R. W. Underhill and Stroup & McConnell; communication from Joseph Marsh, for relief from tax; bill of H. B. Knapp, Commissioner of West Avenue—Finance Committee.

By Ald. Lewis—Bills of W. G. Stewart, W. H. Brown, Gas Light Co., Chas. Helms, G. B. Harris, A. Cross, proceedings of H. & L. Co. No. 2, Engine Cos. Nos. 5 and 8—Fire Department Committee. Petition of _____ for a market license—Market Committee. Bills of James Evans and Jno. N. Decker—Contingent Expense Committee.

By Ald. Hebard—Bill of H. A. Perry, for charcoal. Contingent Expense Committee.

By Ald. Knapp.—Bill of M. Kavanagh, for use of rooms for election purposes—Contingent Expense Committee. Bill of disbursements of City Superintendent—Street Committee.

By Ald. Stone—Petition of D. Knickerbocker, for compensation for medical services in case of Christian Fry.—Poor Committee.

By Ald. Lutes, bill of Gas Light Company; Police committee. Petition of F. C. Wilson and others, for gas lamp on Jay street. Lamp committee.

By Ald. Jones, petition of O. H. Palmer and 49 others, to have the name of McDowell avenue retained, instead of Baden street. Table. Also, petition of W. H. Blackmer for a sewer. Sewer committee.

By Ald. Shelton, bill of Wm. Whitehare, P. Leonard, and Seth Wheeler for hack hire. Estimates of D. Wagner, John Quin and E. Watson. Sewer committee.

Petition of J. E. Dunn and others, for the tolling of the bells on the 2d December. Laid on the table, on motion of Ald. Erickson.

By Ald. Mason, bill of Gas Light Company; market committee. Petition of Andrew Scott to be refunded a tax. Sewer committee.

REPORTS OF COMMITTEES.

By Ald. Lewis, from the Fire Department committee, favorably on the following bills: Jas. Terry & Co., J. Preston, Jacob Koll, Jesse Howland, and N. Aylesworth; Finance committee.

CLAIM OF W. G. GRIFFIN.

By Ald. Stone, from the Poor Committee, the following report:

To the Honorable Mayor and Common Council: The Poor Committee, to whom the communication of Wm. G. Griffin was referred, would report:

That to recognize the claim, would be "opening the door" for the presentation of other and larger claims, not only for rent, but for every conceivable demand. As well might the mechanic ask for his unpaid labor, the doctor for his unsettled fee, the merchant for his unbalanced books, as truly and as consistently as can Mr. Griffin for his rent.

His house was occupied by a family who were in affliction; the father and head not only were sick, but they were destitute of the necessaries of life, to say nothing of those little things and luxuries, which tend so much to cheer the sick and dying. Thus situated, they were helped by the Superintendent of the Poor; his Physician would not permit his removal, and he remained several weeks longer than he would have been allowed to, under other circumstances; and by so doing, Mr. Griffin sets forth his loss at about \$20—if his house had been occupied by a good and paying tenant. The petitioner would never have conceived the idea of asking this Common Council to pay his bill of rent, had not the family been compelled to ask and receive help from the Poor authorities.

While the Committee do not wish to reflect upon the over-anxiety of Mr. Griffin to get out of his house a sick and helpless tenant, yet from due and proper enquiry, they are satisfied also, that the loss of twenty dollars will not embarrass him in a pecuniary point of view, and as his case is not an isolated one, but the experience of every landlord, we are of the opinion that to deny his claim would not be so great a wrong as to recognize it, and by so doing to invite all who have similar claims to present them for payment.

We would therefore report adverse.

N. A. STONE,
WM. MUDGETT, JR., } Committee.
H. BILLINGHURST,

Adopted.

CLAIM OF DR. KNICKERBOCKER.

Ald. Stone, from the same committee, presented the following report:

To the Mayor and Common Council:

The Poor Committee, on the claim of Dr. Knickerbocker, would report that this claim cannot be recognized as valid, and especially chargeable to the Poor Fund, for the following reasons:

1st. We have some six physicians for the poor, who must, and we believe are willing to attend to all calls for their services.

2d. To allow the same, would but encourage every individual, who was a little "short of ways and means," to refuse the payment of every "doctor's bill," and virtually saying to such physicians to go at every call, and send in your bill for payment.

3d. As in the case of Mr. Griffin for rent, we have no right and authority to go outside of our duties. To feed, clothe and warm the thousands who live upon our bounty, is all the community ought to ask or expect.

It is argued that this is a matter different from all others. The accident occurred to a young man, who, not celebrating, was on his way home, or to his work, and the result incidentally of suspending the ordinance relating to fire works; also a case when haste and prompt treatment was essential, and no time to be spared in going for a City Physician, and without stopping to inquire as to his pay, he rendered all and every service his humanity and skill dictated.

The young man died; the help and assistance he might have rendered his poor and needy parents, have all been lost to them.

The Committee taking this view, feel some favor toward the claim, and while they do not feel at liberty to report favorably, they will leave the matter for this Board to take such action as they may deem just and proper.

N. A. STONE,
W. G. MUDGETT, jr. } Committee.
H. BILLINGHURST,

Ald. Stone, from the same Committee, in favor of paying claim of Jno. McDowell, and costs of suit; Finance Committee.

By Ald. Lutes, from the Lamp Committee, favorably on bills of Gas Light Co. and Whaples & Roach; Finance Committee.

Also, from the Police Committee, favorably on bills of Whaples & Roach, Gas Light Co., Dr. Arner and C. H. Higgins; Finance Committee.

By Ald. Knapp, from the Street Committee, favorably on bill of Street Superintendent's disbursements, and of Jno. Van Auker, for hack hire; Finance Committee.

By Ald. Hollister, from Committee on Wood Buildings, favorably on petition of J. McDermott, for leave to erect wood building; table.

By Ald. Reynolds, from Improvement Committee, favorably on bills of Seth Wheeler, C. Harper, and on estimates of R. W. Underhill, and Stroup & McConnell; Finance Committee.

Also, from the Finance Committee, favorably on request of Joseph Marsh; table.

By Ald. Mason, from the Market Committee, favorably on bill of Gas light Co.; Finance Committee. Also, on petition of George Wolfe and others for a market license; table.

By Ald. Shelton, from the Sewer Committee, favorably on bills of Wm. Churchill, Wm. Whitehare, P. Leonard, S. Wheeler, estimates of D. Wagner, J. Quinn and E. Watson. Finance Committee.

By Ald. Hebard, from the Contingent Expense Committee, adversely to account of J. M. Bardwell for taking affidavits; favorably on bills of Jno. VanAuker, M. Mead, H. A. Perry, Geo. W. Avery, T. F. Hall, H. A. Perry, F. Tully, Brewster & Fenn,

Brown & Williams, F. Masseth. Also, that M. Kavanaugh, J. Wentworth, M. Newhart, Lewis Miles, Geo. N. Hotchkin, Jacob Lutt, S. Stoddard, and C. C. Stafford, be allowed \$20 each for use of rooms. Also allowing to each Board of Registrars and Inspectors \$40.

Ald. Lewis moved that so much of the report as relates to bills of Inspectors of Election, be re-committed to the Contingent Expense Committee. Lost.

The bills were referred to the Finance Committee for payment, as follows:

Ayes—Ald. Butler, Reynolds, Hebard, Bradstreet, Erickson, Moore, Knapp, Stone, Selye, Lutes, Shelton, Mason, Cushing—13.

Nays—Ald. Mudgett, Hollister, Lewis, Jones—4.

REPORTS OF EXECUTIVE OFFICERS.

The Clerk read the following report of the City Treasurer:

CONDITION OF THE GENERAL FUNDS.

To the Common Council:

The Treasurer reports the condition of the following accounts to the 29th instant:

Contingent Fund, Cr.	\$27,390 79		
Dr.	17,057 23	Balance..	\$10,333 56
Lamp Fund, Cr.	14,419 12		
Dr.	8,827 22	" ..	5,601 90
Police Fund, Cr.	15,286 68		
Dr.	11,613 82	" ..	3,672 86
Poor Fund, Cr.	11,319 84		
Dr.	5,947 98	" ..	5,376 56
Health Fund, Cr.	4,387 86		
Dr.	3,396 64	" ..	990 72
Fire Dept. Fund, Dr.	17,689 20		
Cr.	15,690 71	Dr. balc....	1,989 49
Highway Fund, Dr.	10,424 07		
Cr.	10,363 37	" ..	60 70

W. E. LATHROP, Treas.

CITY TREAS. OFFICE, Nov. 29, 1859.

The Clerk also read a report from the City Attorney relative to suits for violation of the ordinance relating to the Breadth of Wagon Tires.—Filed.

The Clerk also presented a report from the City Surveyor, upon the petition of Christian Schubert, for remission of a tax. Accepted.

ASSESSMENTS.

Ald. Shelton presented the assessment roll for the construction of a sewer in High street, and opportunity having been given for appeals thereon, and no person appearing, the said roll was confirmed, by the following vote:

Ayes—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Mason, Cushing—18. Nays none.

Ald. Shelton presented the assessment roll for the construction of a sewer in Gorham street, and opportunity having been given for appeals thereon, on motion of Ald. Shelton, further action thereon was postponed until the first meeting in April, 1860.

ACTION UPON ORDINANCES.

SEWER IN FRONT STREET.

On motion of Ald. Shelton 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. Shelton submitted the following:

AN ORDINANCE to construct a sewer in Front street from Buffalo street to Mumford street.

The common council of the city of Rochester, having been requested by a majority of the owners of property to be assessed for the improvement hereinatter described, do ordain and determine as follows:

A stone sewer two feet wide, three feet high and twelve feet deep, shall be constructed in Front street, from a point thirty feet north of the north line of Buffalo st. to the sewer in Mumford street.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefitted thereby, and the city Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at \$4.85, which estimate was and is hereby approved. The sum of \$4.28, 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 benefitted by said improvement is described as follows:

One tier of lots on each side of Front street, from Buffalo street to Mumford street.

On which above described portion of the city, the said sum of \$4.28 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, Francis Dana and Jared Coleman, the Assessors of said city, not interested in any of the property so benefitted, 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 Friday, the 2d day of December, 1859, at 9 o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:

Ayes—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Erickson, Moore, Knapp, Stone, Selye, Jones, Shelton, Mason—15.
Noes—Ald. Lutes and Cushing—2.

IMPROVEMENT OF FRONT STREET.

On motion of Ald. Erickson, 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. Erickson submitted the following:

AN ORDINANCE to improve Front street, from Buffalo street to Mumford street.

The Common Council of the city of Rochester, having been requested by a majority of the owners of property to be assessed for the improvement hereinafter described, do ordain and determine as follows:

Front street shall be improved, between Buffalo street and Mumford street, by the laying of a flag sidewalk upon each side thereof, 18 feet wide, setting gutter stone and paving with Lockport sandstone, and constructing a suitable number of crosswalks.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefitted thereby, and the city Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at \$14,089, which estimate was and is hereby approved. The sum of \$14,089, 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 benefitted by said improvement is described as follows:

One tier of lots on each side of Front street, from Buffalo street to Mumford streets.

On which above described portion of the city, the said sum of \$14,089 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, Francis Dana and Jared Coleman, Assessors of said city, not interested in any of the property so benefitted, 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 Friday, the 2d day of December, 1859, at 9 o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote—

Ayes—Ald. Mudgett, Holmes, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Erickson, Moore, Knapp, Stone, Selye, Shelton, Mason, Cushing—15.
Noes—Ald. Butler, Lutes, Jones—3.

BRICK WALK ON FITZHUGH STREET.

On motion of Ald. Reynolds, 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. Reynolds submitted the following:

AN ORDINANCE to construct brick walks on Fitzhugh street.

The common council of the city of Rochester, do ordain and determine as follows:

A brick side-walk shall be constructed on the east side of Fitzhugh street, in front of the following lots, namely: Lots No. 57, 65, 69, s pt, 70 s pt, 71, 72, in the one hundred acre tract, and lot No. 10 in the Troup tract.

And the whole expense shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefitted thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at \$153 00, which estimate was and is hereby approved. The sum of \$153 00, 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 benefitted by said improvement is described as follows:

Lots No. 67, 68, 69, s pt, 70 s pt, 71, 72, in the one hundred acre tract, and lot No. 10 in the Troup tract, on the east side of Fitzhugh street.

On which above described portion of the city, the said sum of \$153 is hereby ordered to be assessed.

And David McKay, Francis Dana and Jared Coleman, the assessors of said city, not interested in any of the property so benefitted, 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 Friday, the 2d day of December, 1859, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:

Ayes—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Mason, Cushing, Bradstreet—18.
Noes—None.

MISCELLANEOUS BUSINESS.

By Ald. Mason—Resolved, That George Wolfe have a market license to sell fresh meat in the building upon the corner of Court and William sts., by paying the City Treasurer seventy-five dollars per year quarterly, in advance. Adopted.

By Ald. Mason—Resolved, That the Street Committee authorize the Superintendent to fill up the holes immediately beyond the Lyell st. bridge on Lyell st., made by the construction of a sewer.

Ald. Knapp moved that the above resolution be laid on the table.

Ald. Stone moved to refer to the Street Committee. Carried—ayes 10; noes 6.

By Ald. Jones—Resolved, That all action of this Board on the subject of the change of the name of McDonald avenue to Baden st., be rescinded, and the same be hereafter known as heretofore, by the name of McDonald avenue. Adopted.

By Ald. Shelton—Resolved, That His Honor the Mayor, be and is hereby requested to sign a contract in behalf of the city, with David Wagner, for the construction of the outlet sewer for the 4th, 7th and 12th wards, in accordance with his proposition.

Ald. Mason moved to strike out the name of David Wagner, and insert that of John Dalton.

Ald. Hollister moved to strike out as above and insert the names of Stroup & McConnell. Lost.

Ald. Mason's amendment was adopted, as follows:

Yeas—Ald. Mudgett, Butler, Lewis, Hebard, Moore, Knapp, Stone, Lutes, Jones, Mason, Cushing—11.

Nays—Ald. Holmes, Reynolds, Hollister, Bradstreet, Erickson, Selye—6.

The resolution as amended was adopted.

By Ald. Shelton—Resolved, That the Treasurer refund to Sebastian Schubert two dollars on his assessment for Sewer in Lyell street, provided the

said Schubert has already paid his assessment, and if not to place the same to his credit on such assessment roll. Adopted, ayes 11, noes 3.

By Ald. Jones—Resolved, That the Treasurer pay Dr. Knickerbocker ten dollars for his services set forth in his request presented to this board this evening, and charge Poor fund.

Ald. Lewis moved to lay the resolution on the table. Carried, ayes 11, noes 7.

By Ald. Selye—Resolved, That the Treasurer receive from persons assessed for the construction of a side walk on the east side of Bolivar street, from Smith street to Lyell street 72 per cent. of their assessments in full thereof. Adopted.

By Ald. Selye—Resolved, That the Treasurer be authorized to receive from John O'Brien two per cent. in full for the amount assessed to him, for flag walk on State street; said O'Brien having settled with the contractor for constructing said walk in front of his premises. Adopted.

By Ald. Knapp—Resolved, That the Street Superintendent be, and is hereby directed, to notify the owners of lots on the north side of East Maple street, to repair the walks in front of their respective lots, forthwith. Adopted.

By Ald. Stone—Resolved, That the Mayor be requested to renew the offer of a suitable reward for the arrest and conviction of the person or persons guilty of any of the acts of incendiarism, with which our city has been visited. Adopted.

Ald. Selye moved that the amount of the reward be increased to \$2,000. Carried.

By Ald. Lewis—Resolved, That the City Treasurer place to the credit of the Highway Fund the balance remaining in the Treasury on account of the Water Street Mill Race Bridge, \$164 75, to be expended by the Street Superintendent, under the supervision of the Street Committee, in repairing said bridge.

Ald. Selye moved that the resolution be laid on the table. Lost—ayes 6, noes 9.

The resolution was adopted.

By Ald. Lewis—Resolved, That certificates of discharge as Exempt firemen be issued to the following named firemen, they having served the necessary time to entitle them thereto:

Henry F. Smith, formerly of Engine Co. No. 4; Andrew R. Edgar, now of Engine Co. No. 5; William H. Corris, formerly of Hook & Ladder Co. No. 2; A. F. Barney, now of Engine Co. No. 4.—Adopted.

By Ald. Hebard—Resolved, That the City Clerk issue an order on the City Treasurer, for one thousand dollars, payable to the order of John Dalton, in one year from the 30th day of November, 1859, with interest, on account of his contract for the improvement of North street, and charge that fund, and the City Treasurer is hereby authorized to accept the same in behalf of the city. Adopted—ayes 17, noes 0.

By Ald. Reynolds—Resolved, That the Treasurer make the city's note for five thousand dollars, dated November 16th, 1859, at three months, payable at the Metropolitan Bank in the city of New York, and get the same discounted at the Monroe County Bank, and charge the discount to contingent fund. Adopted—ayes 17, noes 0.

By Ald. Reynolds—Resolved, That the City Treasurer be directed to refund to James Wadsworth twenty-three dollars on his assessment for brick and flag side walk on State street—he having built his own walk of brick before the contract was let for the walk of brick and stone, the centre of which has since been taken up and stone substituted. Adopted—ayes 15, noes 1.

By Ald. Reynolds, Resolved, That the Treasurer be directed to cancel the general city tax of \$3,25, against the Rev. Joseph Marsh, on his dwelling house, corner of Oakland street and South avenue, and charge the same to erroneous taxes. Adopted.

By Ald. Reynolds—Resolved, That the Treasurer receive from Nehemiah Osburn fifteen dollars and eighty cents in full for his assessment for East avenue flag side walks, he having laid the walk in front of his property. Adopted.

By Ald. Reynolds—Resolved, That the Treasurer receive from Hubbard S. Allis, four dollars and twenty cents in full for his assessment for East avenue flag walks, he having laid the walks in front of his property. Adopted.

By Ald. Hollister—Resolved, That Jas. McDermott have leave to erect a wood building upon his lot, corner of Ward and Emmet streets, according to the prayer of his petition; also that Roswell Hart have permission to repair his coal sheds at the corner of Buffalo and High streets, injured by fire in July last, and to erect a temporary scale house upon the same premises, under the direction of the Chief Engineer of the Fire Department. Adopted.

By Ald. Reynolds—Resolved, That the City Clerk issue an order upon the City Treasurer to the order of John Dalton, for five hundred dollars, payable one year from the 1st day of December, 1859, with interest, on account of his contract for improving Hudson st., and charge that fund; and that the City Treasurer be authorized to accept the same. Adopted; ayes 17.

By Ald. Reynolds—Resolved, That the City Clerk issue an order on the City Treasurer for one thousand dollars payable to the order of James Logan, in one year from the 30th day of November, 1859, with interest, on account of his contract for the improvement of State st., from Jay to Smith sts., and charge that fund; and the City Treasurer is hereby authorized to accept the same in behalf of the city. Adopted; ayes 17.

By Ald. Reynolds—Resolved, That the Clerk issue to the order of E. Watson, two drafts of \$434 65 each, payable, one in one year from the 1st day of December, 1859, and the other in two years from the same date, with interest, in full for his contract for building a sewer in Asylum street, and that the City Treasurer is hereby authorized to accept the same. Adopted, ayes 17.

FINANCE BUDGET.

By Ald. Reynolds—Resolved, That the Treasurer pay as follows:

CONTINGENT FUND.	
David McKay, 1 month's salary as Assessor.....	\$83 33
Francis Dana, " " " " " " " " " " " " " " " "	83 33
Jared Coleman, " " " " " " " " " " " " " " " "	83 33
The following named parties, for use of rooms for registering votes, and on election day:	
1st ward—C C Stafford.....	20 00
2d " James Wentworth.....	20 00
3d " Samuel Stoddard.....	20 00
5th " Geo N Hotchkiss.....	20 00
6th " Jacob Lutt.....	20 00
7th " Lewis Miles.....	20 00
8th " M Cavanaugh.....	20 00
10th " M Newhart.....	20 00
To Inspectors of Election, as follows:	
1st Ward.....	40 00
2d ".....	40 00
3d ".....	40 00
4th ".....	40 00
5th ".....	40 00
6th ".....	40 00
7th ".....	40 00
8th ".....	40 00
9th ".....	40 00
10th ".....	40 00
12th ".....	40 00
Geo Willard, for 122 bush charcoal, payable to H A Percy.....	10 98
Brewster & Fenn, for repairing furniture.....	1 75

H A Perry, for removing coal in cellar.....	4 00
Dr T F Hall, for surgical examination.....	5 00
Dr Geo W Avery.....	5 00
John Van Auker, for 3 hacks to Workhouse.....	9 00
Mathew Mead, for assessing High st sewer.....	2 00
Brown & Williams, for oil cloth in Mayor's office.....	4 00
F Tully, for stoves, pipes, &c, in Treasurers' and Assessors' rooms.....	55 18
and charge Contingent Fund.....	

FIRE DEPARTMENT FUND.

Jas Terry & Co, bill for furniture at hose depot.....	15 00
Joseph Preston, neat's foot oil.....	18 90
Jacob Koll, bell ringing.....	63 75
Jesse Howland, ".....	15 00
N Aylsworth, repairs.....	55 13
R Gilbert, 1 month's salary supt of hose depot.....	41 66
O N Wilcox, one quarter's rent of Engine House No 8.....	30 00
and charge Fire Department Fund.....	

BOARD OF HEALTH FUND.

S M Luckey, 1 month's salary, Oct.....	45 00
burying dead carcasses.....	3 00
A Richardson, 1 month's salary, Oct.....	45 00
Thomas Knowles, for J Purcell, services as Inspector, April, and burying carcasses.....	10 00
D D S Brown, recording deeds and search.....	4 05
O DeGraff, burying dead carcass.....	2 00
J Wright, ".....	50
Chas Gaul, ".....	50

IMPROVEMENT FUNDS.

H B Knapp, disbursements for West avenue.....	47 07
chargeable to that fund.....	
Seth Wheeler, bill for hack hire.....	2 00
chargeable to Hudson st Fund.....	1 00
North ".....	1 00
Christopher Harper, hack hire.....	2 00
chargeable equally to East avenue, North and Hudson sts improvement.....	
Rochester Gas Light Co, gas in Centre Market.....	8 10
and charge Contingent Fund.....	
Seth Wheeler, hack hire.....	2 00
chargeable to St Paul st sewer.....	
Patrick Leonard, hack hire.....	1 50
chargeable to 4th, 7th and 12th wards outlet sewer.....	2 00
Wm Whitehead, hack hire.....	2 00
and charge Asylum st sewer.....	
Elihalet Watson, final estimate for New Main st sewer.....	115 61
and charge that fund when there are funds applicable thereto.....	
John Quin, payable to L A Ward, estimate No 1 on contract for High street sewer.....	220 00
and charge that fund when there are funds applicable thereto.....	
David Wagner, final estimate for constructing East Avenue sewer.....	319 84
chargeable to that fund when there are funds applicable thereto.....	
R W Underhill, final estimate for constructing plank sidewalks on Oak street.....	54 98
payable to Wm Hollister & Co., when there are funds applicable thereto, and charge that fund.....	
R W Underhill, final estimate for constructing sidewalks in Edinburgh street, when there are funds applicable thereto, and charge that fund, payable to Wm Hollister & Co.....	133 00
Stroup and McConnell, final estimate for constructing sidewalks on Exchange street.....	866 02
when there are funds applicable thereto, and charge that fund.....	
Frank Masseth, hack hire.....	2 00
and charge Jones Square fund.....	
Wm Churchill, bill for services as General Sewer Inspector, chargeable as follows:	
State st sewer, from Buffalo to Ann sts.....	\$50
" " " " Jay to White sts.....	20
Smith st sewer.....	10
New Main st sewer.....	20
Bowery st ".....	10
Otsego st ".....	10
Lyell, Orchard and Lime sts sewer.....	20
Allen and Warehouse streets ".....	10
Hill street sewer.....	10
Asylum st ".....	10
Mortimer st ".....	10
St Paul st ".....	20
	200 00

HIGHWAY FUND.

John Van Auker, hack hire.....	2 00
R D Howell, bill for disbursements for Nov.....	981 40
and charge Highway Fund.....	

LAMP FUND.

Whaples & Roach, bill for street lamps.....	11 39
Rochester City Gas Light Co, bill for lighting street lamps.....	2773 17
and charge Lamp Fund.....	

POLICE FUND.

Whaples & Roach, putting up stoves and pipes at Police office.....	8 95
Rochester Gas Light Co, gas at Police office.....	20 40
Thos Arner, M. D., medical services at Police office, C H Higgins, services as Special Policeman.....	2 00
and charge Police Fund.....	

POOR FUND.

John McDowell, in full for judgment obtained against the City, as per report of Poor Committee, and charge Poor Fund.....	63 46
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Adopted as follows:
 Ayes—Ald. Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Erickson, Moore, Knapp, Stone, Lutes, Jones, Mason, Cushing—14.
 Noes—Ald. Mudgett and Holmes—2.

By Ald. Butler—Resolved, That the Treasurer refund J. Jenkinson the sum of fourteen dollars, from his assessment for the construction of a sewer in Frank street.

Ald. Holmes moved that the above be referred to the Sewer Committee. Carried.
 The Board then adjourned. F. S. REW, Clerk.

In Common Council, Dec. 13, 1859.

REGULAR MEETING.

Present—The Mayor, Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billinghamurst, Cushing.

Absent—Ald. G. W. Perry, D. W. Perry, Bradstreet and Nash.

The minutes of the previous meeting were approved.

PETITIONS AND CLAIMS.

By Ald. Hollister—bill of Inspectors of Election, 3d Ward. Grievance com.

By Ald. Reynolds—estimates of John Dalton, O. O. Otis, Rathbun & Whitmore, Allen & Stuart, John Clancy, Thos. Purcell; bills of D. Wagner, Rathbun & Whitmore, W. S. Grantsynn, F. J. M. Cornell; Improvement com. Also, bill of Rathbun & Whitmore; Street com.

By Ald Selye—com. of S. C. Van Hosen, relative to an assessment; Improvement com.

By Ald. Stone—bill of J. H. Child; Poor com.

By Ald. Shelton—estimates of R. R. Harris, Wm. Carroll, J. Quin, B. Langdon; Sewer com.

By Ald. Lewis—bill of L. M. Blakeslee, J. Kemp, N. Aylesworth, J. Preston, R. A. Hall, Perrine & Stewart, J. Field, J. Hyne, estimate of Sherlock, Fairchild and Harris; Fire Dept. com. Claim of S. O. Smith; Street com.

By Ald. Lutes—bills of E. J. Keeney, of Policemen's wages, E. A. Bardwell, John Clements, L. M. & J. W. Newton; Police com. Of Whaples & Roach, Lamp com.; of James Badger, Finance com. Report of the Police Justice for November; amount of fines received, \$146.73.

By Ald. Hebard—bills of L. M. & J. W. Newton, and F. Masseth; Con. Expense com.

By Ald. Mason—bill of C. Schafer, for use of room, 11th Ward polls; Con. Expense com.

By Ald. Erickson—estimates of Rathbun & Whitmore, and D. Wagner; Imp. com.

By Ald. Billinghamurst—bills of J. H. Child, and Chas. Backus; Poor com.

By Ald. Cushing—Of E. Huntington and others, for leave to erect a glue factory on Mt. Hope Ave.; Com. on Public Health. Of officers and members of Engine Co. No. 8, for a fire alarm; Fire Dept. com. Of L. Davis and others, for a sewer in Comfort st; Sewer com.

By Ald. Bauer—bills of John Conner and Augustus Fortien, special policemen; Police com.

By Ald. Knapp—bills of Health Inspectors, approved; Finance com.

REPORTS OF STANDING COMMITTEES.

By Ald Mudgett, from the Poor Committee, favorably on bills of J. H. Child, and Charles Backus. Finance Committee.

CLAIM OF ST. MARY'S HOSPITAL.

By By Ald. Stone, from the Poor Committee, the following report:

To the Hon. Mayor and Common Council:

The "Poor Committee," on the claims of St. Mary's Hospital, would beg leave to submit the following:

The cry of "taxation" is as startling to some, as the cry of "fire," when it awakens the sleeper from his dreams, to see the lurid glare, and to hear the "crackling timbers." That taxation is burdensome, we will admit, and will present a few figures and facts.

The Committee on Poor House, at the last meeting of the Board of Supervisors of this county, reported the amount of disbursements for the support of the poor, for the year ending Oct. 1st, 1859, at.....	\$26,731 57
of which amount to be assessed on the city.....	\$18,225 76
Chargeable to the poor fund, city, say.....	12,000 00
Estimated amount given to charitable institutions by individuals.....	8,000 00
	\$38,245 76

Making an amount equal to 80 cents for every man woman and child of our population, contributed one way or another for the relief of the poor, in a single year. When such facts are brought to light the people are astonished almost, when so large an additional account is presented for payment, as the one under consideration.

The Board of Supervisors, with such facts before them, with no particular friendship for the varied institutions of our city, with a jealousy unaccountable, with the same, and no mere liability than we are under to pay, reported in favor of, not only through the Committee, but ordered paid to the Managers of St. Mary's Hospital, the sum of \$900, which amount was to be in settlement of an account equal to our own. Then what is our duty? How little in the auspicious circumstances in which we are placed, do we realize the amount of poverty, sickness, and misery, there is on every hand.

To alleviate that suffering, to help the needy and to cheer the dying, are the promptings of every true heart. With the progress of truth, religion and civilization, the human mind has been exercised with the great effort to devise and mature the best systems. Committees have been appointed, Poor Houses built, Hospitals founded, taxation submitted to, and every feasible, and sometimes "visionary projects" tried, to develop this great idea. The "poor ye always have with you," was not simply a prophetic declaration, but an actual reality. In almost every community, Hospitals have been established, where the most destitute sick can have the same kind treatment as the man of wealth and affluence.

In the western part of this city a large and imposing structure has been built. Very few of our population, we apprehend, appreciate the comforts, care, attention and skill bestowed on the scores of the sick and suffering there. The little orphan child, the aged sire, the heir of poverty and the wealthy merchant, occupy alternate beds, receive the same treatment, and fear no neglect.

Your committee, better to understand the merits of this account, visited the Hospital, was politely admitted to every department, and cannot speak

too highly and enthusiastically of the cleanliness, the order, and the favorable appearance of every thing, which came under their observation.

In the account presented, 179 persons are reported as having received treatment in this institution—from none have they received any compensation—all declaring their inability to pay.—They were there from two days to four months—they all claimed to be citizens of Rochester for over a year preceding. By comparing the names with the books in the office of the Overseer of the Poor, we find that but twelve persons have received assistance from the city since. The Overseer has drawn orders for the sum of \$21 10-100, which are presented with the account, which make the claim a valid one to that amount, leaving the sum of \$1,115 90-100, which they ask this Board to pay, although the patients were received without an order from the Poor Department, and having no vouchers, are of course left to the mercy of this Board, they having no recourse to law even if we reject the whole. We ask again what is right? This institution was established to meet the wants of this community. As far back as the "memory of man runneth," we have been blessed with a "Hospital on paper," no tangible movement having been made until within a few months. That no particular necessity exists for the one contemplated in the "Old Cemetery," is the opinion of your committee, humble as it is.

The money now being expended there, properly applied and granted, advanced or conditionally loaned, to the managers of the other, would provide all necessary accommodations for patients of every clime, as well as of every religion. None of your Committee are particularly biased in favor of the religion, represented by the Sisters in charge, and are not governed by a "proselyting spirit" or any selfish wish. But say some, "if you are not legally bound, why do you offer to pay?" "You have no right to grant gratuities, or squander the funds." "This is a charitable and religious institution, and no more entitled to favorable consideration than others." Very well! We regard this in the same light as we do the "Female Charitable Society," whose members, through a long series of years, have silently yet successfully assisted the sick and dying. As the "Orphan Asylums," where hundreds of fatherless and homeless children have found a shelter and a friend. As the "Industrial School," where every day, blessings are lavished, on all who attend. As the "Home for the Friendless," where the "unfortunate" may find a shelter, and be directed to Him who forgives the erring. Neither of them can be useful and prosperous without help and money. Each must depend on our generosity and kindness.

The "Hospital" is the only one presenting a "bill," or asking us as a "Corporate Body" for help and pay. They claim, however, if these persons had not been admitted there, they would have had help from the Overseer of the Poor, or sent to the County House, where they would have been chargeable to the City, and the expense been much larger than now, while these unfortunate sick have been spared the mortification of having been inmates of or dying in the County Poor House. But, says another man, "If you allow this account, you recognize its legality, and must forever be holden for all bills presented as this has been."

Your Committee have already stated, that we are legally bound to pay but \$21 10, the amount for which they present the orders of the Superintendent of the Poor.

Still with the example of generosity on the part

of the guardians of the County before us, and with all the irregularity of the matter, and with the views we entertain of the good all such associations are conferring on this community, we would recommend the payment of the following sums:

To the order of the Sisters of St. Mary's Hospital.....	\$500 00
" " " " Treasurer Female Char. Soc'y.....	150 00
" " " " Prost Orphan Asy.....	100 00
" " " " Cath.....	50 00
" " " " Industrial School.....	50 00
" " " " Home of Friendless.....	50 00
	\$900 00

Making a total of nine hundred dollars, the same amount as that gratuitously given by the Board of Supervisors.

In conclusion, we would say that we believe that most of all the misery represented in these institutions, can be traced to the intemperate use of "spirituous liquors," and as the Poor Fund has been benefitted to the amount of several thousands of dollars from the licenses granted to sell them, that to distribute the amount to, or for the benefit of its victims, is eminently wise and proper, and will tend to encourage the child to escape the snares and ruin of its father.

To take care of the sick is the duty of every person; to take care of the young, and keep them from the evil in the world, is to train them up in the true and right way. Nations expend money to perpetuate the acts of "heroes" and statesmen; State governments expend money to assist and encourage institutions for all beneficent purposes, and your Committee believe that for our City Council to appropriate money for the education and moral training of the homeless, destitute, and truant children who throng our streets, would in the end lessen crime, pauperism and indolence, and consequently taxation, as the demands on the Poor Fund would greatly diminish.

We therefore recommend the adoption of this report and the following resolution:

Resolved, That the Treasurer pay the sum of nine hundred dollars as follows:

To the Managers of St. Mary's Hospital.....	\$500 00
Treasurer of Female Charitable Society.....	150 00
" Protestant Orphan Asylum.....	100 00
" Catholic.....	50 00
" Industrial School.....	50 00
" Home of the Friendless.....	50 00
And charge Poor Fund.....	

N. A. STONE,
WM. MUGGETT, jr., } Committee.
H. BILLINGHURST.

Ald. Selye moved that the report lie on the table and be published. Agreed to.

By Ald. Lutes—from the Police Committee, favorably on the bills of L. M. and J. W. Newton, E. A. Bardwell, and Policemen's wages. Also, from the Lamp Committee, favorably on the bill of Whaples & Roach. Finance Committee.

By Ald. Lewis—from the Fire Department Committee favorably on the following bills: W. H. Brown, A. Cross, Chas. Hellem, W. G. Stewart, Gas Light Co., G. B. Harris. Finance Committee.

THE HIGHWAY FUND.

By Ald. Knapp—from the Street Committee, the following report:

To the Honorable the Common Council:

The report of the City Treasurer, submitted at the last regular meeting of the Board, showing a debit balance against the Highway Fund, of \$60,70, makes it incumbent upon the Street Committee, having charge of the expenditures from that fund, to explain why there is a balance against it at this period of the year. It is unnecessary to state that

the greater part of the expenditures for cleaning and repairing the streets necessarily falls within the spring, summer, and autumn months, when the chief work upon the highways is accomplished.— A proper proportion of the fund, however, should always remain applicable to necessary winter work; and it was the intention of your Committee to reserve sufficient for that purpose. The statement herewith submitted will show that they have kept this purpose in view.

The amount of the Highway Fund, raised for the current fiscal year, was \$10,000. To this have been added sums realized from the sale of dirt, &c., amounting to \$447,81; making a total of \$10,447,81.

The expenditures charged to this fund have been regularly reported by the City Superintendent at the beginning of each month, and amount, for the eight months ending November 31st, to \$7,157 35	
Add Superintendent's salary.....	500 00
" Hack hire.....	5 00
" Water lime.....	8 38
" Printing.....	13 00

Making a total of.....\$7,683 73
Take this from the total fund.....\$10,447 81

And there remains a balance of..... 2,764 08

This sum, with the care which has hitherto been shown, in the disbursement of the fund, would be ample to carry the work of street superintendence through the winter and to the close of the fiscal year, in April,—if there were no other changes upon the fund than belong to the expenses of this year.

Your Committee undertook their duty with the understanding that there was a fund of ten thousand dollars expressly appropriated to the work committed to them. But is now ascertained, from the report of the Treasurer, that the fund was already charged with disbursements of previous years; and such charges, although subtracting from the amount raised for the present year, are not to be included in the expenses incurred by your Committee. It will be seen that they are not in any way responsible for the balance against the fund, nor are they to be charged with the overdraft.

The sum annually appropriated to the maintenance of the Highways is barely sufficient to keep them in proper condition; but your Committee determined to keep within the established limit, while doing all that their duty required. We believe that it is generally conceded, that the work of repairing and cleaning the streets has been performed, during the past eight months, with entire fidelity, and that the superintendent has been altogether vigilant and faithful in the performance of his duties.

The purposes of this Report, are fully answered, however, in submitting the statement of the expenditures given above, which is a complete and unreserved exhibit of disbursements, to the date of the last monthly report. All which is respectfully submitted.

H. B. KNAPP,
GEO. W. LEWIS, } Committee.
WM. HOLLISTER.

Ald. Stone moved the report be accepted and published. Agreed to.

By Ald. Reynolds—from the Improvement Committee, favorably on bill of W. F. Grantsynn, Rathbun & Whitmore, Thos. Purcell, Jno. Clancy, Allen & Stuart, John Dalton, C. O. Otis, F. J. M. Cornell and D. Wagner. Finance Committee.

By Ald. Erickson—from the same Committee, favorably on bills of D. Wagner and Rathbun & Whitmore. Finance Committee.

By Ald. Shelton—from the Sewer Committee, favorably on bills of B. Langdon, J. Quin, R. R. Harris and Wm. Carroll; Finance Committee.—Also, in favor of refunding to J. Jenkinson assessment for Frank street sewer.

By Ald. Hebard—from the Contingent Expense Committee, favorably on bill of J. Barhydt, J. Kisingbury, Inspectors of 11th ward, L. M. and J. W. Newton, F. Masseth, C. Schafer, use of rooms in the 11th ward. Finance Committee. Also, in favor of paying the Inspectors of the 1st, 2d, 4th, 5th, 6th, 8th, 9th, 10th and 11th wards \$10 in addition to the sum already appropriated for services as Registrars and Inspectors. Finance Committee.

COMMUNICATIONS FROM CITY OFFICERS.

The Clerk presented the report of the Superintendent of Mt. Hope Cemetery for November. Whole number of interments 36. Filed. Also, the report of the Overseer of the Poor for November. Amount expended, \$564.08. Less for County and towns, \$41.88. Number of families 296. Filed.—Also, the special report of the City Superintendent for November. Filed. Also, the resignation of Jno. M. Bardwell, as Commissioner of Common Schools for the 12th ward.

ASSESSMENTS.

The Clerk reported that the assessment rolls for following named improvements had been returned to his office:

- For a sewer in Front street.
- For the improvement of Front street.
- For plank walks on Ambrose street.
- For a brick walk on Fitzhugh street.

Ald. Shelton moved that the next regular meeting be fixed as the time for hearing appeals on said rolls. Carried.

EXECUTIVE BUSINESS.

Ald. Hollister moved that the Board now proceed to ballot for the appointment of an Assessor, in place of Jared Coleman, whose term will expire in January next. Carried.

On the first ballot, J. Coleman received 7 votes, John J. Schafer 8, E. T. Oatley 2, Blank 2. No choice.

On the second ballot, J. Coleman had 9 votes, J. J. Schafer 7 votes, E. T. Oatley 1 vote, John Wegman 1 vote. No choice.

On the third ballot, Jared Coleman had 10 votes, J. J. Schafer 8 votes, Jno. Wegman 1 vote. No choice.

On the fourth ballot, J. Coleman had 10 votes, J. J. Schafer 5 votes, E. T. Oatley 3 votes. No choice.

Ald. Stone moved that the Board now proceed to ballot for the appointment of a Director of the Genesee Valley Railroad. Lost.

Ald. Mason moved to proceed to ballot for an Assessor.

Ald. Shelton moved, as an amendment, that the Board proceed to Miscellaneous business. Lost.

Ald. Mason's motion carried, and a ballot was ordered.

On the fifth ballot for Assessor, J. Coleman had 10 votes, J. J. Schaffer 8 votes, E. T. Oatley 1 vote. No choice.

Ald. Bauer moved that further balloting be laid on the table till the next meeting. Lost; ayes 8, noes 11.

Ald. Shelton moved that the Board take a recess of 15 minutes. Lost; ayes 7, noes 12.

Ald. Jones moved that the resignation of J. M. Bardwell, as Commissioner of Common Schools, be accepted. Carried.

Ald. Jones moved that the Board do now proceed to ballot for a Commissioner of Common Schools for the 12th ward in place of J. M. Bardwell.

Ald. Shelton moved that this motion lie upon the table. Lost.

Ald. Jones' motion carried.

On the 1st ballot, Wilson D. Oviatt received 13 votes, and was declared duly appointed Commissioner of Common Schools for the 12th Ward.

MISCELLANEOUS BUSINESS.

By Ald. Shelton—Resolved, That the Treasurer refund to J. Jenkinson fourteen dollars, assessed to him for the construction of a sewer in Frank st. and charge the same to Contingent Fund. Adopted; Ayes 16, nay—Ald. Erickson.

By Ald. Shelton—Resolved, That the City Attorney be and is hereby instructed to prepare a bill to be presented at the next session of the Legislature, for authority for the Common Council of the city of Rochester to dispose of the stock held by said city in the Genesee Valley Railroad, for the purpose of appropriating the proceeds to the construction of Water Works in said city.

Ald. Erickson moved that the resolution lie on the table. Carried.

Ald. Shelton moved the following resolution, and that the same do lie on the table:

Resolved, That for the purpose of ascertaining the views of this Board, in relation to certain amendments to the city charter, the committee appointed for that purpose be and are hereby requested to so amend said charter,

1st. That the Mayor shall be elected to hold his office for the term of two years.

2d. That the Board of Aldermen shall consist of twelve members; and in addition thereto a Board of Councilmen, consisting of twenty-four members, shall be elected at the same time and in the same manner that the Aldermen are now elected.

3d. That it shall be the duty of the Mayor to hold a court at least once in each week, and known as the "Mayor's Court," for the trying of criminal offences, at which court the Mayor shall preside, who, together with two Aldermen, shall constitute a full court. Said court to receive in nowise a compensation, nor shall any costs attach to the litigants, or either of them, from any cause tried before such court. Table.

By Ald. Selye—Resolved, That the Improvement Committee be authorized to contract with Rathbun & Whitmore, for the improvement of State street, from Buffalo street to the New York Central Railroad depot, at the rate of seven dollars per lineal foot, in accordance with a petition of the tax-payers on said street; and that said improvement do not commence earlier than the first day of June next. Adopted.

Ald. Stone called from the table, and moved the adoption of the resolution reported by the Poor Committee, for the payment of money to certain charitable institutions.

Ald. Shelton moved that the resolution do lie on the table. Lost; ayes 4, noes 13.

Ald. Selye moved to amend, by adding \$50 to the appropriations for the Home of the Friendless, and Industrial School

Ald. Lutes moved to add \$50 to the appropriation for the Catholic Orphan Asylum.

Ald. Stone accepted the above amendments.

The resolution, as amended, is as follows:

Resolved, That the Treasurer pay the sum of one thousand and fifty dollars, as follows:

To the Managers of St. Mary's Hospital.....	\$500
“ “ Treasurer of Female Charitable Society	150
“ “ “ Protestant Orphan Asylum	100
“ “ “ Catholic Orphan Asylum	100
“ “ “ Industrial School.....	100
“ “ “ Home for the Friendless..	100

And charge Poor Fund.

Ald. Mason moved that the resolution lie upon the table. Lost; ayes 8, noes 11.

The resolution of the Committee on the Support of the Poor, was adopted; ayes 18, nay—Ald. Reynolds.

By Ald. Erickson—Resolved, That the City Clerk issue an order on the City Treasurer for eight hundred and two dollars (\$802) payable to the order of David Wagner in two years from the 15th day of November 1859, with interest, in full payment of all claims on or by virtue of his contract for the improvement of East Avenue, and charge that fund; and the City Treasurer is hereby authorized to accept the same in behalf of the city. Adopted; ayes 19.

By Ald. Erickson—Resolved, That the City Clerk issue an order upon the City Treasurer for one thousand dollars payable to the order of Rathbun & Whitmore in one year from the 13th day of December 1859, with interest, on account of their contract for laying sidewalks upon East Avenue; and the City Treasurer is hereby authorized to accept such order in behalf of the city and charge East Avenue Sidewalk fund. Adopted; ayes 19.

By Ald. Reynolds—Resolved, That John Sheridan be allowed and credited forty-eight dollars (\$48) on his assessment for sidewalk on Mumford st., for materials in the old walk used by the contractor, and the Treasurer is directed to make this allowance in the settlement of Mr. Sheridan's assessment, and charge the same to Mumford st. side walk fund, on the contract of Messrs. Allen & Stuart, for the construction of said walk. Adopted.

By Ald. Reynolds—Resolved, That the City Clerk issue an order on the City Treasurer, payable to the order of Oscar O. Otis, for three thousand dollars, payable when there are funds in his hands applicable thereto;

Also, two other orders, for two thousand five hundred dollars each—one at one year, the other at two years, from the fifteenth day of December, 1859, with interest, on account of the contract with said Otis for the improvement of Lyell street, and charge that fund—and the City Treasurer is hereby authorized to accept the same in behalf of the city. Adopted: ayes 19.

By Ald. Reynolds—Resolved, That the City Clerk issue an order upon the City Treasurer for sixteen hundred dollars, payable to the order of William Carroll, in one year from the first day of December, 1859, with interest, on account of his contract for building sewer in North St. Paul street, and the City Treasurer is hereby authorized to accept the same in behalf of the city, and charge St. Paul street Sewer Fund. Adopted: ayes 16.

By Ald. Reynolds—Resolved, That the Treasurer pay to R. L. Swift, collector, in whose hands were placed the assessment rolls for improvement of the roadway of Main-st. bridge, and for the construction of Mumford-st. sewer, the sum of \$86 41, being commission to which he would be entitled on the amount assessed to the following persons, had the amounts been collected, viz:

H. N. Curtis.....	\$686 07
E. Starr	450 91

Heirs of J. Newell.....	293 45
J. W. Sawyer.....	157 39
Darius Perrin.....	50 50

And charge \$76 02 to Main Street Bridge Improvement Fund, and \$10 39 to Contingent Fund.

Ald. Erickson moved that the above resolution be referred to the Law Committee, with authority to employ counsel. Carried.

FINANCE BUDGET.

By Ald. Reynolds—Resolved, That the Treasurer pay as follows:

IMPROVEMENT FUNDS.

Rathbun & Whitmore, final estimate for improvement of Temple street.....	\$1,078 00
when there are funds applicable, and charge that fund.	
Rathbun & Whitmore, final estimate for construct a brick sidewalk in front lot 68 South Fitzburgh st. and charge that fund, when there are funds applicable thereto.	23 76
Rathbun & Whitmore, estimate No 2, on account of their contract for constructing flag sidewalks on East Avenue.....	500 00
and charge that fund, when there are funds applicable thereto.	
Thomas Purcell, estimate No 1, on account of contract for constructing plank walk on High st.....	175 00
and charge that fund, when there are funds applicable thereto.	
John Clancy, estimate No. 1, on account of contract for improvement Emmett st.....	250 00
and charge that fund, when there are funds applicable thereto.	
Allen & Stuart, final estimate for flag walks in Mumford street.....	465 52
and charge that fund, when there are funds applicable thereto.	
Rathbun & Whitmore, final estimate for improvement of Greig st.....	139 12
and charge that fund, when there are funds applicable thereto.	
John Dalton, estimate No 1, on contract for the improvement of Kiley street.....	200 00
when there are funds applicable thereto, and and charge that fund.	
David Wagner, bill for constructing brick walk in front of lot corner of Main and Stone sts.....	50 00
and charge that fund, when there are funds applicable thereto, and charge that fund.	
F J M Cornell, bill for diagram of grade.....	2 00
and charge Edinbush st sidewalk fund.	
W S Grantsynn, bill for services as plank walk inspector, and charge as follows:—	
Emmett street.....	\$6 00
New Main street plank walk.....	4 00
Commissioners for widening Pindall Alley:—	
Wm Brewster.....	\$14 00
Lewis Brooks.....	14 00
Edward Roggin.....	14 00
when there are funds applicable, and charge Pindell alley widening.	42 00
R R Harris, final estimate for constructing Atwater street, sewer.....	117 69
and charge that fund, when there are funds applicable thereto.	
John Quin—payable to L A Ward—estimate No 2, on account contract for constructing sewer in High st.....	180 00
when there are funds applicable thereto, and charge that fund.	
Barnabas Langdon, estimate No 1, on his contract for box sewer in 12th Ward.....	90 00
when there are funds applicable thereto, and charge that fund.	
Fairchild, Sherlock & Harris, estimate on their contract for building reservoirs and laying water pipes in State street.....	500 00
and charge that fund, when there are funds applicable thereto.	
POOR FUND.	
J H Child, bill for wood.....	115 60
Charles Baus, bill for delivering wood.....	51 80
J H Child, services in Poor store.....	25 00
and charge poor fund.	
POLICE FUND.	
E A Bardwell, bill for taking children to House for Truants.....	6 00
E. J. Keeney, services as Chief of Police, 1 month..	\$66 66
J. Montgomery, services as Policeman, 1 month..	44 00
P. B. Wilder, “ “ “ “	44 00
L. Johnson, “ “ “ “	44 00
B. B. Leap, “ “ “ “	44 00
Wm. Coughlin, “ “ “ “	44 00
A Kingsbury, “ “ “ “	44 00

A. M. Brownell, " " " " 44 00
R. W. Goodrich, " " " " 44 00
J. Dresser, " " " " 44 00
G. C. Pease, " " " " 44 00
J. C. Hagle, " " " " 44 00
J. C. Lauer, " " " " 44 00
H. Jordan, " " " " 44 00
John E. Dana, " " " " 44 00
Alvah Rice, " " " " 44 00
Paul Gilman, " " " " 44 00
H. V. Steller, " " " " 44 00
Thomas Campbell, " " " " 44 00
Thomas Callister, " " " " 44 00
John S. Stott, " " " " 44 00
A. Wagner, " " " " 44 00
Peter Koons, " " " " 44 00
Seymour Coley, " " " " 44 00
H. McQuatters, " " " " 44 00
Bernard Horcheler, " " " " 44 00
John Parshall, " " " half " 22 00
John Heuberger, Special Policeman on Election... 2 00
Casper Rashburger " " " " 2 00
Adam Huffman, " " " " 2 00
John Clemens, " " " " 2 00
Frank Hines, " " " " 2 00
John Hettinger, " " " " 2 00
John Connor, " " " " 2 00
Augustus Fortien, " " " " 2 00
O B Eaton, " " " " 2 00
and charge Police Fund.

LAMP FUND.

Whaples & Roach, bill for 50 lamps..... 200 00

FIRE DEPARTMENT FUND

A Cross, Agent, hose rivets..... 10 00
George B Harris, disbursements..... 33 72
Chas Helms, repairs to Engine House No 4..... 15 95
Rochester Gas Light Co, gas at Hose Depot..... 7 50
W H Brown, repairs and painting tin roofs at Engine Houses 1, 2 and 4..... 24 77
W G Stewart, Agent, repairs to ladders, &c..... 10 85
and charge Fire Department fund.

CONTINGENT FUND.

Christian Schaffer, for the use of rooms in the 11th Ward, at the late election and registry..... 20 00
Frank Masseth, for use of hack to Work House with Common Council..... 3 00
L M & J W Newton, for stove and fixtures in Mayor's office..... 28 55
Inspectors of Election of the 11th ward..... 40 00
John Kistingbury, for repairs to Law Library and Clerk's office..... 50
Jacob Barbydt, for Surveyor's stakes..... 10 00
Elijah Norton, for use of rooms in the 9th ward, at the late election and registry..... 20 00
The Inspectors and Registrars, for services in making copies of registries, as required by law, in addition to sums heretofore appropriated, upon their giving a receipt in full for all claims as Inspectors and Registrars, as follows:—1st, 2d, 4th, 5th, 6th, 8th, 9th, 10th and 11th wards, each \$10..... 90 00
and to the 3d ward..... 8 00
James Badger, bill painting Jones' Square fence... 160 00
and charge Contingent fund.

BOARD OF HEALTH.

A Richardson, 1 month's salary as Health Inspector, 45 00
S M Luckey, 1 " " " " as " 45 00
Adopted; ayes 17, noes 0.

Ald Mudgett moved that the bill of C. C. Stafford, for the use of room by Registrars and Inspectors in the first ward, be referred to the Finance Committee for payment. Carried; ayes 11, noes 8.

Ald Lewis moved that the Board now proceed to appoint a Director of the Genesee Valley Railroad, to fill a vacancy. Carried; ayes 12, nays 7.

On the first ballot, Wm. Hollister had 9 votes, W. F. Holmes 4, T. Parsons 3, H. B. Knapp 1, G. W. Lewis 1. No choice.

A second ballot was ordered, when Wm. Hollister had 12 votes, W. F. Holmes 6, T. Parsons 1. No choice.

A third ballot was ordered, when Wm. Hollister had 15 votes, W. F. Holmes 3, T. Parsons 1.

Wm. Hollister was declared duly appointed.

Ald. Billinghurst moved that when the Board adjourns, it adjourn for one week. Lost.

The Board then adjourned. F. S. REW, Clerk.

In Common Council—Dec. 27, 1859.

REGULAR MEETING.

Present—The Mayor, Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Erickson, Moore, Knapp, Stone, Lutes, Jones, Shelton, Bauer, Mason, Billinghurst, Cushing.

Absent—G. W. Perry, Bradstreet, Nash, D. W. Perry, Selye.

The minutes of the previous meeting were approved.

PETITIONS AND CLAIMS.

By Ald. Butler, bill of G. N. Hotchkinn, for use of room in 5th ward. Contingent Expense Committee.

By Ald. Reynolds, bill of Daniel Marsh, for services at Deep Hollow; of George Moshier, for grate; estimates of Rathbun & Whitmore, James Logan, D. Wagner, R. W. Underhill, Thomas Purcell, John Dalton. Improvement Committee.

Communication of Rev. W. C. Wust, for cancellation of tax. Finance Committee.

By Ald. Lewis, bills of J. A. Pryor, and J. I. Robins, O. Harris, J. McMullen, Fairchild, Sherlock, and Harris, H. & L. No. 2. Fire Department Committee. Proceedings of Engine Co.'s Nos. 1, 3, 5, 6, 7 and S. H. & L. Co. No. 2, Hose Co. No. 1, Sack and Bucket Co. No. 1. Confirmed. Committee of Managers of Industrial School on South street. Poor Committee. Bill of J. I. Robins.—Market Committee.

By Ald. Shelton, bill of M. Galusha, for inspecting N. St. Paul St. sewer. Petition of M. F. Reynolds and others, for enlargement of Front street sewer. Sewer Committee. Bill of Peter Wagner, Police Committee.

By Ald. Hebard, communication of Rev. E. Savage, for remittance of tax. Grievance Committee. Bills of Warrant & Southworth, W. F. Holmes, and Curtis, Butts & Co. Contingent Expense Committee.

By Ald. Mason, bills of Wm. Wolf and Jacob Strecker. Market Committee.

By Ald. Twitchell, communication of Duryee & Forsyth Manufacturing Company, relating to a tax. Grievance Committee.

By Ald. Lutes, bills of Policemen, E. J. Keeney, and G. W. Walbridge. Police Committee.

REPORTS OF COMMITTEES.

By Ald. Lewis, from the Fire Department Committee, favorably on the following bills: James Field, C. T. Amsden, J. Hyne, R. A. Hall, L. M. Blakeslee, J. Kemp, Perine & Stewart, J. Preston, J. Howland, N. Aylesworth, C. Green, H. S. Fairchild. Finance Committee.

By Ald. Shelton, from the Sewer Committee, favorably on bill of M. Galusha. Finance Committee. Also, adversely to petition of Andrew Scott, to be reimbursed a tax.

By Ald. Lutes, from Police Committee, favorably on bills of Chief of Police, and of policemen's wages for December.

By Ald. Mason, from the Market Committee, favorably on bills of Wm. Wolf and Jacob Strecker. Finance Committee.

By Ald. Hebard, from the Contingent Expense Committee, favorably on bills of Jas. Terry & Co., Geo. Pringle, Warrant & Southworth. Finance Committee.

By Ald. Reynolds, from the Improvement Committee, favorably on bills of D. Marsh, and George Moshier; also, favorably on estimates of Rathbun & Whitmore, J. Dalton, R. W. Underhill, Jas. Lo-

gan, Thos. Purcell, and D. Wagner. Finance Committee.

EXTRA WORK AT DEEP HOLLOW.

Ald. Reynolds, from the Improvement Committee, submitted the following Report:
To the Honorable the Common Council:

After the settlement by the city with Mr. James Conway, for all claims for and on account of his contract for constructing the culvert and embankment at Deep Hollow, the Improvement Committee, after mature deliberation, in view of the unfinished and exposed condition of the work, unanimously resolved that the public interest demanded a further expenditure of money, in the construction of slope walls and embankment, before winter set in, to protect and preserve from the ravages of the winter storms and frosts, the work already constructed. They accordingly employed Mr. Richard Gorsline, who had been employed as inspector of the work, since its resumption by the contractor last spring, to procure materials and employ the requisite labor, to construct slope walls, and the necessary embankment, sewers, &c., to protect and secure the work from injury. In pursuance of this arrangement, Mr. Gorsline has expended about eighteen hundred dollars. The winter, however, set in before he had completed the work which the committee had proposed to have done, and he is now waiting a favorable opportunity to finish what has been commenced, a considerable amount of materials for which are now on the ground.

The committee had hoped to be able to complete what they proposed to have done there, before making a report to the Common Council, so as to present a final estimate of the cost, but the circumstances above referred to having frustrated that design, they now recommend that the sum of eighteen hundred dollars be paid to Mr. Richard Gorsline, on account of money expended by him in the prosecution of that work, all of which is respectfully submitted.

L. SELYE,
 W. A. REYNOLDS,
 H. S. HEBARD,
 AARON ERICKSON.

COMMUNICATIONS.

Ald. Lutes presented a supplementary report of the Police Justice, showing the receipt of \$48 for fines, during November. Filed.

ASSESSMENTS.

Ald. Shelton presented the assessment roll for the construction of a Sewer in Front st., and appeals having been heard thereon of all persons appearing, the same was, on motion of Ald. Shelton, recommitted to the Assessors.

Ald. Erickson presented the assessment roll for the Improvement of Front st., from Buffalo st. to Mumford st., and appeals having been heard thereon of all persons appearing, further consideration of the same was, on motion of Ald. Lutes, postponed until the second regular meeting in February, 1860.

Ald. Reynolds presented the assessment roll for the construction of brick walks on Fitzhugh st., and opportunity having been given for appeals thereon, the same was confirmed, as follows:

Ayes—Alderman Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Erickson, Moore, Knapp, Stone, Lutes, Jones, Shelton, Mason, Billinghamurst, Cushing—18.

Ald. Reynolds presented the assessment roll for the construction of plank walks on each side of Ambrose st., from State st. to Graham st., and appeals having been heard thereon, of all persons ap-

pearing, further consideration of the same was postponed until the second meeting in April next, on motion of Ald. Lutes.

ACTION UPON ORDINANCES.

ENLARGEMENT OF FRONT STREET SEWER.

By Ald. Shelton,

Whereas, The Common Council of the city of Rochester did, upon the request of a majority of the persons interested, upon the 25th day of November, 1859, pass an ordinance for the construction of a sewer in Front street, of sufficient capacity to accommodate the property upon said street;

And whereas, The said Common Council have been requested by a majority of persons interested to enlarge the capacity of said sewer, for the more effectual draining of Buffalo street, from Washington street to the Genesee River; Therefore,

Resolved, That City Surveyor ascertain and report to this Board the expense of enlarging the Front street sewer, to the dimension of 4x6 feet, commencing at Buffalo street, three feet below the present bottom of Buffalo st. sewer—and running upon such grade as the Sewer Committee may direct to Mumford street Adopted. Estimate, \$1,998.

The Surveyor submitted such estimate.

By Ald. Shelton—Resolved, That the following improvement is expedient, namely:

The enlarging of the Front street sewer to the dimensions of 4 feet by 6 feet, and making its bottom three feet lower than the sewer in Buffalo street.

And that the City Surveyor, under the direction of this Board, has made an estimate of the whole expense thereof, and reported the same at \$1,998, which estimate is hereby approved;

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

One tier of lots on each side of Buffalo street, from the Genesee river to Washington street.

And the Clerk is hereby directed to publish notice in pursuance of section 190 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. the 10th, 1860, at half-past seven o'clock, at the common council hall, when allegations will be heard. Adopted.

WIDENING OF PINDALL ALLEY.

Ald. Mudgett presented preamble and resolution directing the Assessors to proceed and assess the sum of \$9,606, the amount of damages and expenses for the widening of Pindall Alley, and the same were adopted. Ayes 17; Noes 0.

Ald. Jones moved a reconsideration of the above vote, which was agreed to, and on motion of Ald. Jones, the said preamble and resolution were laid on the table.

EXECUTIVE BUSINESS.

On motion of Ald. Hebard, the Board proceeded to ballot for the appointment of an Assessor in place of Jared Coleman, whose term will expire on the 31st December, inst.

On the first ballot, Jared Coleman had 11 votes, J. J. Shaffer, 4, H. Banker 1, Blank 2. No choice.

A new ballot was ordered, and Jared Coleman had 12 votes, J. J. Shaffer 3, H. Banker 1, H. Harrison 1, Blank 2. No choice.

A third ballot was ordered, when Jared Coleman had 13 votes, H. Banker 3, J. J. Shaffer 1, Blank 2.

Jared Coleman was declared to be duly appointed Assessor for three years from the first of January, 1860.

MISCELLANEOUS BUSINESS.

By Alderman Mason—Resolved, That the assessment against Andrew Scott, of \$1256 for a sewer in State street, from Jay to White streets, be and hereby is remitted, said sewer being of no advantage to him, for outlet or other purposes; and the Treasurer is hereby directed to refund the above sum to said Scott. Lost; ayes 6, noes 13.

By Alderman Cushing—Whereas previous to the construction of the Ere Canal, that portion of the 12th ward lying South of Grand street and East of South Avenue, had a natural drainage,

And whereas the construction of said Canal has dammed up and otherwise obstructed the drainage

of said portion of the city so that the water of the canal actually sets back and covers a portion of the territory above described, greatly to the detriment of the health and general improvement of a large portion of the Ward;

And whereas the Canal Board have determined to raise the water on this level, one foot, which will greatly increase the grievance above described.

Therefore Resolved, That the City Surveyor be directed to ascertain the expense of an outlet sewer from the bridge on Nelson Street, to such point as shall be necessary to procure the proper fall to effectually drain the above described territory, and also to prepare the necessary maps and profiles to accompany a memorial to the Legislature petitioning them to appropriate the necessary amount to construct the above described outlet sewer, or otherwise direct the Canal Board to construct the same improvement. Adopted.

By Ald. Shelton—Resolved, That the City Treasurer be authorized to collect in addition to the moneys already collected upon the assessment roll for State street Sewer, (from near Buffalo to Mumford street) being 75 per cent; 16 per cent upon the whole roll, in full for the same.—Adopted.

Ald. Jones called up a resolution laid on the table Nov. 29th last, directing the Treasurer to pay Dr. Knickerbocker \$10 for medical attendance in the case of Christian Fry, and moved its adoption.

The resolution was adopted, ayes 14, nays 4—Ald. Mudgett, Lewis, Hebard and Mason.

By Ald. Erickson—Resolved, That the City Clerk issue an order on the City Treasurer for one thousand dollars, payable to the order of Rathbun and Whitmore, in two years from the 13th day of December 1859, with interest, on account of their contract for Flag Walks on East Avenue, and the City Treasurer is hereby authorized to accept the same on behalf of the City, and charge East Avenue Flag Walks. Adopted, ayes 17, nays 0.

By Ald. Hebard—Resolved, That the Treasurer pay Curtiss, Butts & Co., \$220 in full, for extra printing in 1857, in full of all demands for printing for that year, and charge Contingent Fund. Adopted, ayes 16, nays 0.

By Ald. Reynolds—Whereas, The Common Council passed an ordinance September 6th, 1859, for the construction of a stone wall on the west side of North St. Paul street, the assessment roll for which was confirmed October 4th; and whereas, the Common Council subsequently passed a resolution allowing the persons assessed therefor to construct the wall in front of their respective premises, as contemplated by the ordinance, and the persons so assessed having all either built the wall, or filled up their lots so as to render the wall unnecessary, therefore,

Resolved, That the Treasurer be directed to cancel the assessment roll for said wall, and balance the account in his books with said improvement, by charging the per centage back to contingent fund. Adopted.

By Ald. Reynolds—Resolved, That the Treasurer be, and he is hereby directed to cancel the general city tax, for 1859, standing against the Rev. Wm. C. Wust, on his dwelling house, on St. Joseph street, the property being exempt from taxation by the laws of the State, and charge the same to erroneous taxes. Adopted.

By Ald. Reynolds—Resolved, That the City Treasurer receive from John Gormly seventeen dollars and sixty-four cents in full for his tax for building flag walk and railing upon the west side

of North St. Paul street, he having laid the walk in front of his property. Adopted.

By Ald. Reynolds—Resolved, That the Treasurer be, and he is hereby directed to cancel the assessments against all persons assessed for brick sidewalk on South Fitzhugh street, except the Bank of Troy and Joel B. Bennett—all the other owners of property assessed therefor, having built or repaired the walks opposite their respective premises. Adopted.

By Ald. Reynolds—Resolved, That the City Treasurer be directed to pay the interest due in the city of New York on the first day of January next, on City Bonds, amounting with exchange and commission, to \$14,059.76; also, a Bond for \$2,000, due at the same time, and charge appropriate funds. Adopted, ayes 13, nays 0.

By Ald. Reynolds—Resolved, That the City Treasurer make the city's note for ten thousand dollars, payable at the Metropolitan Bank in the city of New York, three months from date, and get the same discounted at the Monroe County Bank, and charge the discount to contingent fund. Adopted, ayes 13, nays 0.

By Ald. Reynolds—Resolved, That the City Clerk issue an order upon the City Treasurer for twelve hundred dollars, payable to the order of John Dalton, in two years from the 30th day of November, 1859, with interest, on account of his contract for the improvement of North street, and the City Treasurer is hereby authorized to accept the same in behalf of the city, and charge North street improvement fund. Adopted.

By Ald. Reynolds—Resolved, That the City Clerk issue an order on the City Treasurer for six hundred dollars, payable to the order of James Logan, in two years from the 30th day of November, 1859, with interest, on account of his contract for improvement of State st. from Jay to Smith sts., and the City Treasurer is hereby authorized to accept the same in behalf of the city, and charge State st. Improvement Fund, (from Jay to Smith sts.) Adopted—ayes, 13; nays, 0.

FINANCE BUDGET.

By Ald. Reynolds—Resolved, That the Treasurer pay as follows:

IMPROVEMENT FUNDS.

Geo. Moshier, bill for grate.....	\$10 75
And charge Edinburg Street Improvement, when there are funds applicable.	
Dan'l Marsh, bill for services assisting in making the final estimate for work done by Ja's Conway on his contract for culvert, &c., at Deep Hollow..	10 00
Richard Gorsline, on account of work done at Deep Hollow building slope walls, grading, &c., per report of Improvement Committee.....	1,800 00
And charge that fund.	
R. W. Underhill, final estimate on contract for improvement of Edinburg street, including extra work, \$66 39, payable to Wm. Hollister & Co., and \$8 to Rathbun & Whitmore.....	74 39
When there are funds applicable, and charge that fund.	
Martin Galusha, account for inspecting St. Paul Street Sewer.....	96 0
And charge that fund when there are funds applicable.	
David Wagner, final estimate on contract for constructing Flag Side-walk on west side of North St. Paul Street.....	393 20
When there are funds applicable, and charge that fund.	
Thomas Purcell, final estimate for constructing Plank Walk on High Street.....	26 30
When there are funds applicable, and charge that fund.	
POLICE FUND.	
B Bardwell, one quarter's salary as Police Justice to Jan. 1, payable on settlement for fines and penalties collected and retained by him.....	400 00
E J Keeney, one quarter's salary as Chief of Police to Jan. 1.....	66 67
S M Sherman, one quarter's salary as Policeman at Central railroad depot to Jan. 1.....	30 00
The two last payable Dec. 31th.	

I. M. Newton, bill for feather duster.....	2 00
E. J. Keeney, bill of disbursements for the month of November.....	108 58
E. J. Keeney, bill of disbursements for the month of December.....	25 00
L. Johnson, Policeman, 1 month.....	44 00
B. B. Leap, " " " ".....	44 00
P. B. Wilder, " " " ".....	44 00
Wm. Coughlin, " " " ".....	44 00
A. Kingsbury, " " " ".....	44 00
A. Brownell, " " " ".....	44 00
R. W. Goodrich, " " " ".....	44 00
J. Dresser, " " " ".....	44 00
J. C. Hagle, " " " ".....	44 00
G. C. Pease, " " " ".....	44 00
J. O. Lauer, " " " ".....	44 00
B. Harcheller, " " " ".....	44 00
H. McQuarries, " " " ".....	44 00
J. Daney, " " " ".....	44 00
H. Jordan, " " " ".....	44 00
A. Rice, " " " ".....	44 00
P. Gilman, " " " ".....	44 00
Thos. Campbell, " " " ".....	44 00
Thos. Callister, " " " ".....	44 00
J. Stott, " " " ".....	44 00
A. Wagner, " " " ".....	44 00
P. Koons, " " " ".....	44 00
S. Cooley, " " " ".....	44 00
J. Montgomery, Capt. Watch.....	44 00
J. Parsfall, Policeman, half month.....	22 00
and charge Police Fund.	

PIRE DEPARTMENT FUND.

L. M. Blakeslee, ringing alarm bells.....	22 50
Julius Kempe, " " " ".....	2 50
R. A. Hall, " " " ".....	36 25
Jacob Hyne, " " " ".....	20 00
Jesse Howland, " " " ".....	12 50
Chas. Greene, " " " ".....	46 25
H. S. Fairchild, insurance.....	13 27
J. Preston, neatsofoot oil.....	15 27
N. Aylsworth, repairs to apparatus.....	144 77
Jas. Field, tarpaulins for S & B Co.....	34 00
Perrine & Stewart, repairs.....	237 70
C. T. Amsden, insurance.....	10 50
Edmund Lyon, 1 qrs rent Hose Depot, to Jan 1.....	87 50
Wm. A. Reynolds, 1 qrs rent of Protectives and Hose Co No 1's rooms, to Jan 1.....	100 00
Geo. B. Harris, Chief Engineer, qr. salary, to Jan 1.....	300 00
John McMullen, 1st Asst. do " " " ".....	75 00
Jeremiah Twaige, 2d do do " " " ".....	50 00
Friend W. Hine, 3d do do " " " ".....	50 00
S. M. Stewart, 4th do do " " " ".....	50 00
Richard Gilbert, 1 month's salary as Superintendent of Hose Depot, to Jan 1.....	41 67
and charge Fire Department Fund.	

CONTINGENT FUND.

S. W. D. Moore, 1 qrs. salary as Mayor to Jan. 1st, 1861.....	375 00
W. P. Lathrop, 1 qrs. salary as Treasurer, to do.....	350 00
F. S. Rev, " " " " City Clerk, do.....	225 00
C. R. Babbitt, " " " " City Surveyor, do.....	425 00
J. Van Voorhis, " " " " City Attorney, do.....	125 00
H. A. Perry, " " " " Messenger of Common Council, to Jan. 1st, 1860.....	125 00
C. T. Amsden, 1 qrs. salary as City Comptroller, to Jan. 1st, 1860.....	50 00
F. Alexander, 1 qrs salary as Clerk of Market, to Jan. 1st, 1860.....	100 00
F. Dana, 1 month's salary to Jan 1st, as Assessor.....	83 34
D. McKay, " " " " " ".....	83 34
J. Coleman, " " " " " ".....	83 34
all payable on the 30th day of December.	
C. C. Stafford, rent of room for election, 1st ward.....	\$37 00
Less amount appropriated and paid.....	20 00
	17 00
Jas Terry & Co, for feather dusters in City Hall apartments.....	5 19
Warrant & Son, for bricking stove in Clerk's office.....	2 75
George Fringle, for sprinkling Buffalo st in front of Court House during the summer of 1859.....	12 00
Jacob Striker, for repairing and hanging blinds on the Market.....	8 00
William Wolf, for repairs to Centre Market.....	20 83
and charge Contingent Fund.	

POOR FUND.

Jonathan Child, 1 qrs salary to Jan 1. as Overseer of Poor.....	275 00
H. B. Sherman, 1 qrs sal to Jan 1, as City Physician, T. B. Collins, " " " ".....	62 50
Azel Backus, " " " ".....	62 50
T. F. Hall, " " " ".....	62 50
F. Reichenbach, " " " " German Physic'n.....	62 50
G. Arink, " " " ".....	62 50
payable on the 30th day of December, and charge Poor Fund.	

BOARD OF HEALTH.

W. H. Briggs, 1 qrs sal as Health Officer, to Jan 1.....	62 50
Geo. W. Avery, " " " ".....	62 50
and charge Board of Health Fund	
Ald. Holmes was excused from voting, and the Budget was adopted, ayes 10, nays 2—Ald. Butler and Bauer. The Board then adjourned.	
F. S. R & W, Clerk.	

In Common Council—Jan. 10, 1860.

REGULAR MEETING.

Present—The Mayor, Ald. Mudgett, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Cushing.

Absent—Ald. Holmes, G. W. Perry, Twitchell, D. W. Perry, Nash, Mason and Billinghurst.

The minutes of the previous meeting were approved.

PETITIONS AND CLAIMS.

By Ald. Mudgett—Bills of G. Gould & Co., J. Howe, J. Tallmadge, T. Bellamy, Post & Bruff, Moore & Cole, N. G. Hawley, A. Strong & Co., R. Hart, J. Cochran, J. H. Child, and Geo. Darling. Poor Com. Also, remonstrance of Curtis, Butts & Co., and others, against being taxed for Enlargement of Front-st. Sewer. Sewer Com. Petition of T. Frothingham. Com. on wood buildings.

By Ald. Hollister—Remonstrance of John Bell and others against proposed Enlargement of Front-st. Sewer. Sewer Com.

By Ald. Hebard—Bills of A. Strong & Co., Steele, Avery & Co., F. Tully, W. C. Storrs, Alex. Allen, A. Nolte, C. Harper, F. Lockhart, Hayden & Bromley, G. W. Fisher, J. C. Moore, Kramer & Felix. Cont. Ex. Com. Of C. T. Amsden. City Property Com.

By Ald. Lewis—Bills of A. Strong & Co., McKindley & Phelps, N. Aylesworth, M. F. Reynolds, W. Hollister & Co., G. B. Harris, E. Wray, F. Tully, M. B. Oviatt, Fitch & Allings. Fire Dept. Com.

By Ald. Reynolds—Petition of Chas. C. Wheeler to be appointed Com. of Deeds, in place of E. S. Lewellyn, removed from the city. Table.

By Ald. Stone—Bills of Wm. Walker, Jona. Child, D. H. Burtis, C. Backus, Wilder, Case & Co., J. M. Whitney & Co., S. S. Pellet, H. Brewster & Co., B. O'Reilly, C. V. Jeffries, Home for the Friendless, J. W. Hatch & Son, D. W. Allen, I. H. Putnam, Adams, Hastings & Co., J. J. Zan Zandt, A. Babcock & Son, Brewster & Smith, D. Bly. Poor Com. Bill of W. Gibbons. Law Com.

By Ald. Knapp—City Supt's bill of disbursements, December; bill of A. Strong & Co. Street Com.

By Ald. Selye—Estimate of O. O. Otis. Imp. Com.

By Ald. Lutes—Bill of M. F. Reynolds, Siddons & Co. Lamp Com. Bill of H. V. Stellar, J. Strecker, P. Wagner, R. Hart. Police Com.

By Ald. Jones—Bill of John Jury. Imp. Com.

By Ald. Shelton—Petition of P. Lee, to remove wood buildings. Com. on wood buildings. Bills of S. Aiton, and L. F. Churchill. Sewer Com.—Also, petition of Lane & Paine, S. D. Stiles, and others, for removing awning posts in front of Burns' Block. City Attorney.

By Ald. Cushing—Bill of F. Roth, for use of room for election purposes. Contingent expense committee.

By Ald. Butler—Bill of M. Briggs. Imp. Com. Of Gas Light Co., E. Wray. City Property Com.—OF G. W. Fisher: Cont. Expense Committee.

By Ald. Lewis—Bill of Hook and Ladder Co. No. 2. Contingent expense committee.

COMMUNICATIONS.

Ald. Reynolds presented the following, which was ordered to be published:

ROCHESTER, 10th Jan., 1860.

To the Honorable Mayor and Aldermen—the Common Council of the City of Rochester:

The Rochester Female Charitable Society has recently received at your hands a donation of one hundred and fifty dollars. At a meeting of the Board of Directors of the Society, on the 3d inst., a resolution was unanimously passed, expressive of the Society's thanks to your Honorable Body for this benefaction. The undersigned was also instructed by the Board to communicate to you an expression of the Society's acknowledgments, a duty which in this communication she is happy to fulfill. Respectfully, &c.,

CAROLINE R. HOPKINS, Secretary.

Ald. Stone presented the following, which was ordered to be published:

At a meeting of Board of Managers of the "Home for the Friendless and for Aged and Indigent Females," held Dec. 20th, 1859, it was unanimously

Resolved, That the thanks of the Ladies be tendered to His Honor the Mayor, and Common Council of the City of Rochester, for the very acceptable appropriation of one hundred dollars.

At this time, when not only their expenses are greatly increased by building, but when a heavy tax for city improvements is also weighing upon them, they feel that they cannot be too thankful for this welcome but unexpected gift.

By Order of the Board.

Mrs. M. M. MATHEWS, Treas.

REPORTS OF COMMITTEES.

By Ald. Bradstreet, from the Grievance Committee, favorably on the petition of Duryee & Forsyth Manufacturing Co., to be relieved from an assessment on their Capital Stock. Table.

Also, favorably on the petition of Rev. E. Savage, for relief from an erroneous tax. Table.

By Alderman Lutes—From the Lamp Committee, favorably on bills of M. F. Reynolds, and Sidons & Co.; also from the Police Committee, favorably on bills of H. V. Stellar and R. Hart, Finance committee.

By Alderman Stone—From the Poor Com., favorably on bills of D. Bly, Wm. Walker, J. J. Van Zandt, I. H. Putnam, Adams, Hastings & Co., Brewster & Smith, A. Babcock & Son, D. W. Allen, J. W. Hatch & Son, J. B. Ward & Co., Home for the Friendless, C. V. Jeffries, H. Bender & Co., S. S. Pellett, J. M. Whitney & Co., Wilder, Case & Co., J. Child, C. Backus, D. H. Burtiss. Finance Committee. Also, favorably on petition of Industrial School on South street. Finance Com.

By Alderman Mudgett—From the Poor Com., favorably on bills of A. Strong & Co., J. A. Talmadge, Post & Bruff, Moore & Cole, N. G. Hawley, R. Hart, J. H. Child, Geo. Darling and T. Bellamy. Finance Committee.

By Ald. Lewis—From Fire Department Com., favorably on bills of J. I. Robins, J. McMahon, J. J. Pryor, O. Harris. Finance Com. Also favorably on Monthly reports of H. & L. No. 1 and Engine Co. No. 7. Confirmed.

By Ald. Hollister—From Com. on Wood Bridges, favorably on petition of T. Frothingham. Table. Also, adversely to petition of Philip Green, for removal of wood sheds. Table.

By Ald. Shelton—From the Sewer Com., favorably on bills of L. F. Churchill. Finance Com.

By Ald. Hebard—From Cont. Expense Com., favorably on bills of Alex. Allen, W. C. Storrs, A. Nolte, A. Strong & Co., F. Lockhart, C. Harper, Curtis, Butts & Co., W. Whitehare. Finance Committee.

By Ald. Knapp, from Street Committee, favorably on bills of A. Strong & Co., and Superintendent's Disbursements. Finance Committee.

By Ald. Reynolds, from Improvement Committee, favorably on estimate of O. O. Otis. Finance Committee.

By Ald. Erickson, from Select Committee on purchase of Falls Field, that there can be no title obtained to the property without an act of the Legislature.

REPORTS OF EXECUTIVE OFFICERS.

The Clerk presented the monthly Report of the Superintendent of Mt. Hope Cemetery, for December. Number of interments 56. Filed.

Also, the report of the Police Justice for December. Amount of fines received \$159 62. Filed.

Also, report of Overseer of the Poor for December. Amount expended \$1,689 27. Less for county and towns \$77 85. Filed.

ACTION UPON ORDINANCES.

FRONT STREET SEWER.

On motion of Ald. Shelton, the consideration of the final ordinance for the enlargement of Front street sewer, was postponed until the next regular meeting.

WIDENING OF STEVENS ALLEY.

By Ald. Mudgett—Resolved, That the Common Council hereby determine that Stevens alley shall be widened, by the addition of 12 feet upon each side thereof, and so altered at its northern end as to make a straight line from Spring to Buffalo street; and the following described territory is deemed necessary for such improvement, viz:

Beginning at a point in the north line of Spring street 12 feet east of the east line of Stevens alley, and running thence northerly parallel with the said east line, and 12 feet therefrom, to the angle in said alley; thence upon the same course to the south line of Buffalo street; thence on the south line of Buffalo street westerly to the present east line of Stevens alley; thence upon said east line to the north line of Spring street; thence easterly upon said north line to the place of beginning.

Also, beginning upon the west line of Stevens alley at its junction with Spring street, and running thence westerly 12 feet; thence northerly and parallel with said west line, and 12 feet distant therefrom, to the angle in Stevens alley; thence upon the same course to the west line of Stevens alley; thence southerly upon the west line of Stevens alley to the place of beginning.

That the portion of said city deemed benefitted by said improvement, and proper to be assessed therefor, is one tier of lots on each side of Stevens alley from Buffalo street to Spring street; and also one tier of lots upon each side of Favor street from Spring street to Troup street.

And the City Surveyor is hereby directed to negotiate with the owners of the land deemed necessary for such improvement, and report an estimate of the expense thereof at the next regular meeting of this Board.

ASSESSMENTS.

Ald. Selye presented the assessment roll for the improvement of State street, from Buffalo street to the Central Railroad, and opportunity having been given for appeals thereon, no one appearing, on motion of Ald. Selye, the question of confirming said roll was laid on the table.

EXECUTIVE BUSINESS.

Ald. Lewis presented the resignation of Chas. N. Simmons, of the office of Commissioner of Deeds, which was accepted.

On motion of Ald. Lewis, the Board proceeded to ballot for the appointment of a Commissioner of Deeds in place of C. N. Simmons, resigned.

On the first ballot, Walter Heard had 14 votes, and was declared duly appointed said Commissioner.

On motion of Ald. Reynolds, the Board proceeded to ballot for the appointment of a Commissioner of Deeds, in place of E. S. Lewellyn, removed from the city.

On the first ballot, Charles C. Wheeler had 14 votes, and was declared duly appointed such Commissioner.

MISCELLANEOUS BUSINESS.

By Ald. Jones—Resolved, That the Chief Engineer of the Fire Department be instructed to notify John Fennor to remove the wooden buildings or structures lately erected upon his premises, without delay, and in case of his refusal so to do, that he notify the City Attorney, and that said Attorney commence suit for a violation of the ordinance. Lost—ayes 3—Ald. Mudgett, Jones and Shelton. Noes 13.

By Ald. Selye—Resolved, That the Treasurer pay J. M. Fisk eleven dollars and fifty cents, said Fisk having built a portion of sidewalk in front of his property on State street, from the Railroad to Furnace street, and charge that fund. Adopted. Ayes 15—Noes 0.

By Ald. Seyle—Resolved, That the Treasurer pay Geo. H. Mumford forty-one dollars and sixty cents, being for 260 feet of curb stone furnished by said Mumford, in front of his property, on State street, from Jay to Smith streets, and charge that fund. Adopted—ayes 16—Noes 0.

By Ald. Shelton—Resolved, that the City Superintendent be and he is hereby directed to remove immediately the awning posts opposite Burns' block on Buffalo street; and all the awning posts on both sides of State Street, from Buffalo street to the Central Railroad.

Ald. Erickson moved to amend the above resolution by striking out all after the word 'Resolved' and inserting the following:

That the City Superintendent be and he is hereby instructed to enforce the ordinance relating to awning posts.

Ald. Shelton accepted the amendment.

Ald Lewis moved to refer the whole matter to the Street Committee. Lost, ayes 5; noes 11.

The resolution as amended was adopted.

INSURANCE LAWS.

● By Ald. Erickson—Whereas the alarming frequency of incendiary fires, has so awakened the public sentiment to the nature and operation of our Insurance laws, as to give reason to hope that the Legislature of this State will on proper representation make such thorough revision of the laws relating to insurance as will at least diminish the danger to which they now expose every species of combustible property—therefore, as an expression of the sense of the Board,

Resolved—That the insurance laws of this State are radically defective, and in their practical operation they exercise a most demoralizing influence; offering inducements to crime by excessive insurance, and thereby greatly increasing the hazard of both life and property.

Resolved, As the further sense of this board that it is both impolitic and wrong to insure any individual to the full amount of damage he may sustain by fire, and thereby remove the vigilant care that a wise Providence intended by his endowments he should exercise over the provisions made for helplessness and age—and therefore no person should be entitled to recover more than one half or two thirds at most of the loss he may sustain by fire, to be ascertained by proofs that would be competent in a court of justice to establish the claim.

Resolved, That a Select Committee of five be appointed, of which the Mayor shall be one, to embody the foregoing views in a communication suitable to be presented to the Legislature, and present the same for the approval of this Board, and, when approved, copies to be furnished to the different municipal governments of the State, soliciting their concurrence and co-operation.

The above resolutions were adopted, no one dissenting.

By Ald. Bradstreet—Resolved, That the Treasurer be authorised, and is hereby directed, to cancel the assessment of \$418 17, on personal property against the Duryee and Forsyth Manufacturing Company, in accordance with the report and recommendation of the Grievance Committee, made to this Board this evening—and charge Erroneous Assessments. Adopted—ayes 16, noes 0.

By Ald. Bradstreet—Resolved, That the Treasurer is hereby directed to cancel the assessment of six 17-100 dollars, to John E. Cole, on lots 32 and 33 Pleasant street; the title of said lots having been in Reverend E. Savage since March last—and charge Erroneous Assessments. Adopted—ayes 16, noes 0.

By Ald. Hollister—Resolved, That Thos. Frothingham have leave to raise a wood building according to the prayer of his petition, under the direction of the Chief Engineer of the Fire Department. Adopted.

By Ald. Reynolds—Resolved, That the City Clerk issue two orders upon the City Treasurer for five hundred dollars each, payable to the order of Oscar O. Otis, one in one year and one in two years from the 2d day of January, 1860, with interest, on account of his contract for improving Lyell street; and the City Treasurer is hereby authorised to accept the same in behalf of the city, and charge Lyell Street Improvement Fund. Adopted—ayes 15, noes 0.

FINANCE BUDGET.

By Ald. Reynolds—Resolved, That the Treasurer pay as follows:

CONTINGENT FUND.	
Wm Whiteharc, for hack to Summer st.....	\$1 00
Curtis, Butts & Co, on contract for publishing proceedings and printing.....	175 00
C Harper, for use of hacks to the funeral of the wife of Ald Selye.....	10 00
Francis Lockhart, for watching City Hall 61 nights, payable to H W Jones.....	45 75
A Strong & Co, for publishing proceedings and printing, as per contract.....	212 50
Adolphe Nolte, for publishing proceedings, as per contract.....	75 00
W C Storrs, for Justice's costs, during the years 1857 and 1858.....	27 29
Alex Allen, 1 quarter's salary in taking care of city clocks.....	37 50
and charge Contingent Fund.	
POOR FUND.	
Moore, Cole & Co, groceries.....	148 67
Geo Darling, transportation of paupers.....	43 12
S S Pellett,	41 08
A Barcock & Son, bill of pork.....	18 00
Joseph Cochran,	9 09
R Hart, coal.....	61 38
J B Ward & Co, shoes.....	23 00
Geo Gould & Co, shoes.....	64 62
J W Hatch & Son, shoes.....	4 00
Jacob Howe, bread.....	69 17
J J Van Zandt, coffee.....	3 50
Adams, Hastings & Co, paper.....	187 30
Brewster & Smith, groceries.....	45 00
Treasurer Home of the Friendless, sundries.....	34 00
Dr D Biv, city order.....	15 00
C V Jeffries, undertaker's services.....	78 50
D W Allen,	47 00
B O' Riely,	52 75
A Bender & Co,	34 00
I H Putnam, flour.....	20 00
J M Whitney & Co, flour and meal.....	149 68
Wilder Case & Co, orders.....	20 00
N G Hawley, books.....	24 00
J A Tallmadge, order.....	8 25

Chas Backus, drawing wood	179 40
D H Burtis, stove for Poor office	13 50
J Child, bill of disbursements	63 06
J H Child, 1 month's salary	25 00
David Moore, Industrial School and charge poor fund.	109 00

BOARD OF HEALTH.

F S Rew, 1 quarter's salary as clerk of Board of Health	75 00
Alex Richardson, 1 month salary as Inspector	45 00
S M Luckey	45 00
Thomas Burns, 5 " " as keeper of Pest House	60 00
Peter McMullen, burying dead horse	2 00
John Wright, burying dead carcasses	1 00
F Bullard, for making roadway from Falls street to the river, on condition that he give a receipt in full	15 60
and charge Board of Health Fund.	
L F Churchill, back hire to New Main and North St Paul street sewers, \$1 each	2 00
and charge those funds respectively.	

LAMP FUND.

Siddons & Co, repairing public lamps	22 69
M F Reynolds, glass for lamps	144 82
and charge Lamp Fund.	

POLICE FUND.

Jacob Strecker, 1 quarter's salary taking care Police office	37 50
H V Miller, services as Policeman to Jan. 1, 1860	44 00
and charge Police Fund.	

FIRE DEPARTMENT FUND.

John J Pryor, ringing alarm bells	31 25
John McMullen, cartage	9 75
Orrin Harris, repairs at Engine Houses and Hose Depot	119 78
Johnson I Robins, painting and glazing	5 85
Treasurer Engine Co. No. 1, quarterly appropriation	87 50
Do " " " " " "	87 50
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The said quarterly appropriations payable upon the certificate of the Chief Engineer, that the officers of said Companies have made the semi-annual report required by law.
and charge Fire Department Fund.

HIGHWAY FUND.

R D Howell, City Supt, salary for quarter ending Jan 1, 1860	250 00
R D Howell, disbursements for December	222 68
A Strong & Co, for bills for Supt.	5 00
and charge highway fund.	
Adopted; ayes 14, noes 0.	

By Ald. Knapp,

Resolved, That the Common Council of the city of Rochester, believe it for the interest of the citizens of this city, and county of Monroe, that the Legislature of this State, now in session, should pass a Law to compel the Railroads of this State to transport the property of our own citizens, over their respective roads, on the same terms they charge the People of the Eastern and Western States; and that in the opinion of this Common Council, the policy of discrimination, now pursued by the Railroads against the People of this State, and in favor of those of other States, is not only unjust and tyrannical, against the People of this State, but must and does tend to crush out the Agricultural and Mechanical and Manufacturing interests of this State; and therefore ought not to be tolerated.

Ald. Bradstreet moved that the resolution be laid on the table. Lost; ayes 3,—Ald. Bradstreet, Jones and Shelton; noes 11.

Ald. Bradstreet moved to strike out all after the words "Eastern and Western States."

Ald. Knapp assented to this amendment, and the resolution as thus amended, was adopted unanimously.

The Mayor appointed the following Select Committee on Ald. Erickson's resolutions: Ald. Erickson, Reynolds, Bradstreet, Jones and the Mayor.

Ald. Jones moved that when the Board adjourns it adjourn for one week. Carried. The Board then adjourned.
F. S. Rew, Clerk.

In Common Council—Jan. 17, 1860.

ADJOURNED MEETING.

Present—The Mayor, Ald. Mudgett, Holmes, Butler, Hollister, Lewis, Hebard, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Billinghurst, Cushing.

Absent—Ald. G. W. Perry, Reynolds, Twitchell, Bradstreet, D. W. Perry, Nash, Mason and Bauer. The minutes of the previous meeting were approved.

PETITIONS AND CLAIMS.

By Ald. Hollister—Petition of E. G. Robinson and others, for a Park, to be located in the Third Ward. City Property Committee. Of James Byrne, for leave to erect a wood Building. Wood Building Committee.

By Ald. Hebard—Bill of Allings & Corey. Contingent Expense Committee. Estimates of John Clancy and John Dalton. Improvement Com.

By Ald. Lewis—Communication of Daniel Moore. Table. Of Engine Co. No. 8, Fire Department Committee.

By Ald. Lutes—Bill of R. Hart. Finance Committee.

By Ald. Shelton—Bill of E. Jordan. Contingent Expense Committee. Of Samuel Moore, for remission of a tax. Sewer Committee. Of Jacob Meng, for the same. Grievance Committee. Estimate of John Dalton. Sewer Committee.

By Ald. Butler—Bill of John Kislingbury. City Property Committee.

COMMUNICATIONS.

Ald. Lewis presented the following, which was ordered to be published:

To His Hon. the Mayor and Common Council of the City of Rochester:

The Managers of the "Industrial School of the Sisters of Mercy," attached to St. Mary's Church, beg leave to return their sincere thanks to your Hon. Body for your donation of \$100 to their Charitable Institution.

DANIEL MOORE,
President of the Board.

MISCELLANEOUS BUSINESS.

By Ald. Shelton—Resolved, That the City Treasurer pay James S. Wadsworth one hundred and fifty dollars for right of way for the 4th, 7th and 12th wards outlet sewer across his property, lying between the Erie Canal and the River, upon his depositing with the Mayor a conveyance of the same, and charge Outlet Sewer Fund. Adopted; ayes 16, noes 0.

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On the first ballot, Charles C. Wheeler had 14 votes, and was declared duly appointed such Commissioner.

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A Strong & Co, for hire for Supt.	5 00
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Ald. Bradstreet moved to strike out all after the words "Eastern and Western States."

Ald. Knapp assented to this amendment, and the resolution as thus amended, was adopted unanimously.

The Mayor appointed the following Select Committee on Ald. Erickson's resolutions: Ald. Erickson, Reynolds, Bradstreet, Jones and the Mayor. Ald. Jones moved that when the Board adjourns it adjourn for one week. Carried. The Board then adjourned. F. S. Rew, Clerk.

In Common Council—Jan. 17, 1860.

ADJOURNED MEETING.

Present—The Mayor, Ald. Mudgett, Holmes, Butler, Hollister, Lewis, Hebard, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Billinghurst, Cushing.

Absent—Ald. G. W. Perry, Reynolds, Twitchell, Bradstreet, D. W. Perry, Nash, Mason and Bauer. The minutes of the previous meeting were approved.

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By Ald. Lewis—Communication of Daniel Moore. Table. Of Engine Co. No. 8. Fire Department Committee.

By Ald. Lutes—Bill of R. Hart. Finance Committee.

By Ald. Shelton—Bill of E. Jordan. Contingent Expense Committee. Of Samuel Moore, for remission of a tax. Sewer Committee. Of Jacob Meng, for the same. Grievance Committee. Estimate of John Dalton. Sewer Committee.

By Ald. Butler—Bill of John Kinslingbury. City Property Committee.

COMMUNICATIONS.

Ald. Lewis presented the following, which was ordered to be published:

To His Hon. the Mayor and Common Council of the City of Rochester:

The Managers of the "Industrial School of the Sisters of Mercy," attached to St. Mary's Church, beg leave to return their sincere thanks to your Hon. Body for your donation of \$100 to their Charitable Institution.

DANIEL MOORE,

President of the Board.

MISCELLANEOUS BUSINESS.

By Ald. Shelton—Resolved, That the City Treasurer pay James S. Wadsworth one hundred and fifty dollars for right of way for the 4th, 7th and 12th wards outlet sewer across his property, lying between the Erie Canal and the River, upon his depositing with the Mayor a conveyance of the same, and charge Outlet Sewer Fund. Adopted; ayes 16, noes 0.

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By Ald. Shelton—Resolved, That the City Treasurer pay John Dalton three hundred dollars on account of his contract for building the 4th, 7th and 12th wards outlet sewer, when there are funds applicable thereto, and charge that fund. Adopted; ayes 16, noes 0.

By Ald. Hebard—Resolved, That the Treasurer credit Catharine Hughes seven dollars, Richard Bourne five dollars, and Mark Kinsy five dollars, upon the assessment roll for the Improvement of Emmett street—which amount has been deducted from the estimate given to the contractor—the parties named having built their own walks.—Adopted.

SPECIAL ORDER—CHARTER AMENDMENTS.

Ald Selye moved that all other orders of business be laid on the table, and that the Board now proceed to the consideration of the Charter amendments. Agreed to.

Ald. Jones presented the following report:

To the Common Council of the City of Rochester:

The Committee upon the revision of the Charter beg leave respectfully to report, that they have had the matter committed to them under much consideration, and have devoted much time to the examination of the charter, as originally adopted, and the various acts amendatory thereof, and the general legislation of the State affecting the same, and they herewith submit the result of their labors.

Your Committee have been actuated by a desire to amend and perfect the charter in the main as it has heretofore existed, rather than to inaugurate any new and untried scheme; and their work therefore, has been chiefly to remove ambiguities, supply defects, and harmonize conflicting provisions, which they found to exist, either in the original charter, or to have been introduced by subsequent legislation. They have, however, felt called upon to introduce some important changes, calculated, as they believe, to secure the better government of the city, and to promote the interests of its citizens. The cardinal idea of your Committee in recommending these changes is, that there should be one efficient governmental power, which should have control over all the interest committed to a city government, and be responsible for the due administration of the affairs of the city. This power should, in the opinion of your Committee, be lodged in the Common Council.

The changes which they have, acting upon this idea, recommended, will be indicated in the synopsis of the material alterations in the charter hereinafter mentioned.

Your Committee do not suppose that if the charter, which they herewith propose shall be enacted into a law, that modifications will not be made necessary by the changing wants of the city, or indicated by experience in the administration of its affairs. They have not the vanity to claim perfection for their labors, much less that they have anticipated and provided for all the changes in the future of a growing city.

Your Committee have not thought it necessary to report the reasons which have led them to make the various changes which they have adopted, as such reasons will doubtless occur to the minds of your body, or be elicited upon discussion, that may be had upon their labors, but will proceed to indicate briefly what those changes are, so far as they are material, that they may be brought more distinctly to the view, than by reading the proposed charter at length.

The charter as proposed by your Committee provides that the Mayor shall hold his office for two years, that the Treasurer, Sealer of Weights and Measures, and Commissioners of Education heretofore elected by the people shall be appointed by the Common Council. It will be found to contain certain pro-

visions more stringent in their character in reference to the reports of the Police Justice and executive officers of said city, and making neglect to make such reports or to pay over money as required by the Common Council or the provisions of the Charter, a ground of removal from office.—The fire department fund has been increased to the sum of \$15,000. Provision is made for the raising in the year 1860 of the sum of \$3,000, to make good the deficiency in the Highway fund. The Commissioners of the Avenues of the city are invested with the powers of the Street Superintendent in relation thereto. The Assessors are required to prepare copies of the assessment rolls for the Supervisors,—the compensation therefor to be received by the city—and for the Clerk of the City in which the taxes are to be extended, by the Clerk. The time for the redemption of lands sold for taxes is reduced from two years to one; and the notice required to be given by the purchaser is to be given within six months after the expiration of the one year.—The Common Council are authorized to direct the foreclosure, by suit, in a court having equity jurisdiction, of all right of redemption of every person, after the expiration of one year, when the certificate is held by the city. The sum of \$5,000 is to be raised in each year, and placed to the credit of the sinking fund, instead of two per cent of the funded debt. In regard to the educational system of the city, the charter provides for the appointment by the Common Council of nine Commissioners of Education, to hold their office for three years, retiring in classes of three each year, who shall have the appointment of the Superintendent of the Schools, the organization, management, and control of the schools, including the employment and dismissal of Teachers. The building and repair of School Houses, the purchase and repair of furniture and apparatus, the provision of fuel for the Schools and the payment of teachers wages is devolved upon the Common Council, who are charged with the administration of the School funds in the same manner as they are charged with the administration of the other funds of the city. Provision has been made for the removal of encroachments upon streets when such encroachment is denied, by proceedings to be instituted before the County Judge and by the aid of a jury, to be summoned by a precept issued by him. The proceedings upon taking real estate for public improvements have been simplified and facilitated by authorizing the application for the appointment of Commissioners, to be made at any term of the Supreme Court, to be held in the Seventh Judicial District, and by providing that the Court upon an appeal from the report of such Commissioners shall examine the correctness thereof, and shall direct the appointment of new Commissioners only in case such court is dissatisfied with such report, instead of making such appointment compulsory, as is now the case. The provisions of law in relation to city improvements generally, known as the credit system, have been omitted. The Common Council are clothed with additional powers in relation to the prevention and extinguishment of fires, and are authorized to purchase two Steam Fire Engines; to regulate the thickness and material of walls of buildings; the distance of party walls in the same; and to compel the placing of iron shutters upon doors and windows of buildings already erected or hereafter to be erected. To enforce such provisions, they are authorized to cause buildings in process of

erection to be inspected; and to arrest the further construction of any not conforming to such regulations, until the same shall be so conformed; and if necessary for this purpose, to employ the police force of the city.

The Common Council are also authorized to appoint a Fire Marshal, with such powers as it shall confer upon him, but without any salary to be paid by the city.

The foregoing are believed to be the most essential changes proposed by your Committee.

The subject of having the Charter Elections held with the annual State Election, and having the official year commence the first of January, instead of the present system, was discussed in your Committee, but it was introduced at so late a period, and the alterations that it would necessarily occasion in the Charter were so numerous, that the Committee concluded to refer the subject to your body for action, rather than to delay reporting the Charter at the present meeting of the Common Council.

All which is respectfully submitted.

A. H. JONES,
S. W. D. MOORE,
H. B. KNAPP,
GEO. SHELTON,
GEO. W. LEWIS,
H. S. HEBARD.

On motion of Ald. Erickson, the amendments were taken up seriatim, and the following sections were read:

TITLE II.

ELECTION AND APPOINTMENT OF OFFICERS.

Sec.—The officers of said city shall be one mayor, two aldermen for each ward, one police justice, three justices of the peace, one constable for each ward, one supervisor for each ward, three inspectors of elections for each ward, all to be elected by the electors of said city, by ballot, as hereinafter provided:—and one treasurer, one city clerk, one comptroller, one city attorney, one overseer of the poor, one superintendent of streets, three assessors, one sealer of weights and measures, one city surveyor, nine commissioners of education, one chief engineer, one or more assistant engineers, not to exceed four, not less than three nor more than seven persons of whom the mayor shall be one to constitute a board of health, and one physician to be the physician thereof, and so many fire wardens and pound masters, as the common council shall from time to time direct,—all to be appointed as hereinafter provided.

Sec.—An election shall be held in each ward annually on the first Tuesday of March, at such place as shall be designated by the common council, of which a notice shall be published for at least six days previous to the election in not less than two daily newspapers printed in said city: at which there shall be chosen by the electors of the whole city, voting in their respective wards, one mayor, when the term of office of the then incumbent will expire before the next annual election or when a vacancy exists in said office, who shall hold his office for two years, and one police justice, when the term of office of the then incumbent will expire before the next annual election, who shall hold his office for four years, and one justice of the peace who shall hold his office for three years, and also by the electors of each ward, for such ward, one alderman who shall hold his office for the period of two years, one supervisor, one constable, and three inspectors of elections who shall hold their offices for one year.

CITY TREASURER.

Ald Stone moved that the proposition for the appointment of a City Treasurer, by the Common Council, be stricken out. Carried.

MAYOR'S TERM.

Ald. Stone moved to strike out the proposition for extending the term of the Mayor to two years. Carried as follows:

Yeas—Ald. Mudgett, Butler, Hollister, Erickson, Moore, Stone, Selye, Lutes, Billinghamurst, Cushing—10.

Nays—Ald. Holmes, Lewis, Hebard, Knapp, Jones, Shelton—6.

SCHOOL COMMISSIONERS.

Ald. Stone moved to strike out the proposition for the appointment of School Commissioners.

Ald. Holmes moved to amend, by increasing the number to twelve.

Ald. Billinghamurst moved as a substitute, that four districts be erected, in each of which three Commissioners shall be elected—one to serve one year, one two years, and one three years, and that one be elected annually thereafter to serve three years.

Ald. Cushing moved that the further consideration of the subject of School Commissioners be postponed till the next meeting of the Board.—Agreed to.

ANNUAL ELECTIONS.

Ald. Cushing moved to strike out "not less than two daily papers," and insert "all the daily papers." Carried—ayes 13; noes 3.

The following sections were read:

Sec. —. The Common Council shall annually, or as often as a vacancy exists in any of the offices in this section named, appoint by ballot one City Attorney, one City Clerk, one Chief Engineer, one or more Assistant Engineers, one Fire Marshal, one Overseer of the Poor, one Superintendent of Streets, one Sealer of Weights and Measures, one City Surveyor, not less than three nor more than seven persons, of whom the Mayor shall be one, to constitute a Board of Health, and one Physician, to be the physician thereof, and so many Fire Wardens, and so many Pound Masters, as it may deem necessary, each of which said officers shall hold their office during the pleasure of the Common Council; also, one Comptroller, and three Commissioners of Education, who shall hold their offices for three years, and one Commissioner of Mount Hope Cemetery, who shall hold his office for two years, unless the appointment of such Comptroller or Commissioner of Education or Mount Hope Cemetery is to take effect during the term for which his predecessor was appointed, in which case he shall hold only for the unexpired residue of such term, and shall also biennially, or when a vacancy shall exist in said office, appoint one Treasurer, who shall hold his office for two years, unless the appointment of such Treasurer is to take effect during the term for which his predecessor was appointed, in which case he shall hold only for the unexpired residue of such term.

Sec. —. The Common Council shall, in the month of December in each year, choose by ballot one Assessor, who shall hold his office for three years from the first of January succeeding such election; in case any vacancy shall occur in the office of Assessor the said Common Council shall, at its next meeting thereafter, choose an Assessor to fill such vacancy.

Sec. —. The Common Council of said city, at the first meeting thereof after the first Monday of March, in the year 1860, shall appoint nine Commissioners of Education, and shall designate by lot three of said Commissioners who shall hold their office for one year three for two years and three for three years.— The persons so appointed shall enter upon their office upon the first Monday of April, 1860, from which time the Board of Education of said city as at present constituted shall be abolished.

Sec. —. The Comptroller and two Commissioners of Mount Hope Cemetery shall constitute the Superintendents of said Cemetery. The Comptroller shall be the Treasurer of said Superintendents.

Sec. 12. The City Treasurer, Comptroller, Assessors, Commissioners of Education and Sealer of Weights and Measures, may be each removed from office by the Common Council for official misconduct, or for the unfaithful or insufficient performance of the duties of his office; but notice of the charges against them, and an opportunity of being heard in their defense, shall first be given.

Sec. 13. The Mayor may by an appointment in writing to be filed with the City Clerk, appoint so many electors of said city, not exceeding twenty, as he may deem necessary, policemen, and also one Chief of Police; he may also in like manner appoint in extraordinary emergencies an additional number of policemen for such time as he shall deem necessary, not, however, to extend beyond the time of the next meeting of the Common Council, but said Common Council may at any time by a vote of at least three-fourths of the Aldermen elected, increase the number of policemen to be appointed by said Mayor. The policemen so appointed shall have the same power and authority, and be subject to the same liabilities and regulations as constables of towns now have by law, except as to civil process and proceedings, and also except as herein otherwise provided.

Sec. The common council shall annually determine the salary to be paid to the mayor and police justice of said city, and to any officer appointed by it, except when such officer is not by the provisions of this act to receive any salary, or his compensation is herein otherwise provided for; which salary shall be paid from the city treasury, and shall not be diminished during the then coming year, and neither of said officers shall receive for himself other fees, compensation or perquisites, except that the city attorney may receive for himself the taxable costs in any action brought or defended by him for said city, and in which said city shall prevail, providing the same be collected of the party adverse to said city in such action.

Sec. The common council shall annually determine the amount of the salary and its mode of payment to be paid to the chief of police and policemen for the then coming year; which salary shall not be diminished during said year.

Sec. The common council may by ordinance or resolution divide said city into police districts, and allot to each district a certain number of policemen, and may prescribe the duties of the chief of police and the policemen of said city, and may also prescribe such regulations and

adopt such measures, not inconsistent with this act as it shall deem expedient for the government of the police department of said city.

Ald. Selye moved to strike out the word "shall," wherever it occurs, relating to the appointment of officers, and insert "may." Carried.

PUBLICATION OF AMENDMENTS.

Ald. Hebard moved that the proposed amendments be published, for the information of the Board, and that all action heretofore taken thereon be and is hereby rescinded.

Ald. Cushing asked a division of the question; and the Board ordered the printing.

Ald. Selye moved to lay on the table the question of rescinding all action heretofore had. Lost, as follows:

Ayes—Ald. Mudgett, Holmes, Butler, Stone, Selye, Lutes, Billinghurst, Cushing—8.

Nays—Hollister, Lewis, Hebard, Erickson, Moore, Knapp, Jones, Shelton—8.

The Board refused to rescind, as follows:

Ayes—Ald. Hollister, Lewis, Hebard, Erickson, Moore, Knapp, Shelton—7.

Nays—Ald. Mudgett, Holmes, Butler, Stone, Selye, Lutes, Jones, Billinghurst, Cushing—9.

Ald. Shelton moved that the committee be discharged, and that all further consideration of the amendment of the Charter be dispensed with.— Lost: ayes 3, Ald. Knapp, Jones, Shelton; noes 13.

HIGHWAY FUND.

Ald. Stone presented the following:

Whereas, for many years past the tax payers of the outer wards have justly complained of the manner in which the Highway Fund has been expended, and whereas it is generally admitted even by those residing in the more central portion of the city, that the outer wards have received but a very small portion of the amount paid by them for highway purposes, saying nothing about the much larger sum assessed to them for the Police and Lamp Fund, from which they receive but little if any direct benefit, and whereas, the efforts of the present Street Committee during the past term to expend in each ward an amount approximating to that paid by them, has given general satisfaction, and that the expending of such amount every year is not only very proper, but eminently just; therefore

Resolved, That title 7 of the present Charter, be so amended as to make it obligatory upon the Common Council to direct the expenditure of the highway fund, in the several Wards, in proportion to the amount paid by each Ward, such expenditure to be made under the immediate supervision or direction of the Alderman of each Ward.

Ald. Stone moved that the above lie on the table, and be printed with the proposed amendments.

Ald. Shelton moved that that motion lie on the table. Lost, ayes 3—Ald. Hollister, Knapp and Shelton. Noes, 13.

Ald. Stone's motion was agreed to.

Ald. Holmes moved that when this Board adjourns, it adjourn to meet on some future day at 2 P. M. Lost—ayes 5—noes 10.

The Board then adjourned.

F. S. Raw, Clerk.

In Common Council—Jan. 24, 1860.

REGULAR MEETING.

Present—The Mayor, Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Cushing.

Absent—Ald. G. W. Perry, Twitchell, Nash, D. W. Perry, and Billingham.

The minutes of the previous meeting were approved.

PETITIONS AND CLAIMS.

By Ald. Hollister—Petition of Geo. Stolze to remove wood building. Committee on Wood Buildings.

By Ald. Reynolds—Communications from Harriet S. Terry, Secretary of Rochester Orphan Asylum and Industrial School; table. Of James S. Bush and Joseph Bier, relative to assessments. Grievance Committee. Bill of John Carroll, estimate of James Logan; Improvement Committee.

By Ald. Lewis—Bill of Jas. Palmer; Contingent Expense Committee. Of S. Church, C. T. Amsden, W. S. Stuart, O. Harris; Fire Department Committee. Petitions of B. B. Van Zandt and L. M. Blakeslee; Committee on Wood Buildings.

By Ald. Hebard—Resignation of A. G. Mudge as Commissioner of Deeds. Accepted.

By Ald. Stone—Bill of Alex. Adams. Improvement Committee.

By Ald. Lutes—Bills of E. Darrow & Co., and M. C. Mordoff. Police Committee.

By Ald. Shelton—Petition of M. F. Reynolds and others (majority of property owners), for an enlarged sewer in Front street. Table.

By Ald. Cushing—Of G. P. Wolcott and others, for a sewer in South Avenue. Sewer Committee.

By Ald. Butler—Petition of Sisters of Charity, St. Mary's Hospital, for further aid.

Ald. Butler moved its reference to the Finance Committee.

Ald. Erickson moved as an amendment, to refer to the Law Committee. Carried; and the petition was so referred.

By Ald. Butler—Petition of Ezra Jones and others, for improvement of Platt and Broad streets; Improvement Committee. Of J. H. Child, relating to the assignment of an account; table. Bill of P. Quin; Grievance Committee. Of J. W. & G. B. Aldridge; Street Committee.

By Ald. Selye—City Attorney's bill for disbursements. Law Committee.

REPORTS OF COMMITTEES.

By Ald. Lewis, from the Fire Dept. Com., favorably on bill of W. Hollister & Co., M. B. Oviatt, N. Aylesworth, G. B. Harris, F. Tully, Fitch & Allings, McKindley & Phelps, A. Strong & Co., M. F. Reynolds, E. Wray. Finance Committee.

By Ald. Lutes, from the Police Committee, favorably on bills of M. C. Mordoff, and E. Darrow & Bro. Finance Committee.

By Ald. Selye, from the Law Committee, favorably on bill of W. Gibbons, for costs of appeal in a bastardy case. Table.

By Ald. Hebard, from the Contingent Expense Committee, favorably on bills of G. W. Fisher, Curtis, Butts & Co., Kramer & Felix, F. Roth; also, to pay judgment against city, in favor of J. P. Evans. Finance Committee.

By Ald. Mason, from the Market Committee, favorably on bills of J. R. Galen and J. I. Robins.—Finance Committee.

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By Ald. Hollister, from the Wood Buildings Committee, favorably on petitions of Geo. Stolze, L. M. Blakeslee and B. B. Van Zandt. Table.

By Ald. Reynolds, from the Improvement Committee, favorably on bill of John Carroll, and estimate of James Logan. Finance Committee.

INSURANCE LAWS.

By Ald. Erickson, from the Select Committee on the subject of the Insurance system of this State, the following:

To the Common Council:

The Select Committee appointed for the purpose of preparing a communication on the subject of fire insurance, which if approved, should be presented to the Legislature as a Memorial of the Common Council of this city, beg leave to submit the following as the unanimous result of their deliberations.

AARON ERICKSON,
S. W. D. MOORE,
W. A. REYNOLDS,
A. H. JONES,
N. C. BRADSTREET.

IN COMMON COUNCIL, JAN'Y 24, 1860.

To the Honorable the Legislature of the State of New York:

The Common Council of the city of Rochester, as the municipal guardians of the public welfare and safety, being deeply impressed by the fearful increase of incendiary fires, threatening not only the prosperity but the very existence of cities, feel called upon, by their official position, to present the subject to your Honorable body, and to solicit such relief, or mitigation of the evil, as your wisdom may suggest, by the modification of existing laws or the enactment of new ones.

In presenting the subject to the consideration of the Legislature, we desire briefly to state a few prominent reflections that experience and observation has impressed upon our own minds, as to the impelling motive to this particular crime, and to suggest, with all deference, the only remedy that appears likely to check and diminish the evil.

We unhesitatingly charge the great increase of incendiarism to the unrestrained liberty of our insurance laws, and the entire freedom conferred upon the corporations of other States, to compete with our local institutions, and with each other, from the profits that accrue from insuring our citizens against dangers which, to a great extent, are created by their own acts.

The business of insurance is comparatively a modern enterprise, even in Europe, and in this country, notwithstanding its gigantic proportions, is yet in its infancy. Consequently, full and reliable statistical records are not attainable—a defect which should receive early attention.

The returns made to the Comptroller for 1858, show that there were eighty-seven insurance companies (not including the mutual), doing business under the laws of this State, with out-standing risks, amounting to over six hundred millions of dollars. The capital of the companies amounts to \$19,381,000. And the dividends paid for the same year amount to \$2,578,000.

There are no adequate returns made to the Comptroller by the foreign companies, to enable us to determine what proportion of the risks they hold are taken in the State, but it is the opinion of some of our oldest underwriters, that very much more than one half of the total risks are taken by companies out of the State. This opinion seems fully justified by the fact, that a single company in Connecticut, the *Ætna*, has an out-standing lia-

bility equal to more than one-sixth of the aggregate fire risks of all of our domestic companies.

The returns now being made for the last year, will show that the great competition among insurance companies has increased the total risks in this State, nearly or quite one-third above the amount shown by the returns for 1858. And they will further show, the significant and alarming fact, that the increased destruction of property by fire, has been almost in the exact ratio of the increased issue of policies by the fire insurance companies.

From the great competition among insurance companies during the last year, it is not probable that their earnings have increased in quite an equal degree with the increased risks they have taken, but they will be found to approximate to that result. These facts speak for themselves a language much stronger than any argument we are able to make.

From such data as we have given it is fair to infer and estimate, that the *gross earnings* of all the insurance companies from fire risks taken in this State in the year 1859, are not less than six millions of dollars; and it is the opinion of those most familiar with the subject, that the destruction of property by fire, in the same period of time, has been about equal to one-half that sum.

Should our estimate prove to be a reasonable approximation to the facts, and we are persuaded that we do not greatly err, what a most unsatisfactory and unthriftly view do they present, even of the economical aspect of the subject? For, whatever benefits may have resulted to individuals, it is manifest that the collective industry of the State (for there is where all burdens must at last settle) has paid to insurance companies double the amount of the value of property destroyed by fire. All property so destroyed, whether insured or not, is lost, and forever lost, to the general wealth of the State, and, so far as it results from the unrestrained action of insurance companies, may almost be regarded as the wilful destruction of so much of the earnings of our people.

All this, however, sinks to insignificance when we come to consider the subject in its moral bearing. Your memorialist would gladly avoid presenting so unfavorable a picture as their duty seems to require; but they could not even treat the subject truthfully, if they should fail to declare that wilful burning everywhere is the inevitable result of inordinate insurance. It is indeed the experience of the civilized world, that the torch and the policy go together. The French government, many years ago, from the necessity of applying some remedy, enacted a law that no person should recover an insurance where the fire originated on his own premises. This law, *founded upon necessity*, is perhaps the strongest argument that can be used against our own free system of insurance.

It is the opinion of underwriters of the greatest experience in our own country—and the opinion is more than sustained by such statistics as can be founded on rational conjecture—that one half at least, of all the fires that occur where property is insured, are either the result of design, or of neglect consequent upon full insurance, almost as culpable. We are of opinion, from our own observation, confirmed and strengthened by recent events in our midst, that these estimates are made in all charity. The Legislature may feel safe, we think, that the estimate is not an exaggeration.

So frequent has wilful burning become, that when legal conviction does not follow, the mere

commission of the crime—however well settled in the public mind—has almost ceased to be a reproach. What must be the influence of such a state of things, especially upon the impressible mind of the rising generation?

“Moral pestilence” is not a mere figure, but a reality; spreading as readily by example, as contagion does by contact.

It is a misfortune that earlier attention has not been given by the State to fire insurance statistics, and no time should be lost in remedying the evil. The operations in our own State, should be kept distinct, with a minute classification of the property insured and destroyed. If it should appear from such returns—as we have no doubt it would—that a very small proportion of dwelling houses burn, as compared with commercial buildings, though, as a rule, more exposed, it would afford a reliable basis for computing the extent of the crime of wilful burning.

We hold that it is neither right, wise, or prudent, to allow any man to be insured to the full amount of the loss or damage he may sustain by fire.—It is against the whole economy of his nature and endowment, to extinguish by artificial means, the prudential foresight and caution, that his Maker intended he should ever exercise over the provision made for himself and family. The lower animals are preserved by their instinct—man by his reason.

In compact communities, the principle extends farther and attains a greater force; where the neglect of the common prudence, imposed by social obligation, puts in jeopardy the lives and fortunes of the whole vicinage.

If such are the consequences of mere indifference, what language can properly characterize a system where thirty local incorporations, and perhaps as many foreign ones, are engaged in the most reckless competition, not only in paralyzing the watchfulness of our people, but absolutely bribing depraved minds to the commission of crime by their inordinate issue of policies?

And how would the picture be reversed, if by the fiat of law, the existence of every insurance in the State should be stricken out in a day; not only removing the motive to crime, but calling into life the watchful solicitude of our whole population? What a *Police of safety* would be instituted by the interested care and prudence of three millions of people?

Such a result is not practicable, and perhaps to the fullest extent, not desirable, but we venture the opinion, that if such a state of things did exist, that without a single organized Fire Department in the State, the amount of property destroyed by fire annually, would be greatly diminished, and the whole amount of money now paid to insurance companies saved. A sum sufficient to build an Erie Canal once in ten years.

We can hope for no reform from the insurance companies themselves. They thus far have been able to increase the rates of insurance in proportion to the danger they create—and from the well founded apprehension they excite, may be able to do so for many years to come, or until the system *literally* burns itself out, as it inevitably will do, if the Legislature does not interpose. We therefore appeal to the Legislature as the proper and only remedy.

We respectfully but most earnestly recommend to your honorable body, the enactment of a law that shall effectually restrain the issue of any policy of fire insurance, to a greater amount than one-half, or two-thirds at most, of the loss or dam-

age that may be sustained. The damage to be ascertained by evidence competent to establish the claim in a court of justice. We also recommend that the law shall provide for the appointment of Commissioners to take the proofs, and certify to the losses sustained. With the exception perhaps of the city of New York, the County Judges might serve as such Commissioners.

The prosperity of companies depends so much upon the promptness with which they pay every character of claim, that they naturally feel great reluctance to investigate the cause of fires. To determine the damages outside of the companies themselves, would remove one of the most mischievous practices in the present system of rivalry. Such a practice would also serve to discover important testimony where crime had been committed.

That a law can at once be enacted and put in force that will effectually remedy the evils of the system, we do not expect. But we do feel that the legislature will have the comfortable assurance that any change they may make can hardly be for the worse.

The subject undoubtedly has its difficulties; and so has every deeply seated evil.

It will be urged, doubtless, that such a change would impair the existing freedom in commercial credits. This we think, to a moderate degree, could not be regarded as a misfortune.

It will also be urged that the receiver of goods on commission, of every variety, including the products of the soil, could not give out their acceptances on the vast amount they receive, without full protection against fire. There is certainly great force in these suggestions.

It may be wisdom on the part of the Legislature in feeling their way carefully to an important reform, to exempt from the operation of the contemplated law, all property held in store or in trust, by parties other than the owners. The indulgence might be abused, but there would be less danger of the wilful destruction of property so situated.

We will not trespass farther upon the patience of the Legislature. Great as the evils are, that we have endeavored to set forth their discussion is yet a novelty. Our highest ambition will be attained if any thought we have suggested shall excite such a thorough investigation and discussion of the subject as shall lead to an early reform.

Ald. Stone moved that the above report be accepted and published with the proceedings.—Carried.

By Ald. Lewis—Resolved, That the communication of the Select Committee be adopted by the Board as a Memorial to the Legislature of the State, and that the Mayor cause certified copies to be placed in the hands of the Senator from this county and the member from this city for that purpose. Adopted, *unanimously*.

ACTION UPON ORDINANCES.

IMPROVEMENT OF PLATT STREET.

By Ald. Selye—Resolved, That the City Surveyor ascertain and report to this Board the expense of the improvement of Platt, Broad and Hill streets, from State st. to the east line of the railroad warehouse on Hill street, by setting a curbing of Medina stone, paving the gutters six feet wide and Macadamizing the roadway.

The Surveyor submitted such estimate.

By Ald. Selye—Resolved, That the following improvement is expedient, namely:

The improvement of Platt, Broad and Hill streets, from State street to the east line of the railroad warehouse on Hill street, by setting a curbing of Medina stone 14 feet from the lines of the street, paving six feet wide upon each side, Macadamizing the roadway, constructing a suitable number of crosswalks and lateral sewers.

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 \$7,362, which estimate is hereby approved.

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

One tier of lots upon each side of Platt street, from State street to Broad street, (including the New York Central Railroad,) one tier of lots on the east side of Broad street to Hill street; one tier of lots and all the land on the west side of Broad street to the south line of Hill street, and one tier of lots on the south side of Hill street to the east line of lot 62 in the canal tract.

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 190 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, February 7th, 1860, at half-past 7 o'clock, at the common council hall, when allegations will be heard.

Adopted.

SEWER IN FRONT STREET.

Ald. Shelton moved that all proceedings heretofore had on the subject of enlarging the proposed sewer in Front street, from Buffalo to Mumford street, be rescinded. Carried.

SEWER IN FRONT STREET.

By Ald. Shelton—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone sewer six feet by four feet, in front street, from the centre of Buffalo street to the centre of Mumford st.—Adopted.

The Surveyor submitted such estimate.

By Ald. Shelton—Resolved, That the following improvement is expedient, namely:

The building an arch sewer six feet by four feet, commencing in the centre of Buffalo st, and running through the centre of Front street to the sewer in Mumford street; to be at its commencement at least three feet below the present sewer in Buffalo 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 \$5,814, which estimate is hereby approved.

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

One tier of lots upon each side of Front street, from Mumford street to Buffalo street, and one tier of lots upon each side of Buffalo street, from the Genesee river to Washington st.

And further, Resolved,

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 the Clerk is hereby directed to publish notice in pursuance of section 190 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, February 7th, 1860, at half-past seven o'clock, at the Common Council Hall, when allegations will be heard.

Adopted.

SEWER IN SOUTH AVENUE AND COMFORT STREET

By Ald. Shelton—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone sewer in South avenue and Comfort street, from Alexander street to the outlet sewer, and from Cayuga street to Alexander street. Adopted.

The Surveyor submitted such estimate.

By Ald. Shelton—Resolved, That the following improvement is expedient, namely:

The constructing a stone sewer, from the center of Alexander street, in South avenue, to the outlet sewer; and also in Comfort street, from Cayuga street to South avenue; the portion in South avenue to be two feet by two feet, and in Comfort street eighteen inches by two feet, and at least eight feet deep.

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 \$2,221, which estimate is hereby approved.

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

One tier of lots upon each side of South avenue, from Alexander street to Holley street; and one tier of lots upon each side of Comfort street, from Cayuga to Alexander street; and one tier of lots upon the east side of Mt. Hope avenue, from Holley street to the Erie 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 190 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, February the 7th, 1860, at half-past 7 o'clock at the common council hall, when allegations will be heard. Adopted.

SEWER IN MT. HOPE AVENUE.

By Ald. Shelton—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone sewer, two feet by three feet, in Mt. Hope avenue, from Cypress street to the 4th, 7th and 12th wards outlet sewer. Adopted.

The Surveyor submitted such estimate.

By Ald. Shelton—Resolved, That the following improvement is expedient, namely:

The building a stone sewer in Mt. Hope avenue, commencing at Cypress street, and running in the centre of the avenue to Hickory street, and thence upon the east side to the outlet sewer; to be two feet by two feet from its commencement to Hickory street, and from thence to its termination two feet by three, and at least eight feet deep.

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 \$6,466, which estimate is hereby approved;

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

One tier of lots upon each side of Mt. Hope avenue, from Cypress street to the Erie canal; and also one tier of lots and surface drainage, commencing upon Gregory street, upon the west line of lot No. 27 in the Munger tract; thence southerly along the west line of said lot to the south line of the Munger tract; thence westerly along the south line of the Munger tract to the west line of lot No. 13 in the sub-division of town lot No. 15; thence southerly along the west line of lots Nos. 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 street; thence southerly on said line to Cypress street; thence west on Cypress street 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 centre of Mt. Hope avenue; thence northerly along the centre of Mt. Hope avenue, including one tier of lots on the west side thereof, to the north line of Cypress street; thence easterly along the north line of Cypress street to the depth of one tier of lots; thence northerly upon a line parallel to Mt. Hope avenue, and distance one tier of lots therefrom, to the south line of Comfort street; thence easterly along the south line of Comfort street to the centre of the alley next west of South avenue; thence southerly along the centre of said alley to West Alexander street; thence southerly across West Alexander street to the east line of lot No. 44 in the Munger tract; thence southerly along the east line of lots Nos. 457, 503, 103, 143, 122, 85 and 60 to the north line of Gregory street; thence south-westerly across Gregory street 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 190 of the city charter, that all per-

sons interested in the subject matter of said improvement, are required to attend the common council on Tuesday evening, Feb. the 7th, 1860, at half-past seven o'clock, at the common council hall, when allegations will be heard. Adopted.

PUBLIC PARK CORNER GREIG-ST. AND PLYMOUTH AVENUE.

By Ald. Butler—Resolved, That the following improvement is expedient, namely:

The erection of a Public Park at the junction of Greig street and Plymouth Avenue, by the appropriation to that purpose of the following described property, namely:

The whole of lot No. 44 in the Hubbell tract, and lot No. 1 and the north half of lot No. 2 in the Greig tract, the whole plat being bounded as follows:—On the north and east by Greig street; on the south by the north line of the south half lot No. 2, and on the west and north by Plymouth Avenue.

And the City Surveyor is hereby directed to negotiate with the owners of the aforesaid property, and ascertain upon what terms the same may be obtained for the purpose specified in this resolution. Adopted.

COMMUNICATIONS.

By Ald. Reynolds—The following:

To His Hon. the Mayor and Common Council of the City of Rochester:

The managers of the "Industrial School of Rochester" would tender their grateful acknowledgments to the Mayor and Common Council of the city of Rochester, for their recent appropriation of \$100, received by the Treasurer of that Institution.

The money was peculiarly acceptable, as it enabled the Treasurer to pay the interest on the mortgage of the house, which had been due several months.

By order of the Board,

HARRIET S. TERRY, Cor. Sec.

Rochester, Jan'y 11th, 1860.

To the Common Council of the City of Rochester:

The managers of the "Rochester Orphan Asylum" would gratefully acknowledge the receipt of \$100, appropriated by your Honorable Board to that Institution.

By order of the Board.

HARRIET S. TERRY, Sec'y.

Rochester, Jan. 12, 1860.

By the Clerk, resignation of Patrick Quin, as Inspector of Elections in the Second ward. Accepted.

EXECUTIVE BUSINESS.

On motion of Ald. Lewis, the Board proceeded to the appointment of a Commissioner of Deeds in place of Alfred G. Mudge, resigned.

On the first ballot, Geo. W. Rawson received 12 votes, T. Frothingham 4, J. H. Child 1. No choice.

A second ballot was ordered, when Geo. W. Rawson received 13 votes, T. Frothingham 4, J. H. Child 1.

Geo. W. Rawson was declared duly appointed.

On motion of Ald. Butler the Board proceeded to ballot for Inspector of Elections for the Second ward, in place of P. Quin, resigned.

On the first ballot, J. H. Thompson had 12, Geo. W. Lewis 4, blank 1. No choice.

Another ballot was ordered, when J. H. Thompson received 9 votes, Geo. W. Lewis 7 and Fourth ward 1. No choice.

Another ballot was ordered, when J. H. Thompson received 13 votes, H. S. Hebard 2, Geo. W. Lewis 1, Fourth ward 1.

John H. Thompson was declared to be duly appointed Inspector of the Second ward.

MISCELLANEOUS BUSINESS.

By Ald. Mason—Resolved, That the City Superintendent be, and he is hereby directed, to attach to each of the awning posts which have been sawn off, at a proper height from the ground, a staple-

ring for hitching horses; the expense thereof to be paid from and charged to the highway fund. Adopted.

By Ald. Bauer—Resolved, That the City Superintendent be, and is hereby directed, to procure 3 street signs, to be placed upon that part of Wilder street, formerly known as Ames street, at conspicuous and appropriate points. Adopted.

By Ald. Erickson—Resolved, That—copies of the memorial of this Board to the Legislature, on the subject of fire insurance be printed, for the purposes contemplated by the resolution passed at the last regular meeting of the Board, and that the Mayor be requested to carry out the resolution.

Ald. Reynolds moved that the blank be filled with "two hundred." Carried.

The resolution was adopted.

By Ald. Hollister—Resolved, That Geo. Stolze, L. M. Blakeslee and B. B. Van Zant have leave to erect and remove wooden buildings, according to the several prayers of their petitions, under the direction of the Chief Engineer of the Fire Department. Adopted.

By Ald. Reynolds—Resolved, That the City Clerk issue an order on the City Treasurer for two hundred and ninety nine 32-100 dollars, payable to the order of James Logan in two years from the 26th day of January, 1860, with interest, in full of all claims on his contract for the improvement of State street, from Jay to Smith streets, and charge that fund; and the City Treasurer is hereby authorized to accept the same in behalf of the City. Adopted, Ayes 18 Noes 0

By Ald. Reynolds—Resolved, That the profile, and grade of Clarissa Street, between Plymouth Avenue and Greig Street, made by Charles R. Babbit, City Surveyor, and presented herewith, be and the same is hereby adopted, and the grade established as the grade of said street between the points indicated. Adopted.

FINANCE BUDGET.

By Ald. Reynolds—Resolved, That the Treasurer pay as follows:

CONTINGENT FUND.

W. F. Holmes, premium on \$3,000 insurance on City Hall, policy renewed Dec. 27, 1859,	30 00
W. F. Holmes, premium on \$3,000, renewal of policy of City Hall, Jan. 10, 1860,	30 00
Judgment of James P. Evans, including costs,	9 30
Frederick Roth, for use of rooms at the late election,	20 00
Curtiss, Butts & Co., balance of their account up to Dec. 14, 1859,	68 95
Kramer & Felix, on their contract for publishing proceedings in the Intelligencer of the North, payable to John Wegman,	75 00
G. W. Fisher, bill of stationery of date of Aug. 5th,	5 13
J. R. Galen, for hardware for market as per bill of date to Sept. 10, 1859,	8 30
Johnson L. Robins, for glazing at city clerk's office and at the market,	5 90
and charge Contingent Fund.	

FIRE DEPARTMENT FUND.

A. Strong & Co., printing vouchers, &c.,	17 25
N. Aylsworth, repairs,	31 10
M. F. Reynolds, glass and door,	3 31
F. Wray, locks keys and repairs,	35 50
W. Hollister & Co., lumber,	23 06
Geo. B. Harris, disbursements,	31 83
M. B. Oviatt, use of hydrant,	75 00
Fitch & Allings, leather and findings,	20 37
McKindley & Phelps, axes and hardware,	17 13
F. Tully, sundries and repairs,	63 93
C. & H. Gutzman, for Engine Co. No. 8 quarterly appropriation due Jan. 1,	87 50
and charge Fire Department Fund.	

POOR FUND.

William Walker, paid order of Poor-master,	4 00
Post & Bruff " " "	2 50
P. Bellamy, paid 3 orders of "	17 50
A. Strong & Co, bill for printing,	5 25
and charge poor fund.	

POLICE FUND.

R Hart, bill for 22 tons coal for Police office,	107 53
E Darrow & Bro, stationery for " do,	7 25
M G Morloff, chairs for Police Station,	5 69
and charge Police Fund.	

IMPROVEMENT FUNDS.

John Clancy, final estimate for grading and sidewalks on Fremont st., including all claims under contract or otherwise,	131 70
when there are funds applicable, and charge appropriate funds.	
W. S. Grantsynn, as inspector of plank walks, chargeable as follows:—	
High street, plank walk,	\$7 00
Hudson street improvement,	20 00
Edinburgh street plank walk,	3 00
John Carroll, hack hire to Deep Hollow, by Surveyor,	2 00
James Logan, balance of the first one-third for the improvement of State street, from Jay to Smith streets,	149 68
payable when there are funds applicable, thereto, and charge that fund.	
Adopted; ayes 18, noes 0.	

By Ald. Butler—Resolved, That the name of Broad st. be changed to Platt st., and that the Clerk be directed to enter the same in the Street Register. Adopted.

CHARTER AMENDMENTS.

On motion of Ald. Stone, the Board proceeded to the consideration of the charter amendments.

Ald. Stone moved the adoption of Sec. 1, Title 2, as amended, by striking out the word "Treasurer." Carried.

Ald. Erickson moved that the special committee on charter amendments be re-appointed, with instructions to properly introduce the several variations that shall be made by the Board in the report of the committee. Carried.

On motion of Ald. Lewis, Ald. Selye was added to the committee; and on motion of Ald. Shelton, Ald. Stone was also added thereto.

Ald. Cushing moved a reconsideration of the vote upon Ald. Stone's motion to adopt Sec. 1.—Carried.

Ald. Cushing moved that the proposition to appoint nine Commissioners of Schools be rejected, and that instead thereof, this Board recommend the election of twelve Commissioners, one in each ward.

Ald. Cushing was required to submit his motion in writing, and meantime the subject thereof was laid on the table.

Ald. Stone moved that sec. 2, title 2, as amended at the previous meeting, be adopted. Carried.

Ald. Cushing moved that the vote taken at the previous meeting, striking out the proposition to make the term of office of the Mayor two years, be reconsidered. Carried; ayes 9, nays 8, as follows: Yeas—Ald. Reynolds, Lewis, Hebard, Erickson, Moore, Knapp, Jones, Shelton, Cushing—9.

Nays—Ald. Butler, Hollister, Bradstreet, Stone, Selye, Lutes, Bauer, Mason—8.

Ald. Stone moved that Section 3 be adopted, as amended at the previous meeting. Carried.

Ald. Shelton moved that the Board now concur in the amendment of the Committee, extending the term of office of the Mayor to two years. Carried, as follows:

Yeas—Ald. Holmes, Reynolds, Lewis, Hebard, Erickson, Moore, Knapp, Jones, Shelton, Bauer, Cushing—11.

Nays—Ald. Butler, Hollister, Bradstreet, Stone, Selye, Lutes, Mason—7.

The Board then adjourned.

F. S. B&W, Clerk.

In Common Council—Feb. 7, 1860.

REGULAR MEETING.

Present—The Mayor, Ald. Mudgett, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, D. W. Perry, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billinghurst, Cushing.

Absent—Ald. Holmes, G. W. Perry and Nash. The minutes of the previous meeting were approved.

PETITIONS AND CLAIMS.

By Ald. Mudgett, bills of Jona. Child and J. B. Bennett. Poor Committee.

By Ald. Hollister, petition of O. Sage, Committee on Wood Buildings. Of H. Rogers and others, for alteration of grade of Clarissa street; of Alonzo Frost, for the same. Table.

By Ald. Lewis, bills of R. Hart, J. J. Van Zandt, C. Parsons, J. McMahon, Forsyth & Co., J. A. Kempe, Perrine & Stewart, A. Green, I. N. M. Weeks, N. Aylesworth. Fire Department Committee.

Remonstrance of W. E. Shepherdson and others. Wood Building Committee.

By Ald. Hebard, petition of D. Abelinus to build a well in South Avenue. Street Committee. Estimate of Thomas Purcell. Improvement Committee.

By Ald. Bradstreet, petition of St. Bridget's Church, for relief from a tax. Grievance Committee.

By Ald. Erickson, bill of Palmer & Mumford, for search, &c. Contingent Expense Committee.

By Ald. Stone, bills of J. H. Child, C. Backus. Poor Committee.

By Ald. Knapp, City Superintendent's bill of disbursements. Street Committee.

By Ald. Lutes—Police accounts for January, bills of Chief of Police, and J. Montgomery. Police Committee.

By Ald. Selye—Bill of Rathbun, Whitmore and Butler. Improvement Committee.

By Ald. Shelton—Petition of P. C. Veile, for relief from an assessment. Grievance Committee. Bill of T. Knowles. Sewer Committee.

By Ald. Bauer—Petition of Geo. Klar and others for market license. Market Com.

By Ald. Cushing—Remonstrance of residents of 12th ward against sewer in Mt. Hope Avenue.—Sewer Committee.

By Ald. D. W. Perry—Petition of B. Rupp and others, for market license. Market Committee.

By Ald. Reynolds—bill of D. Wagner, for McAdam metal used on East Avenue. Improvement Committee.

REPORTS OF COMMITTEES.

By Ald. Bradstreet—From the Grievance Committee, favorably on petitions of Joseph Bier and Jacob Meng, to be relieved from assessments.—Accepted. Also, favorably on bill of Patrick Quinn, for a grate, corner State and Ambrose street. Also, adversely on petition of James S. Bush. Table.

By Ald. Lutes—From Police Committee, favorably on bills of policemen's wages for January, Chief of Police, J. Montgomery, and G. W. Walbridge. Finance Committee.

By Ald. Mason—From Market Committee, favorably on petition of Geo. Klar for a market license. Table.

By Ald. Mudgett—From the Poor Committee, favorably on bills of Jona. Child and J. B. Bennett. Finance Committee.

By Ald. Lewis—From the Fire Department Committee, favorably on bills of C. T. Amsden, S. Church, O. Harris, W. G. Stewart. Finance Committee.

By Ald. Knapp—From Street Committee, favorably on City Superintendents bill of disbursements, and bill of J. B. & G. W. Aldridge. Finance Committee. Also, adversely upon claim of S. O. Smith. Table.

By Ald. Reynolds—From Improvement Committee, favorably on bill of D. Wagner. Finance Committee.

By Ald. Hebard, from the Cont. Expense Com., favorably on bills of Steele, Avery & Co., G. W. Fisher, E. Darrow & Bro., J. C. Moore, Hayden & Bromley, F. Tulley, A. Strong & Co., Allings & Corey, H. & L. Co. No. 2, Gas Light Co., C. T. Amsden and J. Kisingbury. Also on estimates of Thos. Purcell and John Dalton. Finance Com.

By Ald. Hollister, from Com. on wood buildings, favorably on petition of O. Sage. Table.

By Ald. Stone, from Poor Com., favorably on bill of Chas. Backus and J. H. Child. Finance Com.

By Ald. Shelton, from Sewer Com., favorably on bills of S. Aiton and T. Knowles. Finance Com.

By Ald. Selye, from Improvement Com., favorably on bills of Rathbun, Whitmore and Butler. Finance Com.

PURCHASE OF FALLS FIELD.

By Ald. Erickson, from the Select Com. on the the purchase of Falls Field for a Public Park, the following report:

To the Common Council—

The Select Committee to whom was referred the petition of citizens for the purchase of Falls Field, as a public common, make the following report:

Your committee having been advised by one of the chief proprietors of Falls Field, that there might be such a dedication of the land to hydraulic purposes as would bar its use as public ground, it became necessary to make a thorough search of the records. After diligent investigation we are of opinion that no such obstacle exists, though the title is greatly complicated.

The committee have procured an abstract of the title, which, for the sake of future reference, they have appended to this report. It appears that the ownership of the property is represented by one hundred and thirty shares, and these shares are owned by an indefinite number of individuals and heirs, rendering it necessary that the interested parties should procure a decree of the Court for the sale of the property, before the city could obtain a sufficient title.

Mr. Jas. M. Whitney is much the largest proprietor, by the number of shares he holds, and he would undertake to complete the title if the city would stipulate to buy the property of him at a price to be agreed on, the extreme sum named being ten thousand dollars. This, your committee have advised Mr. Whitney the Common Council have not the power to do; but that the committee would unite in recommending to the Common Council to take the property (Falls Field) as a public common, at a sum not exceeding six thousand dollars, to be done by ordinance in the ordinary course provided by the Charter, and subject to all its contingencies, provided an adequate title can be procured.

Your committee, therefore, unite in recommending the purchase of Falls Field, as a public common, at a price not exceeding six thousand dollars, when a perfect title can be procured for that purpose. And as the nature and interest of the place is such

that it can never be regarded as of local importance only, the territory to be assessed should be large, and in the opinion of some of your committee, should embrace the whole city.

AARON ERICKSON,
S. W. D. MOORE,
N. C. BRADSTREET,
H. B. KNAPP,
L. B. TWITCHELL.

The report was adopted.

REPORTS OF EXECUTIVE OFFICERS.

The Clerk presented the Report of the Superintendent of Mt. Hope Cemetery, for January. No. of interments 57. Filed.

THE SINKING FUNDS.

Also the annual Report of the City Comptroller, which follows:

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

The City Comptroller would respectfully submit the following as his annual report:

CITY SINKING FUND.

To cash and securities belonging to the city sinking fund, on hand at date of last annual report, Feb. 8, 1859.....	\$30,512 75	
To cash receipts during the year, as follows, viz:		
Income tax per City Treasurer.....	\$3,560 00	
Tax sale title to lot No. 4 Lyell street.....	2 33	
Interest on land contracts.....	328 72	
" " mortgages.....	630 00	
" " Rochester City bonds.....	60 00	
" " deposits Rochester Savings Bank.....	857 88	
	5,438 93	\$35,951 68
Disbursements during the year as follows, viz:		
By paid five \$100 Rochester City bonds "funded debt," due July 1, 1859.....	\$5,000 00	
By transfer of land contracts of the Alms House property to the trustees of the Rochester City Hospital, as directed by resolution of the Common Council, adopted May 10, 1859.....	622 25	
By cash paid said trustees, under same resolution, for monies received on certain land contracts.....	2,557 75	
	8,180 00	\$27,771 68
Present amount of City Sinking Fund....		\$27,771 68
Consisting of the following named assets:		
Bonds and mortgages.....	\$9,499 00	
One Rochester City bond, due July 1, 1860.....	1,000 00	
Land contracts.....	4,070 00	
City lots, by tax sale.....	309 23	
J. B. Robertson, late Comptroller, for monies received by him on land contracts and not credited.....	108 00	
Cash on deposit in Rochester Savings Bank.....	12,795 45	
	\$27,771 63	
MT. HOPE CEMETERY FUND.		
To cash and securities on hand at date of last annual report, Feb. 8, 1859.....	\$17,027 65	
To cash receipts during the year as detailed in the report of the Superintendents, herewith submitted.....	5,598 53	
	\$22,626 18	
By cash disbursements during the year as detailed in same report.....	16,145 45	
Present amount of Mt. Hope Cemetery Fund.....		\$6,480 73
Consisting of the following named assets:		
Bills receivable.....	\$125 00	
Rochester City bonds, due July 1, 1860.....	4,000 00	
Cash on deposit in Rochester Savings Bank.....	2,355 73	
	\$6,480 73	
C. T. AMSDEN, Comptroller.		
Rochester, Feb. 7, 1860.		

MT. HOPE CEMETERY FUNDS.

Also the annual Report of the Board of Superintendents of Mt. Hope Cemetery, which follows:

To the Honorable the Mayor and Common Council of the City of Rochester:

The Superintendents of Mt. Hope Cemetery respectfully submit the following as their Annual Report:

MOUNT HOPE CEMETERY FUND.

To cash and securities on hand at date of the last annual report, Feb'y 8, 1859.....	\$17,027 65	
Cash received during the year as follows, viz:		
For burial lots.....	\$3,343 87	
" digging graves.....	751 00	
" removals.....	176 10	
" vault fees.....	47 75	
" cleaning and improving lots.....	419 63	
" materials sold.....	34 25	
" house rent.....	48 00	
" interest on securities & deposits.....	747 93	5,598 53
		\$22,626 18
Disbursements for the year as follows, viz:		
By cash paid for the new entrance building, Mount Hope.....	\$7,688 80	
For labor in grading the street in front of the new entrance and the grounds contiguous.....	2,387 33	
For labor, ordinary for the year.....	1,187 76	
For tools and repairs.....	149 83	
For horse feed and showing.....	77 67	
To Jas S Benton, salary as keeper of the grounds.....	499 97	
To Jas S Benton, extra compensation for the year 1858.....	25 00	
For advance on the two dwellings at Mount Hope.....	7 20	
Paid four \$1,000 Rochester City bonds, due July 1, 1859, for the purchase of Mount Hope Cemetery grounds, and expenses.....	4,000 25	
For blank book for recording minutes.....	1 00	
For books for use of city clerk.....	3 81	
For hack hire and livery.....	60 15	
For office furniture, new entrance building.....	46 63	16,145 45
Assets at this date belonging to the Cemetery Fund:		
Bills receivable.....	\$125 00	
Rochester City bonds, due July 1, 1860.....	4,000 00	
Cash on deposit in Rochester Savings Bank.....	2,355 73	\$6,480 73
Rochester, February 7, 1860.		
WM. BREWSTER,		
H. STILLWELL,		
C. T. AMSDEN,		
Superintendents of Mt. Hope Cemetery.		
Also, the Report of the Overseer of the Poor, for January. No. of families 815. Amount expended \$2,123; less for county and town \$82.45. Filed.		
THIRD WARD PARK.		
The Clerk presented a report from the City Surveyor, stating that it was found impossible to negotiate for the purchase of property for a public Park, corner of Greig street and Plymouth Avenue, at a reasonable compensation.		
Also, a report from the Surveyor, that no negotiation can be effected with owners of property to be taken for widening Steven's Alley, and estimating the expense of purchasing the land necessary and removing the buildings, at \$2,000.		
The Clerk presented the resignation of Chas. G. Beers, as Inspector of the 2d Ward.		
Ald. Knapp presented the special report of the City Superintendent for January. Filed.		
Ald. Lutes presented the report of the Police Justice, for January. Fines for criminal offences, \$46,99: for breach of ordinances \$46,93—\$94,92. Filed.		
ACTION UPON ORDINANCES.		
SEWER IN FRONT STREET.		
On motion of Ald. Shelton, 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. Shelton submitted the following:

AN ORDINANCE to construct a sewer in Front street, from Buffalo street to Mumford street.

The common council of the city of Rochester, having been requested by a majority of the owners of property to be assessed for the improvement hereinafter described, do ordain and determine as follows:

An arched sewer six feet by four feet in diameter shall be constructed in Front street, commencing in the centre of Buffalo street, and running through the centre of Front street to the sewer in Mumford street; to be at its commencement at least three feet below the present sewer in Buffalo 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 \$5,814, which estimate was and is hereby approved. The sum of \$5,814, 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 upon each side of Front street, from Mumford street to Buffalo street, and one tier of lots upon each side of Buffalo street, from the Genesee river to Washington street.

On which above described portion of the city, the said sum of \$5,814 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, Francis Dana and Jared Coleman, 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 Friday, the 10th day of February, 1860, at nine o'clock in the forenoon, at the office of the city clerk.

And it is further ordained, that the ordinance for the construction of a sewer in Front street, passed Nov. 29th, 1859, is hereby rescinded, and all action taken by virtue thereof is annulled.

Passed by the following vote:

Ayes—Ald Mudgett, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, D W Perry, Erickson, Moore, Knapp, Stone, Selye, Lu, e, Jones, Shelton, Bauer, Mason, Billingshurst, Cushing—21.

Noes—None.

SEWER IN SOUTH AVENUE AND COMFORT STREET.

On motion of Ald. Shelton, 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. Shelton submitted the following:

AN ORDINANCE to construct a sewer in South Avenue and Comfort street.

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

A stone sewer shall be constructed in South Avenue, from the center of Alexander street, to the outlet sewer; and also in Comfort street, from Cayuga st. to South Avenue—the portion in South Avenue to be two feet by two feet, and in Comfort street eighteen inches by two feet, and at least eight feet deep.

And the whole expense thereof 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 \$2,221, which estimate was and is hereby approved; The sum of \$2,221, 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 upon each side of South Avenue, from Alexander street to Holley street; and one tier of lots upon each side of Comfort st, from Cayuga street to Alexander street; and one tier of lots upon the east side of Mt. Hope Avenue, from Holley street to the Erie canal.

On which above described portion of the city, the said sum of \$2,221 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, Francis Dana and Jared Coleman, 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 Friday, the 10th day of February, 1860, at 9 o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote—

Ayes—Ald Mudgett, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, D W Perry, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billingshurst, Cushing—21.

Noes—None.

IMPROVEMENT OF PLATT STREET.

On motion of Ald. Selye, 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. Selye submitted the following:

AN ORDINANCE to improve Platt and Hill streets, from State street to the Railroad warehouse on Hill street.

The common council of the city of Rochester do ordain and determine as follows:

Platt street and Hill street shall be improved from State street to the east line of the railroad warehouse on Hill street, by setting a curbing of Medina stone 14 feet from the lines of the street, paving six feet wide upon each side, Macadamizing the roadway, constructing a suitable number of crosswalks and lateral sewers.

And the whole expense thereof 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 \$7,362 00, which estimate was and is hereby approved. The sum of \$7,362 00, 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 upon each side of Platt street, from State street (including the New York Central Railroad,) to the south line of Hill street, and one tier of lots on the south side of Hill street to the east line of lot No. 62 in the Canal tract.

On which above described portion of the city, the said sum of \$7,362 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, Francis Dana and Jared Coleman, 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 Friday, the 10th day of February, 1860, at 9 o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:

Ayes—Ald Mudgett, Butler, Reynolds, Hollister, Lewis, Hebard, Twitchell, Bradstreet, D W Perry, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billingshurst, Cushing—21.

Noes—None.

SEWER IN MOUNT HOPE AVENUE.

On motion of Ald. Shelton, the consideration of the final ordinance for a sewer in Mount Hope Avenue, was postponed until the next regular meeting, Feb. 26.

EXECUTIVE BUSINESS.

On motion of Ald. Butler, the resignation of Cha's G. Beers as Inspector of Elections for the 2d Ward was accepted, and the Board proceeded to ballot for the appointment of an Inspector in place of said Beers.

On the first ballot Simpson McKillip received 15 votes, Ald. Hebard 4, Dr. Luis 1, W. H. Seward 1. Simpson McKillip was declared duly appointed Inspector of Elections for the Second Ward.

MISCELLANEOUS BUSINESS.

By Ald. Billingham—Resolved, That in case the State Fair shall be held in Rochester the present year, that all monies collected for hack licenses in consequence of such Fair, be paid to the Directors of the State Agricultural Society.

Ald. Hebard moved to amend by striking out the word "all," and inserting "two-thirds of the" in place thereof, and by adding to the resolution, "one-third of the amount to be paid into the highway fund." Lost.

The original resolution was adopted.

By Ald. Mason—Resolved, That a license is hereby granted to George Klar to keep a market for the sale of fresh meat on the corner of Atwater and Clinton streets, upon paying quarterly in advance into the city treasury at the rate of \$75 per annum. Adopted.

By Ald. Mason—Resolved, That the Treasurer be and is hereby directed to remit the assessment of \$6.50 against Samuel Moore for the construction of Lyell, Orchard and Lime streets sewer.—Adopted—ayes 21, noes 0.

EXEMPTION OF MANUFACTURERS FROM GENERAL TAXES.

By Ald. Lutes—Whereas, It is a self-evident fact that the poor of every town must either be furnished with employment, whereby they may earn their daily bread, or be fed at the public expense; and whereas, the employment of labor in productive industrial avocations necessarily adds, by the amount produced, to the general wealth of the country, while it enhances the general comfort and is one of the most certain of moral agencies, decreasing pauperism and crime and promoting individual pride and independence of character; and whereas, the experiment of furnishing employment to the poor during the winter season, instead of supporting them in idleness by providing for their wants from the public funds, has been successfully made by the authorities of this city, saving the poor fund from depletion, and redeeming it from debt—instance, the case of 1857, when several hundred men were employed in breaking McAdam stone, for use upon the highways, whereby the expenditures from the poor fund were reduced, and after relieving it from a debt of \$17.47, leaving a balance of \$4,616.96; and whereas the increase of manufacturing enterprises has a direct tendency to promote the employment of the poor, and relieve tax-payers in cities from the burden of supporting unemployed laborers; therefore,

Resolved, That the Committee on Charter Amendments be and they are thereby instructed to cause such an amendment to be inserted in the Charter as shall provide for the exemption from General City Taxes of all manufacturing companies and firms which employ fifty or more persons in their regular and legitimate operations; such exemption to apply only to such and so much real estate and capital as may be actually used

and occupied for manufacturing purposes. Laid on the table till next meeting.

By Ald. Selye—Resolved, That the unsettled accounts of J. B. Robertson, late Comptroller, be referred to the Finance Committee, and that said committee be requested to take such measures as will tend to a speedy and just settlement of such accounts, and that said committee have full power to act in the premises as they may deem expedient. Adopted.

AMENDMENT OF THE CHARTER.

By Ald. Stone—Resolved, That the Select Committee on the revision, consolidation and amendment of the City Charter, be and they are hereby instructed as the expressed sense of this Board, so to amend the sections consistent therewith, as to make the term of the Mayor of this city *two years*, the number of Commissioners for school purposes, twelve, one from each ward, to be elected as, and upon the same ticket with Alderman in each ward, to be classified as the Committee shall think proper; to increase the several funds, if they deem the same essential to the interests of the city; to increase the powers of the Overseer of the Poor, so as to constitute him a Commissioner of Deeds, and giving him power to issue warrants and order arrests in all cases of Bastardy, and when parties refuse or neglect to support their parents or their families, when such complaints are made to him; to give the Common Council authority, by ordinance or by resolution to order the planting of shade trees in front of the lots of non-residents, and charge the same to such lands as in other improvements; also to make it obligatory on the Common Council to direct the expending of the Highway Fund in the several wards in proportion to the amount paid by them for that purpose, first setting apart from the amount paid by the 1st ward, a sum equal to the amount paid the Superintendent of Streets as his salary for that purpose, and reserving and setting apart from the whole amount of the Highway Fund an amount deemed ample for the cleaning of the streets, from the several wards pro rata, the balance to be expended in the wards as contemplated in this resolution, either by the Alderman of the ward, or under the direction of the Street Committee or Superintendent of Street.

Also, to retain in the prepared charter the section or sections giving discretionary power to the Common Council to give credits on all improvements, when the amounts of such assessments or improvements exceed or equals the sum of two thousand dollars. And that the Committee be requested to simplify, cancel, and so to reconcile the different sections as to make it harmonise, and send the same to the Legislature of this State for their immediate action.

Ald. Bradstreet moved that the above resolution do lie on the table. Carried.

By Ald. Bradstreet—Resolved, That the Treasurer is hereby authorized and directed to receive seven instead of twelve per cent. interest on all unpaid assessments for the improvement of Buffalo street, provided such assessments are paid in full within the next thirty days. Adopted.

By Ald. Bradstreet—Resolved, That the Treasurer cancel the assessment of twenty-six dollars to Joseph Bier, of personal estate, the same having been illegally made, and charge erroneous assessments. Adopted, ayes 21, noes 0.

By Ald. Bradstreet—Resolved, That the Treasurer refund Jacob Meng thirteen dollars, being a tax erroneously assessed to him on personal estate—he having paid the same—and charge erroneous assessments. Adopted, ayes 21, noes 0.

By Ald. Bradstreet—Resolved, That the Treasurer is hereby directed to cancel the assessment of \$3.90 on lot No. 17, south side Gorham street, the same being part of the land occupied by St. Bridget's Church, and charge erroneous assessments. Adopted.

By Ald. Hebard—Resolved, That the City Clerk issue an order upon the City Treasurer payable to the order of John Dalton, in two years from the first day of January, 1860, for Five Hundred and Ten Dollars and Ninety-Five Cents, with interest, in full of his contract for improving Hudson st.: and the City Treasurer is hereby authorized to accept the same in behalf of the city, and charge Hudson street Improvement Fund. Adopted, ayes 21, noes 0.

By Ald. Hollister—Resolved, That Oren Sage have leave to erect a Wood Building according to the Prayer of his petition, under the direction of the Chief Engineer of the Fire Department.—Adopted.

By Ald. Hollister—Resolved, That all action taken by this Board at its last meeting in relation to the establishment of a grade for Clarrissa street, from Greig street to Plymouth Avenue be, and the same is hereby rescinded—and the City Surveyor is hereby directed to notify the contractor to suspend work on said improvement until a grade is established for the street. Adopted.

By Ald. Reynolds—Resolved, That the City Treasurer make the City's note for five thousand dollars, bearing date Feb. 15, 1860, payable at the Metropolitan Bank, in the City of New York, three months after date, and get the same discounted at the Monroe County Bank—to take up a note of same amount due at that time, and charge the discount to Contingent Fund. Ayes 21, noes 0.

FINANCE BUDGET.

By Ald. Reynolds—Resolved, That the Treasurer pay as follows:

J B & G W Aldridge, locks for Jones' Square fence	\$10 25
Patrick Quinn for lateral sewer corner State and Ambrose streets.....	10 50
R D Howell, bill for disbursements for Jan., and charge Highway Fund.....	123 82
Sam'l Aiton, services as inspector of Atwater street sewer.....	31 00
Thos Knowles, hack hire for 4th, 7th and 12th ward outlet sewer.....	1 50
Do. hack hire for Lyell street.....	2 00
Rathbun, Whitmore and Butler, balance of bill for improving Brown st, from Erie canal to Mill street, in 1857, as per estimate of City Surveyor and Improvement Com.....	1945 32
David Wagner, bill for Macadam stone for East Avenue, certified as correct by B R McAlpine, Commissioner for East Avenue.....	17 74
Thos Purcell, final estimate for plank sidewalk on New Main st.....	102 75

CONTINGENT FUND.

John Quin, treasurer Hook & Ladder Co No 2, for tearing down the walls of Mr Collins' buildings.....	20 00
Allings & Corey, for stationery.....	12 98
E Darrow & Bro, ".....	7 50
G W Fisher, ".....	7 36
Steele & Avery, ".....	9 86
Do ".....	41 51
Do ".....	20 26
Rochester Gas Light Co, for gas for City Hall to Dec 1 1859.....	54 30
W F Holmes, insurance on City Hall.....	40 00
C T Amsden.....	50 00
John Kislingsbury, repairs to urnal in city hall.....	14 85
John C Moore, for binding, repairing maps, &c.....	91 45
Hayden & Bromley, for ballot boxes and chairs in Surveyor's office.....	14 50
F Tully for reservoir in Treasurer's office, and repairs Mayor's office.....	2 50
A Strong & Co, job printing.....	38 86

David McKay, 1 month's salary as Assessor.....	83 33
Francis Dana, ".....	83 33
Jared Coleman, ".....	83 33
and charge Contingent Fund.....	

POLICE FUND.

E. J. Keeney, Chief of Police, 1 month's salary for January.....	66 66
P. B. Wilder, services as Policeman, 1 month.....	44 00
L. Johnson, ".....	44 00
B. B. Leap, ".....	44 00
Wm. Coughlin, ".....	44 00
A. Kingsbury, ".....	44 00
S. M. Brownell, ".....	44 00
J. W. Goodrich, ".....	44 00
J. Dresser, ".....	44 00
G. C. Pease, ".....	44 00
J. C. Hagle, ".....	44 00
J. C. Laner, ".....	44 00
H. Jordan, ".....	44 00
John H. Dana, ".....	44 00
Alvah Rice, ".....	44 00
Paul Gilman, ".....	44 00
H. V. Steller, ".....	44 00
Thomas Campbell, ".....	44 00
Thomas Callister, ".....	44 00
John S. Stott, ".....	44 00
A. Wagner, ".....	44 00
Peter Koons, ".....	44 00
Seymour Coley, ".....	44 00
H. McQuatters, ".....	44 00
Bernard Horcheler, ".....	44 00
John Parshall, "..... half.....	22 00
J. Montgomery, "..... 18 days.....	26 28
E J Keeney, bill of disbursements.....	92 75
Geo W Walbridge, livery for police purposes.....	19 00
J Montgomery, horse hire and disbursements.....	2 00

BOARD OF HEALTH.

Thomas Burns, salary as keeper of Pest-house, to Feb 7.....	20 00
A Richardson, 1 month's salary as Health Inspector.....	45 00
S M Luckey, 1 ".....	45 00
J Wright, removing carcase.....	50
F Bullard, in full of account for making roadway from Falls at to river.....	10 00
and charge Board of Health Fund.....	

FIRE DEPARTMENT FUND

Sidney Church, drag rope.....	7 87
C T Amsden, insurance.....	2 50
O Harris, repairs to Engine Houses.....	74 13
W G Stewart, repairing ladders.....	2 50
R Gilbert, 1 month's salary supt of hose depot.....	41 66
and charge Fire Department fund.....	

POOR FUND.

Jonathan Childs, bill of disbursements.....	37 12
J H Childs, 1 month's salary.....	25 00
Chas Backus, bill for delivering wood.....	174 80
J B Bennett, rent of Overseer's office.....	62 50

Adopted as follows:

Ayes—Ald. Mudgett, Butler, Reynolds, Hollister, Lewis, Twitchell, Bradstreet, D W Perry, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton Bauer, Mason, Billinghamurst, Cushing—18.
Noes—Ald Hebard, Erickson—2.

By Ald. Cushing—Resolved, That when this Board adjourns it be for one week, and for the purpose of considering the charter amendments.—Adopted. And the Board adjourned.

F. S. Rew, Clerk.

In Common Council—Feb. 14, 1860.

ADJOURNED MEETING.

Present—The Mayor, Ald. Mudgett, Butler, Hollister, Lewis, Hebard, Erickson, Moore, Knapp, Stone, Selye, Jones, Shelton, Billinghamurst, and Cushing.

Absent—Ald. Holmes, G. W. Perry, Reynolds, Twitchell, Bradstreet, D. W. Perry, Nash, Lutes, Bauer and Mason.

The minutes of the previous meeting were approved.

The Mayor stated that the Board was convened for the consideration of the proposed amendments of the City Charter.

By consent, the following routine business was transacted:

By Ald. Lewis, com. of Samuel Brown, asking for payment of the reward offered for arrest of incendiaries. Con't Expense com.

By Ald. Hollister, petition of majority property owners, for a plank walk on High st. Improvement com. Of L. Ernst, for permission to erect a wood building. Wood Building com.

By Ald. Jones—Account of P. F. Rhines for compensation as Inspector of Elections. Cont. Expense com.

By Ald. Stone—Resolved, That the Poor Committee be authorized to purchase what wood may be necessary for the use of the poor, until the first of April next, or to make such arrangements with wood dealers as they may deem best, for the interest of the city.

By Ald. Shelton—Resolved, That all proceeding heretofore had in relation to a sewer in South Avenue and Comfort street be rescinded.—Adopted.

SEWER IN SOUTH AVENUE AND COMFORT STREET

By Ald. Shelton—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone sewer in South Avenue and Comfort street, from Alexander street to the outlet sewer, and from Cayuga street to South Avenue. Adopted.

The Surveyor submitted such estimate.

By Ald. Shelton—Resolved, That the following improvement is expedient, namely:

The constructing a stone sewer, from the centre of Alexander street, in South Avenue, to the outlet sewer; and also in Comfort street, from Cayuga street to South Avenue; the portion in South Avenue to be two feet by two feet, and in Comfort street eighteen inches by two feet, and at least eight feet deep.

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 \$2,221, which estimate is hereby approved.

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

One tier of lots upon each side of South Avenue, from Alexander street to Holley street; and one tier of lots upon each side of Comfort street, from Cayuga street to South Avenue; and one tier of lots upon the east side of Mt Hope Avenue, from Holley street to the Erie 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 190 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, February the 21st, 1860, at half past 7 o'clock at the common council hall, when allegations will be heard.

Adopted.

By Ald. Shelton—Resolved, That the City Clerk draw an order upon the City Treasurer in favor of William Carroll, for Five Hundred Dollars, payable one year from the 14th day of February, 1860, with interest on account of his contract for building sewer in North St. Paul street, and the City Treasurer is hereby authorized to accept the same on behalf of the city, and charge North St. Paul street sewer fund. Adopted, ayes 13, noes 0.

By Ald. Selye—Resolved, That the Treasurer receive from Ezra Jones eight dollars and forty-one cents in full for his assessment for building plank walk upon the west side of Oak street, he having constructed 123 feet of the walk in front of his premises. Adopted.

The Clerk presented the resignation of John Boehm, Inspector of Elections for the 2d Ward. Accepted.

On motion of Ald. Mudgett, the Board proceeded to ballot for the appointment of an Inspector in place of said Boehm.

On the first ballot, D. H. Davis received 13 votes and was declared duly appointed such Inspector.

CHARTER AMENDMENTS.

The Board then proceeded to consider the proposed Charter Amendments.

The chair decided that the question before the Board was on Ald. Cushing's amendment, relating to the election of School Commissioners.

Ald. Cushing withdrew his amendment.

Ald. Knapp then called up Ald. Stone's resolution, presented Jan. 17, relating to the distribution of the Highway fund in the several wards, and moved its indefinite postponement.

Ald. Selye moved that the Board adjourn. Lost, ayes 6, noes 8.

Ald. Knapp's resolution was carried; ayes 9, noes 5.

The Board, being without a quorum, then adjourned.

F. S. Rew, Clerk.

In Common Council—Feb. 21, 1860.

REGULAR MEETING.

Present, the Mayor, Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Mason, Billingham, Cushing, Bradstreet.

Absent—Ald. Mudgett, G. W. Perry, Twitchell, D. W. Perry, Nash, Bauer.

The minutes of the previous meeting were approved.

PETITIONS AND CLAIMS.

By Ald. Hollister, petition of F. Roth; Committee on Wood Buildings.

By Ald. Lewis, bills of W. S. Osgood, R. B. Paine; Fire Department Committee.

Petition of citizens of 9th ward for market license to D. Sharpe; Market Committee.

By Ald. Hebard, bill of Brewster & Fenn; Contingent Expense Committee. Remonstrance of S. O. Smith and others against being taxed for widening Pindall Alley. Table.

By Ald. Bradstreet, petition of P. B. Wilder; Police Committee.

By Ald. Stone, bill of B. M. Baker; Poor Committee. Communication of Joseph Kesel; Improvement Committee.

By Ald. Lutes, petition of J. Ashton; Wood Building Committee. Bills of Mrs. Clenenson, Police Committee; and Duyree & Forsyth Manufacturing Co.; Contingent Expense Committee.—Bill of J. H. Dana, and H. V. Stellar; Grievance Committee.

By Ald. Mason, petition of Thos. McLaughlin, to be released from a judgment. Grievance Committee.

By Ald. Shelton, bill of G. W. Walbridge; Sewer Committee. Of B. Haag; Wood Building Committee. Estimate of John Dalton; Sewer Committee.

By Ald. Butler, bill of W. F. Holmes; City Property Committee.

By Ald. Jones, petition of F. Titenberg, for remission of a tax; Grievance Committee.

By Ald. Selye, bills of M. Briggs, Improvement Committee. T. C. Montgomery; Law Committee, and Communication of J. A. Eastman; Grievance Committee.

REPORTS OF COMMITTEES.

By Ald. Bradstreet, from the Grievance Committee, favorably on the petition of Lucilia Tracy, to be released from a tax on the "Tracy Female Institute." The report is accompanied by an opinion from H. R. Seldon, that the assessment is illegal and void. Table.

Also, favorably on petition of P. C. Viele. Table.

By Ald. Lewis, from the Fire Department Committee, favorably on bills of R. Hart, C. Parsons, J. J. Van Zandt, Forsyth & Co., J. A. Kempe, N. Aylesworth, Perrine & Stewart, I. N. M. Meeks, A. Green, and J. McMahon. Finance Committee.

By Ald. Stone, from the Poor Committee, favorably on bill of B. M. Baker. Finance Committee.

By Ald. Hollister, from the Wood Building Committee, favorably on petition of L. Ernst, F. Roth, and B. Haag. Table.

By Ald. Mason, from the Market Committee, favorably on petition of D. Sharpe, for market license. Table.

By Ald. Shelton, from the Sewer Committee, favorably on estimate of J. Dalton and bill of Geo. W. Walbridge. Finance Committee.

By Ald. Hebard, from the Contingent Expense Committee, favorably on bill of Jas. Palmer. Finance Committee.

By Ald. Butler, from Committee on City Property, favorably on bill of W. F. Holmes. Finance Committee.

By Ald. Holmes, from Committee on Public Health, adversely to petition of E. Huntington and others, asking leave to erect a glue factory on Mt. Hope Avenue. The committee regard such factories, in populous neighborhoods, as prejudicial to public health, and recommend that none be allowed within the city limits. Adopted.

REPORTS OF EXECUTIVE OFFICERS.

The Clerk presented a communication from the assessors, relating to an assessment against Theo. W. Dwight. The assessors conclude that Mr. Dwight has been improperly taxed during the past five years, to the amount of \$18, owing to an improper description of his property. Filed.

Also, a communication from the Common Council of the city of Buffalo, asking the Common Council of Rochester to adopt resolutions against the repeal of the law of 1859, giving any ward or town aggrieved by any act or decision of a Board of Supervisors, in the equalization of assessment rolls, a right of appeal to the State Comptroller.—Table.

ASSESSMENT.

By Ald. Shelton—Resolved, That this Board will hear appeals of all owners of property assessed for the construction of a sewer in Front street, upon the assessment roll therefor, (the same having been duly returned by the assessors, and filed in the Clerk's office,) on the 20th day of March next.—Adopted.

ACTION UPON ORDINANCES.

SEWER IN SOUTH AVENUE AND COMFORT STREET

On motion of Ald. Shelton, 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. Shelton submitted the following:

AN ORDINANCE to construct a sewer in South Avenue and Comfort street.

The common council of the city of Rochester, having been requested by a majority of the owners of the property to be assessed for the improvement hereinafter mentioned do ordain and determine as follows:

A stone sewer, shall be constructed in South avenue, from the center of Alexander street, to the outlet sewer; and also in Comfort street, from Cayuga street to South avenue; the portion in South avenue to be two feet by two feet, and in Comfort street eighteen inches by two feet, and at least eight feet deep.

And the whole expense thereof 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 \$2,221 00 which estimate was and is hereby approved. The sum of \$2,221 00, 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 upon each side of South avenue, from Alexander street to Holley street; and one tier of lots upon each side of Comfort st., from Cayuga st., to South Avenue; and one tier of lots upon the east side of Mt. Hope avenue, from Holley street to the Erie canal.

On which above described portion of the city, the said sum of \$2,221 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, Francis Dana and Jared Coleman, 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 Friday, the 24th day of February, 1860, at 9 o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:

Ayes—Ald Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Erickson, Moore, Knapp, Stone, Selve, Lutes, Jones, Shelton, Mason, Billingshurst, Cushing—17.
Noes—None.

PUBLIC PARK IN THE THIRD WARD.

By Ald Butler—Resolved, That the City Surveyor ascertain and report to this Board the expense of erecting a Public Park at the junction of Greig street and Plymouth Avenue, by the appropriation of Lot No 44 in the Hubbell tract, and the north half of lot No 1 in the Greig tract, and gradior and fencing the same. Adopted.

The Surveyor submitted such estimate. The common council of the city of Rochester do ordain and determine, that a Public Park shall be erected at the junction of Greig street and Plymouth avenue, by the appropriation for that purpose of the following described property, namely: The whole of lot No 44 in the Hubbell tract, and the north half of lot No 1 in the Greig tract, which territory is bounded as follows: On the north and east by Greig st., on the south by a line passing through the centre of lot No 1 in the Greig tract, and on the west and north by Plymouth 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 \$2531, 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, namely:

All that portion of the Third ward lying east of High street, including one tier of lots on the west side of High street; and all that portion of the Eighth ward lying east of Plymouth avenue, including one tier of lots on the west side of Plymouth avenue.

And the clerk is hereby directed to publish notice in pursuance of section 190 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 28th, 1860, at half-past 7 o'clock, at the common council hall, when allegations will be heard. Adopted.

WIDENING OF PUBLIC SQUARE OR PINDALL ALLEY.

Whereas, the Common Council of the city of Rochester, did, on the second day of August, 1859, ordain and determine that Public Square or Pindall Alley, shall be widened, from the South line of Buffalo street to the South line of the County

property, by the addition of twenty-five feet to the West side thereof; and whereas, the damages and compensation for taking the lands and premises required for the purpose of such widening of the Alley aforesaid, have been ascertained and fixed by Commissioners appointed for that purpose by the Court of Monroe County; and the report of said Commissioners having been approved and confirmed by the Common Council, at the sum of nine thousand four hundred and twenty-one dollars and forty-three cents; and whereas, the costs and charges of the Common Council in said proceedings amount to one hundred and eighty-five dollars; therefore,

Resolved, That David McKay, Francis Dana and Jared Coleman, the assessors of said city, not interested in the property to be taken for said improvement, and not of kin to any person interested in the property to be assessed therefor, are hereby designated and directed to apportion and assess nine thousand six hundred and six dollars and forty-three cents, being the whole amount of such damages and costs and charges of the Common Council in said proceedings upon the owners and occupants of houses and lands within the following described territory, in proportion, as nearly as may be, to the advantages which each shall be deemed to acquire by the making of said improvement, viz:

All the territory between Buffalo street and the Erie canal, that is bounded on the east by Exchange street, and upon the west by Fitzhugh street, excepting the property owned by the First Presbyterian Church and Society.

And said Assessors are hereby notified to meet for this purpose on Friday, the 24th day of February, 1860, at nine o'clock in the forenoon, at the office of the City Clerk.

Passed by the following vote:

Ayes—Ald. Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Mason, Billinghurst, Cushing.—18.

Ald. Erickson moved a reconsideration of the above vote. Lost as follows:

Yeas—Ald. Reynolds, Lewis, Hebard, Erickson, Moore, Knapp—6.

Nays—Ald. Holmes, Butler, Hollister, Bradstreet, Stone, Selye, Lutes, Jones, Shelton, Mason, Billinghurst, Cushing—12.

SEWER IN MOUNT HOPE AVENUE.

On motion of Ald. Shelton, the consideration of the final ordinance for the construction of a sewer in Mount Hope Avenue, was postponed until the regular meeting of the 20th March next.

COMMUNICATIONS.

Ald. Erickson presented the following communication from the Board of Bridge Commissioners, and moved that the same be accepted and published with the minutes. Agreed to.

To the Hon. The Mayor and Common Council of the City of Rochester:

GENTLEMEN:—The undersigned, Bridge Commissioners of the City of Rochester, beg leave to deposit with the Common Council for safe keeping and future reference, the "Bridge Commissioners' Record," being the bound book now presented, containing a complete record of all their proceedings.

They also submit to the Common Council the report of their Treasurer, showing minutely and in detail, how the money committed to their charge has been expended,—with a Recapitulation stating the several objects to which the money has been applied, and the amount applied to each object.

The Commissioners having as they believe, fulfilled the duties contemplated by their appointment, and having appropriated and paid over to the City Treasurer, for the improvement at Deep Hollow, the balance of \$2,611 11-10⁰ remaining in their hands, agreeable to chapter 62, Laws of 1857, creating the commission,—the Commissioners feel absolved from all further duty, and the board of Bridge Commissioners is dissolved.

The Commissioners give notice to the Common Council that all authority on their part over the bridges of the city has ceased, and all responsibility in relation thereto.

Respectfully submitted.

AMON BRONSON,
RUFUS KEELER,
FREDERICK STARR,
EDWARD ROGGEN,
AARON ERICKSON.

ROCHESTER, Dec. 19, 1860.

To the Board of Commissioners:

GENTLEMEN: I herewith submit the Treasurer's account, showing the sale of the City Bonds, and the several payments in exact conformity with the resolution of the Board, with the vouchers of each payment. As the Bonds were sold no faster than the money was required for payments, the accumulation of interest from coupons amounts to \$2,726-10, as appears in the account.

Respectfully submitted,

AARON ERICKSON, Treasurer.

Aaron Erickson, Treasurer, in account with the Bridge Commissioners of the City of Rochester.

CASH RECEIVED.

1857.		
Sept 12, Proceeds Bond No. 1, issue of		
August 12, 1857.....	\$1,000 00	
Sept 12, Accrued interest on same at time		
of sale.....	5 83	
		1,005 83
Sept 23, Proceeds bond No. 2, issue of		
August 12, 1857.....	1,000 00	
Sept 23, Accrued interest on same at time		
of sale.....	8 05	
		1,008 05
Oct 17, Proceeds bond No. 3.....	1,000 00	
Oct 17, accrued interest on same at time		
of sale.....	13 03	
		1,013 03
Nov 14, Proceeds bond No. 4.....	1,000 00	
Nov 14, Accrued interest on same at time		
of sale.....	17 00	
		1,017 83
Nov 14, Proceeds bond No. 5.....	1,000 00	
Nov 14, Accrued interest on same at time		
of sale.....	17 00	
		1,017 83
Nov 30, Proceeds bond No. 6.....	1,000 00	
Nov 30, Accrued interest on same at time		
of sale.....	21 00	
		1,021 00
1858.		
Jan 2, Interest coupons from 12 bonds		
\$27 03 each.....	324 36	
Jan 2, Interest coupons from 32 bonds		
\$23 33 each.....	746 56	
		1,070 92
Jan 21, Proceeds 10 bonds, No. 7 to 16 in-		
clusive.....	10,000 00	
May 21, Proceeds bond No. 17.....	1,000 00	
May 21, Accrued interest on same at time		
of sale.....	27 14	
		1,027 17
Cash received continued—amount bro't		
over.....	18,181 79	
June 10, Proceeds 9 bonds Nos. 24 to 32 in-		
clusive.....	9,000 00	
June 10, Accrued interest on same.....	280 00	
		9,280 00

July 19, July interest coupons from 24 bonds, \$35 each.....	840 00
July 19, Proceeds 15 bonds.....	15,000
July 19, 15 days interest on same, from 1st to 16th inst.....	43 15
	<hr/>
Nov 11, Proceeds of bonds No. 17 to 23 inclusive.....	15,043 15
Nov 11, Accrued interest on same.....	7,000 00
	176 94
	<hr/>
	7,176 94

Dec 2, Unexpended balance returned by Engineer for cash advanced for repairs on Clarissa street bridge.....	2 20
1859.	
Feb 2, January interest, coupons from 2 bonds \$35 each.....	70 00
Dec 17, Proceeds 2 bonds sold Rochester Savings Bank.....	2,000 00
Dec 17, Less interest on same to January 1, 1860.....	5 75
	<hr/>
	1,994 25

Dec 17, July 1859, interest coupons from 2 bonds, \$35 each.....	70 00
Dec 17, January 1860, interest coupons from 2 bonds \$35 each.....	70 00
	<hr/>
	\$52,720 30

CASH EXPENDED

ON ANDREWS STREET BRIDGE.

1858.	
Jan 9, Paid Squire Whipple in full for building Andrews street bridge, as cash January 1st.....	10,000 00
Jan 9, Squire Whipple interest on the same.....	29 16
1859.	
Nov 14, Samuel Buell on account building Andrews street bridge abutments.....	1,000 00
1858.	
Jan 5, Samuel Buell on account for building Andrews street bridge abutments.....	600 00
Oct 14, Samuel Buell on account for building Andrews street bridge abutments.....	75 65
1859.	
March 15, Paid D Wagner for stone fenders.....	8 00
Dec 17, Paid E Taylor bill for labor &c.....	13 45
Dec 17, Paid Daniel Marsh for services &c as Engineer, per resolution.....	200 00
	<hr/>
	\$11 926 26

ON COURT STREET BRIDGE.

1857.	
Nov. 30, Paid David Wagner on acct for constructing Court st. bridge, \$1,000 00	
1858.	
July 31, " " " " 1,000 00	
Aug 21, " " " " 1,000 00	
Sept 4, " " " " 1,000 00	
Oct 9, " " " " 2,000 00	
Nov. 9, " " " " 2,064 01	
July 31, Paid S. Whipple on acct for constructing Court st. bridge.....	4,000 00
Oct 30 " " " " 1,000 00	
Nov 11 Paid S. Whipple in full for constructing Court st. bridge.....	10,093 12
1859.	
March 15, Paid M Briggs for railing, &c.....	80 42
March 15, Paid D Wagner for stone fenders.....	8 00
Dec'r 27 Paid D Marsh for services, &c, as Engineer, per resolution.....	500 00
	<hr/>
	\$23,745 55

ON CLARISSA STREET BRIDGE.

1858:	
May 20 Paid D Marsh on account, as per resolution of this date.....	100 00
July 15 " " " " 350 00	
July 28 Paid Martin Briggs on account, 483 34	
Oct 14 Paid A Bronson for lumber.....	290 67
Oct 16 Paid E H Hollister for lumber.....	72 36
1859.	
March 15 Paid Thomas W Bailey's bill for repairing sidewalk.....	14 01
Dec'r 17 Paid Daniel Marsh for services, &c, as Engineer, per resolution.....	100 00
	<hr/>
	1,410 38

ON ACCOUNT OF MAIN STREET BRIDGE.

1857.	
Sept 12 Paid Samuel Buell, per order of Bridge Committee.....	1,000 00
Sept 23 " " " " 1,000 00	
Oct 19 " " " " 1,000 00	
Nov 14 " " " " 1,000 00	
1858.	
June 11 Paid City Treasurer per receipt, 9,000 00	

1859:	
Dec'r 19 Paid City Treasurer for appropriation to Deep Hollow improvement.....	2,611 11
	<hr/>
	15,611 11

CONTINGENT EXPENSES OF THE BOARD:

Paid for books, stationery, and appropriation to Clerk of Board for transcribing.....	35 00
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RECAPITULATION:

RECEIPTS.	
Amount received for 50 bonds sold.....	50,000 00
" " for interest coupons on bonds sold.....	2,726 10
" " from Engineer, being balance unexpended of money appropriated for repairs to Clarissa street bridge.....	2 20
Total amount received.....	\$52,728 30

DISBURSEMENTS.

Paid on Andrews street bridge.....	\$11,926 26
" Court ".....	23,745 55
" Clarissa ".....	1,410 38
Paid City Treasurer on account of Main street bridge.....	13,000 00
Paid City Treasurer appropriation to Deep Hollow improvement.....	2,611 11
Paid for books, stationery and appropriation to Clerk of Board for transcribing, &c.....	35 00
	<hr/>
	\$52,728 30

Ald. Lutes presented a communication from John Williams and others, asking for the repair of Buell Avenue. Referred to Street Committee.

MISCELLANEOUS BUSINESS.

By Ald. Mason—Resolved, That Daniel Sharpe have a Market license to sell fresh meat in the Sharpe building, on State street, by paying the City Treasurer seventy-five dollars per year, quarterly, in advance. Adopted.

By Ald. Selye—Resolved, That the City Surveyor be instructed to renew negotiations with the owners of property required for the widening of Stevens alley, as contemplated by ordinance passed Jan. 10, 1860, with a view of accomplishing the same without resort to a commission for the purpose of settling damages. Adopted.

By Ald. Jones—Resolved, That the Treasurer pay Washington Gibbons \$56.50, amount of judgment Gibbons vs. City of Rochester, before H. E. White, J. P., for his services in Bastardy suit of Overseer of Poor against Geo. Arndt, and charge Poor Fund.

On motion, Mr. Gibbons was heard on the subject matter of the above resolution, and the City Attorney was afterwards heard. The resolution was adopted; ayes 10, noes 6.

By Ald. Bradstreet—Resolved, That the Treasurer cancel the assessment of \$9 to Platt C. Velle on the construction of Box Sewer in the 12th ward—in accordance with the report of the Grievance Committee made to the Board this evening. Adopted.

By Ald. Bradstreet—Resolved, That the Treasurer cancel the assessment of \$65 to Lucilia Tracy, said assessment being upon the property known as the "Tracy Female Institute," and not liable to taxation; and charge erroneous assessments.—Adopted.

By Ald. Bradstreet—Resolved, That the Treasurer pay to H. R. Selden, Esq., ten dollars for his written opinion, made at the request of the Grievance Committee, on the subject of the liability of the "Tracy Female Institute" to taxation; and charge Contingent Fund. Adopted, ayes 16, noes 0.

By Ald. Bradstreet—Resolved, That the Treasurer pay George N. Hotchkiss fifteen dollars, balance

due him by the city for the use of his rooms at last fall's election; and charge Contingent Fund. Adopted; ayes 16, noes 0.

By Ald. Hollister—Resolved, That L. Ernst, F. Roth and B. Haag, have leave to erect and remove wood buildings, according to the several prayers of their petitions, under the direction of the Chief Engineer of the Fire Department.—Adopted.

PLATT STREET SEWER.

By Ald. Butler—Whereas, The Canal Board of this State did, under and by virtue of a law passed by the Legislature in 1851, hear and determine the claim of the city of Rochester for aid from the State Treasury for the reconstruction of the sewer in Platt street, the enlargement of which was rendered necessary by reason of the increased quantity of water thrown into it from the Genesee Valley Canal; and said Board having determined and reported that the State is clearly liable for the payment of one-half of the expense of said work; and whereas, the moneys so determined to be due to the city of Rochester have never been paid, as directed by the law before mentioned, nor any part thereof received by this city, therefore

Resolved, That the Hon. Elias Pond, representative of this Assembly district in the Legislature, be and he is hereby instructed to use his influence to procure the payment of such moneys, in pursuance of said report of the Canal Board and of the aforesaid law of 1851, to the end that the same may be repaid to the tax-payers who were assessed for the construction of Platt street sewer.—Adopted.

FINANCE BUDGET.

By Ald. Reynolds—Resolved, That the Treasurer pay as follows:

IMPROVEMENT FUNDS.

Geo W Walbridge, bill for horse hire to East avenue sewer	\$1 50
and charge that fund	
John Dalton, estimate No 2 on account of his contract for construction of 4th, 7th and 12th wards outlet sewer	500 00
and charge that fund, when there are funds in his hands applicable thereto.	

POOR FUND.

B M Baker, bill for 24½ cords wood	70 43
and charge Poor Fund	

CONTINGENT FUND.

W. F. Holmes, premium on \$4,000 insurance on furniture, City Hall	37 50
James Palmer, bill for use of room and registration for election	38 00
and charge Contingent Fund.	

FIRE DEPARTMENT FUND.

Henry Barnard, for I N M Weeks, painting 12 buckets	6 00
N Aylsworth, repairs to apparatus	98 95
A Green, carting of do	4 00
Perrine & Stewart, repairs do	244 95
Julius J Kemp, bell ringing	6 25
Forsyth & Co, baggage barrow for Protectives	20 00
John McMahon, repairs to apparatus	11 75
J J Van Zandt, use of hydrant at fire Jan 20, No 29 State street	25 00
C Parsons, timber for Fire Dept.	4 79
R Hart, coal at hose depot	11 00
and charge Fire Department Fund.	

Adopted—Ayes 16, Noes 0.
Ald. Billingham moved that when the Board adjourns it be for one week, which was agreed to, and the Board adjourned. F. S. REW, Clerk.

In Common Council—Feb. 28, 1860.

ADJOURNED MEETING.

Present—The Mayor, Ald. Holmes, Butler, Hollister, Lewis, Hebard, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billingham, Cushing.

Absent—Ald. Mudgett, G. W. Perry, Reynolds, Twitchell, Bradstreet, D. W. Perry, Nash, Erickson, Moore.

The minutes of the previous meeting were approved.

PETITIONS AND CLAIMS.

By Ald. Hollister—Petition of J. M. French and others, for improvement of Spring street. Improvement Committee. Of D. W. C. Dannals, and G. H. Foster, for leave to remove and erect wood buildings. Wood Building Committee. Remonstrance against Park in third ward. Table.

By Ald. Hebard—Bill of M. Burns. Improvement Committee; of H. Brown; Contingent Expense Committee. Petition of W. Zimmer. Wood Building Committee.

By Ald. Lewis—Notice of trial in the case of City of Rochester vs John Wegman. Law Committee.

By Ald. Knapp—City Superintendent's bill of disbursements. Street Committee.

By Ald. Lutes—Petition of C. McDonald, for market license. Bill of Mrs. Clemenson. Poor Committee. Petition of J. Davis. Wood Building Committee.

By Ald. Selye—Petition of E. Lyon, for permission to take water from the State street reservoirs. Fire Department Committee.

By Ald. Mason—Bill of John Bell. Finance Committee. Remonstrance of T. H. Rochester, J. Gould and others, against Park in the Third ward. Table.

REPORTS OF STANDING COMMITTEES.

By Ald. Hollister, from Wood Building Committee, favorably on petitions of D. W. C. Dannals, J. Ashton and Geo. Foster. Table.

By Ald. Knapp, from Street Committee, favorably on February bill of Street Superintendent.—Finance Committee.

By Ald. Lewis, from Fire Department Committee, favorably on petition of E. Lyon. Accepted.

By Ald. Hebard, from Improvement Committee, favorably on bill of M. Burns. Finance Committee.

The Clerk stated that he had received information of the passage of an act by the Legislature, changing the mode of electing Commissioners of Common Schools and their tenure of office.

ACTION UPON ORDINANCES.

PARK IN THE THIRD WARD.

Allegations having been heard upon the ordinance for the erection of a Public Park in the Third Ward, and remonstrances having been read against the same,

Ald. Butler moved to postpone the further consideration of the same until the next regular meeting of the Board.

Ald. Lewis moved, as an amendment, that the said ordinance be indefinitely postponed. Carried; yeas 12, nays 3.

ASSESSMENT.

On motion of Ald. Selye, appeals were again heard on the assessment roll for the improvement of Front street, from Buffalo street to Mumford street, and the question of the confirmation of the same was then laid on the table.

MISCELLANEOUS BUSINESS.

By Ald. Mason—Resolved, That Cornelius McDonald have a market license to sell fresh meat in his building on State street, by paying into the city Treasury seventy-five dollars per year, quarterly in advance. Adopted.

Ald. Shelton presented the following Act, which was read for information:

AN ACT for the relief of the city of Rochester.

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

§ 1. The Canal Board is hereby authorized and empowered to hear and determine the claim of the city of Rochester to aid from the State in constructing a sewer from near the bridge over the Erie canal, on Nelson street in said city, to a point below the first lock; the construction and the enlargement of the Erie canal having deprived the eastern portion of the 12th ward of said city of its natural channel for drainage; and in case the said Board shall be of opinion that the State is liable in this respect, then to award such sum to said city of Rochester as shall be equal, based upon estimates to be made by the State Engineer, to the cost of constructing such sewer.

§ 2. The Treasurer shall pay, on the warrant of the Auditor of the Canal Department, such sum as shall be awarded in pursuance of the first section of this Act, payable out of the fund for ordinary canal repairs.

By Ald. Shelton—Resolved, That the Representative of this city in the Assembly be instructed to urge upon the Legislature the passage of an act to construct a sewer for the purpose of draining the eastern portion of the 12th ward, and that the Senator from the 27th District be requested to further the same. Adopted.

By Ald. Hebard—Resolved, That the Treasurer be and is hereby directed to pay Jared Coleman, David McKay and Francis Dana, the sum of eighty-three dollars and thirty-three cents each, in full for one month's services during February, as assessors, and charge Contingent Fund. Adopted; ayes 15, noes 0.

By Ald. Hollister—Resolved, That D. W. C. Danals G. H. Foster and J. Ashton have leave to erect wood buildings, according to the prayers of the several petitioners, under the direction of the Chief Engineer of the Fire Department. Adopted.

By Ald. Hollister—Resolved, That the communication from the Board of Assessors in relation to the claim of T. W. Dwight, presented at the last meeting of this Board, be referred to the Grievance Committee. Adopted.

By Ald. Hollister—Resolved, That the City Surveyor be and hereby is directed to establish the grade of that part of Clarissa street lying between Greig street and Plymouth avenue; that said grade be oval, and commencing with the grade of said Greig street and Plymouth avenue, thence running to a point half way between the two streets, five feet below the surface. Adopted.

By Ald. Cushing—Resolved, That the Mayor be authorized to receive of the bail of John McConnell seventy-five dollars, in full, for damages in not completing his contract for the improvement of Nelson street. Adopted.

By Ald. Selye—Resolved, That the Improvement Committee be authorized to contract with McFarlin and McCormick for the improvement of Platt and Hill streets, in accordance with their bid—such bid being the lowest bid received by the Committee. Adopted.

By Ald. Cushing—Resolved that A. Allen be directed to take the clock from the Brick Church and store it in a safe place while the new church is being built.

Ald. Stone moved to refer the above to the Committee on City Property. Carried.

Ald. Butler moved that when the Board adjourns it be till Monday evening next.

Ald. Holmes moved to amend by striking out Monday and inserting Tuesday. Carried. Ayes 9, noes 6.

And the Board adjourned.

F. S. Rew,
Clerk.

In Common Council—March 6th, 1860.

REGULAR MEETING.

Present—The Mayor, Ald. Holmes, Reynolds, Hollister, Moore, Jones, Billingshurst, Cushing.

Absent—Ald. Mudgett, G. W. Perry, Butler, Lewis, Hebard, Twitchell, Bradstreet, D. W. Perry, Nash, Erickson, Knapp, Stone, Selye, Lutes, Shelton, Bauer, Mason.

A quorum not being present, the Board, on motion, adjourned until Thursday next at 2 P. M., then to meet as a Board of Canvassers.

F. S. Rew, Clerk.

In Common Council—March 8, 1860.

Present—the Mayor, Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Erickson, Moore, Stone, Jones, Bauer, Billingshurst, Cushing.

Absent—Ald. G. W. Perry, Twitchell, Nash, Knapp, Selye, Lutes, Shelton, Mason.

ORGANIZED AS A BOARD OF CANVASSERS.

The Board having convened at 2 P. M., in accordance with the charter, to canvass the returns of the Inspectors of Election in the several wards, of the votes cast at the Charter Election held on the 6th day of March,

The Clerk produced the certified statements of the Inspectors, and the Board thereupon proceeded to canvass the same, and did certify and determine that the following persons, having received the highest number of votes, were duly elected to the offices named respectively:

CITY OFFICERS.

Hamlet D. Scrantom, Mayor.
Delos Wentworth, Justice of the Peace.
Frederick Buchecker, Sealer of Weights and Measures.

SUPERVISORS.

First Ward—Benj. M. Baker.
Second Ward—John H. Thompson.
Third Ward—Amon Bronson.
Fourth Ward—Wm. McCarthy.
Fifth Ward—William Carroll.
Sixth Ward—Evan Evans.
Seventh Ward—Edward M. Smith.
Eighth Ward—Benj. McFarlin.
Ninth Ward—Thos. C. Gilman.
Tenth Ward—Louis Ernst.
Eleventh Ward—Jacob Waldele.
Twelfth Ward—Lyman Munger.

ALDERMEN.

First Ward—James Brackett.
Second Ward—Daniel A. Woodbury.
Third Ward—Eben N. Buell.
Fourth Ward—Isaac S. Waring.
Fifth Ward—Alex. Longmuir, Jr.
Sixth Ward—Gottleib Goetzman, 2 years.
“ “ —Alonzo Stearns, 1 year.
Seventh Ward—Henry G. Moore.
Eighth Ward—Levi Palmer.
Ninth Ward—Oliver L. Angevine.
Tenth Ward—Frederick Vose.
Eleventh Ward—Christian Shæffer.
Twelfth Ward—Patrick Barry.

COMMISSIONERS OF COMMON SCHOOLS.

First Ward—Alfred G. Mudge.
Second Ward—John B. Beale.
Third Ward—George W. Fisher.
Fourth Ward—James C. Campbell.

Fifth Ward—John M. Bardwell.
 Sixth Ward—Hiram Davis.
 Seventh Ward—Reuben Cook.
 Eighth Ward—Edgar Knickerbocker.
 Ninth Ward—William D. Brooks.
 Tenth Ward—James Kingsbury.
 Eleventh Ward—Thomas Ashton.
 Twelfth Ward—Charles W. Hebard.

INSPECTORS OF ELECTION.

First Ward—Richard Dransfield, Wm. H. Andrews.
 Second Ward—Edmund F. Woodbury, James R. Ross.
 Third Ward—Cole C. See, Elijah Bottum.
 Fourth Ward—Wallace Darrow, Benjamin G. Marvin.
 Fifth Ward—William Guggenheim, Thomas Purcell.
 Sixth Ward—James P. Evans, John Meyer.
 Seventh Ward—William Charles, William I. Hanford.
 Eighth Ward—Sylvester A. Ellis, Daniel D. Lynch.
 Ninth Ward—Jared Coleman, John A. McGorray.
 Tenth Ward—William Oliver, William H. Evans.
 Eleventh Ward—William Brown, Joseph Felix.
 Twelfth Ward—Samuel M. Luckey, Gershom Wiborn.

The Board appointed, by ballot, the following persons to serve as Inspectors of Elections, from the two having the next highest number of votes to those elected:

Second Ward—Jerome Rogers.
 Third Ward—Freeman S. Jones.
 Fourth Ward—Andrew J. Brackett.
 Fifth Ward—Edward Bishop.
 Sixth Ward—John Green.
 Eighth Ward—Thomas Williamson.
 Ninth Ward—Joseph Alley.
 Tenth Ward—Walter S. Stephens.
 Eleventh Ward—Frederick Zimmer.
 Twelfth Ward—John Donovan.

The Board of Inspectors for the Seventh Ward appointed Francis E. Pierce as a third Inspector for the ensuing year, which appointment was recognized as valid.

CONSTABLES ELECTED.

First Ward—Addy W. Van Slyck.
 Second Ward—John Dawley.
 Third Ward—Adam M. Brownell.
 Fourth Ward—Alexander McLean.
 Fifth Ward—Isaac V. Moshier.
 Sixth Ward—Aronah Foster.
 Seventh Ward—Lewis Miles.
 Eighth Ward—John E. Wells.
 Ninth Ward—Alvin E. Brooks.
 Tenth Ward—John S. Stott.
 Eleventh Ward—Peter Koons.
 Twelfth Ward—Nicholas H. Smith.

The certified statement of the canvass and determination having been signed in duplicate, as required by law, the Board of Canvassers adjourned.
 FR. S. REW, Clerk.

SPECIAL MEETING.

The Board of Canvassers having adjourned, the Common Council reorganized for business, present and absent as before.

Ald. Butler presented the petition of Geo. J. Whitney, asking leave to lay down a Railroad track from a point on the Central Railroad just

south of Brown st., to his elevator. Referred to Street Committee.

The Board then adjourned till Tuesday evening next, 13th inst.
 F. S. REW, Clerk.

In Common Council—March 13th, 1860.

ADJOURNED MEETING.

Present—The Mayor, Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Bauer, Mason, Billinghurst, Cushing.

Absent—Ald. G. W. Perry, Twitchell, Nash, and Shelton.

The minutes of the previous meeting were approved.

PETITIONS AND CLAIMS.

By Ald. Mudgett—Bill of C. C. Stafford for use rooms by inspectors; contingent expense committee. Of J. Tracy, for ice; police committee. Of C. Backus and Wm. Burke; poor committee.

By Ald. Butler—Bill of Inspectors of Second Ward; of J. Wentworth for use of rooms; contingent expense committee. Of Brewster & Fenn; city property committee. Estimate of Rathbun & Whitmore; finance committee.

By Ald. Hollister—bill of S. Stoddard for use of rooms by Inspectors; contingent expense committee.

By Ald. Reynolds—Bill of W. S. Grantsynn, inspecting plank walk; improvement committee.

By Ald. Lewis—Bill of Inspectors of Fourth Ward; contingent expense committee. Petition of P. Iwig; wood building committee. Of Rochester Gas Company, for gas at hose depot; fire department committee. Monthly reports of Engine Companies Nos. 4, 5, 6, and 8, and Sack and Bucket Company, and Hose Company; confirmed. Bills of Jas. Field, Kelly & Co., Jacob Hyne, Alex. Flory, J. J. Van Zandt, and G. S. Jennings; fire department committee.

By Ald. Hebard—Bills of Inspectors of Sixth and Tenth Wards; Gas Company, for gas at City Hall; of Assessors, for clerk hire; contingent expense committee.

By Ald. Bradstreet—Of H. N. Curtis, for relief from a tax; grievance committee.

By Ald. D. W. Perry—Bill of Rochester Gas Light Company for gas for public lamps; petition of residents in McDonald avenue to have name of street changed to Baden street; table.

By Ald. Moore—Bill of Lewis Miles for use of rooms; contingent expense committee.

By Ald. Erickson—Petition of owners of property on Bowery street for its improvement; improvement committee.

By Ald. Knapp—Petition of residents of the Eighth Ward for new walk on west side of Plymouth avenue; improvement committee.

By Ald. Stone—Bill for wood furnished small pox hospital; board of health. Of W. Burke; fire department committee. Of Burke, Fitzsimons, Hone & Co.; poor committee.

By Ald. Bauer—Petition of Jacob Waldele and others for plank walk on Saxton street; improvement committee. Bill of C. Schafer, for use of rooms; contingent expense committee. Of M. Wolf and John Conner, special policemen; police committee.

By Ald. Mason—Bill of Gas Company, for gas at Centre Market. Market Committee.

By Ald. Lutes—Police account for February; bill of Chief of Police for February; of Gas Company for gas at Police office. Police Committee. Of E. Norton for use of rooms. Contingent Expense Committee.

By Ald. Selye—Bill of Inspectors of 9th ward.—Contingent Expense Committee.

By Ald. Jones—Bill of Inspectors of 10th ward; of M. Newhart. Contingent Expense Committee. Of W. F. Cogswell, for services in revising the Charter. Charter Amendments Committee. Of A. Lathrop, for legal services. Poor Committee.

Rules and Regulations Ordained by the Board of Engineers, for the Government and Regulation of the Fire Department.

By Ald. Lewis—The following rules and regulations adopted by the Board of Engineers of the Fire Department:

RULE I—THE BOARD OF ENGINEERS.

Sec. 1. The Board of Engineers shall hold a meeting at least once in each month, and shall meet oftener as may be necessary. All meetings shall be called by the acting Chairman of the Board.

Sec. 2. It shall be in order at any meeting of the Board, to transact any business which may be presented. It shall require a vote of a majority of the members of the Board present at any meeting to adopt any motion or resolution. Every member present shall vote upon every question before the Board, unless personally interested in the result, or excused by the Board.

Sec. 3. Whenever any complaint shall be made to the Board against any company or any officer or member of any company for any violation of the Ordinance of the Common Council relating to Fires and the Fire Department, or for any infraction of the Rules and Regulations ordained by this Board, such complaint shall be in writing and signed by the complainant, and shall specify the offence charged so as fully to apprise the accused party of the nature thereof, and enable such party to make a defense.

Sec. 4. Whenever any complaint shall be made as provided in Section 3, it shall be filed with the Chairman of this Board, whose duty it shall be to submit the same to the Board at its first meeting thereafter; when, if the Board shall decide to entertain the complaint, it shall appoint a meeting, at which it will hear the parties to and determine the matter of the complaint.

Sec. 5. It shall be the duty of the Chairman to furnish or cause to be furnished to the party or parties accused, a certified copy of the charges and specifications with a notice in writing of the time and place of holding a meeting of the Board to hear the parties and determine the case.

Sec. 6. The evidence received by this Board in any case occurring under Section 3, shall be verified by the oath or affirmation of the witness or witnesses who shall testify. The parties to any such complaint shall have the right to a cross examination of the witnesses. No *ex parte* testimony shall be received or taken as evidence.

Sec. 7. Whenever this Board shall upon the trial of any case occurring under Section 3, decide that such complaint is sustained and a specific penalty for such offence is provided by Ordinance of the Common Council, or by the Rules and Regulations ordained by this Board as hereinafter set forth, the chairman of this Board shall notify the party accused, apprising him, or them, of such decision,

with the penalty prescribed for the offence, and such decision shall be final, unless reversed by the Common Council.

Sec. 8. In case no specific penalty shall have been prescribed for the offence so proven, the case shall be reported to the Common Council for decision.

Sec. 9. Any party to any complaint which has been determined by this Board may appeal to the Common Council from the decision of this Board by filing with the chairman a notice of such appeal, with the grounds thereof, within ten days after such decision shall have been rendered; whereupon it shall be the duty of the chairman of this Board forthwith to file with the City Clerk such notice of appeal, together with the original complaint, the testimony, and all the papers in the case. Such appeals shall be confined exclusively to matters of law.

RULE II—OF OFFENCES AND PENALTIES THEREFOR.

Sec. 1. It shall be the duty of the Chief and Assistant Engineers to report forthwith to this Board any and every violation of Section 15 of the Ordinance relating to fires and the Fire Department, which shall occur within their knowledge, or of which any complaint shall be made to them, or either of them. Such report shall set forth the name and number of the Company charged with such violation, and so far as shall be practicable, the name or names of the officers, or other persons in command of such Company at the time, and of the members of said Company, or other persons, present, and aiding and assisting in the violation of the said section.

Sec. 2. The Foreman and Assistant Foreman, or other persons acting as such officers, who shall, upon a hearing before this Board, be convicted of a violation of said Section 15 of said ordinance, shall be liable, in addition to the penalty prescribed in said section, to expulsion from the Fire Department.

Sec. 3. No fire apparatus of any kind shall, in returning from any fire or alarm of fire, or at any other time, except when going to a fire or running upon an alarm of fire, be drawn faster than a walk. Any Fire Company guilty of a violation of this Section shall be held liable to pay for any damages to apparatus or other property, shown to have been caused by such running, and the officers or persons having command of such Company at the time shall be liable to expulsion from the Fire Department.

Sec. 4. No Fire Company shall, in going to or from a fire, or at any other time, knowingly or willfully, run their apparatus in collision with that of any other company. The Foreman and Assistant Foreman, or persons acting as such officers, and the person having the tongue or tiller of any Engine or other fire apparatus, which shall be run into any other apparatus, shall, upon due proof of a violation of this section, be expelled from the Fire Department.

Sec. 5. No person shall be allowed to take the tongue or tiller of any fire apparatus when going to a fire, or at any other time when on duty, except a member of the company having such apparatus in charge, or a person known to the officer or member in command at the time, to be a fireman, or an exempt fireman.

Sec. 6. No person shall take command of any company at any time when on duty, except he be a member of such company, holding an active or an exempt fireman's certificate.

Sec. 7. No person shall be allowed to hold the pipe or butt of any Engine while on duty at a fire, unless he is known to the officer in command of such Engine to be a fireman or exempt fireman.

Sec. 8. Any Foreman or Assistant Foreman, or any person temporarily in command of any fire company, who shall knowingly permit or consent to any violation of sections 5, 6 and 7 of this article, shall be liable to be expelled from the Fire Department.

Sec. 9. It shall be unlawful for the members of any Fire Company to assemble in their respective Engine, Carriage or Truck Houses, upon the Sabbath day, except while on duty, or in the case of a funeral; and it shall be the duty of the Chief and the Assistant Engineers, to report to this Board any violation of this section which may come to their knowledge.

Sec. 10. No minor (unless attached to an Engine Company, as hereinafter provided), or other person not a Fireman or exempt fireman, shall be allowed to frequent any Engine, Carriage or Truck House, or Hose Depot, or other place where fire apparatus is kept or housed, or to handle or meddle with any of the fire apparatus in such houses or hose depot, under the penalty of a fine not exceeding ten dollars, or imprisonment in the County Penitentiary for a term not exceeding thirty days and the Foreman or Assistant Foreman, or any member of any Fire Company who shall permit or consent to any violation of this section, shall be liable to be expelled from the Fire Department.

Sec. 11. Any member of any Fire Company who shall while on duty be guilty of any disorderly or riotous conduct, or who shall commit any disorderly act, or create or try to create any fight or other disturbance of the peace while on duty or in any engine, carriage or truck house, or hose depot shall be expelled from the Fire Department.

Sec. 12. Any member of any fire company who shall be guilty of creating or assisting to create or of spreading a false alarm of fire, shall be expelled from the fire department.

Sec. 13. Any and every fire company while going to or returning from a fire or at any time while on duty shall preserve and maintain a respectful deportment towards other companies. Officers of companies aggrieved by any violation of this section are required, and it shall be their duty to make complaint of such violation forthwith to this Board, and any company convicted of such violation shall be punished by the expulsion of its officers, to a suspension from duty or the disbandment of the company as the Board shall determine.

Sec. 13. No fire engine or other fire apparatus shall at any time be used for any trial of skill or of the power or capacity of such engine or other apparatus in competition with any other apparatus without the express permission of the Chief Engineer, under the penalty of twenty-five dollars to be forfeited by the company or companies so offending, which sum shall be deducted and withheld from the next ensuing quarterly or other appropriation or payment due to the said company or companies from the city of Rochester.

Sec. 14. No fire company shall at any time take the apparatus in their charge beyond the limits of the city of Rochester for any purpose whatever, without the express permission of the Chief Engineer in writing, provided that in case of a fire occurring beyond the limits of the city such permission may be verbal, but no company shall take their apparatus to any such fire without such permission from the Chief or acting Chief Engineer.

Sec. 15. No fire company shall use the apparatus

in their charge, or allow the same to be used for any purpose not belonging to or connected with fire duty, except by the express permission of the Chief Engineer. Any company offending against the provisions of this section shall forfeit twenty-five dollars, to be deducted from any quarterly or other appropriation becoming due to the said company.

RULE III—FIRE DISTRICTS AND ALARMS.

Sec. 1.—The city of Rochester is hereby divided into Five Fire Districts, as follows:

The First District shall embrace and include all that portion of the city bounded on the north by the Buffalo track of the New York Central Railroad, on the east by the Genesee River, and on the west by the Erie Canal.

The Second District shall include all that portion of the city lying west of the Genesee River, and north of Buffalo street not embraced in the First District.

The Third District shall include all that portion of the city lying west of the Genesee River and South of the Erie Canal and Buffalo street.

The Fourth District shall include all that portion of the city lying east of the Genesee River, and south of Main street.

The Fifth District shall include all that portion of the city lying east of the Genesee River, and north of Main street.

Sec. 2.—At all fires and alarms of fire, the watchman, messenger, or other person in charge of the City Hall bell, shall ring a general alarm for the space of one minute, or until the location of the fire shall be ascertained, after which he shall toll the District by striking a number of strokes corresponding with the number of the district in which the fire is located, and shall repeat such general and district alarms for at least fifteen minutes, or until the alarm shall have been ascertained to be false.

The sextons or persons ringing church or other bells for fire alarms, shall upon any alarm of fire ring an alarm as hereinbefore directed in the case of the City Hall Bell, striking a general alarm until the proper district alarm is given from the City Hall bell, or otherwise, after which they shall ring a general alarm and toll the district, at intervals of one minute for at least fifteen minutes, or until the alarm shall be ascertained to be false, or the City Hall bell shall cease ringing.

It shall be the duty of the sexton or other person ringing the first alarm bell, to ring a general alarm for at least one minute, and immediately thereafter to strike the number of the District in which the fire is understood to be located, and to repeat such general and district alarm until the alarm has become general.

RULE IV—OF HOSE AND HOSE COMPANIES.

Sec. 1. Every engine company shall take from the Hose Depot three hundred feet of hose, shall keep that quantity at all times upon their jumper, coupled together, and at a fire shall unree and lay the whole amount, unless the engine shall be stationed to play upon the fire, or an engineer shall otherwise direct. It shall at any time be lawful for the Chief or Assistant Engineers or either of them to require any engine company to attach and play through a larger quantity of hose than three hundred feet, if necessary.

Sec. 2. If the Foreman, Assistant Foreman or any person or persons having command of any engine company, shall knowingly or willfully violate the preceding section by refusing to take the hose

in his or their charge to any fire, or shall refuse to lay or to play through the whole three hundred feet, when required by the preceding section, or when so ordered or required by an Engineer, or shall refuse to attach and play through any additional amount of hose when so ordered by an Engineer, he or they upon due proof of such offence, shall be expelled from the Fire Department.

Sec. 3. No engine or hose company shall lend or transfer the hose in their charge to any other company except by direction of an Engineer. No engine or hose company shall, during a fire, take additional hose from the Hose Depot, except by direction of an Engineer. Any company which shall at a fire, use the hose in charge of any other company, or any portion thereof, or any extra hose taken from the Hose Depot, shall upon being dismissed, unless otherwise directed by an Engineer or the Superintendent of the Hose Depot, take up all the hose used by them and deliver the same at the Hose Depot.

Sec. 4. The Foreman, Assistant Foreman or other person in charge of any hose carriage shall, at any fire, when so directed, attach the hose on his carriage, or so much thereof as may be necessary to any hydrant or fire engine, and when so attached to any hydrant, shall have the exclusive charge of the pipe or butt of such hose, and whenever a second line shall be laid from any engine with hose laid from a hose carriage by a hose company, the pipe or butt of such second line shall be in charge of such hose company. In case a line from any engine shall be made up in part of hose laid by a hose company, the officer in command of such hose company may detail one or more members of his company to assist in holding the pipe or butt of such engine.

"JUMPER COMPANIES."

Sec. 5. Engine Companies may organize volunteer Hose Companies subject to the following regulations:

Volunteer Hose Tender, or Jumper Companies, may be enrolled by the Foreman of the Engine Company to which they are to be attached. No member shall be enrolled in any such company who is not at least eighteen years of age, or who does not sustain a respectable character. The names of the persons so enrolled shall be reported by the Foreman of the Engine Company, with their respective ages, occupations, and places of residence, to the Chief Engineer, which shall be registered by him in a book kept by him for that purpose. The Foreman of the Engine Company shall report to the Chief Engineer any and all changes which may take place in such Jumper Companies, which change shall be correctly registered upon the roll in the Chief Engineer's Office. Such Jumper Companies shall at fires be under orders of the Engineers and the officers of their respective engine companies; and shall at all times, while on duty, maintain an orderly and respectful department.

Engine Companies will be held responsible for the discipline and good behavior of their respective Jumper Companies, and no engine company will be allowed in making a defence against any complaint for any breach of discipline or violation of these rules, or any of them, to plead that the act complained of was the act of its Jumper Company.

It shall be the duty of the Foreman of any Engine Company, having a volunteer Jumper Company enrolled, to erase from the roll of such company, the name of any member thereof, who shall be guilty of any disorderly or improper conduct,

or for any other sufficient cause; and the Chief Engineer shall upon the report or at the request of the Foreman of the engine company, erase the name of any such member from the register in his office, and in case the parent or guardian of any member of any such Jumper Company, (he being a minor) shall so request, the name of such member, shall forthwith be stricken from such roll and register.

Sec. 6. No Jumper Company shall at any time, except when going to a fire, draw their Hose Cart faster than a walk. It shall be the duty of the Foreman of any Engine Company whose Jumper Company shall violate this section, or shall be guilty of creating or attempting to create a disturbance of the peace, either at the hose depot or at their engine house, to forthwith disband such Jumper Company and cause the names of its members to be stricken from the register.

RULE V.—MISCELLANEOUS.

Sec. 1. The Foreman and Secretary of every Fire Company shall, immediately after each monthly meeting of said Company, deliver to the Chief Engineer a correct list of any and all persons nominated by such Company for membership in the Fire Department, setting forth the age, occupation, and residence of the persons so nominated, together with a correct list of all persons who may have resigned from such Company since the date of the last Report, and of all persons who may have been dropped or expelled from, or stricken from the roll of such Company since the date of the last Report, with the cause of such action.—The Foreman and Secretary shall certify to the correctness of such monthly Report, and that the persons nominated for membership bear a respectable character and join the Fire Department as active firemen.

Sec. 2. The Foreman and Secretary of every Fire Company shall, immediately after the monthly meetings of June and December in each year, deliver to the chief Engineer a correct Report setting forth the name, occupation and residence of each member of such Company holding an active certificate; together with a correct inventory of all the apparatus, furniture and fixtures in the possession of such Company belonging to the city of Rochester. A failure or refusal on the part of the officers of any Company to make such Report, or any wilful incorrectness or mis-statement in any such Report, shall be reported by the Chief Engineer to the Board of Engineers.

Sec. 3. The Chief Engineer shall submit the monthly Reports of the several Companies to the Board of Engineers at its first meeting after their receipt by him, when the Board shall proceed to examine the same, and if it shall appear by the Report of the Chief Engineer that vacancies exist in the rolls of the Companies, or any of them, nominating persons as members, and the persons so nominated shall appear to the Board to be men of reputable character and capable of doing active fire duty, the Board may approve the elections and submit the same to the Common Council for confirmation. When it shall appear that no vacancy exists in the roll of any Company nominating persons as members, the Board may, at its option, pass upon the approval or rejection of the persons so nominated, and if approved, shall report their names for confirmation whenever any vacancies shall occur.

The monthly Reports of resignations and expulsions shall be approved as made except as provided in Section 4 of this Rule.

Sec. 4. Any person returned as expelled by any Fire Company, and feeling aggrieved by such expulsion, may appeal therefrom by filing with the Chief Engineer and with the Secretary of such Fire Company, a notice of such appeal, with the grounds thereof. The Chief, Engineer shall, upon receiving such notice withhold the case from any action on the part of this Board, until the notice of appeal shall be responded to by such Fire Company.

It shall be the duty of the Secretary of any Fire Company, upon the filing with him of any such notice of appeal by any expelled member, forthwith to transmit to the Chairman of this Board certified copies of any and all charges, specifications, testimony, or other papers relating to such expulsion, and all records or minutes of the proceedings of such Fire Company relating thereto; whereupon, if this Board shall so determine, it shall proceed to hear the parties and determine the case.

In case it shall appear to this Board, upon the hearing of the parties to any appeal, that improper evidence has been introduced, or that a fair trial has not been had, this Board may remit the case back to the Company, or make such decision in the case as shall be just. It shall at any time be proper for this Board, after the hearing of the parties to any appeal, to change the sentence of the party from expulsion to resignation, which decision shall be final.

Sec. 5. No person expelled from any Fire Company, shall be eligible to re-election as a member of the Fire Department.

Sec. 7. No Fire Company shall, upon the hearing of any appeal be permitted to introduce evidence contradicting the record of proceedings of such Company.

REPORTS OF COMMITTEES.

By Ald. Hollister—From Committee on Wood Buildings, favorably on petitions of P. Iwig, J. W. Davis, N. S. Veeder, and James Byrnes. Table.

By Ald. Knapp—From Street Committee, favorably on bill of Rathbun & Whitmore. Finance Committee. Also, favorably on petition of Geo. J. Whitney, for leave to build a railroad from the Central Railroad to his elevator. Table.

By Ald. Mudgett—From Poor Committee, favorably on bills of C. Backus and William Burke.—Finance Committee.

By Ald. Stone—From Poor Committee, favorably on bill of Burke, Fitzsimons, Hone & Co.—Finance Committee.

By Ald. Bradstreet—In favor of releasing Thos. McGlachlin from three judgments, on the payment of \$50. Table. Also, adversely on petition of F. Titenburg, for relief from a tax. Table.

Also, that bill of J. H. Dana and H. V. Stellar be referred to Contingent Expense Committee.—Agreed to.

By Ald. Reynolds—From Improvement Committee, favorably on bill of W. S. Grantsynn.—Finance Committee.

By Ald. Hebard—From Contingent Expense Committee, favorably on the bills of the Telegraph Co., Palmer and Mumford, P. F. Rhines, Brewster & Fenn, Forsyth & Co., F. Lockhart, Henry Brown. Also, in favor of paying A. Strong & Co. \$350 for extra printing during the current year.—Also, of a majority of Committee, in favor of paying R. L. Swift, for collecting certain assessments. Also, adversely on bill of Duryee & Forsyth Manufacturing Co. for safe for Police office. Table.

By Ald. Lutes, from the Police Committee, favorably on bills of Policemen's wages for Februa-

ry, of Chief of Police for disbursements, and Rochester Gas Co. Finance Committee.

By Ald. Mason, from Market Committee, favorably on bill of Rochester Gas Company. Finance Committee.

By Ald. Selye, from Law Committee, favorably on bills of City Attorney and T. C. Montgomery. Finance Committee.

Also, the following report on the

CLAIM OF ST. MARY'S HOSPITAL.

To the Common Council:

The Law Committee, to whom was referred the petition of the Sisters of Charity having charge of St. Mary's Hospital, for an allowance of \$600, for payment for "food, fuel and medicines," furnished to sick and needy persons at that hospital, having given the subject of the petition their careful attention, respectfully submit the following report:

There are but two questions of law which, in the judgment of your Committee, can possibly arise in this matter. They are the following:

1st. Is there any legal liability on the part of the city to pay this claim?

2d. If the city is not liable, has the Common Council power to appropriate the funds of this city in payment of it?

The petitioners do not claim that the city is liable to pay this demand. They present it to the Common Council as an expense which the petitioners have voluntarily incurred, without any request, and ask its payment on the ground that the city has received the benefit of the expenditure; that the city is not legally liable, does not admit of question.

It is not necessary, in passing upon the second question, to decide whether the Common Council has or has not the power to donate funds for any purpose.

In the present case, as your Committee understand the petition, the petitioners have taken care of the sick and needy, and have furnished to such persons "food, fuel and medicines," to the amount of \$600. If this money has been expended in relieving the poor of the city by the petitioners, it has been expended for the benefit of the city, and to pay it is simply to pay for a benefit which has been rendered without a request. This, in the judgment of your Committee, divests the payment of this claim of the character of a gratuity. It is merely refunding the petitioners' money which they have paid out for the benefit of the city in such a manner that no legal liability exists.

The Committee are unanimous in the conclusion that the Common Council has power to pay this claim, so far as it is for relief furnished to city poor.

As to the propriety of paying this claim or any part of it; the amount the petitioners are entitled to, if anything; what proportion of the claim has been incurred in giving relief to the city poor, your Committee, not deeming it a part of their duty, have made no inquiry, and express no opinion.

We have passed only upon the legal question supposed to be involved in the case, and leave it with the Common Council to take such action in the premises as it may deem proper or expedient.

All which is respectfully submitted.

J. VAN VOORHIS, JR.,
City Attorney.

LEWIS SELYE,
W. F. HOLMES,
S. W. D. MOORE.

March 13, 1860.

By Ald. Lewis, from Fire Department Committee, favorably on bills of W. S. Osgood, R. B. Paine, and Gas Light Co. Finance Com.

REPORTS OF EXECUTIVE OFFICERS.

The Clerk presented the Report of the Overseer of the Poor, for March. Number of families, 971. Amount expended \$2,526 31. Less for county and towns, \$68,71. Filed.

Also, the Report of the Superintendent of Mt. Hope Cemetery. Number of interments, 50.—Filed.

Ald. Lewis presented the Annual Report of the Chief Engineer of the Fire Department. Filed.

ASSESSMENTS.

Ald. Bradstreet moved that the 27th of March be fixed for hearing appeals on the Assessment Roll for the construction of a Sewer in South Avenue and Comfort st., which has been duly filed in the Clerk's office. Agreed to.

On motion of Ald. Selye, the 27th of March inst., was fixed for hearing appeals on the Assessment Roll for improvement of Platt and Hill sts.

On motion of Ald. Mudgett, the 27th of March inst., was fixed for hearing appeals on the Assessment Roll for widening Pindall Alley.

ACTION UPON ORDINANCES.

PLANK WALK ON NORTH STREET.

By Ald. Selye—Resolved, That the City Surveyor ascertain and report to this Board the expense of the improvement of North street, from the end of the brick walk upon the east side thereof to the crosswalk at Riley street, by laying a plank sidewalk 6 feet wide, and filling the spaces between the walk and curb-stone and the lines of the street with gravel. Adopted.

The Surveyor submitted such estimate.

By Ald. Selye—Resolved, That the following improvement is expedient, namely:

The laying a plank sidewalk upon the east side of North street, from the end of the brick walk, as at present laid, upon the east side of North street to the crosswalk at Riley street, the plank walk to be six feet wide, and the remaining space between the curb-stone and the lines of the street to be filled with gravel.

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 \$136, which estimate is hereby approved.

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

One tier of lots upon the east side of North street, from the end of the brick walk upon the east side of North st to Riley street.

And the Clerk is hereby directed to publish notice in pursuance of section 190 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, March the 20th, 1890, at half-past seven o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

IMPROVEMENT OF SPRING STREET.

By Ald. Selye—Resolved, That the City Surveyor ascertain and report to this Board the expense of the improvement of Spring street, from Exchange to High street, by setting a curb of Medina stone upon each side of the street, paving the gutter with cobble stone, and McAdamsizing the roadway, and also constructing sidewalks of Medina flagging 4 feet wide, laid in two courses, and the remainder of brick. Adopted.

The Surveyor submitted such estimate.

By Ald. Selye—Resolved, That the following improvement is expedient, namely:

The improvement of Spring street, from Exchange to High streets by setting a curb of Medina stone 11 feet from the lines of the street, paving the gutters four feet with cobble stones, and McAdamsizing the roadway; and also laying sidewalks of Medina flagging four feet wide, laid in two courses, the remainder to be laid with brick, and constructing a suitable number of 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 \$3967, which estimate is hereby approved.

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

One tier of lots upon each side of Spring street, from Exchange st to High st.

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 190 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, March the 20th, 1890, at half-past 7 o'clock, at the common council hall, when allegations will be heard. Adopted.

IMPROVEMENT OF BOWERY STREET.

By Ald. Selye—Resolved, That the City Surveyor ascertain and report to this Board the expense of the improvement of Bowery street, from North street to Clinton street, by setting a curbing of Medina stone upon each side of the street, paving the gutters with cobble stone and macadamizing the roadway; and also setting sidewalks u on each side of the street, of Medina flagging and brick. Adopted.

The Surveyor submitted such estimate.

By Ald. Selye—Resolved, That the following improvement is expedient, namely:

Setting a curbing of Medina stone upon each side of Bowery street, paving the gutters with cobble stone, and macadamizing the roadway; and also laying sidewalks upon each side of the street, of Medina flagging four feet wide, laid in two courses, and the remainder of brick.

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 \$7,566, which estimate is hereby approved.

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

One tier of lots upon each side of Bowery street, from North street to Clinton 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 190 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, March the 20th, 1890, at seven o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

PLANK WALK ON HIGH STREET.

By Ald. Selye—Resolved That the City Surveyor ascertain and report to this Board the expense of the improvement of the east side of High street, from Atkinson street to Summer alley, as follows:—By grading the same and building a plank sidewalk five feet four inches wide, and constructing a suitable number of crosswalks.—Adopted.

The Surveyor submitted such estimate.

By Ald. Selye—Resolved, That the following improvement is expedient, namely:

The improvement of the east side of High street, from Atkinson street to Summer alley, as follows:—By grading the same and building a plank sidewalk five feet four inches wide, and constructing a suitable number of 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 \$653, which estimate is hereby approved.

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

One tier of lots on the east side of High street, from Atkinson street to Summer alley.

And the clerk is hereby directed to publish notice in pursuance of section 190 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, March the 20th, 1890, at half past seven o'clock, at the common council hall, when allegations will be heard. Adopted.

WIDENING OF STEPHENS ALLEY.

Ald. Mudgett submitted the following:
The Common Council of the city of Rochester do hereby determine and ordain that Stephens alley shall be widened on the east and west sides thereof, from Buffalo

street to Spring street, and that the following described lands are deemed necessary for that purpose, namely:

Beginning at a point in the north line of Spring street, twelve feet east of the east line of Stephens alley, and running thence northerly parallel with the said east line and twelve feet therefrom, to the angle in said alley; thence upon the same course to the south line of Buffalo street; thence on the south line of Buffalo street westerly to the present east line of Stephens alley; thence upon said east line to the north line of Spring street; thence easterly upon said north line to the place of beginning.

Also, beginning upon the west line of Stephens alley at its junction with Spring street and running thence westerly twelve feet; thence northerly and parallel with said west line, and twelve feet distant therefrom to the angle in Stephens alley; thence upon the same course to the west line of Stephens alley; thence southerly upon the west line of Stephens alley to the place of beginning.

The estimated expense of such improvement is \$2500, that the portion of said city deemed benefited by said improvement and proper to be assessed therefor, is one tier of lots on each side of Stephens alley, from Buffalo street to Spring street, and also one tier of lots upon each side of Favor street, from Spring street to Troup street.

And that the City Attorney publish the notice required by law, that application will be made to the County Court of the county of Monroe, on Friday, the 30th day of March, at 10 o'clock, in the forenoon, for the appointment of Commissioners to inquire into and determine what damages and compensation the owners of such lands to be taken will be entitled to for the same, and that he serve such notice as required by law. Adopted.

MISCELLANEOUS BUSINESS.

By Ald. Selye—Resolved, That the Committee on Water Works be requested to ascertain and report at their earliest convenience the probable cost of completing the necessary surveys, and all proper estimates for obtaining water from Hemlock Lake for city purposes. Adopted.

By Ald. Selye—Resolved, That unless McFarlin and McCormick perfect their contract with the city for the improvement of Platt st. during the present week, the Improvement Committee are hereby authorized to let the work to the next lowest responsible bidder. Adopted.

By Ald. Knapp—Resolved, That Geo. J. Whitney have leave to lay down a railroad track across such streets as necessary to secure a track from the New York Central Railroad to his elevator, in accordance with the prayer of his petition.—Adopted.

By Ald. Badstreet—Resolved, That the Treasurer is hereby directed to cancel the assessment of seventeen dollars and eighty-five cents, made to Theodore W. Dwight in 1857, on five acres of land, bounded north by Clarissa street, east by Genesee river, south by lands of Clark Wilbur, west by Genesee Valley Canal—being in accordance with the recommendation of the assessors in their report to the Board, Feb. 21st last, and charge erroneous assessment. Adopted.

By Ald. Lewis—Resolved, That the committee on Fire Department be authorized to procure the printing of 300 copies, in pamphlet form, of the annual report of the Chief Engineer, together with the ordinance relating to fires and the fire department, and the rules and regulations for the government of the fire department ordained by the Board of Engineers. Adopted.

By Ald. Lutes—Resolved, That the lamp committee be requested to make such changes in the location of street lamps as in their judgment will serve the best interest of the city, on State street from Buffalo street to the House of Refuge.

Ald. Erickson moved to amend by adding, that the Lamp Committee be directed to erect such an additional number of public lamps upon State street, not exceeding five, as they may deem advisable. Carried; ayes 11; nays 3.

The resolution of Ald. Lutes, as amended, was adopted.

By Ald. D. W. Perry—Resolved, That the Lamp Committee be and are hereby authorized to cause three street lamps to be erected on North street, north of the Railroad. Adopted.

By Ald. D. W. Perry—Resolved, That the Lamp Committee be authorized to locate two street lamps on West Avenue, west of Frances street. Adopted.

By Ald. D. W. Perry—Resolved, That the name of McDonald Avenue be changed and called Baden street, situated in the 6th ward. Lost; ayes 2, nays 17.

By Ald. Cushing—Resolved, That the Lamp committee be directed to locate an oil or fluid lamp on the south end of St. Paul street bridge.

Ald. Bradstreet moved that the above resolution be referred to the Lamp committee. Carried.

By Ald. Butler—Resolved, That the City Treasurer be directed to collect from the Heirs of Thomas Smith, four dollars and seventy six cents in full for assessment upon lot No. 13, corner of Jay and Oak streets, for plank side walk upon the west side of Oak street from Allen to Jay streets. A walk having been constructed in front of their lot which did not require relaying. Adopted.

By Ald. Hollister—Resolved, That P. Iwig, J. W. Davis, N. S. Veeder and James Byrnes have leave to erect and remove wood buildings according to the several prayers of their petitions under the direction of the Chief Engineer of the Fire Department. Adopted.

By Ald. Reynolds—Resolved, That the Treasurer be directed to cancel the assessment against Joel B. Bennett of \$24.20 for brick walk in South Fitzhugh street, in front of lot No. 69, he having built the walk in conformity to the ordinance and the specifications therefor. Adopted.

By Ald. Reynolds—Resolved, That the Treasurer be directed to pay to W. A. Reynolds the compensation awarded to him for land taken for widening Exchange Place, when there are funds applicable thereto, and charge that fund. Adopted—ayes 13, nays 0.

FINANCE BUDGET.

By Ald. Reynolds—Resolved, That the Treasurer pay as follows:

CONTINGENT FUND.

John Bell bill for labor and materials at Centre Market	\$4 25
A Strong & Co. in full for publishing the penal ordinances five times	350 00
Palmer & Mumford, for searching the records in relation to Falls Field	5 00
P. F. Rhines, in full as Inspector of Election in the 10th ward, Nov. 1859	6 00
F. Lockhart, for services for 60 nights as City Hall watchman, payable to H. W. Jones	45 00
Forsyth & Co. for repairing lock to the Mayor's safe in 1859	1 00
R. L. Smith, for services in trying to, and collecting, certain assessments	86 41
Henry Brown, hack hire to Nelson st.	2 00
Brewster & Fenn, for desk in the Surveyor's office	15 00
The Telegraph Co. for message from Albany	83
Rochester Gas Light Co. for gas in Centre Market	10 20
Rochester Gas Light Co. for gas in City Hall	57 30
Thos C Montgomery, for legal services	40 00
City Attorney, disbursements, created by certain suits had by the city	26 84
and charge Contingent Fund.	

HIGHWAY FUND.

R. D. Howell, bill for disbursements for Feb.	109 64
Rathbun & Whitmore, bill for grading Hubbell Park and charge Highway Fund.	65 25

POOR FUND.

Wm Burke, bill for nails and locks	3 96
Chas Backus, bill for delivering wood, &c.	153 68
Burke, Fitz Simons, Hone & Co, bill for sundries and charge Poor Fund	10 95

IMPROVEMENT FUNDS.

M Burns, hack hire to Emmett st.....	1 00
and charge Emmett st improvement fund	
W S Grantsyno, bill for services as Inspector of plank walk on Brown street, from Warehouse st to Maple st.....	10 00
and charge that fund.....	
Rathbun & Whitmore, estimate No 3 on contract for sidewalk around Brown's Square.....	500 00
and charge that fund.....	

BOARD OF HEALTH FUND.

A Richardson, 1 month's salary as Health Inspector,	45 00
S M Luckey, 1 " " " " " "	45 00
Thomas Burns, salary as keeper of Pest-house....	20 00
Peter McMullen, burying dead horse.....	2 00
Wm Anderson, " three do. st.....	75
George Meagher, " dead horse.....	2 00
and charge Board of Health Fund.....	

POLICE FUND.

E. J. Keeney, Chief of Police, 1 month's salary for January.....	66 66
P. B. Wilder, " services as Policeman, 1 month.....	44 00
L. Johnson, " " " " " "	44 00
B. B. Leap, " " " " " "	44 00
Wm. Coughlin, " " " " " "	44 00
S. M. Brownell, " " " " " "	44 00
R. W. Goodrich, " " " " " "	44 00
J. Dresser, " " " " " "	44 00
G. C. Pease, " " " " " "	44 00
J. C. Hagle, " " " " " "	44 00
J. C. Lauer, " " " " " "	44 00
H. Jordan, " " " " " "	44 00
John H. Dana, " " " " " "	44 00
Alvah Rice, " " " " " "	44 00
Paul Gilman, " " " " " "	44 00
H. V. Steller, " " " " " "	44 00
Thomas Campbell, " " " " " "	44 00
Thomas Callister, " " " " " "	44 00
John S. Stott, " " " " " "	44 00
A. Wagner, " " " " " "	44 00
Peter Koons, " " " " " "	44 00
Seymour Coley, " " " " " "	44 00
H. McQuatters, " " " " " "	44 00
Bernard Horcheler, " " " " " "	44 00
A. Kingsbury, " 22 days.....	32 12
J. Parsial, " half month.....	22 00
J. Buckley, Special Policeman on Election.....	2 00
Wm M Fuller, " " " " " "	2 00
Wm Killip, " " " " " "	2 00
Munro Green, " " " " " "	2 00
Jerry Hubbard, " " " " " "	2 00
George Gardner, " " " " " "	2 00
Peter Wagner, " 1 " " " " "	4 00
James Clark, " 1 " " " " "	2 00
Michael Wolf, " 1 " " " " "	2 00
Thos Purcell, " 1 " " " " "	2 00
Rochester Gas Light Co, gas at Police office.....	21 15
E J Keeney, bill of disbursements.....	21 95
and charge Police Fund.....	

FIRE DEPARTMENT FUND.

W S Osgood, oil for Fire Dep't 1859.....	12 00
Fitch & Allings, for B B Paine, for 12 buckets for S & B Co.....	24 00
Rochester Gas Light Co, gas at Hose Depot.....	12 00
R Gilbert, 1 month's salary supt of hose depot.....	41 66
O N Wilcox, 1 qrs. rent Engine House No 8.....	30 00
and charge Fire Department fund.....	
Adopted, ayes 18, noes 0	

CHARTER AMENDMENTS.

The Board then took up the Report of the Committee on Charter amendments:

Ald. Selye moved that the amendment proposed by the Special Committee on Charter amendments, striking out the sections providing for a credit of two years on two-thirds of the assessments for local improvements, be disagreed to. Carried, as follows:

Yeas—Ald. Mudgett, Butler, Hollister, D. W. Perry, Stone, Selye, Lutes, Jones, Bauer, Mason, Billinghamst, Cushing—12.

Nays—Ald. Reynolds, Lewis, Hebard, Bradstreet, Erickson, Moore, Knapp—7.

Ald. Lewis moved that the Committee on Charter Amendments be and hereby is instructed to prepare and introduce a provision for raising funds to cancel the existing indebtedness of the Fire Department Fund, the whole amount of such indebtedness to be first ascertained. Carried.

Ald. Hebard moved to strike from the section authorizing the raising of \$300 per annum for the maintenance of certain avenues, the clause requiring such avenues to have a curb-stone set to the city line, in order to be entitled to the appropriation. Carried.

By Ald. Mason—Resolved; that the Lamp Committee be instructed to cause to be erected upon Lyell street, between State street and the city line, ten fluid lamps, to be distributed in such manner as in their judgment shall be proper.

Ald. Stone moved that the above resolution be referred to the Lamp Committee. Carried.

By Ald. Lewis—Whereas, at the late Charter election James Kingsbury was elected as School Commissioner in the 10th ward; and whereas, it is set forth that the votes given for said officer were intended for James Kingsley; therefore,

Resolved, That the subject matter of School Commissioner for the 10th ward be referred to the Law Committee.

Ald. Stone moved to lay the above on the table. Carried.

And the Board adjourned. F. S. Rew, Clerk.

In Common Council—March 20, 1860.

REGULAR MEETING.

Present—The Mayor, Ald. Mudgett, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Billinghamst, Cushing.

Absent—Ald. Holmes, G. W. Perry, Twitchell, D. W. Perry, Nash and Mason.

The minutes of the previous meeting were approved.

PETITIONS AND CLAIMS.

By Ald. Mudgett, bills of Moore & Cole, R. Hart, Jona. King, and J. Howe. Poor Committee.—Bill of Curtis, Butts & Co. Contingent Expense Committee.

By Ald. Butler, bill of W. E. Lathrop. Contingent Expense Committee.

By Ald. Hollister, bill of Inspectors of 3d Ward. Contingent Expense Committee. Petition of A. Champion, Wood Building Committee. Of A. Grant and others, relative to grade of Clarissa-st. Improvement Committee.

By Ald. Reynolds, bill of Alex. Allen. Contingent Expense Committee; of Rathbun & Whitmore. Street Committee. Remonstrance of Harvey Montgomery and others against improvement of Spring street, from Spring Alley to High-st. Petition for flag walks on State-st. Improvement Committee.

By Ald. Lewis, petition of G. & E. Herzberger. Wood Building Committee. Of B. F. Young and others, for opening of a street from Clinton to Lancaster streets. Street Committee. Bills of N. Aylesworth, J. McMullen and C. Green. Fire-Department Committee.

By Ald. Hebard, estimate of John Dalton. Improvement Committee. Bill of Hebard, Tracy & Co., and Kramer & Felix. Contingent Expense Committee.

By Ald. Bradstreet, bill of Heavy & McAnally. Contingent Expense Committee.

By Ald. Erickson, remonstrance against removal of a wood building to Monroe-st. Table.

By Ald. Knapp, bill of M. Cavanaugh for use of room. Contingent Expense Committee.

By Ald. Stone, bills of D. W. Allen, J. B. Ward & Co., Bernard O'Reilly, H. W. Jones, I. H. Putnam, H. Wray, J. M. Whitney & Co., C. V. Jeffries,

H. Bender & Co., J. H. Child, J. Cochrane. Poor Committee. Petition of People's Gas Light Company for leave to lay mains in the streets for conducting gas. Table.

By Ald. Selye, remonstrance against granting leave to George J. Whitney to construct a railroad. Street Committee.

By Ald. Jones, petition of citizens of 10th Ward for a special election to fill vacancy in office of Commissioner of Common Schools. Table.

By Ald. Shelton—Petition of J. Flint and others for sewer in State st. Sewer Com.

By Ald. Billingshurst—Bills of J. Child, J. E. Butterfield, Brewster & Smith, S. S. Pellett, Wilson & Smith. Poor Com.

REPORTS OF COMMITTEES.

By Ald. Lewis, from Fire Department Com.—Favorably on the bills of J. H. Kelly & Co., James Field, G. S. Jennings, Alex. Florey, J. J. Van Zandt, J. Hyne, and Wm. Burke. Finance Com. Monthly reports of Engine Cos. Nos. 1, and 4, and H. & L. Co. No. 2. Confirmed.

By Ald. Jones, from Com. on Amendments of Charter—Favorably on bill of W. F. Cogswell.—Finance Com.

By Ald. Bradstreet, from the Grievance Com.—On petition of Bartholomew Sperl, for relief.—Table.

By Ald. Hollister, from Com. on Wood Buildings—Favorably on petitions of G. and E. Herzberger and John Denney. Table.

CITY WATER WORKS.

By Ald. Shelton, from the Select Com. on Water Works for the City—A written report, giving a statement of propositions for making surveys:

To his Honor the Mayor and Common Council of the City of Rochester:

GENTLEMEN:—In compliance with a resolution adopted by your Board, requesting the Waterworks Company to ascertain and report as soon as possible the expense of a survey from Hemlock Lake to this city, for the purpose of bringing the water of such Lake to some suitable point for distribution in the city,—the committee have invited different gentlemen to offer to the Board such propositions and suggestions as they should think fit, in connection with this subject.

The Committee present three propositions for the consideration of the Board:

1st. Mr. Silas Cornell proposes to survey one route, with map, &c., for \$250.

2d. Mr. Penny one route, map, &c., for \$150.

3d. Mr. Marsh proposes to furnish a complete system of surveys over various routes to the Lake; also, a complete plan for the distributing pipes throughout the city, and will also furnish a printed report for the use of the Board, of statistical matter necessary for a full acquaintance with important facts pertaining to the contemplated Waterworks, for a sum not exceeding \$500.

Taking the importance of the subject into consideration, your Committee are of the opinion that the surveys of Mr. Marsh, together with the statistical information that will result therefrom, will be the only character of information that this Board will be able to form a correct judgment upon.

GEORGE SHELTON,
S. W. D. MOORE,
AARON ERICKSON,
N. C. BRADSTREET,
JOHN LUTES.

REPORTS FROM EXECUTIVE OFFICERS.

The Clerk read a letter from Hon. Elias Pond, relating to the State appropriation for Platt st. Sewer, which, on motion of Ald. Stone, was referred to the Law Com., with power.

The Clerk reported that James Kingsley had returned and filed the oath of office as Commissioner of Common Schools for the 10th Ward, the notice of election having been addressed to James Kingsbury. Also, that Wm. Guggenheim and Thomas Williamson, elected and appointed Inspectors of Election, had neglected to file acceptances.

ACTION UPON ORDINANCES.

Ald. Shelton moved that the consideration of the final ordinance for construction of a sewer in Mt. Hope Avenue, be postponed until the first regular meeting in May next. Agreed to.

IMPROVEMENT OF SPRING STREET.

On motion of Ald. Selye, the action taken for the improvement of Spring street, at the previous meeting, was rescinded.

IMPROVEMENT OF SPRING STREET.

By Ald. Selye—Resolved, That the City Surveyor ascertain and report to this board the expense of the improvement of spring street, from Exchange to Washington street, by setting a curb of Medina stone paving the gutters with cobble stone and macadamizing the roadway, and constructing sidewalks of Medina flagging and brick—Adopted

The Surveyor submitted such estimate.

By Ald. Selye—Resolved, That the following improvement is expedient, namely:

The improvement of spring street, from Exchange to Washington sts., by setting a curb of Medina stone 11 feet from the lines of the street, paving the gutters 4 feet with cobble stone, macadamizing the roadway, laying sidewalks four feet wide with Medina stone in two courses, laid in the centre, with brick upon the sides, and constructing a suitable number of 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 \$5,812, which estimate is hereby approved.

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

One tier of lots upon each side of Spring street, from Exchange to Washington streets

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 190 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, March the 27th, 1860, at half-past 7 o'clock, at the common council hall, when allegations will be heard.

Adopted.

IMPROVEMENT OF BOWERY STREET.

Ald. Selye presented the final ordinance for the improvement of Bowery street, and allegations having been heard, on motion of Ald. Stone the ordinance was laid on the table.

PLANK WALK ON SAXTON STREET.

By Ald. Selye—Resolved, That the City Surveyor ascertain and report to this Board the expense of the improvement of Saxton street, from Magna street to Wilder street, as follows:—By grading the walks and laying a plank sidewalk four feet eight inches wide on each side thereof, and constructing a suitable number of crosswalks. Adopted.

The Surveyor submitted such estimate.

By Ald. Selye—Resolved, That the following improvement is expedient, namely:

The improvement of Saxton street, from Magna street to Wilder street, by grading the walks and laying a plank sidewalk four feet eight inches wide on each side thereof and constructing a suitable number of 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 \$1,112, 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, namely:

One tier of lots on each side of Saxton st., from Magne street to Wilder street.

And the clerk is hereby directed to publish notice in pursuance of section 190 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, March the 27th, 1860, at half-past 7 o'clock at the common council hall, when allegations will be heard. Adopted.

PLANK WALK ON NORTH STREET.

On motion of Ald. Selye, 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. Selye submitted the following:

AN ORDINANCE to construct a plank walk on North street.

The common council of the city of Rochester do ordain and determine as follows:

A plank walk shall be constructed upon the east side of North street, from the end of the brick walk, as at present laid, to the crosswalk at Riley street, the plank walk to be six feet wide, and the remaining space betwixt the curb stone and the lines of the street to be filled with gravel.

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 \$136, which estimate was and is hereby approved. The sum of \$136, 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 upon the east side of North street, from the end of the brick walk upon the east side of North st. to Riley street.

On which above described portion of the city the said sum of \$136 is hereby ordered to be assessed.

And David McKay, Francis Dana and Jared Coleman, 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 Friday, the 23d day of March, 1860, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:

Ayes—Ald. Mudgett, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Billingshurst, Cushing—18
Noes—None.

PLANK WALK ON HIGH STREET.

On motion of Ald. Selye, 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. Selye submitted the following:

AN ORDINANCE to grade and construct a plank walk on the east side of High street.

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

High street shall be improved upon the east side thereof, from Atkinson street to Summer alley, as follows:—By grading the same and building a plank sidewalk five feet four inches wide, and constructing a suitable number of crosswalks.

And the whole expense thereof 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 \$553; which estimate was and is hereby approved. The sum of \$553, 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 upon east side of High street, from Atkinson street to Summer alley.

On which above described portion of the city, the said sum of \$553 is hereby ordered to be assessed.

And David McKay, Francis Dana and Jared Coleman, 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 Friday, the 23d day of March, 1860, at 9 o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote—
Ayes—Ald. Mudgett, Butler, Reynolds, Hollister, Lewis, Hebard, Jones, Bradstreet, Erickson, Moore, Knapp, Stone, Selye, Lutes—No.s. Shelton, Bauer, Billingshurst, Cushing—18. Noes—None.

ASSESSMENT.

Ald. Shelton presented for confirmation the assessment roll for the construction of a SEWER IN FRONT STREET; and opportunity having been given for appeals therefrom, no one appearing, the said roll was confirmed—ayes 18; noes 0—as follows:

Ayes—Ald. Mudgett, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, Erickson, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Billingshurst, Cushing—18.

NAYS—None.

MISCELLANEOUS BUSINESS.

By Ald. Cushing—Resolved, That the Lamp Committee be instructed to locate a kerosene oil lamp on each end of St. Paul street bridge.

Ald. Jones moved that the above be referred to the Lamp Committee. Carried.

By Ald. Jones—Resolved, That the tax payers for sidewalk on the east side of North street, from brick walk to Riley street, be allowed to construct their own walks, either with stone or plank, if completed by the first day of June next, under the direction of the Improvement Committee.—Adopted.

By Ald. Bauer—Resolved, That the Treasurer pay Bartholomew Spert two hundred dollars, in consideration of the serious accident which occurred to him at the ruins of School House No. 17, in March 1858, while he was employed in removing coal from the cellar, under the direction of Mr. E. T. Oatley, of the Board of Education; in accordance with the facts set forth in the petition of said Spert to this Board, and the report of the Grievance Committee thereon, and charge Poor Fund.

Ald. Selye moved to amend the above by striking out "Poor Fund," and inserting "Contingent Fund." Carried—ayes 12; nays 6.

Ald. Bauer's resolution, as amended, was adopted—ayes 18; noes 0.

By Ald. Selye—Resolved, That the Water Works Committee be authorised to procure the survey and plans for water works, as contemplated in their report; the expense not to exceed \$500. Adopted.

By Ald. Stone—Resolved, That "The People's Gas Light Company of Rochester" be permitted to lay mains or conductors for conducting gas through the streets, alleys and squares of the city, and to keep the same in repair, and for such purposes to make the necessary excavations. The work to be done with reasonable despatch, and the streets, alleys, squares and sewers, to be left in as good condition as before the commencement of the excavations; the whole to be under the supervision of the Street Committee.

Resolved, That the personal property of said corporation shall be exempt from taxation for the period of three years, from the 19th day of March, 1860.

Ald. Erickson moved that the above resolutions lie upon the table one week.

The Mayor decided that the first above resolution, having the effect of an ordinance, must lie over one week, under the 10th rule.

Ald. Selye moved that the Tenth Rule be suspended. Carried; ayes 14, noes 4.

The motion to lay on the table was lost; ayes 5, nays 13.

On motion of Ald. Lutes, T. C. Montgomery, Esq., was heard on the subject of the resolution.

Ald. Stone's first resolution was adopted; ayes 17, noes 0.

The second resolution lies on the table.

By Ald. Stone—Whereas, Our friend and fellow member Geo. W. Perry, Esq., has been through the entire year, prevented from meeting with us, and participating in our proceedings, on account of severe and painful afflictions, therefore

Resolved, That the sympathies of the Common Council be, and they are hereby tendered to him, with the assurance of our regards, and our earnest wish for his speedy restoration to health and usefulness, and that the Mayor be requested to cause a certified copy of this resolution to be delivered to him at his earliest convenience. Adopted unanimously.

By Ald. Stone—Resolved, That the Treasurer pay Geo. G. Cooper, daily Union reporter, the sum of one hundred dollars; Chas. S. Collins, daily Democrat reporter, one hundred dollars; and to the proprietors of the daily Express for the benefit of their reporter, the sum of fifty dollars, for their reports of the proceedings and discussions of this Board, during the past year, such services having been rendered without any compensation on their part—and the Clerk is hereby directed to draw an order consistent with this resolution,—the amount to be charged to the Contingent Fund.—Adopted; ayes 17, nay—Ald. Erickson.

By Ald. Stone—Resolved, That the Common Council of the city of Rochester respectfully petition the Legislature of the State of New York to enact the following law:

Section 1. The Overseer of the Poor of the City of Rochester shall have the power to administer to and examine under oath any person applying to him for relief, and false swearing shall be deemed wilful perjury.

Sec. 2. He shall also have the same power to settle cases of bastardy as is now conferred upon Superintendents of the Poor.

Sec. 3. He shall also have the power to afford temporary relief, not exceeding in amount Twenty-five dollars, to any county or town pauper within his jurisdiction, before applying to the Superintendents of the Poor for their sanction in writing.

Sec. 2. All excise monies obtained from licenses in the City of Rochester shall be paid by the County Treasurer to the City Treasurer for the relief of the poor of that city, and all excise monies obtained from licenses in each town in the county of Monroe shall be paid by the County Treasurer to the Overseer of the Poor of that town for the relief of the Poor.

All laws or parts of laws inconsistent with the above act are hereby repealed.

The Mayor of this city is hereby requested to sign the above petition and transmit it to the Senator from Monroe county and the Member of Assembly from this city.

Ald. Selye moved to insert in the 2d section, after "shall," the words "in connection with the Mayor." Adopted. Ayes 12, Nays 6.

The Resolution was adopted.

By Ald. Erickson—Resolved, That so much of the resolution in relation to wooden buildings passed at the last meeting of the Board, as authorizes P. Iwigg to remove and erect a wooden build-

ing on or near the corner of Monroe and William streets, be reconsidered, and that the subject be referred back to the committee on wooden buildings. Adopted.

By Ald. Jones—Resolved, That Tuesday, the 3d day of April, 1860, be designated for holding a special election in the 10th ward for the purpose of choosing a Commissioner of Common Schools, to hold his office for three years from the first Monday of April, 1860, and that said election be held at the house of M. Newhart, corner of Main and Scio streets.

Ald. Lewis moved that the above resolution be referred to the Law Committee. Carried.

By Ald. Erickson—Resolved, That the city Superintendent be directed to notify Richard Gorsline to suspend all further work at Deep Hollow until authorized by this Board.

Ald. Selye moved to amend by striking out the words "suspend all further work," and insert "not to expend, in addition to the sum already expended, to exceed five hundred dollars in the further prosecution of work." Lost—ayes 5, nays 11.

Ald. Selye moved to amend by instructing Mr. Gorsline to expend not to exceed \$300 in filling up the street to a proper grade.

Ald. Bradstreet moved that the whole subject be referred to the Improvement Committee, with power to act. Carried, ayes 10, nays 2.

By Ald. Bradstreet—Resolved, That the city Attorney be authorized and directed to settle the suit of John McDermott against the City of Rochester, by the payment to said McDermott of two hundred dollars, in full for damages and claims for damages and pay the costs amounting to \$61,75, and the Treasurer is hereby directed to pay the city Attorney two hundred and sixty-one dollars and seventy-five cents to effect said settlement, and charge contingent fund. Adopted, ayes 15, noes 0.

FIRE DEPARTMENT RULES.

Ald. Lewis moved the confirmation of the Rules and Regulations adopted by the Board of Engineers of the Fire Department. Agreed to.

By Ald. Hebard—Resolved, That the City Clerk draw two orders upon the City Treasurer payable to the order of John Dalton, one for six hundred dollars, payable one year from the 20th March, 1860, with interest, and one for four hundred dollars payable two years from the 20th day of March, 1860, with interest, on account of his contract for improving North street, and the City Treasurer is hereby authorized to accept the same in behalf of the city, and charge North street Improvement Fund. Adopted, ayes 16, nays 0.

By Ald. Hollister—Resolved, That John Denney and G. and C. Herzberger have leave to remove wood buildings according to the several prayers of their petitions, under the direction of the Chief Engineer of the Fire Department and Street Superintendent. Adopted.

By Ald. Reynolds—Resolved, That the Improvement Com. be instructed to notify the contractors for the improvement of Clarissa st., to proceed with said improvement, as soon as the weather will permit, and prosecute the same with all reasonable dispatch, to completion, in accordance with the desire of the tax payers thereon, as expressed by their petition presented this evening, and referred to the Improvement Com. Adopted.

TREASURER'S BALANCES.

On motion of Ald. Reynolds, the Treasurer was directed to balance various accounts, standing open upon his books, against which debit and

credit balances exist, as indicated by schedules presented in connection with the resolution; those accruing prior to April 1st, 1853, to be charged to Floating Debt account, and those accruing since that date, to the Highway Fund. Also, directing the transfer of certain balances.

FINANCE BUDGET.

By Ald. Reynolds—Resolved, That the Treasurer pay as follows:

CONTINGENT FUND.
W F Cooswell, bill for services in revising the City Charter..... \$250 00
And charge Contingent Fund.....

FIRE DEPARTMENT FUND.
Jacob Hyde, ringing alarm bells..... 20 00
Alex. Hoyt..... 43 75
J F Van Zandt use of hydrant at fire, and filling reservoirs..... 50 00
G S Jennings, agent, repairing fire hats, &c..... 4 38
James Field, 10 sacks for Protectives..... 27 50
Kelly & Co., lanterns, trumpets and repairs..... 45 85
Wm Burke, hardware..... 8 50
And charge Fire Department Fund.....

LAMP FUND.

Rochester Gas Light Co., gas for public lamps for quarter ending March 1, 1860. \$2,518 76
Lighting the same for same period..... 338 79
2,857 55

And charge Lamp Fund.
Adopted, ayes 16, noes 0.

And the Board adjourned till Tuesday next, 27th inst. F. S. Baw, City Clerk.

In Common Council—March 27, 1860.

ADJOURNED MEETING.

Present—The Mayor, Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, D. W. Perry, Moore, Knapp, Stone, Selye, Lutes, Shelton, Jones, Bauer, Mason, Billinghamurst, Cushing.

Absent—Ald. G. W. Perry, Twitchell, Bradstreet Nash, Erickson.

The proceedings of the previous meeting were approved.

PETITIONS AND CLAIMS.

By Ald. Mudgett—Bills of Wilder, Case & Co., J. Howe, Lewis & Phillips. Poor Com.

By Ald. Butler—Bill of E. Wray for locks and repairs; communication from P. B. Wilder. Contingent Expense Com.

By Ald. Hollister—Bill of C. H. Higgins. Police Com. Bill of J. A. Smith, for building plank walk on Litchfield street. Street Com.

By Ald. Reynolds—Bill of Commissioner for West avenue. Finance Com.

PROPOSITION OF ROCHESTER GAS LIGHT CO.

A communication from the Rochester Gas Light Co., as follows:

To the Honorable the Mayor and Common Council of the City of Rochester:

The Directors of the Rochester Gas Light Company respectfully submit for your consideration the following plan for supplying the citizens of Rochester with gas. In many important particulars it is thought you may see in it a better mode of accomplishing the legitimate ends of a gas company, so far as the public is concerned, than by two companies conducted in the ordinary manner. The plan is as follows:

1st. This Company at an early day, say on the first day of July next, to reduce the price to private consumers to \$2.50, \$2.60, or such a rate as shall be judged, upon a careful estimate, adequate to yield a net income sufficient to maintain the works and to give to the stockholders a reasonable fixed dividend, to be agreed upon with the Common Council,

2d. Mains to be extended just as far, under the direction of the Common Council, as the fixed current gas rate will warrant the employment of increased capital for that purpose.

3d. If thought advisable by the Common Council, all special contracts to be canceled.

4th. The price of gas to be reduced from year to year as the consumption, and consequently the profits, increase, with a view to produce the smallest income sufficient to pay the fixed dividend (always the same) and maintain the works in permanent repair.

5th. Should any surplus happen to accrue, beyond the amount necessary to maintain the works permanently, after paying the fixed dividends, such surplus to be entirely at the disposal of the Common Council, to be employed either in extending mains or in reduction of the charges for public lamps.

In favor of this plan we respectfully submit the following considerations, viz:

1st. Gas can be produced and furnished, as will be obvious to all, cheaper by one Company than by two, by at least the amount of the income which a new company might claim upon their capital invested (be the same more or less) and the wages of a second set of hands, superintendent, bookkeepers, collectors, &c., &c.

2d. The public would not be subjected to the inconvenience and damage of again tearing up the improved streets where mains are already laid.

3d. Such of the stockholders in the old company who are not in the direction and who therefore cannot be considered as having forfeited their claims to your protection (a number of them being our fellow citizens depending in a great measure upon the income from their gas stock for subsistence) will be saved from the depreciating effect upon their interest which a contest between rival companies must produce.

4th. Consumers will be *permanently* supplied at much lower rates than they can expect from two companies performing with a double capital what can be much more economically effected by one, under the arrangement proposed.

5th. The dividends to stockholders being fixed and unchangeable they will have as consumers (nearly all of them being such) the same interest as the citizens at large in keeping the price of gas at the lowest practicable rate.

6th. All the objections to a monopoly will be removed without the necessity or the evils of competition.

Should this plan, or some other having the same objects in view, be adopted, it is thought that as the interests of all consumers, whether stockholders or not, will be the same in respect to *economical management*, it will only be necessary to have a Commissiouer on the part of the Common Council to look after the interests of all, with free access to the books and papers of the company, and periodical reports in detail, sworn to if needed, be presented to the public.

The Superintendent will have the same motives to stimulate him to a faithful performance of his duties as at present, the permanence of his position and salary in either case depending upon the satisfactory manner in which these duties are discharged.

The projectors of the new company having, doubtless, the public good chiefly at heart in their undertaking, and seeing as they must, in the above position, a far more economical and sure method of reaching this object (the public good), will willingly withdraw from the contest, with the honor of having, by their gallant assault, driven the old

company from its entrenchments and induced them to offer terms of the fairness of which the public shall be the judges. Should legislative action be necessary to give the requisite sanction and security to such an arrangement, it could without doubt be readily obtained with the concurrence of all the parties concerned.

By order of the Board of Directors.
L. Brooks, President.

L. A. WARD, Secretary.
Rochester, March 27, 1860.

Ald. Reynolds presented the Annual Report of the Treasurer. Referred to the Finance Com.

By Ald. Lewis—Petition of E. M. Day and J. Kaiser. Wood Building Com.

By Ald. Knapp—Superintendent's bill of disbursements for March. Street Com. Bill of Henry Fox. Fire Dep. Com.

By Ald. Stone—Bills of J. W. Phillips, J. R. Chamberlain, J. Child, A. J. Brackett, H. W. Jones, C. Jeffreys, E. H. Grover. Poor Com.

By Ald. Lutes—Report of Police Justice for February. Filed. Policemen's wages for March; bill of disbursements of Chief of Police; of J. Wi-born, as Special Policeman; of Mrs. Clemenson, Jno. Connor and E. McGookin. Police Com.

By Ald. Selye—Estimate of O. O. Otis. Improvement Committee.

REPORTS OF COMMITTEES.

ANNUAL REPORT OF POOR COMMITTEE.

By Ald Stone—The following Annual Report of the Committee on Support and Relief of the Poor:

The Committee on the Support and Relief of the Poor, would respectfully submit their annual report, as follows:

RECEIPTS.

Balance in Treasury, March 29th, 1859,.....	\$11,319 54
Received from H. Banker, late overseer,.....	210 00
" County Treasurer, excise,.....	6,084 00
" " H W Jones,.....	150 00
" " Jonathan Child,.....	268 00
	<hr/>
Total amount of disbursements since March 29th, 1859, to the present time,.....	\$10,069 19
Amount audited this night,.....	5,184 54
	<hr/>
	15 253 73
	<hr/>
Balance now in Treasury,.....	\$2,777 81
Of the above amount of expenditures the unsettled bills of last year should be deducted, amounting in all to,.....	\$1,067 17
Deduct also gratuities to charitable institutions given by this Board,.....	1,150 00
And we have the sum of \$13,036 56, as the real amount expended the present year.	
The actual condition of the Poor Fund at the present time,.....	\$2,777 81

There are no outstanding claims "pushed over" into next year, so as to present a favorable report. An unusual amount of sickness has prevailed among the poor, during the year. The sum we have paid for their burial, amounts to \$913 50.—Large as it is, no prudence, calculation, or penuriousness could have avoided this part of our expenses. Humanity, decency, every principle of right, would give a poor man or woman, a decent christian burial.

The number of families that applied for help in the month of February, reached the large number of 971. The amount expended the same month was \$2,457 67, only 63 cents a family per week, yet the aggregate was very large. Many of these families, were those of widows, who were making garments for a mere pittance—others were those of mechanics, out of employment, and had spent their last dollar, before they could make up their minds to apply for relief. Others, even Americans,

driven almost to desperation, at last asked for a load of wood, or a small lot of groceries.

Different Committees and Overseers of the Poor entertain opposite views in reference to the policy to be pursued. Some insist upon sending a large proportion of the applicants to the Poor House.—Why? Not because the city escapes the expenses incident upon their support, or in the end saves money, but because it helps the fund for the "time being," and makes the monthly reports less, while they get the credit of expending but a small sum, the great mass of the people never taking the trouble to make the figures, and demonstrating the truth.

The present Overseer and your Committee have taken the opposite view, and have acted in the matter accordingly. That we were right we will go back a few years, and present the figures, and see what it has cost the city to support and relieve the poor. We admit that the expenditures of the Poor Master have been much larger than those of his predecessors, still we claim that it has cost the city no more.

Am't expended in 1854-5, City Treasurer's book,.....	\$17,132 86
" assessed on the city, expenses county house,.....	5,336 30
" " " orphan asylum,.....	800 00
	<hr/>
Total cost to the city,.....	\$23,269 16
Am't expended in 1855-6, City Treasurer's book,.....	\$14,606 25
" assessed on the city, expenses county house,.....	6,608 53
" " " orphan asylum,.....	1,000 00
	<hr/>
Total cost to the city,.....	\$22,214 78
Am't expended in 1856-7, City Treasurer's book,.....	\$13,656 27
" assessed on the city, expenses county house,.....	6,974 34
" " " orphan asylum,.....	1,307 50
	<hr/>
Total cost to the city,.....	\$21,938 11
Am't expended in 1857-8, City Treasurer's book,.....	\$12,608 14
" assessed on the city, expenses county house,.....	8,806 09
" " " orphan asylum,.....	1,720 00
	<hr/>
Total cost to the city,.....	\$23,134 23
Am't expended in 1858-9, City Treasurer's book,.....	\$10,563 67
" assessed on the city, expenses county house,.....	8,407 73
" " " orphan asylum,.....	1,386 50
	<hr/>
Total cost to the city,.....	\$20,357 90
To the above should be added bills paid this year,.....	1,067 17
Am't expended in 1859-60, City Treasurer's book,.....	\$10,069 19
" ordered paid this night,.....	5,184 54
" to be assessed on the city, expenses county house,.....	5,605 16
" to be assessed on the city, estimated for orphan asylum,.....	1,386 50
	<hr/>
Total apparent cost to the city,.....	\$22,245 39
From this am't deduct unpaid bills, 1859, \$1,067 17	
And the sum of donations to charitable institutions,.....	1,150 00
	<hr/>
	2,217 17

And we have the sum total of the expenditures \$20,023 22 disbursements and liabilities of the Poor Department this year, and amount to be assessed next fall, as in former years.

Very few persons stop to reflect upon the "tangible benefits" the Poor Fund has received from the hands of the Excise Commissioners, they having paid into that Fund, in the last two years, the large sum of \$10,854 00; and of course the city has been relieved from just that amount of direct taxation. Any one familiar with the workings of the traffic in "alcoholic drinks," must award the Commissioners great praise in having done so much toward alleviating the misery caused by a traffic sustained by law, yet productive of so much poverty and distress.

As we have before stated the credit balance to the Poor Fund at this time is \$2,777 81, and if we had the usual amount of taxes other Committees have reported, there would be the largest credit balance ever reported, say \$14,777 18.

There may have been errors on the part of the Overseer of the Poor, but they have been on the side

of humanity and want. If there are any who think the amount expended large, and call it all extravagance to help these poor and needy beings who receive from our hands these charities, to such we would say, the Committee wish you could have listened to the following last sad lament of a starved dying child to her mother, and you would complain no more:

"Give me three grains of corn, mother.
Only three grains of corn;
It will keep the little life I have
Till the coming of the morn.
I dreamed of bread in my sleep, mother,
And the sight was sad to see,
I woke with an eager famishing life,
But you had no bread for me."

All of which is submitted.

N. A. STONE,
WM. MUDGE, JR. } Com.
H. BILLINGHURST. }

ANNUAL REPORT OF THE SEWER COMMITTEE.

By Ald. Shelton—The following Annual Report of the Sewer Committee:

The Committee upon Sewers ask leave to present to the Common Council a statement of the work completed and projected under their charge during the year last past.

It will be seen by reference to the table herewith annexed, that the amount of sewage for the year is as follows:

11,139	L. ft. of stone sewer with rock or plank bottom.
5,238	" of stone sewer with brick bottom inverted.
4,661	" Ohio tile sewer.
400	" plank sewer.

21,438 L. ft., or 4 miles 138 feet.

The average cost per foot has been, for the permanent sewers, \$1 26, or an aggregate of \$26,461-94.

Four hundred feet of plank sewer, laid for the purpose of draining the low lands in the 12th ward, has cost \$105.

The 4th, 7th and 12th wards outlet sewer was commenced at the close of navigation, with the expectation that it would be completed early this spring. This expectation has been disappointed. The water in the canal has been maintained at such a level as to flood the work almost continually; the water in the river has, during the whole winter, been at an unusually high mark, and has set back upon the work in such manner as materially to interfere with its progress. The amount expended upon the sewer to date, including \$190 paid for the right of way across private property, is \$1,131 90. The total amount expended for sewers is \$27,698 84.

There remains of the sewer in North St. Paul street to be completed 1480 ft., the advent of winter having compelled the contractor to suspend operations.

The committee in the table report simply the number of feet built and the moneys actually expended.

The committee believe that no sewers have been built during the year except such as were demanded for the public good and for the public health, and that although some at their conception were met with opposition, on account of apparent and in some cases really unequal taxation, yet the necessity and utility of each particular sewer has generally been conceded by the taxpayers. The committee have invariably directed that each sewer should be built as deep as the con-

formation of the ground and the point of discharge admitted, and believe that all have been constructed with a due regard to economy and permanence.

The committee would urge upon the Council the necessity of perfecting and carrying out a complete system of sewage. The longer it is put off the more it will cost. There is no reason why Rochester should not be perfectly drained. Wet ground, muddy streets, and pools of stagnant water manifest the want of foresight, or the carelessness and lack of enterprise and neatness on the part of its inhabitants. Much has been done the past season in constructing outlets. The St. Paul street sewer will drain the fifth ward north of the Railroad, and a portion of the sixth. The outlet sewer for the 4th, 7th and 12th wards will furnish a discharge for nearly all the undrained territory in those Wards. A bill is before the Legislature for the building of a sewer from Nelson street to a point below the first lock east, which, if passed, will effectually drain the eastern portion of the 12th Ward, and render it dry and healthy. The 1st and 3d Wards require the immediate construction of an outlet sewer, from Mumford street to the brink of the High Falls, thereby carrying out the original plan proposed by Gen. Swift and adopted by the Council in 1834. The 6th, and a portion of the 10th Wards demand the building of the Sewer known as the Railroad sewer. These outlets constructed, a thorough drainage can be obtained at an outlay which will be more than repaid in the saving of expenses consequent upon sickness caused by standing water and over-saturated ground.

The committee have caused maps and profiles to be made of all the sewers which have been built during the year, a reference to which, in the Surveyor's office, will enable one to ascertain the location and depth of any sewer at any point. As near as can be ascertained, it appears that there were in the city, previous to the year 1859, about 14 miles 1830 feet of sewers, to which add 4 miles 138 feet, constructed in 1859, makes the total of sewerage now in use, 18 miles 196 feet.

When the sewers at present under contract, and those for which ordinances have been passed, are completed, there will be 19 miles 3,593 feet. They are as follows:

Front street sewer, from Buffalo to Mumford street.....	1160
Gorham street, from Clinton to St. Paul.....	1350
South Avenue, from Alexander street to the outlet sewer, and in Comfort st., from Cayuga st. to South Avenue.....	1890
Unfinished portion of N. St. Paul st. sewer.....	1480
4th, 7th and 12th Wards' outlet sewer.....	1025

Total in lineal feet.....6905
or 1 3-10 miles.

Respectfully submitted.

GEO. SHELTON,
S. W. D. MOORE,
N. C. BRADSTREET.

Rochester, March 27, 1860.

STATEMENT OF THE SEWERS CONSTRUCTED DURING THE YEAR 1859.

DESIGNATION OF SEWER.	L'TH.	D'TH.	COST.
Asylum street, from near New Main to Alexander street. E. Watson, contractor Stone.....	1367	9½	1676 08
Atwater street, from North to Clinton street. R. R. Harris, contractor. Ohio tile, 1 ft diam.....	1750	7-12	1957 21
East avenue, from Prince street to the city line and down Goodman street. D. Wagner, contractor. Ohio tile.....	1632	8-10	1757 04

Allen and Warehouse, from near Railroad to Platt street. H. H. Quin, contractor. Stone, brick bottom.....	869	7½	959	03
Bowery street, from Chatam to Clinton street. P. Quin, contractor. Stone, brick bottom.....	744	9	877	02
Frank street, from near Brown to Platt street. Stroup & McConnell, contractors. Ohio tile, ft diam.....	579	10	877	12
Hill street, from Ford to Broad street. H. H. Quin, contractor.....	568	7	518	68
High street, from lot No. II, 100 acre tract to Spring street. J. Quin, contractor. Stone.....	490	5	475	00
Lyell street, from West to Moore street. O. H. Butler, contractor. Stone.....	273	9	255	50
Lyell, Orchard and Lime, from west line of the city to Saxton street. Stroup & McConnell. Stone.....	2750	8½	3091	30
La Fayette and Fitzhugh, from Montgomery Track to Exchange street. John Quin. Ohio tile.....	700	5-8	607	49
Mortimer street, from near Clinton to St. Paul street, from Stroup & McConnell. Stone, brick bottom.....	510	8	457	00
Main street, from Gibbs to Alexander-st. E. Watson, contractor. Stone, brick bottom.....	2650	8½	3080	09
Osage street, from near Centre to Platt street. N. Aylesworth. Stone.....	570	7	622	87
State street, from near Buffalo to Allen and Mumford street. D. McGarry, contractor. Stone.....	1165	14	3626	05
State street, from near Jay to White. D. Wagner, contractor. Stone.....	1076	10	1284	21
Smith street, from near Frank to State street. Jas. Campbell, contractor.—Stone, brick bottom.....	465	9	467	21
St. Paul street, north from Gorham to Scranton street. W. Carroll, contractor. Stone—in progress.....	2880	10-12	4173	04
4th, 7th and 12th wards outlet sewer.....			1131	90
	21,038		27,593	84
To which may be added for box sewer in the 12th ward.....	400		105	00
Total for the year.....	21,438		\$27,698	84

RECAPITULATION.

Length of stone sewer.....	11,139	feet
Length of stone sewer, brick bottom.....	5,238	feet
Length of tile sewer.....	4,661	feet
Average cost of 21,038 feet of permanent sewer per L. foot.....	\$1	26
Total length of all sewers constructed during the year.....	4 m. 138 ft	

By Ald. Lewis—From the Fire Department Committee, favorably on bills of N. Aylesworth, J. McMullen, C. Greene, Fairchild, Sherlock and Harris. Finance Com.

By Ald. Lutes—from the Police Committee, favorably on bills of Mrs. Clemenson, Jno. Connor and E. McGookin, C. H. Higgins, C. Schmink, P. Kies, J. Wiborn, policemen's wages, and disbursements of Chief of Police. Also, favorably on bill of Duryee & Forsyth Mfg Co. Finance Committee.

ANNUAL REPORT OF THE POLICE COMMITTEE.

Also, the following Annual Report of the Police Committee:

To the Hon. the Common Council:

GENTLEMEN:—The Committee on Police beg leave to submit the following report, exhibiting the condition of the fund under their charge:

The capital of the fund is.....	\$13,000	00
There has been paid into the fund during the year as follows:		
By fines paid by B. Bardwell, P. J.....	1,783	62
By fines p'd by Justices and Chief Police.....	73	00
Due from the County of Monroe.....	1,075	00
Paid by the County of Monroe.....	505	97
In hands of Police Justice, estimated.....	450	00

DISBURSEMENTS. \$16,887 59

Paid Policemen's wages.....	\$12,905	19
do Chief of Police, disbursements.....	396	54
do Jacob Strecker, for services.....	164	50
do for fuel.....	120	58

do for contingencies.....	129	55
do for Gas.....	73	02
do for Stationery and Printing.....	40	26
do carrying delinquents and truants.....	25	00
do for Locks for cells.....	24	60
do Medical attendance.....	17	00

\$13,896 24

To this sum is to be added the salary of the Police Justice.....	1,600	00
Amount due Policemen.....	1,176	91

Total Receipts from tax and fines.....	\$16,673	15
“ Disbursements.....	\$16,887	59
	16,673	15

Showing a credit balance of.....	\$214	44
The wages of 25 policemen at forty-four dollars per month, amount to.....	\$13,200	00
Salary of Chief of Police.....	800	00
“ Police Justice.....	1,600	00

\$15,600 00

Add Contingencies.....	900	00
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\$16,500 00

It will be seen from the above statement that the necessary expenses of the Police Department exceed the sum annually appropriated by more than \$3,000. In abatement of this excess, we have the fines received by the Justices, and the payments from the County Treasury. These sums are valuable in amount, and cannot be computed at over \$1,500 per annum. In view of these facts and in consideration of the probable increase of the police force as the growth of the city may require, your committee ask the attention of the Board to the propriety of an increase of the Police fund, and recommend the adoption of the following resolution,

Resolved, That the committee on Charter Amendments are hereby instructed to incorporate in the Revised Charter an amendment raising the Police Fund to \$15,000.

JOHN LUTES
J. C. MASON.

ANNUAL REPORT OF THE LAMP COMMITTEE.

By Ald. D. W. Perry—The following Annual Report of the Committee on Public Lamps:

To the Hon. the Common Council:

GENTLEMEN:—The Committee on Public Lamps beg leave to submit the following report of the receipts into and disbursements from the Fund under their administration, during the current fiscal year:

The fund annually raised by tax, for lighting the public lamps, &c., is.....	\$11,000	00
10 lamp-posts not used.....	160	00

DISBURSEMENTS. \$11,160 00

The payments from the fund have been as follows:

For lighting the public lamps.....	\$10,889	89
For lamp-posts—Wm. Kidd & Co.....	332	50
For glass for lamps—M. F. Reynolds.....	216	45
For repairs to lamps—Whaples & Roach.....	211	39
For new lamps—Siddons & Co.....	200	00
For “ “ “.....	22	69
For lighting lamps at Deep Hollow.....	36	06
“ “ Oak street.....	9	33

Showing a debit balance of.....	\$	758	31
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The whole number of public lamps now lighted is 491, an increase of 65 since the report of the Committee in 1859. The contract with the Gas Company was made upon what were considered quite favorable terms, being lower than the contract prices of the previous year; but the sum paid the Company has been greater per quarter, and the increase has apparently exceeded the ratio of increased service. For the quarter ending June 1st, 1858, \$2,356.79 was paid, and for the same quarter in 1859, with reduced rates, the sum paid was \$2,460.24. For the quarter ending in March, 1859, the charge to the fund was \$2,660.19; and for the same quarter the present year \$2,857.55.

It must be anticipated that the charges upon this fund will be increased, as the limits of the lamp district gradually widen, but it may be as reasonably expected, your Committee think, that the cost of the gas supply will be reduced, also, and the expenses thus kept within a reasonable limit; otherwise it will be expedient to provide for an increase of the Fund.

D. W. PERRY.
J. LUTES,
H. B. KNAPP.

REPORT OF THE CLERK OF THE MARKET.

Ald. Mason, from the Market Committee, presented the Annual Report of the Clerk of the Market, as follows:

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

The Clerk of the Market would respectfully Report: That during the past year, he received for market rents and licenses the sums hereinafter set forth, and has paid the same to the City Treasurer:

Amount received for rent of stalls, &c. in Centre Market.....	\$548 75
Amount received for licences of out-stalls.....	2,896 62
	\$3,445 37

The amount of the expenses for repairs to the Centre Market, incurred by me, is \$76 24.

The whole number of out-stalls having license is 46.

There is still remaining due and unpaid, on account of licenses for out-stalls, the following amounts:

J. Zimmer.....\$18 75	W. Law.....\$18 75
C. Hetzel..... 18 75	G. Bantell..... 18 75
Adler..... 37 50	Murr..... 18 75
J. H. Pool..... 25 00	J. Nagle..... 18 75
T. Peart..... 18 75	A. Nagle..... 25 00
Thorn & Bell... 18 75	Herzbergers... 18 75
	B. F. Crandall.. 18 75
	\$293 75

There are no suits at this time pending for non-payment of fees or violation of the market ordinances. Respectfully submitted.

FRED'K ALEXANDER, Clerk.

Dated March 27, 1860.

By Ald. Hollister—From the Wood Building Committee, in favor of petitions of Joseph Kaiser and A. Champion. Table.

By Ald. Hebard—From Contingent Expense Committee, favorably on bills of C. C. Stafford, J. Wentworth, S. Stoddard, G. N. Hotchin, Lewis Miles, M. Newhart, C. Shafer, M. Cavanaugh, J. Lutt, E. Norton; also, in favor of bills of Inspectors of Elections, and bills of Hebard, Tracey & Co., A. Nolte, A. Strong & Co., Kramer & Felix, Curtis, Butts & Co., J. Vanderbeck, W. Burke,

Heavey & McAnally, W. E. Lathrop, Alex. Allen, Finance Committee. Also, that bill of J. H. Dana and H. V. Steller be referred to Police Committee. Agreed to.

By Ald. Stone—From the Poor Committee, favorably on bills of H. Wray, E. H. Grover, Brewster & Smith, C. V. Jeffreys, Moore & Cole, R. Hart, D. W. Allen, B. Minges, I. H. Putnam, A. J. Brackett, H. W. Jones, J. B. Ward & Co., J. Howe, J. H. Child, J. W. Phillips, J. E. Butterfield, Geo. Darling, S. S. Pellet, Jona. King, J. Cochran, J. R. Chamberlain, A. Lathrop, J. M. Whitney & Co., H. Bender, Bernard O'Reilly, Wilder, Case & Co., Lewis & Phillips, and Jonathan Child. Finance Committee.

By Ald. Knapp—From the Street Committee, favorably on Superintendent's bill of disbursements, and of J. A. Smith, for constructing sidewalk on Litchfield street. Finance Committee.

By Ald. Butler—From City Property Committee, favorably on bill of E. Wray. Finance Committee.

COMMISSIONER OF THE TENTH WARD.

By Ald. Selye, from the Law Committee, the following report on the resolution for a special election for School Commissioner for the 10th ward:

The law Committee on the subject of the petition for a special election in the 10th Ward respectfully submit the following report:

At the recent charter election James Kingsley, Esq., was a candidate for the office of Commissioner of Common Schools for the 10th Ward. By mistake of the printer, his name was printed on the ballots James Kingsbury. The Board of Canvassers declared James Kingsbury elected—he having received a majority of all the votes cast in that ward. There is no such man in that ward as James Kingsbury. Mr. Kingsley received notice of his election, filed his acceptance of the office, took the oath of the office, and claims to be elected as such officer from the 10th Ward. No person claims the office adversely to Mr. Kingsley. It is conceded by all parties that he was the man intended by those who voted for Kingsbury.

Some people of that ward asked the Common Council to order a special election for that office, on the ground that it is now vacant, as they claim.

Your Committee are of opinion that the Common Council has no power to order a special election in this case, because, 1st. The Charter confers no such power, even if there was in fact a vacancy. Section 30 provides for filling vacancies, and is as follows:

"In case a vacancy shall occur in the office of 'any of the officers before named, except an Alderman, the Common Council may, in their discretion, fill such vacancy by the appointment of a suitable person who is an elector, and if appointed for a ward or district, who is a resident of 'the ward or district for which he shall be appointed.'" * * *

It seems by the Charter that the only case in which the Common Council has power to order a special election is when a vacancy occurs in the office of Alderman. [See section 28 of the Charter.]

A vacancy in any other office must be filled by the Common Council "in their discretion."

2d. There is no vacancy. Mr. Kingsley claims the office as a matter of right under color of an election. He has qualified, and claims to exercise the duties of such office. He is such officer *de facto*,

and claims to be *de jure*. Until some competent tribunal decides his claim to be unfounded, the office cannot be said to be vacant. The Common Council has certainly not the right to pass upon that question. It is a question of intention. If the voters intended Mr. Kingsley in voting for Kingsbury, then the office belongs to Kingsley, as a matter of right.

Mr. Kingsley has the right to have that question submitted to a jury. Any person can have Mr. Kingsley's right to the office determined by *quo warranto*, when it will be left to a jury to say whether a majority of the electors of the 10th ward meant to vote for him when they cast their votes for James Kingsbury.

There can be no doubt, that the result of such an adjudication would establish Mr. Kingsley's right to the office.

The acts of an officer *de facto* are valid so far as the public or third persons are concerned.

Your Committee are of the opinion that no action, at present, is necessary on the part of the Common Council.

J. VAN VOORHIS, Jr., City Attorney.
LEWIS SELVE,
S. W. D. MOORE.

By Ald. Selve, from the Law Committee, that the assessment against lots Nos. 11 and 12, in the Sibley & Field tract, is illegal and void, the assessment having been made to "Sisters of Charity," who are not known as individuals or as a corporate body. Table.

Also, from Improvement Committee, favorably on estimate of O. O. Otis. Finance Committee.

By Ald. Reynolds, from Improvement Committee, favorably on bill of Rathbun & Whitmore.—Finance Committee.

ACTION UPON ORDINANCES. SEWER IN STATE STREET.

By Ald. Shelton—Resolved, That the City Surveyor ascertain and report to this Board the expense of constructing a stone sewer two feet by two feet on the west side of State street, from a point twenty three feet south of the Central Railroad property to the State street sewer south of Allen street. Adopted.

The Surveyor submitted such estimate.
By Ald. Shelton—Resolved, That the following improvement is expedient, namely:

The construction of a stone sewer upon the west side of State street, from a point twenty three feet south of the south line of the New York Central Railroad property to the sewer in State st. south of Allen st.—to be two feet by two feet in size, and as deep as the conformation of the ground will admit.

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 \$443, which estimate is hereby approved.

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

One tier of lots upon the west side of State street, from the New York York Central Railroad to Allen street.

And the Clerk is hereby directed to publish a notice in pursuance of section 190 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 17th, 1880, at 7½ o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

IMPROVEMENT OF BOWERY STREET.

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

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

AN ORDINANCE to improve Bowery street.
The Common Council of the city of Rochester, having been requested by a majority of the owners of property to be assessed for the improvement hereinafter described, do ordain and determine as follows:

Bowery street, shall be improved, by setting a curbing of Medina stone upon each side thereof paving the gutters with cobble stone, and macadamizing the roadway; and also by laying sidewalks upon each side of the street, of Medina flagging four feet wide, laid in two courses, and the remainder of brick.

And the whole expense shall be defrayed by an assessed upon the owners and occupants of houses and lands to be benefitted thereby, and the city Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at \$7,556 which estimate, was and is hereby approved; The sum of \$7,556, 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 benefitted by said improvement is described as follows:

One tier of lots upon each side of Bowery street, from North street to Clinton street.

On which above described portion of the city, the said sum of \$7,556 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, Francis Dana, and Jared Coleman, the Assessors of said city, not interested in any of the property so benefitted, 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 Friday, the 30th day of March, 1880, at nine o'clock in the forenoon, at the office of the city Clerk.

Passed by the following vote:

Ayes—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, D. W. Perry, Moore, Knapp, Stone, Selve, Lutes, Jones, Shelton, Bauer, Mason, Billingshurst, Cushing—19.

Noes—None.

PLANK-WALK ON SAXTON STREET.

On motion of Ald. Selve, 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. Selve submitted the following:

AN ORDINANCE to construct a plank-walk on Saxton street, from Magne street to Wilder street.

The Common Council of the city of Rochester, having been requested by a majority of the owners of property to be assessed for the improvement hereinafter described, do ordain and determine as follows:

Saxton street shall be improved from Magne street to Wilder street, by grading the walks and laying a plank sidewalk four feet eight inches wide on each side thereof, and constructing a suitable number of crosswalks.

And the whole expense thereof shall be defrayed by an assessment upon the owners and occupants of houses and lands to be benefitted thereby, and the City Surveyor, under the direction of this Board, having made an estimate of such expense, and reported the same at \$1,112 00, which estimate was and is hereby approved. The sum of \$1,112 00, 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 benefitted by said improvement is described as follows:

One tier of lots on each side of Saxton st., from Magne street to Wilder street.

On which above described portion of the city, the said sum of \$1,112 is hereby ordered to be assessed.

And David McKay, Francis Dana and Jared Coleman, the Assessors of said city, not interested in any of the property so benefitted, 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 Friday, the 30th day of March, 1880, at nine o'clock in the forenoon, at the office of the city clerk.

Passed by the following vote:

Ayes—Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, D. W. Perry, Moore, Knapp, Stone, Selve, Lutes, Jones, Shelton, Bauer, Mason, Billingshurst, Cushing—19.

Noes—None.

IMPROVEMENT OF SPRING STREET.

Ald. Reynolds moved that the consideration of the final ordinance for the improvement of Spring street be postponed until the second regular meeting in April. Agreed to.

FLAG WALKS ON STATE STREET.

By Ald. Selye—Resolved, That the City Surveyor ascertain and report to this Board the expense of the improvement of State street, from Buffalo street to the south line of the New York Central Railroad track, by laying a sidewalk upon each side of the street, of Medina stone flagging, laid in three courses. Adopted.

The Surveyor submitted such estimate.

By Ald. Selye—Resolved, That the following improvement is expedient, namely:

The laying of Medina stone sidewalks upon each side of State street, from Buffalo street the south line of the New York Central Railroad track, the stone to be laid in three courses, and the walks to be of the same width as they are at present.

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 \$16,900, 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, namely:

One tier of lots upon the east side of State street, from Buffalo street to the north lines of the Waverley Hotel building; and upon the west side, from Buffalo street to the New York Central Railroad property.

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 190 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 17th, 1893, at half-past seven o'clock, at the Common Council Hall, when allegations will be heard. Adopted.

WIDENING STEVENS' ALLEY.

By Ald. Mudgett—Whereas, The Common Council did on the 13th day of March, 1860, pass an ordinance for the widening of Stevens' alley, and whereas the city Attorney was directed to publish the notice required by law, that application would be made to the County Court of the County of Monroe on Friday the 30th day of March at 10 o'clock in the forenoon of that day for the appointment of Commissioners to ascertain the damages and compensation the owners of lands required for the improvement would be entitled to, and whereas, the City Attorney has neglected to publish such notice as required by law, now, therefore, resolved, that 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 on Tuesday, the 17th day of April at 10 o'clock in the forenoon of that day, for the appointment of Commissioners to inquire into and determine what damages and compensation the owners of such lands to be taken, as set forth in the above mentioned ordinance, shall be entitled to for the same, and that he serve such notice as required by law. Adopted.

ASSESSMENTS.

Ald. Shelton presented the Assessment Roll for the construction of a sewer in South Avenue and Comfort street, and opportunity having been given for appeals thereon, on motion of Ald. Cushing further action thereon was postponed until the second regular meeting in April next.

Ald. Selye presented the assessment roll for the improvement of State street, and appeals having been heard at a previous meeting the said roll was confirmed by the following vote:

Ayes—Ald. Mudgett, Holmes, Reynolds, Hollister, Lewis, Hebard, D. W. Perry, Moore, Knapp, Stone, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billingshurst, Cushing, Butler.—19.

Ald. Selye presented the assessment roll for the improvement of Platt and Hill streets, and on motion of Ald. Butler, the consideration of said roll was postponed until the second regular meeting in April, when appeals will be heard.

Ald. Mudgett presented the assessment roll for widening Pindall Alley, and appeals having been heard thereon,

Ald. Holmes moved that the said roll be recommended to the assessors, for revision. Carried.

MISCELLANEOUS BUSINESS.

By Ald. Bauer—Resolved, That the inhabitants on each side of Saxton street have leave to construct their own side walks, within thirty days from this day, according to the ordinance passed this evening, and under the direction of the City Surveyor and Improvement Committee. Adopted.

By Ald. Mason—Resolved, That P. Iwig have leave to remove Wood Building, according to the prayer of his petition, under the direction of the Chief Engineer of the Fire Department.

Ald. Stone moved that the above resolution be laid upon the table. Carried.

By Ald. Mason—Resolved, That the Meat Market license granted to Simon Pilger on North Clinton street, be and is hereby transferred to Frederick Murr. Adopted.

By Ald. Shelton—Resolved—That the Clerk is hereby directed to publish, with the volume of proceedings of this Board, an index thereof, as prepared by him. Adopted.

By Ald. Shelton.—In pursuance of the report of the Grievance Committee in the matter of Thomas McLaughlin heretofore made,—Resolved—That the Mayor of the city of Rochester be and is hereby authorized to execute proper satisfaction of the three judgments therein named in favor of the City of Rochester upon the defendant paying \$50 into the city Treasury. Adopted.

FRONT STREET SEWER.

Ald. Shelton, from the Sewer Committee, presented the following list of bids for the construction of the sewer in Front street:

Jeremiah McCarty, per foot.....	\$6.50	planks \$14.
Bernard Huck.....	5.80	
John Clancy.....	5.75	
Christian Widman.....	5.68	
James Logan.....	5.35	
Geo. B. Allen.....	5.25	
Strong & McConnell.....	5.06	plank \$15.
E. Watson.....	4.95	
James Conway.....	4.85	
David Wagner.....	4.75	
John Quin.....	4.43	plank \$15.00
T. Purcell.....	4.00	
E. Hunt & Co.....	4.00	
Sam'l Buell.....	3.95	
D. McArty.....	3.50	
John Dalton.....	4.27	plank \$25.00

Ald. Jones moved that the contract be let to John Quin.

Ald. Butler moved as an amendment that the work be let to James Conway.

Ald. Hollister moved to amend the amendment so as to give the work to Stroup & McConnell.

Ald. Holmes moved that the whole matter be referred to the Sewer Committee, with power to act. Carried.

By Ald. Selye—Resolved, That the Treasurer be authorized to credit Buffalo street and Chili Road Improvement with the amount of assessment against the following lots, viz: Nos. 11 and 12, Sibley & Field tract, south side of Buffalo street, \$303.60, and lot No. 111, W. and N. part south side

Brown street, assessed to Peter Lockie, \$60.72, which assessments are hereby remitted, and charge erroneous assessments, in accordance with section 134 of the city charter. Adopted.

By Ald. Selye—Resolved, That the Treasurer be directed to credit Samuel C. Van Hoesen \$32.10 upon his assessment for the improvement of Lyell street; said Van Hoesen having been assessed for 27 feet front more than he owns, according to the terms of his deed. Adopted—ayes 16; noes 0.

Ald. Stone called up the following resolution, laid upon the table at the previous meeting, and moved its adoption:

Resolved, That the personal property of said corporation (the People's Gas Co.) shall be exempt from taxation for the period of three years from the 19th day of March, 1860.

Ald. Jones moved to amend, by adding as follows:

And that the personal property of the Rochester Gas Light Company be also exempted from taxation for a like period.

Ald. Holmes moved to amend by striking out "three years" and inserting "two years." Carried.

Ald. Jones' amendment was lost—ayes 3; noes 5.

Ald. Hollister moved to amend by striking out "two years" and inserting "one year." Lost—ayes 9; noes 9.

Ald. Stone's resolution as amended was adopted as follows:

Yeas—Ald. Mudgett, Butler, Lewis, Hebard, D. W. Perry, Moore, Knapp, Stone, Selye, Bauer, Mason, Billingshurst, Cushing—13.

Nays—Ald. Holmes, Reynolds, Hollister, Lutes, Jones—5.

By Ald. Hollister—Resolved, That A. Champion and Joseph Kisor have leave to erect wood buildings, according to the prayers of their several petitions, under the direction of the Chief Engineer of the Fire Department. Adopted.

By Ald. Reynolds—Resolved, That the City Clerk issue an order on the City Treasurer for four hundred ninety-three forty-one one hundredth dollars, payable to the order of O. O. Otis, in one year from the first day of February, 1860, with interest, on his contract for the improvement of Lyell street—and the City Treasurer is hereby authorized to accept the same on behalf of the city, and charge the same to Lyell Street Improvement Fund.—Adopted: ayes 18, noes 0.

By Ald. Reynolds—Resolved, That the Treasurer, be authorized to refund \$110,57-100 dollars pro rata to the tax payers for Bowery street sewer from Chatham to Clinton streets. Adopted: ayes 18, noes 0.

By Ald. Reynolds—Resolved, That the Treasurer be authorized to make the City's Note for ten thousand dollars, dated March 31st, 1860, payable at the Metropolitan Bank, in the City of New York, four months from date, and get the same discounted at the Monroe County Bank, and charge the discount to contingent fund; and that he also be directed to pay a note of the same amount, due that day. Adopted: ayes 18, noes 0.

By Ald. Reynolds—Resolved, That Jacob Gould be allowed to construct a side walk on Spring street, in front of his residence, in accordance with the ordinance relating thereto—to be constructed under the direction of the Improvement Committee, and on a grade to be established by the Common Council. Adopted.

By Ald. Reynolds—Resolved, That the balance of the McAdam stone on hand belonging to the city, be and the same is hereby transferred to the highway fund, and the street Superintendent is authorized to use it in the repair of streets need-

ing it, under the direction of the street committee, and the Superintendent is directed to collect all sums due the city for stone used, and place the same to the credit of highway fund. Adopted.

FINANCE BUDGET.

By Ald. Reynolds—Resolved, That the Treasurer pay as follows:

CONTINGENT FUND.		
S. W. D. Moore,	1 qrs salary as Mayor	\$375 00
W. E. Lathrop,	1 " " Treasurer	550 00
F. S. New,	1 " " Clerk	225 00
C. R. Babbitt,	1 " " Surveyor	425 00
H. A. Perry,	1 " " Messenger	125 00
C. T. Amsden,	1 " " Comptroller	50 00
F. Alexander,	1 " " Clerk of Markets	100 00
J. Van Voorhis,	1 " " Att. reny.	125 00
F. Dana,	1 month salary as Assessor	83 33
D. McKay,	1 " " "	83 33
J. Coleman,	1 " " "	83 33

WARDS.

1st—C. C. Stafford,	use rooms, Spring Election, 1860,	30 00
2d—J. Wentworth,	do do do	20 00
3d—Sam'l Stoddard,	do do do	20 00
5th—G. N. Hotchkiss,	do do do	30 00
6th—Jacob Lutes,	do do do	20 00
7th—Lewis Miles,	do do do	20 00
8th—M. Cavanaugh,	do do do	20 00
9th—E. Norton,	do do do	20 00
10th—Mich'l Newhart,	do do do	20 00
11th—C. Schuster,	do do do	20 00
1st—Inspectors and Registrars,	services at last Elec.	50 00
2d—do do do do	do do do	50 00
3d—do do do do	do do do	50 00
4th—do do do do	do do do	52 50
6th—do do do do	do do do	55 00
7th—do do do do	do do do	42 00
8th—do do do do	do do do	50 00
9th—do do do do	do do do	50 00
10th—do do do do	do do do	55 00
11th—do do do do	do do do	50 00
12th—do do do do	do do do	42 00
Hebard, Tracy & Co.,	printing and advertising	188 10
Adolphe Nolte	publishing proceedings, pr contract	75 00
A. Strong & Co,	publishing proceedings and advertising, &c.	353 57
Kramer & Felix,	publishing proceedings, as pr contract	75 00
Curtis, Butts & Co,	publishing proceedings, advertising and printing	368 25
J. Vanderbeck,	for father-duster and office basket	3 25
Wm Burke,	nails, hinges and brass bolt for the City Hall	81
Heavy & McAnally,	for horse hire	1 00
W. E. Lathrop,	repairs, and articles for Treasurer's office	27 25
Alex. Allen,	taking charge of city clocks, as pr contract	37 50
Elijah Wray,	locks and keys for City Hall, and charge Contingent Fund.	15 00

POOR FUND.

H. W. Jones,	4 bills groceries and orders	245 62
Less amount of his note,		140 00
Moore & Cole,	2 bills groceries and orders	355 42
Brewster & Smith,	2 bills " " "	975 39
Joseph Cochrane,	1 " " "	3 44
E. H. Grover,	shoes, Poor Master's orders	173 49
A. J. Brackett,	paid do do	12 00
Wilder, Case & Co,	paid Poor Master's orders	5 00
George Darling,	transportation of paupers	11 36
J. E. Butterfield,	" "	6 85
S. S. Pellett,	" "	39 93
Jonathan King,	repairs at office	6 23
Henry Wray,	potatoes for paupers	13 50
J. M. Whitney & Co,	flour and meal	202 92
I. H. Putnam	" "	321 25
Jacob Howe,	bread and crackers	338 05
Jonathan Child,	bill of disbursements	94 05
R. Hart,	two bills of coal	185 02
J. B. Ward & Co,	bills of coal	61 37
J. R. Chamberlain,	do	22 50
Bernard O'Riley,	undertakers' services	138 00
C. V. Jeffreys,	" "	93 00
Henry Bender & Co,	" "	23 50
B. Mirges,	" "	23 50
D. W. Allen,	" "	26 00
J. H. Child,	2 months' salary	50 00
Alba Lathrop,	bill of costs in bastardy suit, City vs Arndt	20 00
Jonathan Childs,	1 qrs salary as Overseer	275 00
Azel Backus,	" " " City Physician	62 50
T. F. Hall,	" " " "	62 50
H. B. Sherman,	" " " "	62 50
T. B. Collins,	" " " "	62 50
G. Arink,	" " " "	62 50
F. Reichenbach,	" " " "	62 50
J. W. Phillips,	bill of wood	521 50
Lewis & Phillips	do	379 13
and charge Poor Fund.		

FIRE DEPARTMENT FUND.

Charles Green, ringing alarm bells.....	28 75
John McMullen, cartage.....	16 00
Norman Aylsworth, repairs.....	67 72
and charge Fire Department fund.	
Fairchild, Sherlock & Harris, in full for balance due on their contract for laying water-pipes and building reservoirs in State st, when there is money in the treasury applicable to that purpose.....	665 16
and charge that fund.	

POLICE FUND.

J Tracy, bill for ice at Police office.....	25 00
E J Keeney, bill of disbursements.....	25 79
John Wyborn, bill for services as Special Policeman, payable to Simon L Brewster.....	20 46
Christopher Smink, services as Special Policeman.....	2 00
Philip Kies, " " " ".....	2 00
C H Higgins, " " " ".....	2 00
John Conner, " " " ".....	2 00
Edward McGookin, " " " ".....	2 00
Mrs. Clemenson, bill for refreshments at Watch-house.....	11 81
Durree & Forsyth Manufacturing Co, bill for safe for Police-office.....	110 00
E. J. Keeney, Chief of Police, 1 month's salary for March.....	66 66
P. B. Wilder, services as Policeman, 1 month.....	44 00
L. Johnson, " " " ".....	44 00
B. B. Leap, " " " ".....	44 00
Wm. Coughlin, " " " ".....	44 00
A. Kingsbury, " " " ".....	44 00
A. M. Brownell, " " " ".....	44 00
R. W. Goodrich, " " " ".....	44 00
J. Dresser, " " " ".....	44 00
G. C. Pease, " " " ".....	44 00
J. C. Hagle, " " " ".....	44 00
J. C. Lauer, " " " ".....	44 00
H. Jordan, " " " ".....	44 00
John H. Dana, " " " ".....	44 00
Alvah Rice, " " " ".....	44 00
Paul Gilman, " " " ".....	44 00
H. V. Steller, " " " ".....	44 00
Thomas Campbell, " " " ".....	44 00
Thomas Callister, " " " ".....	44 00
John S. Stott, " " " ".....	44 00
A. Wagner, " " " ".....	44 00
Peter Koons, " " " ".....	44 00
Seymour Coley, " " " ".....	44 00
H. McQuatters, " " " ".....	44 00
Bernard Horcheler, " " " ".....	44 00
J Parshat, " half month.....	22 00
and charge Police Fund.	

HIGHWAY FUND.

R D Howell, 1 yrs salary as City Supt.....	250 00
R D Howell, bill of disbursements for March.....	490 05
and charge Highway Fund.	
John A Smith, bill for constructing plank walk on Litchfield street, payable to Wm H Clark.....	233 48
and charge Litchfield-st Improvement Fund.	

WEST AVENUE FUND.

F B Knapp, bill of disbursements as Commissioner for West avenue.....	29 76
and charge that fund.	
M Briggs, bill for grates at the intersection of Lyell and State sts.....	31 50
and charge Lyell-st Improvement Fund.	
All payable on and after the third day of April next.	

Ald. Jones moved to amend the item of payment to C. C. Stafford, by striking out \$30, and inserting \$37. Carried; ayes 13, nays 5.

Ald. Knapp moved to amend by increasing the sum awarded to M. Cavanaugh to \$25.

Ald. Mason moved to amend the amendment, by increasing the sum to be paid to the keepers of polling-places in the 2d, 5th, 9th, 10th, 11th and 12th wards, to \$25. Lost; ayes 7, nays 11.

Ald. Knapp's amendment was lost; ayes 8, nays 10.

The Finance Budget, as amended, was adopted; ayes 18, nays 0.

By Ald. Reynolds—Resolved, That the City Clerk is hereby directed to draw an order upon the City Treasurer in favor of Rathbun & Whitmore, for eighty-seven dollars and thirty-two cents, balance due them for the improvement of Greig street, and charge \$55.60 to Greig street flag walk and \$31.72 to Greig street improvement funds.—Adopted; ayes 18, nays 0.

CONSTABLE FOR THE SECOND WARD.

On motion of Ald. Butler, the Board proceeded to ballot for the appointment of a Constable for the Second Ward, in place of John Dawley, who has failed to comply with the requisitions of the Charter.

Morris Bortle received 16 votes and John Dawley 1 vote.

Morris Bortle was declared duly appointed such Constable.

Ald. Reynolds moved that when the Board adjourns, it adjourn until Friday evening next, at 7½ o'clock. Carried; and the Board then adjourned.
F. S. REW, Clerk.

In Common Council—March 30, 1860.

ADJOURNED MEETING.

Present—The Mayor, Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, D. W. Perry, Moore, Knapp, Stoue, Selye, Lutes, Jones, Shelton, Bauer, Mason, Billinghurst.

Absent—Ald. G. W. Perry, Twitchell, Bradstreet, Nash, Erickson, Cushing.

The proceedings of the previous meeting were approved.

PETITIONS AND CLAIMS.

By Ald. Reynolds—Bills of Adolphus Morse and R. Gorsline. Improvement Committee.

By Ald. Hebard—Bills of Inspectors of the Fifth Ward, and James Palmer. Contingent Expense Committee.

By Ald. Butler—Estimate of Rathbun and Whitmore. City Property Committee.

REPORTS OF COMMITTEES.

By Ald. Lewis—The following

ANNUAL REPORT OF THE FIRE DEPARTMENT COMMITTEE.

To his Honor the Mayor and Common Council of the City of Rochester:

GENTLEMEN:—The Committee on Fire Department respectfully report: That by the report of the committee of a former Board, submitted March 29, 1859, the Fire Department fund at that date was in arrears in the sum of.....	\$377 46
The claims at that date which were audited, but not paid, were estimated by the committee at.....	3,960 81
The committee had at that date an engine under contract the contract price of which was.....	1,583 50

Making an estimated deficiency at that date of.....

\$5,921 77	
The receipts of this fund for the current year have been:	
From general city tax.....	\$15,000 00
From 2 per cent. tax on foreign insurance companies.....	1,182 06
From stone sold.....	8 44

\$16,190 50

The total amount charged to the fund to date, including the deficit at the commencement of the current year, is \$21,717 14
The amount estimated due on bills not yet audited, for bell ringing, oil, use of hydrant at fire and to fill reservoirs, and for repairs and supplies for Department, is.....

350 00

The amount due on the 1st proximo for salaries of Engineers and Superintendent of Hose Depot, quarterly appropriations to Fire Companies, and rent of carriage houses and hose depot, is..... 1,679 16

Total expenditure and accrued liability for the year.....\$23,746 30
Deduct deficit reported March 30, 1859, 5,921 77

Current expenses for the year.....\$17,824 53
The current expenses of the Department during the past year have been augmented by the unusual amount of duty performed. The number of fires occurring during the year has been greater than in any previous year, and the bills for repairs to apparatus have been necessarily increased in about a like ratio. The bills for bell ringing have been increased by the additional number of fires from \$495 25, the amount in 1858-9, as per Report, to \$1,028 50, the amount paid and due for the current year.

The fund has borne during the current year the cost of several items of expenditure necessary under the present organization of the Department which are not properly classifiable as current expenses, the benefit of the expenditure extending over several years. Among the items are
2,250 feet of first class hose, costing.....\$2,250
Hose Carriage No. 1, and charges..... 750
Sack and Bucket Carriage No. 1..... 600
Implements for Protectives..... 400
Furniture for Fire Engines and Carriage Houses, \$200 each..... 1,000
Building frame engine house No. 5..... 350
Fitting up engine house No. 8..... 130
Rebuilding Hook and Ladder Truck No. 1..... 70
Three sets new bob sleighs for engines..... 100

Making a total of.....\$5,650
Besides the Engine No. 3, under contract at the beginning of the current year, included in the deficit reported by the former committee.

The experience of the past two years has shown conclusively to your committee that our existing Fire Department can not be maintained properly, and in its present state of efficiency, upon a less sum than \$15,000, which is a less sum than it costs other cities to maintain Departments of the size of ours. The city has now a Fire Department consisting of twelve Fire Companies of the different branches of the Department.

The previously existing Department, which it became necessary to disband in 1853, consisted of eight Companies, and was maintained at an average annual cost of \$10,000.

The cost of maintaining the present Department, it will be seen, is in direct relation to the increase of the number of Companies and the numerical strength of the Department.

Your committee would renew the recommendation of their predecessors that the Fire Department fund should be permanently increased to \$15,000, as also the opinion expressed by that committee that until the city is supplied with water works the force should not in any manner be reduced.

The members of your committee have felt it incumbent upon them to take an active interest in the working of the Department under the existing organization, and in surrendering to the Common Council the trust reposed in them, take the occasion to point with feelings of gratification to the existing Fire Department of Rochester, feeling

confident, as they do, that the city has never possessed a Fire Department so thoroughly organized, so well disciplined, or so efficient in the extinguishment of fires, as the present force.

Respectfully submitted,

GEO. W. LEWIS,
D. W. PERRY,
B. BUTLER.

Dated March 30, 1860.

By Ald. Lewis—Favorably on monthly reports of Fire Companies. Confirmed.

By Ald. Hebard, from the Contingent Expense Committee, favorably on bills of Inspectors of 5th Ward and James Palmer. Finance Committee.

Also, the following

ANNUAL REPORT OF THE CONTINGENT EXPENSE COMMITTEE.

To the Hon. the Mayor and Common Council:

GENTLEMEN:—The Contingent Expense Committee beg leave to submit the following Report of the condition of the Contingent Fund at the present time:

By the report of your committee at the commencement of the fiscal year, it will appear that at that time there was a credit balance of \$451,61, but at subsequent meetings of the Common Council, payments were made from the fund, of sufficient amounts to absorb that balance and actually leave the fund in debt.

Amount raised by general tax.....	\$10,000 00
“ Cr. to the fund.....	451 61
“ received from market licenses.....	3,445 37
“ “ “ hack “.....	191 00
“ “ “ cart “.....	79 00
“ “ “ undertakers.....	50 00
“ “ “ pawnbrokers.....	20 00
“ Miscellaneous Crs.....	8,733 88

\$22,970 86

The disbursements from the fund during the year and up to the present date, are as follows:

Paid on salaries of city officers.....	\$12,600 00
Election expenses.....	1,800 00
Extra compensation to former City Clk.....	300 00
For Fourth of July celebration.....	484 80
“ Legal opinions and services.....	665 00
“ gallery in law library.....	160 00
“ painting Jones' Square fence.....	200 00
“ extra printing done in 1857.....	220 00
“ compensation to B. Sperl.....	200 00
“ “ Reporters.....	250 00
“ settlement of McDermott's claim.....	261 75
“ expenses of ex-Mayor Allen's funeral.....	85 50
“ costs in suit of People vs. Barrons.....	65 00
“ City Directories.....	50 00
“ Attorney's disbursements.....	114 86
“ Miscellaneous expenditures.....	3,301 67

Total.....\$20,758 58

Leaving a balance in the treasury Cr. to the fund, of.....\$2,212 28

The Board will observe several items of no small amounts, charged to this Fund, which it has not been called upon to bear in previous years. It certainly cannot be alleged against this Board that it has been illiberal in settling the different claims made upon its funds, it even having gone so far as to pay some claims refused by former Boards.

The extra compensation allowed to previous city officers, and the increase of salaries granted the present year, amount to \$1200. For legal opinions and other services of counsel, the large

sum of \$665 has been paid, in addition to the regular salary of City Attorney. Also, an appropriation for the benefit of the Press Reporters, and the painting of Jones' Square fence, are entirely new items to the Contingent Fund.

It is fortunate that the resources of a fund, which has to bear so various burthens, and is compelled to eke out the short comings of other funds, are considerable, arising from general and special taxes.

Your committee are gratified in being able to show a fair credit balance at the close of the fiscal year, of a fund, after paying all claims against it, ordinarily largely overdrawn.

HENRY S. HEBARD, } Committee.
B. BUTLER, }

By Ald. Butler, from committee on City Property, favorably on estimate of Rathbun & Whitmore. Finance Committee.

By Ald. Hollister, from Wood Building Committee, favorably on petition of E. M. Day. Table.

By Ald. Reynolds, from Improvement Committee, favorably on bills of Adolphus Morse and R. Gorsline. Finance Committee.

Also, the following

ANNUAL REPORT OF THE FINANCE COMMITTEE.
To the Hon. Common Council of the City of Rochester:

The Finance Committee, to whom was referred the Treasurer's report for examination, respectfully report that they have given such examination as the time intervening since its reference, would permit, and present it herewith as a correct abstract of the Treasurer's ledger.—Your Committee has not had time to enter into a minute and detailed examination of the books of the Treasurer item by item through the various books and in the transaction of the business of his office, as that is a work of patient toil for days—and if done at all, must in the present case be performed by our successors.

In 1858, bonds to the amount of \$50,000 were issued to pay the floating debt of the city, as it existed on the first day of April, 1858. There has been charged to that account for debts and deficiencies existing prior to that time the sum of \$31,345 48, leaving a balance to the credit of the fund of \$18,654 52. There are debit balances against various improvement funds, now on the Treasurer's books, accruing prior to April 1, 1858, to the amount of \$16,577 16, and other liabilities against the city, audited but not paid, accruing prior to that time of about \$2,000, amounting in the aggregate to about the credit balance of floating debt account. A considerable portion of these balances are unpaid assessments for Main street opening, Main street bridge, and side walk improvements, Court and William, Platt, and Mumford streets sewers. There was a deficiency in the amount assessed for Brown street improvement, east section, of about \$2,000—in State street improvement, from Platt to Jay streets, of \$1,823 28, and in the Buffalo street and Chili Road improvement of between \$1,500 and \$2,000, for which no re-assessments have been made, and it will be for the Common Council to determine whether any, and which of these balances shall be made the subject of re-assessments.

Several of the general funds were overdrawn.
Viz: Fire Department Fund.....\$5,276 51
" Highways..... 455 55
" Police..... 941 08
To which must be added the payments ordered chargeable to those funds since March 9th, the date of the Treasurer's report.

The funded debt of the city amounts to \$113,000, and is due as follows:

In 1860.....	\$5,000
1861.....	5,000
1862.....	13,000
1864.....	25,000
1866.....	5,000
1868.....	5,000
1870.....	30,000
1872.....	15,000
1873.....	10,000

The bonded debt amounts to \$415,000, and is due as follows:

In 1860.....	\$3,000
1861.....	5,000
1862.....	5,000
1863.....	6,000
1864.....	2,000
1865.....	5,000
1866.....	2,000
1867.....	5,000
1868.....	2,000
1869.....	5,000
1870.....	2,000
1871.....	2 000
1872.....	2,000
1873.....	262,000
1876.....	40,000
1877.....	50,000
1878.....	17,000

Provision is made by law in a special 2 per cent tax, amounting annually to \$3,560, for the payment of the funded debt, but the sum is insufficient to meet the bonds, as they will be maturing during the next ten years, and the amount ought to be increased.

But a small portion of the bonded debt has any specific provision in the law creating it, for its payment, and it appears to your Committee important that a sinking fund should be provided to meet this debt as it matures, or at least the greater portion of it. Unless some such provision is made, where the large sums maturing in 1873 and the several years following, the bonds will have to be renewed, as it will be found impracticable to put any such large sums in the tax levy of a single year.

But as the members of the Board and citizens who feel an interest in the subject, will doubtless consult the Treasurer's Report when published, it is perhaps unnecessary for your Committee to enlarge upon the subject. All of which is respectfully submitted.

WM. A. REYNOLDS, Ch'n.
W. F. HOLMES.

ANNUAL REPORT OF IMPROVEMENT COMMITTEE.

By Ald. Selye, from the Improvement Committee, the following report:

Gentlemen of the Common Council:

The Improvement Committee take this occasion, the close of the term of office of a portion of its members, to submit to the Common Council a brief report of the improvements made by ordinance of this Board, under their supervision, during the years 1858 and 1859; also, the aggregate amount of improvement made in 1856-7-8-9, showing the kind of improvement and the cost, together with a summary, which has been prepared with care and labor by our most worthy and efficient Engineer and Surveyor, of all the street improvements made in 26 years, since the city received its charter, to which is added a list of the improvements projected and for which a part of the contracts have been made dur-

ing the four years ending April 1, 1860. A portion of the committee have been officially connected with the improvements specified. A large amount of flag stone walks have been constructed by individual enterprise, the cost or extent of which has not been taken into consideration in this report.

DEEP HOLLOW CULVERT.

The Improvement Committee, in originating the improvement of Deep Hollow, claim to have taken all the precaution they could have taken had the cost of the work been chargeable solely to themselves. Numerous plans were made and considered. Mr. Whipple, the bridge builder, of Albany, was consulted as to the propriety of building a Whipple bridge, and after having examined the locality, although a bridge builder, advised the plan adopted by the committee.

The improvement of Deep Hollow is a matter in which the people have a deep interest, and about which many misrepresentations have been made. The committee are of the opinion that the publication of items constituting the cost, would give more general satisfaction to the tax-payers, than any thing they might say,—inasmuch as such a statement will show simple facts, which cannot be misunderstood. The committee do not pretend but that the cost of the work has exceeded the original estimate quite too much, but the excess is not chargeable to higher prices paid than was estimated in the beginning, but the quantity of the different kinds of work necessary for the improvement, largely exceeds the first estimate. When it is considered that the extent of this improvement is in length 180 feet, and the depth about 60 feet, and about 150 feet wide upon the base, it will be readily seen that the amount of masonry, excavation and embankment, must be very large. It is, perhaps, proper that the committee should here state the fact that the whole amount paid to Mr. Conway, the contractor, was paid by estimate, and measurement made from time to time by the City Surveyor as not otherwise, and the correctness of which estimates and measurements the committee have no reason to doubt, and therefore are not rightly chargeable with having paid more than necessary or more than the contract price.

The following is a copy of the final estimate, which includes all the work and materials furnished by Mr. Conway, the contractor, and the prices, quantities and the aggregate amount paid, to which the public attention is invited.

This was all that was provided for in the contract. The remainder of the work, as it was uncertain how much would be done and how the funds are to be raised, the committee thought best to have done by the day, and therefore employed Mr. Richard Gosline to take charge of the job.—The work performed by Mr. Gosline amounts to \$4,631.18, which completes it, ready for the sidewalks and re-improvement of the street.

LEWIS SELYE,
W. A. REYNOLDS,
H. S. HEBARD,
S. W. D. MOORE.

FINAL ESTIMATE OF SURVEYOR.

THE CITY OF ROCHESTER		To	JAMES CONWAY,	Dr.
For 17,187 c. yds. of excavation,	at 13c.			\$2,234 31
17,300 "	embankment,	13c.		2,249 00
374 "	masonry in arch,	\$10.		3,740 00
388 89 "	" bench walls,	\$5.		1,944 45
1065.50 "	" w. protection,	\$5.		5,327 50
1447.30 "	" e. protection,	\$5.		7,236 50
72.50 "	" coping,	\$5.		362 50
Bailing and draining.....				50 00
				<hr/>
				\$23,144 26

Allowed, as per agreement with committee, in full for all extra work, material, interest and other claims and charges..... 559 91

\$23,704 17

Deduct for change from Lockport to River stone in protection walls, as per agreement, the arches and bench walls having been built of Lockport stone..... 1,000 00

\$22,704 17

Deduct former payments..... 13,300 00

\$9,404 17

I certify that the above estimate amounting to the sum of nine thousand four hundred and four dollars and seventeen cents, is correct as specified, according to the best of my knowledge and belief,

CHARLES R. BABBITT,
City Surveyor.

The following items were paid on account of Deep Hollow, as per annexed statement:

Paid for work on Burns street, to be used during the progress of work on Deep Hollow.....	\$500 18
Surveying and inspecting.....	841 90
S. Whipple, for expenses from Albany, to estimate on iron bridge.....	20 00
Discount on note to J. Conway.....	59 75
Printing and templates.....	41 75
Temporary roadway for winter.....	173 13
Deficiency in Deep Hollow widening.....	37 97
	<hr/>
	\$1,674 68

Add amount paid R. Gosline, as per report..... 4,651 18
" J. Conway in full on contract, as per the above estimate..... 22,704 17

Total amount of cost of Deep Hollow Improv't. \$29,010 03

IMPROVEMENTS PROJECTED AND COMPLETED DURING THE YEAR 1858.

State street, from the Railroad to Platt street, full improvement, Lockport stone, Rathbun & Whitmore contractors.....	\$6,416 93
Buffalo street and Chili road, paving with cobble stone and McAdamizing roadway, S. Buell.....	18,489 94
Andrews street, from Genesee river to St. Paul st., Medina stone paving and brick walks, Allen & Stuart.....	4,091 11
Sophia street, from Allen to Centre, Medina paving and brick walks, D. Wagner.....	1,158 97
South street, grading and plank walks, Dr. Shipman.....	278 00
Meigs street, grading, J. Kayle.....	734 40
Ambrose street, grading, P. Springstead.....	386 23
Helps avenue, plank walk.....	209 00
Buffalo st. brick walk in front of the Hospital lot.....	325 00
Scio street, East avenue to New Main street, plank walks.....	565 00
Mill street, plank walk.....	487 00
Frank street, from Brown to Lyell, plank walks.....	1,155 00
Pearl street from Griffith to Nelson, plank walks, 2,634 03	
Alexander street, from East avenue to Monroe.....	200 44
Buffalo street, plank sidewalk, Sibley & Field tract.....	121 00
	<hr/>
	\$35,252 04

IMPROVEMENTS PROJECTED AND COMPLETED DURING THE YEAR 1859.

Mill street, from Exchange Place to Mumford st., flag sidewalks and Lockport paving, Rathbun & Whitmore.....	6,932 32
East avenue, from Main st. to the city line, paving with cobble stone McAdamizing roadway, D. Wagner.....	14,115 00
East avenue, from Main street to city line, flag sidewalks, Rathbun & Whitmore—in progress.....	6,300 00
Franklin street, paving, McAdamizing and flag walks from Andrews st. to St. Paul st., Allen & Stuart.....	3,191 52
Lyell street, paving and McAdamizing, from State street to city line, D. O. Otis—in progress.....	9,600 00
North street, paving, McAdamizing and flag walks Riley st. to railroad, J. Dalton—in progress.....	4,500 00
State street, paving and McAdamizing, from Jay to Smith street, James Logan.....	2,951 00
Greig street, from Glasgow to Clarissa street, paving, McAdamizing and flag sidewalks, Rathbun & Whitmore.....	4,476 87
Temple street, paving, graveling and plank sidewalks from O'Connell to Lancaster street, Rathbun & Whitmore.....	1,100 00
Exchange street, from Erie Canal to Court street, flag and brick side walks, Stroup & McConnell.....	884 00
North St. Paul street, from near Andrews to River street, flag side walks, D. Wagner.....	508 00
Mumford street, from Mill street to the River, flag and brick side walks, Allen & Stuart.....	524 00

Cross walks and paving at the intersection of Mill and Mumford streets, Rathbun & Whitmore.....	733 00
State street: flag walks from Railroad to Furnace street, Rathbun & Whitmore.....	492 00
Canal street: flag side walks from Buffalo to near Maple street, built by proprietors.....	2,000 00
Flag walks around Brown's Square.....	2,281 89
Hudson street from North to Bardwell, grading and plank walks, J. Dalton.....	495 00
Emmett street, from Ward to Sand street, grading and plank walks, from Clinton to St Paul street, grading and plank walks, Geo. W. Herberser.....	867 00
Frances street, from Buffalo to Clifton street, grading and plank walks, P. Quin.....	312 00
Frances street, from Bartlett to Hurter street, grading and plank walks, R. Drausfeld.....	764 86
Edinburgh street, from Plymouth Avenue to Exchange street, grading and plank walks, R. W. Underhill.....	293 00
Riley street, from Main to Scio street, grading and plank walks, J. Dalton, in progress.....	200 00
Washington street, from Buffalo to Canal street, plank walk, each side, J. Dalton.....	59 81
West street, from Bowers to Chatham street, plank walk on west side, J. Dalton.....	82 43
State street, from Vincent Park to Amrose street, plank walk on east side, R. W. Underhill.....	212 80
Smith street, from Oak to Whitney street, plank walks, J. Dalton.....	1,149 47
Oak street, from Allen to Jay street, plank walk on the west side, R. W. Underhill.....	372 66
Glasgow street, from High to Exchange street, plank walk on north side, R. W. Underhill.....	272 17
High street, from Troup street to Erie Canal, plank walk on west side, Thos. Purcell.....	213 03
Main street, from Asylum street to Railroad, plank walk on south side.....	1,032 17
Total for 1859.....	\$68,917 61

AMOUNT OF IMPROVEMENTS DURING THE YEARS

1856, 1857, 1858 and 1859.		
Plank walks.....	20 miles,	892 feet.
Brick walks.....		433 do
Flag walks.....	3 do	1324 do
Grading.....	8 do	892 do
Paving and McAdam.....	6 do	2899 do
McAdamizing.....	1 do	47 do
Cobble and Medina.....		4750 do
Medina paving.....		3504 do
At a cost in 1856 of.....	36,757 44	
" " 1857.....	48,585 16	
" " 1858.....	35,252 04	
" " 1859.....	66,917 13	
	\$187,511 77	

During the past 26 years the improvements amount as follows:

Medina stone pavement.....	1 mile,	3935 feet.	\$48,317
Cobble ".....	1 do	3910 do	27,060
McAdamized streets.....	17 do	3630 do	205,693
Plank side walks.....	67 do	1011 do	75,126
Brick side walks.....	17 do	2559 do	92,319
Flag side walks.....	3 do	1324 do	19,437
			\$468,552

Ordinances for the following improvements have been passed and the contracts let:

State street, from Buffalo street to the New York Central Railroad, Rathbun & Whitmore contractors; Medina pavement, 14.0 feet.....	\$10,570 00
Platt street, from State to lot No. 62 in the Canal tract, on Hill street, McFarlin & McCormick contractors; cobble stone pavement and McAdam roadway, 2220 feet.....	7,362 00
	\$17,932 00

Improvements for which ordinances have been passed; contracts for which have not been let:

Front street, from Buffalo to Mumford street; Medina pavement and flag side walks; length, 110 feet; estimated cost.....	\$14,089
Bowers street, from North to Clinton street; flag and brick side walks; cobble and McAdam roadway, 1400 feet.....	7,557
Spring street, from Exchange to Washington street; flag and brick walks; cobble and McAdam roadway, 1160 feet.....	5,842
Plank side walks on High, North and Saxton streets.....	1,801
	\$29,289

By Ald Knapp, from the Street Committee, favorably on the bill of Rathbun & Whitmore.—Finance Committee. Also, the following

ANNUAL REPORT OF THE STREET COMMITTEE.

To the Hon. the Common Council:

MR. MAYOR AND GENTLEMEN:—The Street Committee, having charge of the expenditures from the Highway fund, and the maintenance of the public avenues, respectfully present this, their annual report:

On the 13th of December, last, your Committee presented a statement of the expenditures audited by them up to the 31st of November, last. That statement showed a total of disbursements amounting to \$7,683.73.

Since the above date, the payments from the fund have been as follows:

Superintendent's disbursements for Dec.....	\$222 68
do do " Jan.....	123 82
do do " Feb.....	109 64
do do " March.....	460 05
do do " Salary for half year.....	500 00
Paid for Hubbell Park improvement.....	65 25
" Locks on Jones Square fence.....	10 25
" Printing.....	5 00
	1,496 69
	7,683 73

	\$9,80 42
--	------------------

The fund raised by general tax for the current year, is..... \$10,000 00

There has been credited for dirt sold, &c..... \$447 81

Total credits.....	\$10,447 81
Total disbursements.....	9,180 42

Showing a balance of..... \$1,267 39

At the commencement of this fiscal year, there were charges upon the fund, since paid, amounting to \$2,740 34. Your Committee, after paying all claims against them, for work done and services performed during the year now closing, leave a balance of \$1,267 39, to offset in part the debt of the previous years.

It would not be proper for your Committee to make any comments upon the manner in which their duties, and those of the officer subject to their direction, have been performed. They surrender their trust, however, with entire cheerfulness, and a consciousness that they have intended to fulfil every obligation with fidelity, and to execute their trust with integrity, and solely for the public benefit.

Respectfully submitted.

H. B. KNAPP,
Geo. W. LEWIS,
WM. HOLLISTER.

REPORTS OF EXECUTIVE OFFICERS.

Ald. Stone presented the report of the Overseers of the Poor, for March. Number of families 752. Amount expended, \$1,370 92. Filed.

CITY LITIGATION.

The Clerk presented the following Report of the City Attorney, showing the condition of suit in which the city is concerned as a party:

To the Hon. the Common Council:

The undersigned presents the following statement of the condition of the litigation and suits in which the city is a party or interested:

At the commencement of the year, there were twelve suits pending in the Supreme Court, in which the city was a party, or a party in interest,

the papers in which were delivered to me by my predecessor. Nine of those have been tried during the year, two settled and one only remains pending and untried, and that is an action for an injunction in which the injunction has been dissolved, and the action in effect determined. Recoveries have been had against the city in but two out of the twelve suits. Eight suits have been commenced in the Supreme Court during the year in which the city was a party or interested, of which two have been settled, two tried. Two are pending and untried, and in one judgment has been entered by default in favor of the city.

A recovery has been had against the city in but one of these.

There remain pending and untried four suits only in all. There are three appeals yet undetermined.

The following statement shows the present condition of each case.

John F. Seaman ag't the City of Rochester.—This was an action by the plaintiff as assignee of a portion of the contract of J. McConnell & Son, for the construction of the improvement of Sophia street, from Troop street to Glasgow street.

The action was tried before Hon. Addison Gardner, Referee and judgment entered in favor of the city for \$122 35 costs, on the 25th day of May, 1859. No appeal has been taken.

Robert Y. McConnell ag't the City of Rochester.—The plaintiff in this action sued as assignee of the contract of Prindle, McConnell and McConnell, for the construction of the Charlotte street sewer. The contract provides that that sewer should have an outlet into the Court and William street sewer.

The Contractors finished the Charlotte street sewer, or nearly so, when a freshet came on, the water was let into the Charlotte street sewer, and because the city had not built the Court and William street sewer up to that point, there was no outlet and the Charlotte street sewer was a portion of it destroyed by the action of the water. The plaintiff in this action sought to recover the damages he sustained by having to rebuild the Charlotte street sewer, or a portion of it.

The case was tried before J. C. Cochrane, Esq., Referee, and on the 22d day of August, 1859, judgment was rendered in favor of the city, and for \$100 72 costs.

Mary Miller, ag't Addy W. Van Slyke.—This is an action against a collector.

The defendant on a tax warrant against Andrew Wilber, seized a horse, buggy and harness, supposed to be his property. The plaintiff, the wife of Andrew Miller, replevied the property claiming title to it.

The suit was tried before George G. Munger, Esq., and on the 5th day of July, 1859, judgment was entered in favor of the collector, that he is entitled to the property, to wit: \$109.05 costs.

The plaintiff appealed from the judgment to the General Term of the Supreme Court, and on the 20th day of December, 1859, the judgment was affirmed with \$89.22 costs of the appeal.

The plaintiff has now appealed to the Court of Appeals.

James Taylor against The City of Rochester. In this action the plaintiff was non-suited at the February Circuit for 1859. It is an action for damages by reason of the engineer and contractor for Main Street bridge depositing stones in Center Street and on the side walk in front of plaintiff's premises, breaking in his private sewer, &c.

A motion was made for a new trial on exceptions at General Term.

The motion for new trial was denied at the last December Term of the Court and on the 20th day of December, 1859, judgment was entered in favor of the city and against the plaintiff for \$124.73 costs. No appeal has been taken.

The City of Rochester against Patrick Holleran. This was an appeal from a judgment rendered in Justice's Court. The defendant was sued under the ordinance for driving a hackney coach without license. A judgment was rendered against him before the Justice, besides costs. On appeal the County Court affirmed the judgment. The defendant appealed to the Supreme Court. It was heard at the June Term at Auburn, and on the 13th day of June, 1859, judgment of affirmance with \$81.49 costs, was entered against the defendant. The judgment has since been paid.

Joel B. Bennett and Joseph Medbury ag's The City of Rochester. This was an action for an injunction to restrain the city from collecting the assessment for the improvement of Buffalo street.

A motion to dissolve the injunction was denied by Judge Strong at Special Term. On appeal the General Term reversed the order and dissolved the injunction. This in effect determines the action.

Thomas Hanvey ag'st The City of Rochester.—This is an action for trespass in causing a building of the plaintiff's to be removed from Butler Alley. It was tried before George G. Munger, Esq., Referee, and a report made in favor of plaintiff for \$51 damages. Judgment was entered against the City for \$51 damages and \$102.85, costs. An Appeal has been taken to the General Term.

John H. Brown ag'st The City of Rochester.—This is an action to recover the value of a horse, which was injured by falling into a hole in Hunter's Alley, leading to a sewer course, by the stealing of the grate covering the hole.

The cause was tried by the Hon. J. C. Chumazero, referee and a report made against the plaintiff for \$130; judgment was entered for \$130 damages and \$— costs.

The judgment was appealed to the General Term and argued at the General Term held the present month, but not decided.

Michael Bauer ag'st The City of Rochester.—This is an action for injury to the person. The plaintiff fell off the embankment on Andrews street just east of Andrews street bridge, and was badly injured—his skull was badly broken and his injuries were of such a character that he can never recover from them.

The cause was tried at the January circuit and a verdict rendered for the plaintiff for \$1500. The case is now before the Supreme Court on motion for new trial. There is no judgment entered.

John T. Smith ag'st John H. Dana and Heman V. Steller.—An action for false imprisonment against two of the policemen of the city for an arrest.

Tried at February circuit 1860, and a verdict of four shillings and eleven pence rendered for the plaintiff. The verdict is a defeat of the plaintiff.

Martin Burns ag'st Palmer B. Wilder.—An action for false imprisonment against one of the policemen. Settled for \$25.

Michael Wall ag'st The City of Rochester and Oscar O. Otis.—This was an action to restrain the city and its contractor from improving Lyell street upon the grade established by the surveyor. The plaintiff's injunction was dissolved and the plaintiff discontinued the suit and paid the costs.

Aristarchus Champion ag'st The City of Rochester.—This is an action to recover back the

amount of certain taxes paid by the plaintiff under protest. It was tried at the last February Circuit and submitted to the Hon. T. A. Johnson. The decision has not yet been made. The amount claimed is about \$117.

¹¹ The City of Rochester agst. Ezra Jones and al.—An action on a note for \$1027, given for the iron of the suspension bridge. The defendant Jones set up a counter claim for about \$225 for damages resulting to him from the refusal of the city to allow him to build an iron railing on each side of Main st. bridge, according to the terms of a contract with the city. All but the amount of the counter claim has been paid into the City Treasury, as appears by a statement of Judge Buchan, made to the Common Council about a year since. The suit has been tried before J. D. Husbands, Esq., sole referee, but has not yet been submitted.

¹² Samuel S. Haight agst. The City of Rochester.—An action to recover for legal services claimed to have been rendered the city by Robert Haight.—The amount claimed in this suit is \$300. The action is at issue and ready for trial.

¹³ Samuel D. Porter agst. The City of Rochester.—An action to recover back the amount of an assessment for the construction of the Suspension bridge at Carthage. Amount claimed \$333, and interest from October, 1856. The cause is at issue, and ready for trial.

¹⁴ Michael McDermott ag't the City of Rochester: Action for injury to the plaintiff by falling into a hole in Perkins street. This cause has been settled.

¹⁵ Lindsley E. Gould ag't the City of Rochester: An action of the plaintiff to recover the amount claimed by Samuel Buell from the city on his contract for the improvement of Buffalo street. Settled.

¹⁶ Addy W. Van Slyck ag't Florence McCarthy, impleaded with Andrew Miller: This is an action upon the Replevin Bond given by Mary Miller in her suit against the collector above referred to.

¹⁷ Judgment was entered January 31, 1860, in favor of the plaintiff for \$590 47 damages, and \$21 60 costs. Execution is now in the Sheriff's hands, and a levy has been made.

¹⁸ The City of Rochester ag't Robert McIntyre:—This was an action brought for a penalty on the ordinances relating to the width of tires. Judgment was rendered in favor of the city for a penalty of \$25 and costs. The defendant appealed to the County Court, and on the 9th day of July, 1859, the judgment was affirmed in the County Court.

¹⁹ No money has come into my hands in any of these cases, which belong to the city, except \$5, in the case of Holleran.

²⁰ The above comprises a full statement of the condition of the suits in Courts of Record. There are two or three appeals from Justice's judgments pending in the County Court.

²¹ All of which is respectfully submitted.

J. VAN VOORHIS, JR.,
City Attorney.

EXECUTIVE BUSINESS.

²² On motion of Ald. Hollister, the Board proceeded to appoint a constable for the Third Ward in place of A. M. Brownell, who had neglected to give the required bonds. Upon balloting, Richard L. Swift received sixteen votes, and was declared duly appointed such constable.

MISCELLANEOUS BUSINESS.

²³ By Ald. Holmes, Resolved, That when this Board adjourns it adjourn to meet on Monday next

at two o'clock P. M. for the purpose of receiving His Honor the Mayor and Aldermen elect for the ensuing year. Adopted.

By Ald. Holmes—Resolved, That this Board deem it their duty as well as pleasure to tender F. S. Rew, Esq., our worthy and efficient Clerk, our thanks for his gentlemanly and prompt performance of duty on all occasions as such Clerk during the past year. Adopted.

By Ald. Reynolds—Resolved, That the Treasurer make the city's note 4 months from the 2d day of April next, for twenty-four thousand dollars, payable at the Metropolitan Bank in the city of New York, and get the same discounted at the Monroe County Bank, and charge the discount to the contingent fund. Adopted—Ayes 17;—Noes 0.

By Ald. Reynolds—Resolved, That the resolution passed by this Board Feb. 23th, in relation to the grade of Clarissa street be and the same is hereby rescinded. Adopted.

By Ald. Hollister — Resolved, That E. M. Day have leave to erect wood building according to the prayer of petition, under the direction of the Chief Engineer of the Fire Department.—Adopted.

Ald. Hollister called up the resolution offered at the previous meeting, by Ald. Mason, that P. Iwig have leave to remove a wood building to corner of Monroe and William streets; and presented a report of the Chief Engineer recommending the petition of Mr. Iwig to favorable consideration.—Ald. Hollister moved the adoption of the resolution. Carried.

By Ald. Reynolds.—Resolved, That, while some of us had misgivings in relation to the election of our young friend, Mr. H. A. Perry, to the office of Messenger of this Board, we were agreeably disappointed in the ability and promptness with which he has discharged his various duties, and cordially unite in tendering him our thanks for the urbanity and modesty that have characterized his intercourse with us, and offer our earnest wish for his future prosperity and happiness. Adopted unanimously.

By Ald. Lewis.—Resolved, That the City Treasurer be directed to pay the City Assessors eighty-one dollars (\$81) in full for services performed by Gilbert H. Moore, and others in copying assessment rolls, &c., in 1859—and charge Contingent Fund. Adopted: ayes 13, nays 5.

By Ald. Shelton.—Resolved, That the ordinance for constructing a sewer in State street, from near the Rail Road to the sewer ending near Allen, in State st., and passed March 27, 1860, be amended so as to read as follows: "Commencing at a point 23 feet south of the south line of the New York Central Rail Road property." Adopted.

By Ald. Stone—Resolved, That the thanks of this Board are hereby tendered to the several reporters of the daily papers for the interest they have taken in the proceedings of this Common Council, by severally reporting, in an impartial manner, what seemed to be of interest to the public, and for the personal respect they have manifested towards each one of its members. Adopted unanimously.

By Ald. Knapp—Resolved, That the thanks of this Board, and of the citizens generally, are eminently due, and by this Board are unanimously tendered to Mr. R. D. Howell, for the faithful and efficient manner in which he has discharged the difficult and responsible duties of City Superintendent for the past year, and we cordially and unanimously

ly unite in this expression of confidence and esteem. Adopted unanimously.

By Ald. Reynolds—Resolved, That the Treasurer pay as follows, on and after the 3d day of April next.

POLICE FUND.

Butler Bardwell—Salary as Police Justice, subject to any and all claims against him for fines received and moneys collected by him and not paid into the Treasury	\$400 00
S. M. Sherman—Salary as Depot Policeman and charge Police Fund.	30 00

NORTH STREET IMPROVEMENT.

A Morse—Services as Inspector and charge that fund.	156 00
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BROWN'S SQUARE IMPROVEMENT.

Rathbun & Whitmore—Final estimate for walk around square and charge that fund.	157 86
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DEEP HOLLOW IMPROVEMENT.

Richard Gorsline—Balance due him for labor and materials at Deep Hollow in full	2831 18
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CONTINGENT FUND.

Jas. Palmer—Use of Hall for Election	30 00
Inspectors of Elections 5th Ward—Services as Registrars, &c. and charge that fund.	50 00

HIGHWAY FUND.

Rathbun & Whitmore—Bill for labor and materials on Greig street and charge Highway Fund.	137 73
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Adopted—ayes 17, noes 0.

By Ald. Hebard—Resolved, That in Charles R. Babbitt, Esq., City Surveyor, this Board has found a competent, efficient and gentlemanly officer, and although he entered on the discharge of his duties with very little experience in city improvements, he has evinced a singular aptitude and facility in the discharge of his duties, and we cordially unite in tendering him an expression of thanks. And an earnest wish that the past may be an earnest of the future of his prosperity and happiness. Adopted unanimously.

ADDRESS OF ALD. SELYE.

There being no further business before the Board,

Ald. Selye made the following address:

To the Common Council—Gentlemen:

The time having arrived when I am about to resign forever to other hands the official trust which has been confided to me by my constituents, and close my official connection with this Board, which has now existed for the four years past, I deem it just to myself and to those whom I have served, to make a review of so much of city affairs as I have in any degree been conversant with and responsible for. There are more than ordinary reasons why I should take up this matter in a somewhat formal way, and to these I will refer. There are those who are so constituted mentally that they cannot conceive how any act of a man in public station can be performed with any other regard than to that of self-agrandizement. Wholly and solely selfish themselves, they judge of their fellow men by the diminutive standard which they possess, and cannot understand how a man can entertain any other. Unfortunately for

Rochester, she has too many such, who by rigidly following the bent of their inclinations, and adhering to the rule to hold all they get, and get all they can, have acquired sufficient wealth to give them prominence, and entitle them, as they suppose, to the right to charge dishonesty upon any one who does not conform to their policy. By this class the policy of the Common Council so far as it has been to make improvements in our city, has been continually assailed, and the Chairman of the Committee, who is regarded as the instigator to what they deem the mischief, has had heaped upon him a vast amount of opprobrium. It has been repeatedly asserted that I have been interested pecuniarily in the contracts for local improvements, and these reports, emanating from the same source I have indicated, have had a public circulation. A man thus publicly assailed, has a right to make a public vindication of his conduct.

While engaged in the duties which appertained to my office as Chairman of the Street and Improvement Committee, I have found little time to attend to or answer the reports which have been set afloat to my prejudice. A man who takes a public office like that I have held, and devotes so much of his time thereto as to entirely neglect his private affairs will find no leisure to convince fault finders and defamers of their error, if they are susceptible of being convinced of anything as new to them as the idea that there is such a thing as devotion to public interest and a regard for public good being entertained by individual citizens. Now that I anticipate relief from official labor I propose to devote a few moments to a vindication of my official conduct and I believe that my fellow citizens will concede that I am justified in doing so.

Four years ago I was induced by my fellow citizens of the 9th Ward to accept a unanimous nomination and election to the office of Alderman, an office which I held from 1841 to 1845, and with the duties of which I was not wholly unfamiliar. The duty was accepted with an earnest desire to promote the public good and to advance a system of local improvements which the growth and prosperity of our city appeared to demand. I had no interest in these improvements beyond that of any other citizen, but I was willing to assume an arduous and thankless task to perfect them, which some one must assume and for which there could be no reward except that of the consciousness of having done what duty demanded.

When I assumed the duties of Chairman of the Street and Improvement Committee, (which has since been divided,) the condition of our streets and public parks was not by any means flattering to our pride as citizens. The main avenues of the city were then nearly impassable, except some sections quite central, while here and there could be seen only a patch of improved street. The public parks were either without fences or had such as made them unsightly and uninviting for public resort. For ten years previous but little had been done in the way of local improvements, and such was the state of the streets that the Highway Fund was annually swallowed up without giving the tax payers anything like an adequate return for its outlay. It became necessary to commence at once the work of improving our main avenues and the cross-streets most traveled, and to urge on the work as fast as it could be done consistently with the means of those who were to pay for it. The best and most improved methods were sought for and obtained, and the utility of the changes made by the Board pursu-

ant to the advice of the Committee, have been fully demonstrated. The Medina stone pavement, the best that we have, has proved itself to be all that is claimed for it. Of this stone there have been constructed nearly two miles. The change introduced by the Committee in the style of McAdamizing, has made this kind of improvement less objectionable, while it has not enhanced its cost. Of this kind of work nearly eight miles have been made. Of flag stone walks, an improvement that so much beautifies our avenues, and which the pedestrian appreciates the value of, there have been upwards of three miles laid; of brick walks about one mile, and of plank walks more than twenty miles. The numerous public squares and parks have all, or nearly all, been re-fenced, and with fences substantial as well as ornamental, and some of them have been graded and supplied with shade trees. Each year adds materially to the foliage upon them, and it will not be long ere our city can boast of the finest parks of any in the country.

To prepare the ordinances for all this work, to listen to the suggestions of those interested, to combat the prejudices and selfishness of those who opposed, to attend to the construction, to settle the accounts of contractors, has fallen chiefly upon the Committee in charge, and mainly upon the Chairman. To perform this duty was no small tax upon the time and mind. How well it has been performed it does not become me to say. That in most instances the improvements were satisfactory to those most immediately interested, I do say, and it only required time to vindicate the policy of the Common Council in ordering the work to be done.

The delicate duty of awarding the contracts for this large amount of public work was performed by the Committee with a sole regard to the interest of the city. In some instances, perhaps, the rule so rigidly adhered to of giving the contracts to the lowest bidder may not have proved so advantageous as another course. In this connection I take this occasion to say that I do not believe any member of the Committee of which I was Chairman, was ever directly or indirectly interested in any contract, or was influenced by any pecuniary or other unworthy consideration in the performance of his duty. And so far as I am concerned, I may go further than to express a belief; I can say that I *know* that I am not obnoxious to such a charge. I publicly defy my enemies, if I have any, to show that there is the shadow of a foundation for the reports that I have been interested in street contracts, or that I received any consideration from any contractor for city work. I make the denial broad and comprehensive and challenge the utmost scrutiny to disprove my assertion. Had the members of this Committee done otherwise, who does not know that they would have placed themselves in the power of the contractor, and ever after been his slaves while the maintenance of reputation for integrity was worth contending for?

As to the policy of street improvements I need say nothing, as that ought to be well understood. While the ostensible object of improving streets is to benefit the public who use them, as well as to make them more pleasing to the eye, it should be remembered that the work is performed chiefly by the poor, many of whom might otherwise be a burthen upon the public for support. The employment of the unemployed is almost as desirable as the improvements they make. In some of the countries of Europe public improvements are pro-

jected chiefly to employ the poor and furnish them with subsistence. It is better that the public should support them while at work for the public than in idleness. The system of public improvements which the Common Council has carried on for the past four years has afforded encouragement to poor laborers, and has enabled them to support themselves and their families. The fact that this year the public are exempt from the annual tax of ten or twelve thousand dollars for the support of the poor may be in part attributed to the improvements which have been made in the city. The improvements have demonstrated their utility, and the public are so well satisfied with what has been done, that they ask for more. Four years ago there was a feeling strongly adverse to improvement, and what *was* done was the result of urgent persuasion or absolute force. Now, the people themselves petition to have improvements made, and the Common Council will have as much as it can attend to for two or three years to come to answer the demands of the people for improvements.

In the years 1856 and '57 there was but one Committee having charge of both the Streets and Improvements. The duty of cleaning and repairing the streets, constructing cross-walks, &c., fell upon my Committee, and the Highway Fund was then exclusively devoted to the object for which it was raised. No foremen or walking bosses were employed, and the only salary paid from that Fund was to the Superintendent. The streets were cleaned, and repaired so far as practicable, a large number of cross-walks of stone and wood were constructed, and not less than 2,000 yards of McAdam stone were applied annually to the streets. The practice of dispensing with the services of sub-Superintendents has not, to my knowledge, prevailed here at any other time than in the period referred to.

When I came into the Common Council, in the spring of 1856, the bridges of the city were if anything worse than the streets. The contract for Main street Bridge had been let by the previous Board, and nothing was to be done but to carry on the work under previous arrangements. A contract had also been made for a wire suspension bridge at the Lower Falls. This was also progressing. In view of the great amount of committee labor to be performed these bridges were assigned to a special committee, of which I was a member. The public know how disastrous the Suspension Bridge project proved in consequence of the injudicious plan adopted by the Board which projected the enterprise. Main street Bridge overrun the estimates, as such work too often does, but it is a noble piece of work. Among the changes made, with which I claim to have been particularly identified, was that of stone for wood and iron in the north sidewalk of that bridge. The Street Committee projected the new bridges at Court and Andrews streets, but certain citizens, ambitious to share in the labors of city improvements, induced the Legislature to appoint a Bridge Commission to take the Bridge Fund of \$50,000 to dispense, and thus relieved my committee of the labor of completing what they had undertaken. The Bridge Commissioners, however, did not incline to take charge of the Deep Hollow improvement, an extensive piece of work, but one attended with far more uncertainty than that of simple bridge building after Whipple's patent. The Deep Hollow improvement was one of more than ordinary magnitude, but one indispensable to be performed, and

performed well for the present and future, for the management and cost of which I refer to the report of the improvement committee made this evening. It is nearly completed, and is a fine structure, worthy of the great artery through which trade flows so freely to the city.

After getting the main avenues of the city permanently improved, it was conceived by the Improvement Committee that it would be best to endow them with a fund that would perpetually maintain them. To do this they advised the Charter amendment, by which \$300 is annually raised to uphold each avenue.

The credit system—by which those who are poor or in moderate circumstances, are enabled to pay for their street improvements as they do for their homesteads while enjoying them—was suggested by this committee, and its utility has been so fully demonstrated that I feel proud of my connection with the measure.

The wide tire project also emanated from this committee, and it is to be regretted that it is not more thoroughly enforced to preserve the streets against the damage resulting from the use of narrow tires for heavy draught teams. The amount of teaming done for the mills and manufactories of this city exceeds that of any other two cities in the State west of New York; hence the necessity of the adoption of broad in place of narrow tires. The narrow tires cut up and destroy the streets, while the broad tires actually make them smoother and better. I am certain that a saving of \$10,000 or \$15,000 will be made to the city annually by the general use of wide tires, and that without any inconvenience to the team owners beyond the expense of making the change, which the city can well afford to pay. There are now running, under the ordinance for wide tires, over 100 draft wagons, and had the Executive seen fit to have discharged his duty in reference to this ordinance,—the enforcement of which have for some reason been neglected—all heavy draft wagons would have, ere this, been furnished with the improved wheels—the greatest improvement ever made so far as the streets are concerned. The change to the team owner when once effected and paid for, would be more than satisfactory. I should prefer to have broad tires without a Highway Fund, than the narrow tires with that now raised annually—\$10,000. Sooner or later the wide tire ordinance will vindicate itself.

It will be seen by the report of the Improvement Committee that the total expenditure for street improvements for the past four years has been \$187,511 77, while the total expenditure for like objects in 20 years has been but \$468,552. I find by an examination of the city records, that the general city taxes have increased from \$27,715 in 1834 to \$152,760 in 1859. The people submit without murmuring or complaint to the enormous increase of general taxes because gradual in its operation, but when they are called upon to pay for local improvements, the immediate benefits of which they can see and realize, they do not always acquiesce and are to often induced to believe that they are to be wronged. The local improvements made in 1856 cost but a trifle more than a fourth of the amount assessed for general city taxes, and in 1859 considerably less than one-half. I am confident that a continuance of our system of local improvements for two or three years to come, in the same ratio as they have been prosecuted in the four years past, will pretty much finish up the streets. I trust that the work will not stop while it is so near to completion.

If the improvements which have been made in the past four years had been made by city tax, as the several Funds are raised, the public would never know when they paid for the work, and would not have been any more certain that the money was judiciously expended than they now are. I trust that when the streets have been once permanently improved, they will be upheld and re-paved by general tax.

In conclusion I will say that I leave this Board with the kindest feelings toward every gentleman with whom I have been associated; and I shall endeavor to forget that some of my fellow Aldermen have from time to time manifested symptoms of jealousy and prejudice toward me, which were wholly uncalled for and unwarranted by any action or thought on my part. This display of jealousy is quite common toward those who make themselves too prominent and active in the discharge of official duties which are performed without pay, hence I can overlook it, and throw the broad mantle of charity where something appears to be needed to cover up the infirmities of humanity.

Ald. Holmes moved that the address of Ald. Selye be published with the proceedings of the Board. Agreed to.

The Board then adjourned.

F. S. REW, Clerk.

In Common Council—April 2, 1860.

ADJOURNED MEETING.

Present—The Mayor, Ald. Mudgett, Holmes, Butler, Reynolds, Hollister, Lewis, Hebard, Bradstreet, D. W. Perry, Erickson, Moore, Stone, Lutes, Shelton, Bauer, Mason, Billinghamurst, Cushing.

Absent—Ald. G. W. Perry, Twitchell, Nash, Knapp, Selye.

The minutes of the previous meeting were approved.

Prayer was offered by Rev. Dr. J. B. Shaw.

His Honor, Mayor Moore, administered the constitutional oath of office to the Mayor elect, Hon. HAMLET D. SCRANTON.

The retiring Mayor then delivered the following valedictory address.

Gentlemen of the Common Council:

With this meeting terminates our official relations, and we are to surrender to other hands the municipal affairs of the city.

During the year past an unusually large amount of business has been transacted. More public improvements have been ordered and completed than during any year since our city was incorporated. There have been constructed $4\frac{1}{2}$ miles of sewer, $2\frac{1}{2}$ miles of McAdam road; 2 miles of flag walk, 6 miles of plank walk, 780 feet of Medina paving, together with many other improvements involving local assessments and general taxation.

There have been forty-eight meetings of the Board, many of which were necessarily long, and the labor arduous, at all of which it has been my good fortune to be present.

It gives me great pleasure to bear testimony to the faithfulness and ability with which your several duties have been discharged. The people were never more faithfully served by their Aldermen than they have been the past year.

The executive officers of the Board, by the prompt and efficient discharge of their duties, and their uniform affability, deserve our warmest commendation.

In the discharge of my official duties as your presiding officer, it has ever been my desire to be fair and impartial. If I have erred in this or any other of my duties, I invoke your charity.

Gentlemen, your steady kindness, courtesy, and forbearance have rendered the duties of my office comparatively pleasant and agreeable, and I beg you to accept my most sincere thanks for the cordial and uniform consideration you have manifested in our intercourse during the year.

Entertaining the highest respect and regard for each member of the Board, I take my leave, wishing that now, and in the future, you may be the recipients of the choicest blessings.

Ald. Lewis offered the following:

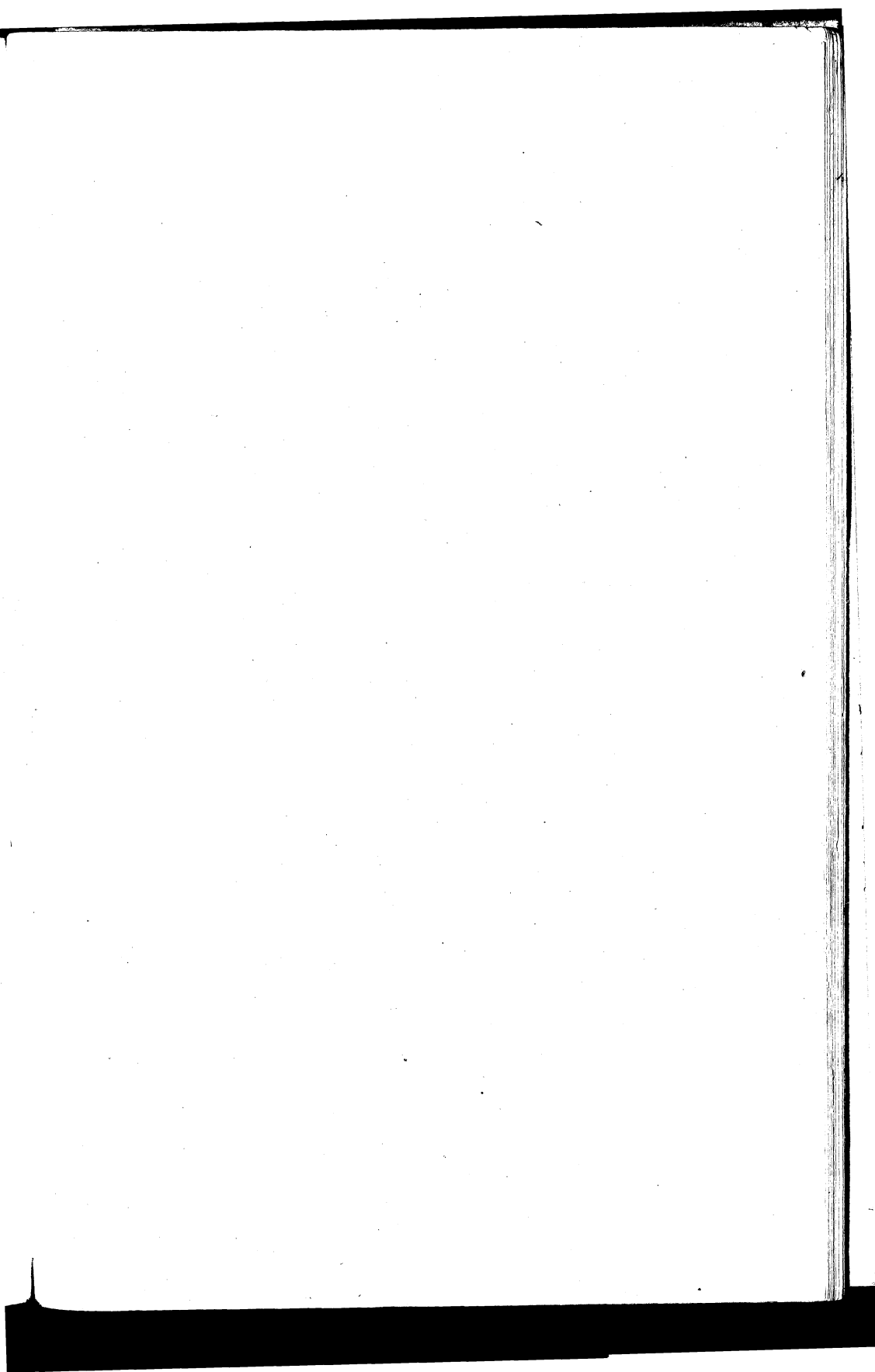
Resolved, That in terminating our official relations we hereby tender to His Honor Mayor Moore, our cordial acknowledgments for the able, dignified and impartial manner which has characterized his intercourse with us officially and socially, and for the ability and impartiality with which he has discharged his duties as the presiding officer of this Board; and we desire to unite with our fellow-citizens in the most unqualified

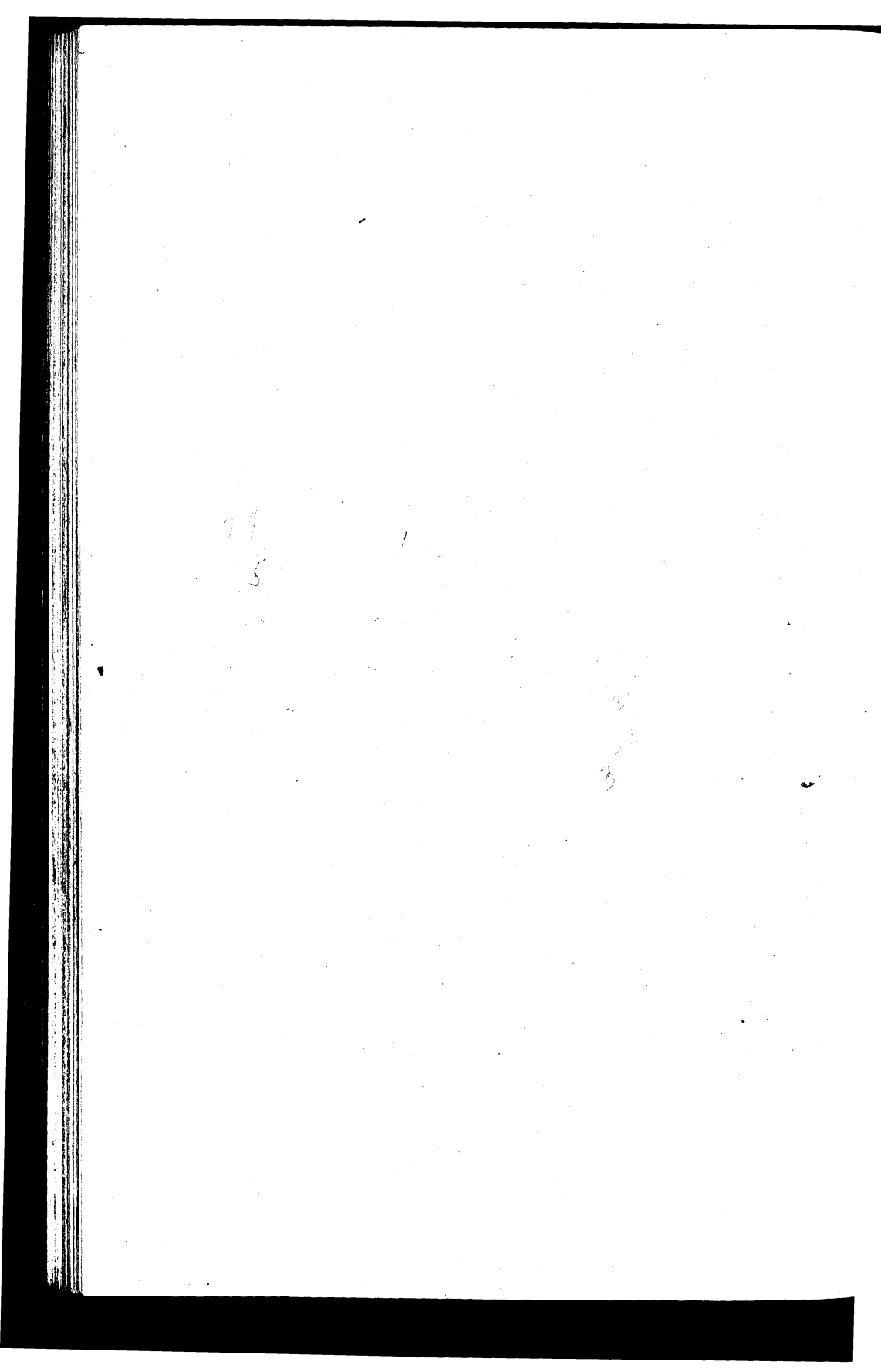
expression of our admiration of the unremitting and assiduous attention which he has given to the discharge of his public duties; and we do most cordially assure him of our sincere and united wishes for his future prosperity and happiness.— Adopted unanimously.

By Ald. Mudgett—Resolved, That the thanks of this Board are eminently due to John Van Voorhis, Esq., for the energy and intelligence he has brought to the discharge of his duties as City Attorney, and we hereby unite in tendering him our cordial wishes for his future prosperity. Adopted.

By Ald. Jones—Resolved, That, as the full sense of this Board, we tender to Jonathan Child, Esq., our most hearty thanks for the very efficient and humane manner he has performed the duties of Overseer of the Poor during the last year, fully aware that the poor, and others, have found in him a true friend, honest and just man, and that this Board feel to tender to him our hearty wishes for his long life, health and prosperity. Adopted.

On motion of Ald. Lewis, the Board adjourned,
sine die. F. S. R&W, Clerk.





BALANCE SHEET OF THE CITY TREASURER'S LEDGER, MARCH 19, 1860.

DR.	
Cash.....	\$5,123 58
Fire department.....	5,276 51
Highway fund.....	455 55
City property.....	46,848 05
Main street suspension Bridge stock.....	9,000 00
Sinking fund commissioner.....	14,531 43
Bridge loan of 1857.....	50,000 01
Main st bridge stock.....	20,000 00
Rochester and G V R R Co stock.....	300,000 00
State of New York.....	1,699 48
North St Paul st sewer.....	1,306 79
Main st improvement.....	45 54
Oak st plank walk, Allen to Jay st.....	128 75
State st improvement, Jay to Smith st.....	1,942 81
Main st opening.....	4,503 74
Riley st improvement.....	76 07
Temple st do.....	200 74
Mortimer st sewer.....	193 11
Brown st plank walk.....	40 00
Canal.....	17 45
Osage st sewer.....	11 56
New Main st plank walk.....	18 90
Glasgow st do.....	83 82
Greig st flag walk.....	1,852 63
Mill and Mumford sts cross-walks.....	4 89
Exchange st flag walk.....	9 79
State st do.....	14 54
Mumford st do.....	320 81
Edinburgh st improvement.....	1 50
City Hall.....	40,334 25
Meigs st improvement.....	14 40
Platt st sewer.....	1,160 89
State st sewer.....	43 26
Allen and Washington sts sewer.....	139 39
North St Paul st flag walk.....	209 95
Lyell st improvement.....	5,968 96
State st plank walk.....	27 37
Fitzhugh and Lafayette sts sewer.....	22 89
Court and Williams sts.....	2,694 81
Mumford st.....	595 27
A water st.....	1,022 07
Eumett st improvement.....	32 45
12th ward box sewer.....	3 85
Greig st improvement.....	54 13
Frances st do.....	79 14
Franklin st do.....	1,576 9
Smith st sewer.....	112 11
Laying iron pipes.....	28 68
B Butler.....	24 54
Erroneous assessments.....	678 59
East avenue flag walk.....	1,271 39
Jones square improvement.....	122 25
Andrews st do.....	178 60
Main street walk.....	1,186 69
Main and Buffalo sts improvement.....	2,735 00
Police fund.....	9 08
Return taxes.....	4,455 61
Brown st improvement.....	160 00
State st do Platt to Jay st.....	1,823 28
Loan of 1858 and 1859.....	70,000 00
Buffalo st and Chili road improvement.....	1,967 34
Deep Hollow improvement.....	5,567 60
State st do Railroad to Platt st.....	337 39
Oak st plank walk.....	88 07
North st improvement.....	1,803 35
Extending Babbitt alley.....	7 84
Buffalo st widening.....	50 00
City tax sales.....	27,858 00
Market st improvement.....	61 68
Hudson st do.....	1,513 05
Lyell, Orchard and Lime sts sewer.....	1,246 40
Asylum st sewer.....	827 52
East avenue improvement.....	6,713 14
\$649,774 12	
CR.	
Lamp fund.....	2,450 83
Poor fund.....	7,544 35
Board of Education.....	2,280 00
Board of Health.....	185 92
Contingent fund.....	7,598 05
Bills payable.....	45,446 83
Floating debt.....	18,654 52
Bonded debt.....	415,000 00
Rochester city bond account.....	12,000 00
West avenue repair fund.....	140 65
East do do.....	282 26
Lake do do.....	21 58
Funded debt.....	113,000 00
R & G V R R fund.....	22,000 00
Flag walk around Brown's square.....	153 50
Frances st improvement.....	45 85
Edinburgh st plank walk.....	7 08
Smith st do.....	43 05
High st do.....	20 24
Frances st do.....	69 30
State st sewer, Platt to Jay st.....	109 43

Lancaster st walk.....	24 00
Charlotte st sewer.....	26 35
Hawkins st extension.....	104 30
West street plank walk.....	9 54
Washington st do.....	6 64
Juvenile Asylum.....	11 91
Frank st sewer, Brown to Platt st.....	3 33
Bowery st do.....	110 75
Oak st do.....	37 50
East avenue sewer.....	15 35
High st do Smith to Schuyler.....	7 71
High st do.....	11 74
Lyell st do.....	21 50
Leopold st walk.....	10 92
Pearl st do.....	34 37
Kelly st do.....	5 58
Ames and Wilder sts walk.....	5 00
Collivar st walk.....	49 32
South st outlet sewer.....	42 69
South st sewer.....	9 27
Ford st do.....	24 93
State st do Jay to White st.....	53 34
Shamrock st sewer.....	30 50
State st walk, Platt to Jay st.....	10 82
State st do Allen to Platt st.....	73 12
Litchfield st improvement.....	311 69
Mechanic's square do.....	81 16
State st sewer Centre to Platt st.....	63 08
Alexander st sidewalk.....	1 33
Frances st opening.....	90 50
Frank st sewer.....	23 31
New Main st sewer.....	174 35
Outlet sewer in 4th 7th and 12th Wards.....	1,174 61
Clinton st improvement.....	58 50
\$649,774 12	

DEBIT BALANCES—CASH ACCOUNT.

To Cash on hand.....	\$5,123 58
FIRE DEPARTMENT FUND.	
To paid Geo. B. Harris' salary as Chief Engineer.....	\$1,200 00
Geo. B. Harris disbursements as Chief Engineer.....	274 40
R G best salary as Sup't hose dept.....	624 99
Four ass't engineers' salary.....	890 00
For ringing alarm bells.....	932 05
Fire companies' quarterly appropriations.....	2,466 32
Hose companies' quarterly appropriations.....	175 00
Hook and ladder companies' quarterly appropriations.....	500 00
Sack and bucket company's quarterly appropriation.....	175 00
Extra appropriations to sack and bucket company.....	225 00
Extra appropriations to hose company do do to hook and ladder company.....	25 00
Extra appropriations to fire companies No. 4, 5 and 8.....	600 00
Repairs on engine houses.....	430 13
W. H. Lyndon, damages to fence.....	5 00
H S & G Weldon, papering hose house.....	43 00
W Dobson, damages do.....	3 00
Devillo white water pipe.....	99 72
Fish, Mudgett & Co., cement.....	2 50
W Delaney, damages.....	7 00
Burke, Fitzsimons, Hone & Co., damages by sign blowing down.....	17 00
R R Harris, broken tile.....	25 00
E McDonough, damages.....	5 00
P O'Brien do.....	5 00
Thomas Garretty do.....	5 00
Charles Calhoun, damages to sign.....	8 00
James Kane, damages.....	6 10
Forsyth & Co., Barrow sack and bucket company.....	20 00
Filling reservoirs.....	32 00
Insurance.....	88 50
Discount on note at Monroe Co. Bank.....	90 42
Painting fire apparatus.....	66 50
W G Stewart, repairing fire apparatus.....	35 85
N Aylesworth, do do.....	1,815 06
N Aylesworth, Engine No 3.....	1,583 50
A Kutch, repairs to fire apparatus.....	1 25
W Grene & Stewart, do.....	922 75
J H Holliday do.....	13 25
O N Wilcox, rent engine house No. 4.....	30 00
G N Hotchkint, rent engine house No. 8.....	30 00
E Lyon rent, rent hose depot.....	350 00
W A Reynolds, rent engine and hose house.....	337 50
H L Smith, hardware, &c.....	183 40
F Tully, stoves and repairs.....	351 62
E Wray, locks and keys.....	134 95
J Terry & Co., stoves, &c.....	68 91
Ernst & Siefreid, hardware.....	3 91
Kelly & Co., lamps.....	75 75

J Siddons & Co., stoves, &c.	121 15	
Wm. Burke, hardware	30 15	
J R Galen do	12 56	
D R Barton, iron work	2 00	
McKindley & Phelps, axes, &c.	74 58	
R E & J Sherlock, gas fitting	101 32	
J Robbins, painting and glazing	36 63	
G Arnold, do do	110 00	
W H Harvey, glazing	1 88	
C Patterson, dams in canal	100 00	
D Haley, damages at fire	3 50	
J Hickey, damages to fence	5 00	
M B Oviatt, use hydrant	165 00	
J J Vazantid do	97 50	
Bennett & Co., do	50 00	
Rochester Gas Light Co.	39 30	
W H Hollister & Co., lumber	100 47	
R Hart, coal	11 00	
F & C L Reche, coal	15 00	
J W Phillips, do	2 50	
A Cross, horse leather and rivets	233 11	
S Church, ropes	55 54	
J Piel, sacks and padding	180 89	
Rathbone & Whitmore, stone	41 19	
Fitch & Alling, oil	63 91	
John F. Rothgangle, oil	18 00	
J Preston, oil	40 27	
W S Osgood, oil	12 75	
Stewart & McBirney, repairs	59 40	
O Harris, labor, materials, &c.	280 62	
O Harris, Engine No. 5	338 86	
A Gilbert, castings	3 00	
John C Moore, books	45	
G W Fisher, stationery	55	
Steele, Avery & Co., stationery	10 45	
A Strong & Co., printing	55 00	
J McMahon, sack and bucket carriage	600 00	
do repairs	36 75	
C E. Hartshorn, horse carriage	700 00	
R B Paine, contract for horse	1,827 30	
do buckets	74 00	
C Gilbert, hose couplings	133 43	
Thomas Davis, gas fixtures	4 25	
Watching fires, materials	5 00	
G S Copeland, labor	52 63	
S Beckwith, whitewashing	10 50	
G Bowden, work on water pipes	16 50	
W A Reynolds, sundries	79 05	
A J Brackett, furnishing hose depot	5 50	
H F Gratacap, hats and belts	46 00	
M F Reynolds, sundries	41 40	
Carriage	27 70	
F W Jones, sewer grade	10 40	
Charles Newman, music	25 00	
J McConnell, building drain	19 39	
C Parsons, timber	4 79	
Horse hire	16 00	
H S Allis, repairing East Ave. reservoir	2 00	
Sundries	116 33	
Balance from last year	377 46	
		21,467 01
CR.		
By received of W A Reynolds, for		
stone, &c.	8 44	
Two per cent. on Foreign Insurance	1,182 06	
General tax	15,000 90	
		\$16,190 00
		\$5,276 51
HIGHWAY FUND.		
DR.		
To balance from last year	301 39	
E H Munn, salary	250 00	
do disbursements	1,777 57	
R D Howell do	7,613 49	
Curtis, Butts & Co., printing	750 00	
A Strong & Co., do	18 00	
B Langdon, grading South Ave.	152 00	
Rathbun & Whitmore, grading Hubbell		
park	65 25	
R M Daniels, lumber	10 91	
W B Morse & Co., lumber	32 98	
J M McConnell, building sewer	9 68	
Pat Quinn, building lateral sewer cor.		
State and Ambrose sts.	10 50	
B F Crandall, judgment against city	29 30	
I V Moshier, to satisfy execution	32 22	
H F Montgomery, services in 1858	10 00	
Rochester Transportation Co., water		
line	8 68	
J B & G W Aldridge, locks for Jones sq.	10 25	
A Siefert, for pound	25 00	
Sundries	5 07	
		11,117 99
CR.		
Received from E H Munn	75 25	
do R D Howell	150 00	
do General tax	10,000 00	
do Local improvements	437 19	
		10,662 44
		\$455 55

POLICE FUND.

DR.	
To balance from last year	\$1,030 64
Paid E J Keeny salary	792 67
do do disbursements	454 91
S Simmons salary	75 56
do do disbursements	5 94
B Bardwell, salary	2,000 00
Pollicemen, do	13,247 88
E A Bardwell, carrying delinquents	25 00
For medical attendance	17 00
G W Walbridge, horse hire	19 00
Rochester Gas Light Co.	73 02
Whaples & Roach, stoves, police office	8 95
A Bruce, repairing locks	24 60
Brewster & Fenn, chairs for police office	9 00
M C Mordoff, do do	5 50
Samuel Brown, tubs	19 34
J Terry & Co., sundries	7 25
Benton & Andrews, printing	4 50
Wm Alling, stationery	16 30
E Darrow & Bro do	19 46
R Hart, coal for police office	107 53
Sundries	44 68
	19,008 73
CR.	
By received from B Bardwell, police	
justice's fines	1,783 62
From E J Keeney, fines at police office	25 00
D Wentworth do do	28 00
J C Wash do do	20 00
Monroe Co. fines, &c.	505 97
General tax	13,000 00
Floating debt	1,043 25
Suspense acct.	661 81
	16,067 65
	\$941 08
CITY TAX SALES.	
To amount held by city	\$27,858 00
CITY PROPERTY.	
To balance from last year	\$46,845 05
CITY HALL.	
To balance from last year	\$40,334 25
ERRONEOUS ASSESSMENTS.	
To amount to be assessed on general	
tax, 1850	\$678 59
CITY COMPTROLLER.	
To balance from last year	\$23,531 53
By funded debt	9,000 00
	\$14,531 53
RETURN TAXES.	
To amount due on assessments re-	
turned	\$4,455 61
BRIDGE LOAN OF 1857.	
To balance from last year	\$50,000 00
MAIN STREET AND SUSPENSION BRIDGE STOCK.	
To balance from last year	\$12,000 00
By general tax	3,000 00
	\$9,000
MAIN STREET BRIDGE STOCK	
To balance from last year	\$20,000 00
ROCHESTER & GENESEE VALLEY RAILROAD STOCK.	
Balance from last year	\$300,000 00
STATE OF NEW YORK.	
To balance from last year	\$1,699 48
LOAN OF 1858.	
Balance from last year	\$57,000 00
Bonded debt	13,000 00
	\$70,000 00
BENJAMIN BUTLER.	
To balance from last year	\$214 40
ATWATER STREET SEWER.	
To contingent fund, 2 per cent.	\$42 46
R R Harris, on contract	1,230 06
M F Reynolds, for tile	500 00
Sam'l Aiton, inspecting	31 00
	\$1,803 52
Cr.	
By received on assessment	\$750 85
	\$1,052 67
ANDREWS STREET IMPROVEMENT.	
Dr.	
To balance for last year	\$160 35
2 per cent. for contingent fund	18 25
Paid Stuart & Allen, contractors	747 51
do do do	165 00
	\$1,091 11
Cr.	
By received on assessment	\$912 51
	\$178 60

ASYLUM STREET SEWER.

Dr.	
To 2 per cent. for contingent fund	\$ 40 44
Paid E Watson, contractor	700 0'
W Churchill, inspecting	10 00
F F Dennison, do	51 00
Hack hire	5 66
Bills payable	869 30
	\$1,676 40

Cr.	
By received on assessment	\$848 88
	\$827 52

ALLEN AND WAREHOUSE STREETS SEWERS.

Dr.	
To 2 per cent. for contingent fund	\$ 21 26
Paid H H Quinn, contractor	983 20
Refunds	11 64
J Kneen, labor	6 25
C L Sharp, labor	1 17
John DePee, labor	2 00
Wm Churchill, inspecting	10 00
Hack hire	3 00
	\$1,056 52

Cr.	
By received on assessment	\$867 13
	\$189 39

BROWN STREET PLANK WALK.

Dr.	
To 2 per cent. for contingent fund	\$10 38
Paid R Dransfield, contractor	380 52
W S Grantsynn, inspecting	10 0'
	\$410 90

Cr.	
By received on assessment	\$370 81
	\$40 09

BROWN STREET IMPROVEMENT.

Dr.	
To paid Rathbun, Whitmore & Butler, on contract	\$200 00
Cr.	
By balance from last year	\$40 00
	\$160 00

BUFFALO STREET AND CHILI ROAD IMPROVEMENTS.

Dr.	
To balance from last year	\$4,921 68
Paid Sam'l Buel, contractor	2,950 00
L E Gould, in settlement with S Buel and assignees	950 00
For labor for S Buel	208 64
J W Parsons, gravel	8 00
B Butler, materials	18 75
	\$9,057 07

Cr.	
By received on assessment	\$4,614 23
Return taxes	2,475 50
	\$7,089 73
	\$1,967 34

BUFFALO STREET WIDENING AT BUFFALO STREET BRIDGE.

Dr.	
To paid Wm Pitkin commission fees	\$14 00
M Chapin do do	16 00
Wm Brewster do do	14 00
S B Dewey do do	6 00
	\$50 00

CANAL STREET PLANK WALK.

Dr.	
To 2 per cent for Contingent fund	\$ 70
Paid A Cram, contractor	40 25
	\$12 95
Cr.	
By received on assessments	25 45
	17 46

COURT AND WILLIAM STREETS SEWER.

Dr.	
To balance from last year	\$3,651 73
Paid E Jordan, fees on tax warrant	43 08
	2,694 61

DEEP HOLLOW IMPROVEMENT.

Dr.	
To balance from last year	\$2,946 44
Paid James Conway, contractor	16,477 30
R Gorsline, inspecting	263 75
do work done	1,840 00
Daniel Marsh, estimates	22 50
F J M Cornell do	14 50
A Aldridge, protecting Hollow	4 50
Hack hire	13 75
Local improvements	37 97
	21,778 71

Cr.	
By received from bonds issued	\$13,000 00
Bridge commissioners	2,611 11
	15,611 11
	\$5,597 60

EXCHANGE STREET FLAG WALK.

Dr.	
To 2 per cent for contingent fund	\$17 68
Paid Stroup & McConnell, contractors	866 2'
	883 70
Cr.	
By received on assessments	873 91
	\$9 79

EDINBURGH STREET IMPROVEMENT.

Dr.	
To 2 per cent for contingent fund	\$ 29 4
Paid R Underhill, contractor	124 39
F J M Cornell, level and profile	2 00
G Moshier, grate	10 75
	140 08

Cr.	
By received on assessment	138 58
	\$1 50

EMMETT STREET IMPROVEMENT.

Dr.	
To 2 per cent for contingent fund	\$8 13
Paid J Clancy, contractor	381 70
W S Grantsynn, inspecting	6 00
Hack hire	1 00
	396 83

Cr.	
By received on assessment	364 37
	\$32 45

EAST AVENUE FLAG WALK.

Dr.	
To 2 per cent for contingent fund	\$163 78
Paid Rathbun & Whitmore	2,500 00
Bills payable	6 00
	4,663 78

Cr.	
By received on assessment	3,392 38
	\$1,271 39

EXTENDING BARBITT ALLEY.

Dr.	
To paid M Hughes' award	127 00
Cr.	
By balance from last year	\$53 66
Received on assessment	25 98
Return taxes	39 52
	119 16
	\$7 84

EAST AVENUE IMPROVEMENT.

Dr.	
To 2 per cent for contingent fund	\$282 30
Paid D Wagner, contractor	5,000 00
Hack hire	5 17
Bills payable	8,802 00
	14,089 47

Cr.	
By received on assessment	7,376 33
	\$6,713 14

FITZHUGH AND LAFAYETTE STS. SEWER.

Dr.	
To 2 per cent for contingent fund	\$1 69
Paid John Quinn, contractor	551 00
A H Waterman, inspecting	45 00
	607 69

Cr.	
By received on assessment	\$556 60
do on warrant	25 30
Return taxes	4 00
	584 80
	\$22 89

FRANCES STREET IMPROVEMENT.

Dr.	
To 2 per cent for contingent fund	\$22 85
Paid R Dransfield, contractor	728 00
W E Grantsynn, inspecting	14 00
	764 85

Cr.	
By received on assessment	\$651 13
Return taxes	34 59
	685 72
	\$79 14

GLASGOW STREET PLANK WALK.

Dr.	
To 2 per cent for contingent fund	\$5 92
Paid R W Underhill, contractor	260 25
W S Grantsynn, inspecting	6 00
	272 17

Cr.	
By received on assessment	188 35
	\$83 82

GREIG STREET FLAG WALK.	
Dr.	
To 2 per cent for contingent fund.....	\$55 60
Paid Rathbun & Whitmore, cont'rs.....	916 81
Bills payable.....	1,833 63
	2,806 04
Cr.	
By received on assessment.....	953 41

GREIG STREET IMPROVEMENT.	
Dr.	
To 2 per cent for contingent fund.....	\$31 72
Paid Rathbun & Whitmore, cont'rs.....	1,639 12
	1,670 84
Cr.	
By received on assessment.....	1,436 10
Return taxes.....	149 90
Balance from Greig st. sewer.....	30 71
	1,616 71

HUDSON STREET IMPROVEMENT	
Dr.	
To 2 per cent for contingent fund.....	\$49 28
Paid Wm Dalton, contractor.....	700 00
W S Grantsynn, inspecting.....	20 00
Hack hire.....	1 67
Bills payable.....	1,510 95
	2,281 90
Cr.	
By received from assessment.....	768 87
	\$1,513 03

JONES SQUARE IMPROVEMENT	
Dr.	
To 2 per cent for contingent fund.....	\$14 00
Paid H W Mordoff for improvement.....	335 00
J B & G W Aldridge for fence.....	350 00
Hack hire.....	3 50
	702 50
Cr.	
By received on assessment.....	580 25

LYELL STREET IMPROVEMENT.	
Dr.	
To 2 per cent for continsent fund.....	\$299 00
Paid O O Otis, contractor.....	1,500 00
Hack hire.....	2 00
Bills payable.....	6,000 00
	7,800 00
Cr.	
By received on assessment.....	1,832 04

LYELL, ORCHARD & LIME STS. SEWER.	
Dr.	
To 2 per cent for contingent fund.....	\$61 10
Paid Stroup & McConnell, contrs.....	1,600 70
Wm Churchill, inspecting.....	30 00
Hack hire.....	9 50
Bills payable.....	1,390 00
	3,091 30
Cr.	
By received on assessment.....	1,845 00
	\$1,246 30

LAYING IRON PIPES IN EXCHANGE & STATE STS.	
Dr.	
To 2 per cent for contingent fund.....	\$47 68
Paid Fairchild, Harris and Sherlock contractors.....	2,000 00
	2,047 68
Cr.	
By received on assessment.....	2,019 00
	\$23 68

MILL STREET IMPROVEMENT.	
Dr.	
To 2 per cent for contingent fund.....	\$136 07
Paid Rathbun & Whitmore, cont'rs.....	6,411 65
	6,547 72
Cr.	
By received on assessment.....	\$5,325 33
Return taxes.....	1,178 85
	6,504 18

MAIN STREET OPENING.	
Dr.	
To balance from last year.....	4,503 74

MORTIMER STREET SEWER.	
Dr.	
To 2 per cent for contingent fund.....	\$13 00
Paid Stroup & McCoonell contractors.....	434 00
Wm Churchill, inspecting.....	10 00
	457 00
Cr.	
By received on assessment.....	263 89
	\$193 11

MILL AND MUMFORD STRETS CROSS WALKS	
Dr.	
To 2 per for centingent fund.....	\$14 66
Paid Rathbun & Whitmore, cont'rs.....	400 0
	414 66
Cr.	
By received on assessments.....	409 77
	\$4 89

MUMFORD STREET FLAG WALK.	
Dr.	
To 2 per cent for contingent fund.....	\$10 48
Paia Allen & Stuart, contractors.....	465 52
	476 00
Cr.	
By received on assessments.....	155 19
	\$320 81

MEIGS STREET IMPROVEMENT.	
Dr.	
To balance from last year.....	\$43 93
Paid Wm Kyel, contractor.....	50 00
	93 92
Cr.	
By Return taxes.....	79 52
	\$14 40

MUMFORD STREET SEWER.	
Dr.	
To balance from last year.....	920 35
Cr.	
By received on assessment.....	325 08
	\$595 27

MAIN STREET BRIDGE WALK.	
Dr.	
To balance from last year.....	\$1,405 72
Cr.	
By received on assessment.....	219 03
	\$1,186 69

MAIN AND BUFFALO STREET IMPROVEMENTS.	
Dr.	
To balance from last year.....	\$2,798 50
Cr.	
By received on assessment.....	\$59 90
	\$2,738 60

MARKET STREET IMPROVEMENT.	
Dr.	
To paid Rathbun & Whitmore for Mill street cross walks.....	\$61 68

NEW MAIN STREET PLANK WALK.	
Dr.	
To 2 per cent for contingent fund.....	\$ 3 42
Paid Thomas Purcell, contractor.....	102 75
W S Grantsynn, inspecting.....	4 00
	\$110 17
Cr.	
By received on assessment.....	\$91 27
	\$18 90

NORTH STREET IMPROVEMENT.	
Dr.	
To balance from last year.....	\$ 12 00
2 per cent for contingent fund.....	187 62
Paid John Dalton, contractor.....	1,000 00
Hack hire.....	2 66
Bills payable.....	2,200 00
	\$3,402 28
Cr.	
By received on assessment.....	\$1,598 90
	\$1,803 38

OAK STREET PLANK WALK--ALLEN STREET TO JAY STREET.	
Dr.	
To 2 per cent. for contingent fund.....	\$ 8 68
Paid R W Underhill, contractor.....	354 98
W S Grantsynn, inspecting.....	9 00
	\$372 66
Cr.	
By received on assessment.....	\$243 90
	\$128 76

OAK STREET PLANK WALK.	
Dr.	
To paid P Springstead, contractor.....	\$472 70
Cr.	
By balance from last year.....	\$61 12
Received on assessment.....	277 50
Return taxes.....	45 51 00
	\$384 13
	\$88 57

OTSEGO STREET SEWER.

Dr.	
To 2 per cent. for contingent fund.....	\$12 12
Paid N Aylesworth, contractor.....	699 75
Wm Churchill, inspecting.....	10 00
	<u>\$621 87</u>
Cr.	
By received on assessment.....	\$480 68
Return taxes.....	125 50
Balance from Otsego street improvem't	4 13
	<u>\$610 31</u>

PLATT STREET SEWER.

Dr.	
To balance from last year.....	\$1,160 89

RILEY STREET IMPROVEMENT.

Dr.	
To 2 per cent. for contingent fund.....	\$ 8 20
Paid John Dalton, contractor.....	200 00
	<u>\$208 20</u>

Cr.	
By received on assessment.....	\$132 13
	<u>\$76 07</u>

STATE STREET IMPROVEMENT—JAY TO SMITH STREET.

Dr.	
To 2 per cent. for contingent fund.....	\$ 6 84
Paid James Logan, contractor.....	949 68
Bills payable.....	1,899 32
	<u>\$2,909 84</u>

Cr.	
By received on assessment.....	\$967 03
	<u>\$1,942 81</u>

STATE STREET IMPROVEMENT—PLATT TO JAY STREET.

Dr.	
To balance from last year.....	\$1,823 28

STATE STREET IMPROVEMENT—R. R. TO PLATT STREET.

Dr.	
To balance from last year.....	\$1,597 34
Paid Rathbun & Whitmore, contractors.....	886 21
	<u>\$2,483 55</u>

Cr.	
By received on assessment.....	\$133 97
Return taxes.....	1,961 68
	<u>\$2,095 66</u>

STATE STREET FLAG WALK.

Dr.	
To 2 per cent. for contingent fund.....	\$9 84
Paid Rathbun & Whitmore, contractors.....	483 75
J S Wadsworth, refunded.....	23 00
	<u>\$516,59</u>

Cr.	
By received on assessment.....	\$500 23
	<u>\$16 36</u>

FRANKLIN STREET IMPROVEMENT.

Dr.	
To 2 per cent. for contingent fund.....	\$ 72 12
Paid Allen & Stewart, contractors.....	1,265 77
Hack hire.....	2 00
Bills payable.....	1,841 63
	<u>\$3,181 52</u>

Cr.	
By received on assessment.....	\$1,604 62
	<u>\$1,576 90</u>

STATE STREET PLANK WALK.

Dr.	
To 2 per cent for contingent fund.....	\$5 41
Paid R W Underhill, contractor.....	199 19
W S Grantsynn, inspecting.....	8 00
F Bullard, assessing.....	2 60
	<u>214 60</u>

Cr.	
By received on assessment.....	\$173 82
Return taxes.....	13 41
	<u>187 23</u>

STATE STREET SEWER.

Dr.	
To 2 per cent for contingent fund.....	\$80 10
Paid D McGarry, contractor.....	3,495 45
Wm Churchill, inspecting.....	50 00
Sundry persons refunded.....	127 43
	<u>3,752 98</u>

Cr.	
By received on assessment.....	\$3,532 01
Return taxes.....	177 71
	<u>3,709 72</u>

43 2

SMITH STREET SEWER.

Dr.	
To 2 per for contingent fund.....	\$12 47
James Campbell contractor.....	451 65
Wm Churchill, inspecting.....	10 00
	<u>474 02</u>

Cr.	
By received on assessment.....	\$332 07
Return taxes.....	39 84
	<u>361 91</u>

TEMPLE STREET IMPROVEMENT.

Dr.	
To 2 per cent for contingent fund.....	\$22 00
Paid Rathbun & Whitmore, contr's.....	1,078 00
	<u>1,100 00</u>

Cr.	
By received on assessments.....	\$99 25
	<u>\$200 74</u>

TWELFTH WARD BOX SEWER.

Dr.	
To 2 per cent for contingent fund.....	\$2 10
Paid B Langdon contractor.....	90 00
Hack hire.....	1 25
	<u>93 34</u>

Cr.	
By received on assessment.....	89 50
	<u>\$3 85</u>

NORTH ST PAUL STREET FLAG WALK

Dr.	
To 2 per cent for contingent fund.....	\$10 16
Paid D Wagner, contractor.....	393 20
	<u>403 36</u>

Cr.	
By received on assessment.....	153 41
	<u>\$209 95</u>

CREDIT BALANCES.

CONTINGENT FUND.

Cr.	
By balance from last year.....	\$4 115 19
Received for fees & in't on gen'l taxes.....	2,771 80
do do on local improvem'ts.....	311 79
do do on return taxes.....	3,164 39
do do on city tax sales.....	1,006 13
For market rents and licenses.....	2,810 31
Cart.....	74 00
Scavengers.....	7 00
Circus.....	135 00
Hack.....	191 00
Porters.....	12 00
Undertakers.....	50 00
Pawnbrokers.....	20 00
Use C C room U S Court.....	10 00
Rent powder magazine.....	30 00
2 per cent on local improvements.....	2,462 63
Floating debt.....	4,332 70
General taxes.....	10,000 00
	<u>\$81 907 94</u>

Dr.	
To paid C H Clark, Mayor, salary.....	300 00
A Karnes, Treasurer, do.....	570 00
C N Simmons, Clerk, do.....	225 00
do arranging papers.....	300 00
F J M Cornell, surveyor, salary.....	425 00
do maps.....	6 00
J Boehm, clerk market, salary.....	100 00
A F Phillips, messenger, do.....	125 00
P G Buchan, city attorney, do.....	150 00
do disbursements.....	23 40
S W D Moore, mayor, salary.....	1,125 00
W E Lathrop, treasurer do.....	1,630 00
F S Rew, clerk do.....	675 00
do disbursements.....	122 75
C T Amsden, city comptroller, salary.....	200 00
J Van Voorhis, Jr., city attorney, do.....	375 00
do disbursements.....	79 41
F Alexander, clerk market, salary.....	300 00
H A Perry, messenger, do.....	375 00
C R Babbitt, city surveyor, do.....	1,275 00
D McKay, assessor, do.....	999 96
Francis Dana, do do.....	999 96
J Coleman, do do.....	999 96
Inspectors of elections.....	848 00
Alex Allen, care of city clocks.....	178 93
For use of rooms for elections.....	385 00
For insurance.....	350 00
Discount, exchange and commission.....	1,675 02
F Lockhart, city hall watchman.....	319 50
Furniture, &c, in different offices.....	335 88
Expenses incurred for John Allen's funeral.....	157 63
Hook & Ladder Co's, pulling down walls.....	45 60
Fire Co No 7, filling reservoir.....	10 00
Rochester Gas Light Co.....	362 52
W T Lawrence, assessing.....	78 92
For assessing Jones square.....	12 00

M Mead, assessing High st sewer.....	2 00
S Morse, do outlet do.....	40 00
Henry Snyder, for injuries received.....	350 00
B F Crandall, do do.....	133 12
James Shary, for damages to house.....	1,556 16
A Strop & Co, advertg and printing.....	1,269 30
Curtis, Butts & Co, do do.....	133 06
Hebard Tracy & Co, do do.....	100 00
L W Brandt, publishing proceedings.....	425 00
A Nolte, do do.....	224 00
A Kramer, do do.....	71 63
Steele, Avery & Co, stationery.....	9 40
E Darro & Bro, do do.....	13 49
G W Fisher, do do.....	14 98
Allings & Cory, do do.....	1 75
J Bell, repairing Police office.....	19 25
do do Centre Market.....	18 00
J Strecker, work on do.....	8 00
R A Hall, repairing St Paul's church.....	29 63
F Ackerman, repairing Centre Market.....	7 50
J Conway do sewer do.....	20 83
M Jewell, do boll frame.....	2 75
W Wolf, repairs Centre Market.....	7 50
Warrent & Southworth, bricking stove, J B & G W Aldridge, repairs surveyor's office.....	90 57
H S & Welden, paving Police office.....	19 62
J Kisingbury, do do.....	6 00
do do glazing city hall.....	14 86
do do urnal do.....	5 90
J I Robins, glazing.....	5 00
R Green, painting Treasurer's office.....	6 75
R Aldridge, painting &c.....	10 40
R E Shetlock, gas fitting.....	8 30
J R Galer, hardware.....	160 00
James Badger, painting Jones square fence.....	28 55
L M & J W Newton, stove, &c for May- or's office.....	109 00
F Tully, stoves, &c.....	8 18
M Briggs, iron gallery in law library.....	20 69
F Wray, locks and keys.....	6 00
J Terry & Co filters and coolers.....	4 90
J Siddons & Co, coolers.....	101 50
W Roach, sealing weights, &c.....	145 33
F H Marshall, blank books, &c.....	3 85
J G Moore, binding books, &c.....	8 00
N G Hawley, do.....	6 00
Wed & Parsons, publishing notice, &c.....	8 00
H Wood, livery.....	6 00
G Pringle, sprinkling Buffalo st.....	87 08
R L Swift, collecting.....	53 32
J Barbydt, surveyor's stakes.....	14 80
D D S Brown, rec'd/cg city tax sales, &c.....	88 48
C M St John, making indexes, &c.....	18 64
R S Brown, lime.....	5 34
D M Dewey, stationery.....	164 50
Hebard & Graham, marble, in Treasur- er's office.....	14 00
G N Deming & Co, coal at city hall.....	1 35
J Jenkinson, refunded on Frank street sewer.....	5 00
County tax on powder-house lot.....	4 00
Palmer & Mumford, searching records.....	5 30
T C Montgomery, legal services.....	27 28
E Jordan, judgment.....	235 10
W C Storrs, costs.....	20 00
E Griffin, legal services.....	25 00
H Hunter, do.....	34 85
W F Cogswell, do.....	103 60
J Van Voorhis, Jr, legal services.....	312 00
C Jordan, suit of Barron.....	65 00
do do Lester.....	20 00
A G Wheeler, suit of Barron.....	500 10
Mathews & Selden, Opinion.....	38 80
For celebrating 4th July.....	56 50
L H Hovey, legal services.....	25 00
J J Cochrane, do.....	113 00
J L Angle, do.....	102 36
Silas Cornell, city maps.....	
For sundries.....	23,909 86

POOR FUND.

Cr.	
By balance from last year.....	\$11,319 54
Orders from Monroe county.....	6,294 60
	17,613 54
Dr.	
Paid H Banker, overseer, salary.....	183 34
P R Banker, clerk.....	81 25
H Banker, disbursements.....	69 49
P G Buchan, do.....	22 00
Jona Child, overseer, salary.....	825 00
do disbursements.....	287 00
do do wood.....	364 93
J H Child, Clerk, salary.....	200 00
J F Whitbeck, Physician, salary.....	137 50
I Keuchling, do.....	112 50
B F Gilkeson, do.....	112 50

\$7,598 08

T F Hall, do.....	187 60
F Reichenbach, do.....	187 60
A Backus, do.....	187 60
T B Collins, do.....	187 50
G Arink, do.....	187 50
H S Sherman, do.....	187 50
D Dickenson, medical services.....	10 00
D Bly, do.....	15 00
H F Montgomery, do.....	5 00
H Roching, rent.....	10 00
J B Bennett, rent overseer's office.....	187 50
G V Jeffrey, burying paupers.....	220 00
E B Riley, do.....	52 75
H Bender & Co, do.....	47 10
B Minges, do.....	154 75
D W Allen, do.....	157 50
Riley & Hughes, do.....	122 60
Geo Darling, transporting paupers.....	43 12
S S Pellett, do.....	165 32
G V Butterfield, railroad fares.....	39 90
E J Keeny, feeding paupers.....	9 42
Home of Friendless, boarding paupers, do do do do.....	35 25
do do do do do.....	43 00
do do do do do.....	100 00
Female Charitable So., do do.....	150 00
Industrial School, do do.....	100 00
Dan'l Marsh, for do. South st. do.....	100 00
Protestant Orphan Asylum, do.....	100 00
Catholic do do.....	100 00
St Mary's Hospital, do.....	5 00
J Riley, wood.....	130 00
J W Phillips, wood.....	478 07
J McLowell, drawing wood, &c.....	324 45
B M Baker, wood.....	40 83
G Backus, delivering wood.....	60 83
I H Putnam, flour.....	20 00
E N Buell do.....	78 50
J M Whitney & Co, flour.....	204 40
Smith, Perkins & Co, groceries & provis. H Brewster & Co, do do.....	149 85
do do do do.....	30 86
Moore & Cole, do do.....	243 96
J Crombie, do do.....	2 50
J Brewster & Smith, do do.....	314 13
Frost & Schlier, pork.....	55 60
A Babcock & Son, pork.....	36 00
J Cochrane, pork.....	9 09
J Howe, bread.....	204 97
J J Van Zandt, coffee.....	32 90
J Anderson, candles.....	21 36
R Hart, coal.....	60 83
J B Ward & Co, coal.....	34 25
W S Main, flour.....	63 25
D H Burts, stove for overseer's office.....	13 50
Geo Gould & Co, boots and shoes.....	89 37
J W Hatch & Co, boots and shoes.....	4 00
Thos Bellanuy, clothing.....	31 40
Geo A Wilkins, do do.....	4 50
Adams, Hastings & Co, paper.....	4 38
J Terry & Co, sundries.....	11 50
McDowell & Bellanuy, sundries.....	46 75
Rochester Gas Light Co.....	6 50
J S Wadsworth, rent wood yard.....	300 00
J H Babcock, judgment, &c.....	210 00
W Gibbons, do.....	55 00
W Simpson, rent.....	25 00
D Tallmadge, order.....	8 25
W Wallace, do.....	4 00
Henry Wray, potatoes.....	6 00
A Strong & Co, printing.....	8 09
N G Hawley, books.....	40 81
Wm Alling, stationery.....	1 00
Horwood, painting.....	56 56
C Peirce, arresting G Arndt.....	15 62

10,069 16

LAMP FUND.

Cr.	
By balance from last year.....	\$2,845 44
Floating debt.....	544 68
Received from general taxes.....	11,000 00
	14,430 12
Dr.	
To paid Rochester Gas Light Co, light- ing public lamps, &c.....	\$10,702 53
R P Benton, lighting lamps, &c.....	56 65
W F Hasson, do do.....	16 32
Bennett & Co, lamp posts.....	218 75
Wm Kidd & Co, do.....	332 50
J Siddons & Co, lamps and repairs.....	222 69
Whaples & Reach, do do.....	211 39
M F Reynolds, glass for lamps.....	216 45
Rathbun & Whitmore, moving lamps.....	2 00
	11,979 29

\$2,460 83

BOARD OF HEALTH.

Cr.	
By balance from last year.....	\$1,887 36
received from general taxes.....	2,500 00
	4,387 36

To paid J Purcell, health inspec. salry,	Dr.	\$51 50	
F Cogswell, health inspector, &c,	do	46 50	
P Halloran,	do	46 50	
R P Doty,	do	97 50	
Thos Knowles,	do	30 00	
J Buckley,	do	88 50	
A Richardson,	do	553 50	
J A Meyer,	do	180 50	
S M Luckev,	do	455 00	
J Hamner,	do	180 00	
W P Stewart,	do	46 50	
Jno Gilligan,	do	46 50	
Jno Baker,	do	46 50	
H Serantom,	do	90 00	
Joel Pound,	do	45 00	
Thos Burns, care of hospital, &c.....		322 96	
C N Simmons, clerk.....		75 00	
F S Rew, do.....		225 00	
Thos Bradley, health officer.....		125 00	
W H Briggs, vaccinating.....		318 25	
G W Avery, do.....		283 75	
do health physician.....		187 50	
W H Briggs, do.....		187 50	
A strong & Co, printing.....		20 75	
L Ward, rent hospital.....		99 00	
G H Mumford, land.....		100 00	
F Bullard, land.....		100 00	
do horse team, &c.....		31 30	
D D S Brown, recording deed.....		4 05	
Hack hire.....		2 50	
J Eichman, cleaning privy.....		12 00	
Burying carcasses, &c.....		93 25	
For sundries.....		58 63	
		4,201 44	
		\$185 92	
BOARD OF EDUCATION.			
By balance on hand.....	Cr.	2,280 00	
BILLS PAYABLE			
By balance from last year.....	Dr.	\$2,500 00	
Notes discounted.....		76,000 00	
Local improvements.....		31,194 34	
		109,694 34	
To paid notes when due.....	Dr.	64,247 51	
		\$45,446 83	
BONDED DEBT.			
By balance from last year.....	Cr.	\$407,000 00	
Loan of 1859.....		13,000 00	
		420,000 00	
To bonds paid.....	Dr.	5,000 00	
		\$415,000 00	
FUNDED DEBT.			
By balance from last year.....	Cr.	122,000 00	
To paid bonds.....	Dr.	9,000 60	
		\$113,000 00	
FLOATING DEBT.			
By balance from last year.....	Cr.	46,234 62	
To local improvements.....	Dr.	\$21,688 87	
Contingent fund.....		4,332 70	
Police fund.....		1,043 25	
Lamp fund.....		544 68	
		27,579 50	
		\$18,654 02	
ROCHESTER CITY BOND ACCOUNT.			
By balance from last year.....	Cr.	10,000	
Received from general taxes.....		2,000	
		\$12,000	
ROCHESTER AND GENESEE VALLEY RAILROAD FUND.			
By balance from last year.....	Cr.	\$22,000	
AMES AND WILDER STREET WALK.			
By balance from last year.....	Cr.	7 95	
To paid M Erhart, refunded.....	Dr.	2 35	
		\$5 60	
ALEXANDER STREET SIDE WALK.			
By balance from last year.....	Cr.	29 81	
Received on assessment.....		46	
Return taxes.....		25 52	
		101 33	
To paid G N Deming & Co, contractors.....	Dr.	100 00	
		\$1 33	

DOWERY STREET SEWER.			
By received on assessment.....	Cr.	842 58	
Return taxes.....		164 70	
		\$1,007 28	
Dr.			
To 2 per cent for contingent fund.....		21 72	
Paid P Quinn, contractor.....		835 30	
Sundry refunds.....		29 51	
Wm Churchill, inspecting.....		10	
		896 53	
		\$110 75	
BOLIVAR STREET WALK.			
By received on assessment.....	Cr.	56 56	
To 2 per cent for contingent fund.....	Dr.	6 74	
		\$49 82	
CHARLOTTE STREET SEWER.			
By balance from last year.....	Cr.	26 35	
COURT STREET OUTLET SEWER.			
By balance from last year.....	Cr.	42 59	
CLINTON ST. IMPROVEMENT.			
By balance from last year.....	Cr.	\$ 5 38	
Return taxes.....		80 13	
		\$85 51	
To paid sundry refunds.....	Dr.	\$26 71	
		\$58 80	
EDINBURGH ST. FLANK WALK.			
By received on assessment.....	Cr.	\$154 46	
To 2 per cent. for contingent fund.....	Dr.	\$ 2 92	
Balance from Edinburgh street im-		8 42	
provement.....		133 00	
Paid R W Underhill, contractor.....		3 00	
W S Grantsynn, inspecting.....			
		\$147 34	
		\$7 08	
EAST AVE. SEWER.			
By balance from last year.....	Cr.	\$19 65	
To paid sundry refunds.....	Dr.	\$4 32	
		\$15 33	
EAST AVE. REPAIR FUND.			
By received from general taxes.....	Cr.	\$300 00	
To paid D Wagner, McAdam, stone.....	Dr.	\$17 74	
		\$282 26	
FLAG WALK AROUND BROWN'S SQUARR.			
By received on assessment.....	Cr.	\$1,919 50	
Return taxes.....		74 00	
		\$1,993 50	
To 2 per cent for contingent fund.....	Dr.	\$ 40 00	
Paid Rathbun & Whitmore, contract's.....		1,800 00	
		\$1,840 00	
		\$153 50	
FRANCES ST. IMPROVEMENT.			
By received on assessment.....	Cr.	\$296 36	
Return taxes.....		73 84	
		\$370 20	
Dr.			
To 2 per cent. for contingent fund.....		\$12 34	
Paid P Quinn, contractor.....		300 00	
W S Grantsynn, inspecting.....		12 00	
		\$324 34	
		\$45 86	
FRANCES ST. WALK.			
By received on assessment.....	Cr.	\$81 30	
To 2 per cent. for contingent fund.....	Dr.	\$12 00	
		\$69 30	

FRANK ST. SEWER—BROWN TO PLATT ST.		
	Cr.	
By received on assessment	\$192 02	
Return taxes	85 10	\$577 12
	Dr.	
To 2 per cent. for contingent fund	\$11 54	
Paid Stroup & McConnell, contractors	562 20	\$573 74
		\$3 38
FRANK ST. SEWER—SMITH TO SCHUYLER ST.		
	Cr.	
By balance from last year		\$7 71
	FORD ST. SEWER.	
	Cr.	
By balance from last year	\$48 89	
	Dr.	
To paid sundry persons refunded	\$23 96	\$24 93
	FRANCES ST. OPENING.	
	Cr.	
By balance from last year	\$375 50	
Received on assessment	20 00	\$395 50
	Dr.	
To paid R Tate, award	\$ 5 00	
B G Chappell do	195 96	
H A Brewster do	104 04	\$305 00
		\$90 50
FRANK ST. SEWER—BROWN TO JAY ST.		
	Cr.	
By received on assessment	\$89 85	
Return taxes	142 94	\$232 79
	Dr.	
To balance from last year		\$209 48
		\$23 31
	HIGH ST. WALK.	
	Cr.	
By received on assessment		\$233 40
	Dr.	
To 2 per cent. for contingent fund	\$ 4 86	
Paid Thomas Purcell, contractor	201 30	
W S Grantsynn, inspecting	7 00	\$213 16
		\$20 24
	HIGH ST. SEWER.	
	Cr.	
By received on assessment	\$421 24	\$421 24
	Dr.	
To 2 per cent. for contingent fund	\$ 9 50	
Paid J Quinn, contractor	400 00	\$409 50
		\$11 74
	HAWKIN'S ST. EXTENSION.	
	Cr.	
By received on assessment	\$110 50	
	Dr.	
To 2 per cent. for contingent fund	\$6 20	\$104 30
	JUVENILE ASYLUM.	
	Cr.	
By balance from last year		\$13 50
	Dr.	
To paid county taxes	1 59	\$11 91
	KELLY ST. WALK.	
	Cr.	
By balance from last year		\$5 58
	LANCASTER ST. WALK.	
	Cr.	
By balance from last year		\$24 00
	LYELL ST. SEWER.	
	Cr.	
By received on assessment	\$187 40	
Return taxes	92 60	\$280 00

	Dr.	
To 2 per cent. for contingent fund	\$ 5 60	
Paid C H Butler, contractor	249 90	
For hack hire	3 00	\$258 50
	LEOPOLD ST. WALK.	
	Cr.	
By balance from last year		\$21 50
	PEARL ST. WALK.	
	Cr.	
By balance from last year		\$10 92
	LITCHFIELD ST. IMPROVEMENT.	
	Cr.	
By balance from last year		\$494 00
	Dr.	
To paid B Springstead for work	\$137 34	
J Quinn do	44 97	\$182 31
		\$811 69
	LAKE AVE. REPAIR FUND.	
	Cr.	
By received from general taxes		\$300 00
	Dr.	
To paid R Benton for labor	\$200 00	
do do disbursements	78 42	\$278 42
		\$21 58
	MECHANIC'S SQUARE IMPROVEMENT.	
	Cr.	
By received on assessment	\$103 00	
Return taxes	111 50	\$214 50
	Dr.	
To balance from last year		\$133 34
		\$81 16
	NEW MAIN ST. SEWER.	
	Cr.	
By received on assessment	\$3,214 63	
Return taxes	45 70	\$3,260 33
	Dr.	
To 2 per cent. for contingent fund	\$ 72 48	
Paid E Watson, contractor	2,915 61	
Wm Churchill, inspecting	20 00	
F Dennison do	70 00	
Sundry refunds	2 72	
Hack hire	5 17	\$3,085 98
		\$174 35
	OAK ST. SEWER.	
	Cr.	
By received on assessment	\$18 71	
Return taxes	84 21	\$102 92
	Dr.	
To balance from last year		\$65 42
		\$37 50
	OUTLET SEWER IN 4TH, 7TH AND 12TH WARDS.	
	Cr.	
By received on assessment		\$2,282 01
	Dr.	
To 2 per cent. contingent fund	\$110 40	
Paid John Daiton, contractor	800 00	
J S Wadsworth, right of way	150 00	
C T Amsden do	40 00	
Hack hire	3 00	
Schuyler Moses, assessing	4 00	\$1,107 40
		\$1,174 61
	SMITH ST. PLANK WALK.	
	Cr.	
By received on assessment	\$1,061 87	
Return taxes	232 16	\$1,294 03
	Dr.	
To 2 per cent. for contingent fund	\$ 27 74	
Paid John Dalton, contractor	1,091 73	
W S Grantsynn, inspecting	20 00	
Sundry refunds	111 51	\$1,250 98
		\$43 08

STATE ST. SEWER—PLATT TO JAY ST.

	Cr.	
By balance from last year		\$122 81
To refunded sundry persons	Dr.	13 30
		<u>\$109 43</u>

STATE ST. SEWER—JAY TO WHITE ST.

	Cr.	
By received on assessment		\$1,557 18
To balance from last year	Dr.	\$ 17 00
2 per cent. for contingent fund		40 72
Paid D Wagner, contractor		1,198 49
C H Butler, cleaning sewer		23 00
W Churchill, inspecting		20 00
F Ballard, assessing		3 00
W Hegeman, do		2 00
Refunded by sundry persons		199 63
		<u>\$1,503 84</u>

STATE ST. SEWER—CENTRE TO PLATT ST.

	Cr.	
By balance from last year		\$63 48

STATE ST. WALK—PLATT TO JAY ST.

	Cr.	
By received on assessment		\$112 39
Return taxes		127 82
		<u>\$240 21</u>

To balance from last year	Dr.	\$229 39
		<u>\$10 82</u>

STATE ST. WALK—ALLEN TO PLATT ST.

By balance from last year	Cr.	\$73 12
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SOUTH ST. SEWER.

	Cr.	
By balance from last year		\$29 54
To refunded sundry persons	Dr.	\$20 27
		<u>\$9 27</u>

SHAMROCK ST. SEWER.

By balance from last year	Cr.	\$30 80
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WEST ST. PLANK WALK.

	Cr.	
By received on assessment		\$94 65
Return taxes		15 35
		<u>\$108 00</u>

	Dr.	
To 2 per cent. for contingent fund		\$ 2 16
Paid John Dalton, contractor		74 43
W S Grantsynn, for inspecting		8 00
Retunded by sundry persons		13 87
		<u>\$98 46</u>

\$9 54

WASHINGTON ST. PLANK WALK.

	Cr.	
By received on assessment		\$67 81

	Dr.	
To 2 per cent. for contingent fund		\$ 1 36
Paid John Dalton, contractor		54 81
W S Grantsynn, inspecting		5 00
		<u>\$61 17</u>

\$6 64

WEST AVENUE REPAIR FUND.

	Cr.	
By received from general taxes		\$300 00

	Dr.	
To paid John Lynch for labor		\$20 25
J Cramm, for labor		4 50
H B Knapp, disbursements		134 60
		<u>\$159 35</u>

\$140 65

STATEMENT OF THE "FUNDED DEBT"

Of the City of Rochester, showing the date when created, for what purposes made, and when payable

Date of Bonds.	Number of Bonds and Amount of each.	Aggregate Amount.	For what purpose used	When Payable.
1837,—July 1.	8 Bonds of \$1,000 each	\$8,000	Building Centre Market, 7 per cent.	January 1, 1862.
1838,—Nov. 1.	5 do do	5,000	Alms House Stock, 7 do	do 1, 1862.
1839,—Jan. 1.	20 do do	20,000	do do do 7 do	do 1, 1864.
1846,—Nov. 10.	5 do do	5,000	Funded Debt, 6 do	July 1, 1860.
1850,—July 1.	5 do do	5,000	To renew, 6 do	do 1, 1861.
" " 1	5 do do	5,000	City Stock, 6 do	do 1, 1864.
" " 1	5 do do	5,000	do do 6 do	do 1, 1866.
" " 1	5 do do	5,000	do do 6 do	do 1, 1868.
" " 1	25 do do	25,000	do do 6 do	do 1, 1870.
" " 1	5 do do	5,000	City Hall, 6 do	do 1, 1870.
" " 1	15 do do	15,000	do do 6 do	do 1, 1872.
" " 1	10 do do	10,000	do do 6 do	do 1, 1873.
	Funded Debt,	\$113,000		
1853—Jan. 1	100 Bonds of \$1,000 each	\$100,000	Roch and G V RR Stock, 6 do	January 1, 1873.
1853—July 1	140 do do	140,000	do do do 6 do	do 1, 1873.
" " 1	1 Bond of \$2,000 each	2,000	do do do 6 do	do 1, 1861.
" " 1	1 do do	2,000	do do do 6 do	do 1, 1862.
" " 1	1 do do	2,000	do do do 6 do	do 1, 1863.
" " 1	1 do do	2,000	do do do 6 do	do 1, 1864.
" " 1	1 do do	2,000	do do do 6 do	do 1, 1865.
" " 1	1 do do	2,000	do do do 6 do	do 1, 1866.
" " 1	1 do do	2,000	do do do 6 do	do 1, 1867.
" " 1	1 do do	2,000	do do do 6 do	do 1, 1868.
" " 1	1 do do	2,000	do do do 6 do	do 1, 1869.
" " 1	1 do do	2,000	do do do 6 do	do 1, 1870.
" " 1	1 do do	2,000	do do do 6 do	do 1, 1871.
" " 1	1 do do	2,000	do do do 6 do	do 1, 1872.
" " 1	1 do do	2,000	do do do 6 do	do 1, 1873.
1855—Aug 28	20 Bonds of \$1,000 each	20,000	Building Main st. Bridge, 6 do	do 1, 1876.
1856—May 1	3 do do	3,000	Main st. and Susp. Bridges, 7 do	do 1, 1860.
" " 1	3 do do	3,000	do do do 7 do	do 1, 1861.
" " 1	3 do do	3,000	do do do 7 do	do 1, 1862.
1857—Aug 12	18 do do	18,000	Building Andrews do 7 do	August 12, 1877.
1857—Sept 1	32 do do	32,000	Court and Main st. do 7 do	Sept. 1, 1877.
1858—May 10	20 do do	20,000	Floating Debt, 7 do	May 10, 1873.
" " 10	20 do do	20,000	Deep Hollow Imp't 7 do	do 10, 1876.
" " 10	17 do do	17,000	Andrews st. do 7 do	do 10, 1878.
1859—May 15	4 do do	4,000	Deep Hollow do 7 do	Sept. 1, 1863.
" " 15	3 do do	3,000	do do do 7 do	do 1, 1865.
" " 15	3 do do	3,000	do do do 7 do	do 1, 1867.
" " 15	3 do do	3,000	do do do 7 do	do 1, 1869.
	Bonded Debt,	\$415,000		
	Funded Debt,	113,000		
	Total,	\$528,000		

The Treasurer submits herewith to the Hon. the Mayor and Common Council, the Annual statement, as required by Sec. 77, Title 4, of the Charter.
 Rochester, March 27th, 1860. W. E. LATHROP, Treasurer.

The foregoing Report of the City Treasurer, having been duly examined by the Finance Committee of the Common Council, and by them approved as a correct abstract of the Treasurer's ledger, is published in pursuance of the provisions of the City Charter.

F. S. BAW, City Clerk.

S. W. D. MOORE, Mayor.

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ERRATA.

Page 97, Res. of Ald. Stone, read *Julia street*, instead of *India street*.

Page 184, Ordinance to improve Front street. Side-walks 13 feet wide, instead of 18.

Page 118, Ordinance to improve State street, read *July* instead of *June*, and *Wm. Hegeman*, instead of *David Hagerman*.

Page 207, Report of Police Magistrate, received for violation of Ordinances, 94 cents ; total \$47 90.